



# **NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY**

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## **HANSARD**

**Wednesday, March 11, 2015**

Pages 6139 – 6174

**The Honourable Jackie Jacobson, Speaker**

# Legislative Assembly of the Northwest Territories

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### Speaker

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(Nunakput)

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**YELLOWKNIFE, NORTHWEST TERRITORIES****Wednesday, March 11, 2015****Members Present**

Hon. Glen Abernethy, Hon. Tom Beaulieu, Ms. Bisaro, Mr. Blake, Mr. Bouchard, Mr. Bromley, Mr. Dolynny, Mrs. Groenewegen, Mr. Hawkins, Hon. Jackie Jacobson, Hon. Jackson Lafferty, Hon. Bob McLeod, Hon. Robert McLeod, Mr. Menicoche, Hon. Michael Miltenberger, Mr. Moses, Mr. Nadli, Mr. Yakeleya

The House met at 1:30 p.m.

**Prayer**

---Prayer

**SPEAKER (Hon. Jackie Jacobson):** Good afternoon, colleagues. Item 2, Ministers' statements. Honourable Minister of Lands, Mr. McLeod.

**Ministers' Statements**

**MINISTER'S STATEMENT 186-17(5):  
RECREATIONAL LAND MANAGEMENT  
FRAMEWORK PROGRESS**

**HON. ROBERT MCLEOD:** Mr. Speaker, Northwest Territories residents take great pride in the beauty of their land and want to see the Department of Lands managing it in a fair, transparent and consistent way. The development of new recreational leasing policies that respond to the needs of our residents is a priority for the department.

Lands is committed to finalizing its Recreational Land Management Framework by mid-2016. This framework will apply to both Commissioner's land and newly devolved Territorial land. The policies and planning that make up the framework will address the current and future recreational needs of residents across the NWT and will be consistent with the Land Use and Sustainability Framework.

Over the past two months, departmental staff have held public meetings to ask residents what matters most to them about recreational land management. Nine public meetings were held in eight communities. We also collected online submissions. The information gathered from NWT residents will guide the writing of the draft policies and plans for the Recreational Land Management Framework. The Department of Lands will share the draft policies later this year with Aboriginal governments, the public and other stakeholders for additional feedback before finalizing the framework.

This past fall the department committed to evaluating options for managing vacant previously surveyed lots in existing subdivisions along the Ingraham Trail that have become vacant for a variety of reasons. The research, consultation and

public engagement work done to date has informed the department's review of its options with these subdivisions. Residents have told us that they care deeply about environmental sustainability and also want more access to recreational areas.

After consulting with the Akaitcho and Tlicho governments, the NWT Métis Nation, the North Slave Metis Alliance, the general public and other stakeholders, and upon further review and research by the department, I would like to announce that Department of Lands will be making 22 vacant parcels in previously surveyed recreational subdivisions along the Ingraham Trail available for lease. The lottery process for leasing these lots will be done in an open, fair and transparent manner in the early summer. Information on the lot locations and lottery process will be posted on the Department of Land's website on May 1<sup>st</sup> and will be advertised through the local media.

This decision is only possible because already-surveyed lots have become available. There is still a moratorium on issuing new recreational leases within the focus area along Highways No. 3 and No. 4 until the Recreational Land Management Framework is completed.

Mr. Speaker, the Department of Lands' Recreational Land Management Framework will ensure a clear and fair process for recreational leasing of rural land across the Northwest Territories. Once completed, the department's goal is to identify potential new areas suitable for leasing or sale. We will ensure Aboriginal rights are respected. As well, we will ensure rural land across the NWT is used responsibly and sustainably. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. McLeod. Honourable Premier, Mr. McLeod.

**MINISTER'S STATEMENT 187-17(5):  
MINISTER ABSENT FROM THE HOUSE**

**HON. BOB MCLEOD:** Mr. Speaker, I wish to advise Members that the Honourable David Ramsay will be absent from the House today due to illness. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. McLeod. Item 3, Members' statements. The honourable Member for Mackenzie Delta, Mr. Blake.

## Members' Statements

### MEMBER'S STATEMENT ON REPLACING MOOSE KERR SCHOOL IN AKLAVIK

**MR. BLAKE:** Thank you, Mr. Speaker. Today I'd like to return to my concerns about Moose Kerr School in Aklavik. Last week I noted the school was built in 1969. That's exactly the same year as Samuel Hearne Secondary School in Inuvik. That school was demolished and replaced a couple of years ago.

Moose Kerr School was one of the oldest buildings in the Northwest Territories. The school did get a major retrofit in 1999 with an extension of the senior high wing and the addition of the library.

Last week the Minister of Public Works and Services confirmed the government's policy to replace buildings at 40 years of age, or 20 years after major renovations. Since Moose School underwent renovations in 1999, it will be replaced in 2019.

I was glad to hear the Minister of Public Works confirm this. I would like to confirm that Moose Kerr School is on the five-year capital plan, and I will have questions for the Minister later today. Thank you.

**MR. SPEAKER:** Thank you, Mr. Blake. Member for Nahendeh, Mr. Menicoche.

### MEMBER'S STATEMENT ON GNWT POLICY REGARDING EMPLOYEES CHARGED WITH CRIMINAL OFFENCES

**MR. MENICOCHÉ:** Thank you, Mr. Speaker. GNWT employees who are charged and suspended without pay is breaching Canadian common law of innocence until proven guilty. The GNWT, as an employer, must adhere to this principle of law.

In Canada, Section 11(d) of the Canadian Charter of Rights and Freedom states: "Any person charged with an offence has the right to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal."

The presumption of innocence is the legal right of any accused in a criminal trial. The law in Canada applies to everyone, including police, judges, politicians, employers, and employees of our government. The main purposes of our laws are to provide order in society to provide a peaceful way to settle disputes and to express values and beliefs of a civilized society.

Everyone in Canada, citizen or permanent resident, has equal access to the justice system. I have a fairly low level employee who has been suspended without pay for a few months, potentially losing his

job as a result of us, as his employer, waiting for his court case. This is completely wrong. In fact, I don't know where they got that policy from.

In 2010 the deputy minister of Human Resources said publicly that there is no government policy on dealing with employees who are charged or convicted of crimes. He said the department handles each case individually, depending on the nature of the charge and nature of the position.

I don't believe we should be suspending people without pay. Should we not be, if anything, like the RCMP, suspending them with pay until the case is resolved, or even continue employment with other duties? Suspending them for months without pay before they have legal proceedings is completely not the way to go, according to our Canadian Charter of Rights and Freedoms.

I will be asking the Minister of Human Resources questions on this later today. Thank you.

**MR. SPEAKER:** Thank you, Mr. Menicoche. Member for Sahtu, Mr. Yakeleya.

### MEMBER'S STATEMENT ON MINERAL EXPLORATION IN THE SAHTU

**MR. YAKELEYA:** Thank you, Mr. Speaker. I will continue on with my theme of economic development in the Northwest Territories, particularly in the Sahtu region.

Today I would like to talk about the potential for minerals, for mining in the Sahtu region. The amount of land related to mining exploration within the Sahtu, there are 397 mineral claims covering approximately 301,000 hectares, 14 mineral leases covering approximately 5.8 hectares, and 1.08 percent of the total Sahtu area is occupied by active mineral tenure.

The land claim was negotiated in 1993 and became law in 1994. The land claim asserts jurisdiction to the Sahtu people as to the development that's going to happen in the Sahtu region. It gave them sovereignty. It also gave them institutions such as the Sahtu Land Use Plan. The Sahtu Land Use Plan allows development to happen in areas that are agreeable by the governments and by the Sahtu people where development can happen.

Mining has been an issue with the Sahtu people ever since the uranium mine was mined and the content was taken down the Bear River to southern parts of the United States where it was developed. As a matter of fact, there is a report by the federal government that states that from the mining from the Great Bear Lake, 700,000 tonnes of waste was dumped into Great Bear Lake and they're still working on it to clean it up.

Today we have these types of examples. We have mining that has a high potential in our regions, and today the Sahtu people would like to see if there

can be a conference on the potential of the remediation, a potential for mining and what we need to do to look at the mining issue in the Sahtu region. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Yakeleya. Member for Weledeh, Mr. Bromley.

MEMBER'S STATEMENT ON  
UNREGULATED ICE ROAD CONSTRUCTION  
ON TERRITORIAL LAKES

**MR. BROMLEY:** Mr. Speaker, constituents living at Prelude Lake report extensive and chaotic proliferation of unauthorized ice roads plowed on Prelude this winter. In the words of one, "Anybody with a plow has put in a road to their cabin and from cabin to cabin, criss-crossing the lake." People travelling the lake by snowmobile, as they have safely done for decades, are being injured. Safety, environmental and transportation issues need regulation.

Foremost is safety. Traditionally residents have travelled to and from their cabins by snowmobile, but now it is almost impossible to cross the lake by snow machine because of the density and randomness of roads plowed and the six-foot snow berms as solid as cement that accompany them. Snowmobilers are being injured, including one lady this week.

These roads are not authorized or profiled for ice thickness, so the loads they will bear are unknown. Transport of large trailer loads of construction material and fuel thus represent a huge environmental liability. Illegal dumping and burning of garbage on the ice adds to the environmental damage being done. People say they use lake water for drinking and that unregulated dumping and road building could make that impossible.

More people are using Prelude, both recreationally and residentially, than in the past. With lands and waters now our responsibility, this government has an obligation to make sure that regulations are in place to manage their use for the safety and benefit of all. The proliferation of private ice roads on Prelude is, at best, inconvenient and, at worst, dangerous for the people living there and recreating there and the health of the land.

Issues raised here stretch across the departments of Lands, ENR and Transportation. As lead, the Minister of Lands has pointed out that there are legislative gaps for addressing this situation. There is a need for the development, implementation and enforcement of new regulations regarding land use, access roads and rules surrounding safe disposal of garbage.

While the people around Prelude unfortunately seem to have hit the road running, GNWT is just now getting up to speed in their new regulatory role. The Minister is committed to creating an

interdepartmental working group with Lands, DOT and ENR to delve into the issues and legislative review in the long term. We will undoubtedly continue to rely on band-aid solutions as issues like these arise, until we undertake a comprehensive review of devolution legislation. Will Lands at least immediately begin the thorough review the Premier promised but failed to deliver?

I will have questions. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Bromley. Member for Inuvik Boot Lake, Mr. Moses.

MEMBER'S STATEMENT ON  
RIGHT TO SECOND MEDICAL OPINION

**MR. MOSES:** Thank you, Mr. Speaker. On February 22, 2013, in Committee of the Whole, I asked the then-Minister of Health and Social services, during the review of the main estimates, questions on the right to a second medical opinion. There were some good questions and there were discussions of the review of the right to a second medical opinion. I bring this forward again today only because I've had discussions with people who were concerned about their medical results and their diagnosis and weren't sure if they were getting the right treatment. Every resident in the Northwest Territories should have this right, the right to question medical test results and their diagnoses, because getting the right treatment depends on getting the right diagnosis that you're entitled to.

We all know this. We all see it in our communities. We all have aunts, uncles, grandmothers, even kids who are afraid to ask, or there might be a language barrier, or they might not know the medical terminology, and they also put a lot of faith and trust in the physicians or the nurses who are giving them the medication or the treatment that they need.

I know mistakes, although uncommon, can be made. As a result, we have to make sure that every resident in the Northwest Territories does know and have the ability to get that right to a second medical opinion. When we talk about this right, it's the health and the life of our residents in the Northwest Territories that's at stake. Also, getting that second medical opinion might, in fact, result in us not having to send people out of the territory or getting them on high medical costs.

I will follow up to some questions that I asked almost two years ago in this House and see where we are in terms of providing that right to a second medical opinion for residents of the Northwest Territories, see if there's a policy, see if there's an act in place and how can residents access that right to get the proper treatment that they need. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Moses. Member for Frame Lake, Ms. Bisaro.

MEMBER'S STATEMENT ON  
DECENTRALIZATION AND  
HUMAN RESOURCE POLICIES

**MS. BISARO:** Thank you, Mr. Speaker. Today I want to speak about how we, the GNWT, treat some of our employees. I think we generally do a good job, but certainly I and all Members, I expect, have had constituents who have not been treated well by government.

To explain, here's an example. I use the government's actions with staff whose job it is to be decentralized. There are two issues here. One is how we advise our employees about the decentralization of their job. It's done respectfully, but well before the job will actually change location. Staff are notified more than a year in advance of the decentralization of their job. Some may think that's a good move, but I suspect the majority of the employees involved see it as a year to fret, to worry and to endure an uncertain future with no options to fix the situation until two months prior to the moving date.

That brings me to the second problem, that of how we handle our staff who will be decentralized and the policies which govern their circumstances. I've looked at the Human Resources policies and manuals that govern staff hiring and firing. I found it most interesting that the term used for someone who refuses to move to a new community is "voluntary separation." I expect the affected person does not see their situation as voluntary. The employer says your job is moving, you're agreeing to give up your job. I don't think this is an apt term for the situation.

It was extremely difficult to find the appropriate info for voluntary separation on the HR website, or any other affected employee info for that matter. There is an HR Manual, so it would seem logical to go there to find out all there is to know about affected status, how the employee can expect to be treated and the options available to him or her. But the HR Manual has no information on voluntary separation. For that one has to search for and find a number of policies that apply.

Why is that info not all in one place? Why are the policies not part of the HR Manual? Perhaps it's too logical.

Admittedly, we have HR staff who can help employees who are affected, but I'm sure many employees and the public want to find the info out for themselves, to study it before they meet with HR. We certainly don't make it easy for them to find out about the circumstances of their voluntary separation.

In response to my questions earlier this sitting, the Premier responded, "We look after our affected employees." I say letting them stew about their uncertain job situation for 10 or 12 months is hardly

in their best interest and it's hardly looking after our employees. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Bisaro. Member for Yellowknife Centre, Mr. Hawkins.

MEMBER'S STATEMENT ON  
COST OF LIVING ISSUES

**MR. HAWKINS:** Thank you, Mr. Speaker. I rise once again to continue the conversation of power costs and the cost of living for all Northerners. You've heard from me and other Members about how important this subject is, and we certainly know the problem. We know the problem is affordability for Northerners. We also understand how complicated this problem is because we know the system must generate the money to cover its costs and that cost falls upon the folks who need power.

So we know what part of the problem is, but what do we do if we don't do anything? Well, we know it hurts working families trying to get by day to day. We know it affects our population because people can't stand to live here anymore. We know it hurts the success of business trying to get along and provide services to Northerners in every single community. Whether you're in a big community or a small community, whether you're a big business or a small business, the cost of power has a huge impact on what you do.

If we're not helping the bottom line of the everyday family, I question what we are really doing here. If we're not helping the bottom line of business, I wonder what risk we put them at and ask myself, what are we doing here? Are we doing enough?

We must look at the bigger picture and ask ourselves how are we pulling this all together. As I understand as we've started the discussion here, we must focus in on how to bring the bigger picture together in a matter that focuses in on delivering a better bottom line for Northerners, whether you're a family trying to get by day to day or you're a business trying to meet the bottom line so you can make enough money to pay employees to be working there.

It's been said by experts that the Northwest Territories has the most complicated 65 megawatts around. It's not me saying this. It's an expert saying this. In this modern world we've heard how important power generation is, because it touches every element of our lives, whether it's kids using iPads in schools, whether we charge our cell phones, whether we go to the library to turn the lights on so we can read books. That power turns on to make sure that you can stay warm or you can keep your important things cold in the refrigerator.

Power is essential, just like food, water and shelter. We must be asking ourselves the right questions: is it time to restructure now and how would we do that? Is it time to ask ourselves how do we develop



the generation piece and pull all our distribution networks together?

There was a plan called Creating a Brighter Future and it asked how do we do this and which way are we going. It's time we had the real policy discussions such as do we need the PUB, what future does the Power Corp hold before us, and does our energy policy meet the needs of Northerners?

I'll be asking those questions and more later today.

**MR. SPEAKER:** Thank you, Mr. Hawkins. The Member for Deh Cho, Mr. Nadli.

#### MEMBER'S STATEMENT ON ENTERPRISE – GATEWAY TO THE NORTHWEST TERRITORIES

**MR. NADLI:** Mahsi, Mr. Speaker. In the past I've stood up in the House to celebrate the hardworking town of Enterprise, our gateway to the NWT. Even though it's a small town with a population of just over 100 people, and in spite of recent economic challenges, Enterprise is home to great civic enthusiasm and a number of exciting ideas for economic development.

Just this past December the hamlet elected a new council including two counsellors in their early twenties. It's great to see young people participating in their communities like this. While we were sad to say goodbye to Winnie's Restaurant, a staple both for residents and for visitors and travellers, a new shop specializing in Dene arts and crafts featuring artists from the Deh Cho and the North and South Slave is an asset to the community. The community also hosts a new design gallery. The hamlet's artistic streak shows a real enterprising spirit.

I've also spoken here before about the new and potential economic initiatives for the community of Enterprise. For example, a new fire tower. Also, in 2014, a portion of Highway No. 1 was dedicated as the NWT Highway of Tears commemorating Canadian veterans.

I've said before that our visitors centre at the site of the old Enterprise weigh scale could not only celebrate the hamlet, it could also tie into this highway initiative as well as other tourism possibilities including connections to outfitting and maybe even a bison interpretive centre.

Just this past year two Enterprise residents won a 2014 Parks Hospitality Award for their work at the 60<sup>th</sup> Parallel Visitors Centre. Residents are also looking forward to the possibility of a new wood pellet plant to bring jobs to the region.

It's clear that the residents of Enterprise are eager for new opportunities. It's also clear that they are actively pursuing these opportunities both as a hamlet and in private business ventures. But right

now many of these opportunities are still in the future and the hamlet can't afford to wait.

Later I will have questions about the support for hardworking NWT communities.

**MR. SPEAKER:** Thank you, Mr. Nadli. The Member for Hay River North, Mr. Bouchard.

#### MEMBER'S STATEMENT ON ISSUES IMPACTING SENIORS

**MR. BOUCHARD:** Thank you, Mr. Speaker. Today I'd like to talk about one of the Northwest Territories most valuable assets. I'd like to talk about seniors. I'll have questions for the Minister responsible for Seniors. That's correct. We have a Minister responsible for Seniors. We have so many issues in this area that we need a Minister responsible for it.

This is an expanding part of our population. The cost of living affects this group greatly. We need to work on how we can reduce the cost of living for seniors. We know that there is elder abuse out there. We know that there is a lot of need for the seniors and medical support systems, medical travel, dental care and, obviously, in Hay River we know about the seniors health facilities that we're looking at building this year. We know the expansion of this population requires that we've got to look at the needs for more facilities.

Seniors need assistance with housing and how they get on to those housing lists. The seniors who are staying in their homes, we need to support them more. We need to look at the fuel subsidy that we have for seniors and we need to look at increasing that. We haven't looked at that for a long time.

I know the government works closely with NWT seniors, but we need to look at the funding of NWT seniors and funding regional seniors' groups to help them support seniors throughout the Territories. We need to work harder to improve seniors' quality of life in the Northwest Territories. Thank you.

**MR. SPEAKER:** Thank you, Mr. Bouchard. The Member for Range Lake, Mr. Dolynny.

#### MEMBER'S STATEMENT ON TAXATION FORMULA FOR MICRO-BREWERIES

**MR. DOLYNNY:** Thank you, Mr. Speaker. I'm not going to beat around the bush; I love beer and beer loves me.

---Laughter

I know in just a couple more months, Yellowknifers will get a chance to enjoy the brewing sensation of local Old Town start-up of Miranda and Fletcher Stevens' NWT Brewing Company.

In recent years, the micro-brewing industry has grown across Canada, and while micro-breweries comprise a small percentage of national beer

production and sales, this manufacturing industry has grown substantially and the North is ready to once again enter into production.

If you were around in 1992, then you would remember Victor MacIntosh and Doug Strader who opened the Arctic Brewery Company, which was the first micro-brewery in the Northwest Territories. Although the quality of beer improved during its production years, it was better known for its peanut bar atmosphere and unique airplane wing as its serving bar. Its closure did spark some concern in the day as to why the government would not do more to preserve such a unique tourism attraction, and questions still remain today that beg us to ask what more should we be doing to support entrepreneurial start-ups like the Fletcher's.

While following the news in December of 2014 about the GNWT easing restrictions on the flat rate manufacturing tax on every litre of beer sold in the territory, I still saw this as a serious threat for a new manufacturing business.

Small-scale brewers across Canada have identified obstacles to their business and beer tax regimes. Cited most often is not keeping pace with changes to the industry, and I have to agree with them.

So, after a thorough review of the Canadian landscape on micro-brewery tax regimes, which I tabled yesterday in the House, it became evidently clear that although the GNWT offered some easement in December of 2014, its current amended formula is still one of the highest formulas in the country and I want to know why. Why would this government impose a tax program that would set the bar higher than the rest of Canada? What good is it for the success of economic development when targeting a new start-up business with such a high manufacturing tax?

What does this higher tax regime say about the government's value to support tourism potential or enhance economic innovation and diversity to allow competitive market penetration or, better yet, employment opportunities? Clearly, we have the power to do not what is easy but to do what is right and give this business a leg up on what could potentially be the biggest success story of manufacturing in our northern history.

I'll have questions later today for the Minister responsible. Thank you.

**MR. SPEAKER:** Thank you, Mr. Dolynny. Item 4, returns to oral questions. Mr. McLeod.

## Returns to Oral Questions

### RETURN TO ORAL QUESTION 578-17(5): MUNICIPAL INFORMATION AND PRIVACY LEGISLATION

**HON. ROBERT MCLEOD:** Thank you, Mr. Speaker. I have a return to oral question asked by Ms. Bisaro on February 9, 2015, regarding municipal information and privacy legislation.

On September 18, 2014, the Department of Municipal and Community Affairs distributed a discussion paper to community governments and other stakeholders including the Standing Committee on Social Programs, the Standing Committee on Government Operations and the Standing Committee on Economic Development and Infrastructure of the Legislative Assembly for comment. In addition, the discussion paper was made publicly available on MACA's website.

Through this consultation, MACA received responses from six community governments on the discussion paper. MACA is concerned that developing potential options based on this limited response will be problematic. Accordingly, the department is now engaging in personal interviews with senior community government staff in order to develop a broader perspective. The intention is to then work with the Municipal Access and Privacy Working Group to complete the survey of the feedback received from stakeholders. The report will be sent to the Standing Committee on Economic Development and Infrastructure and will be made available publicly within the life of the 17<sup>th</sup> Assembly.

Mr. Speaker, I am also mindful that at times community governments can be inundated with requests to engage on issues that the GNWT is attempting to advance. As a result, I feel it is important that MACA takes the necessary time to gather the appropriate information from community leaders, so I do appreciate the patience of the Member, this House and the Information and Privacy Commissioner as we continue to investigate this issue.

Once the summary feedback is completed, MACA will use the information to develop options to address the recommendations of the Information and Privacy Commissioner. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. McLeod. Item 5, recognition of visitors in the gallery. I would like to welcome everybody here in the public gallery. Thank you for taking an interest in our proceedings here today.

Item 6, acknowledgements. Item 7, oral questions, Mr. Bromley.

### Oral Questions

QUESTION 786-17(5):

#### REGULATION OF ICE ROAD CONSTRUCTION ON TERRITORIAL LAKES

**MR. BROMLEY:** Thank you, Mr. Speaker. My question is a follow-up on my Member's statement regarding the issues out at Prelude Lake and the dangerous proliferation of unauthorized ice roads and the difficulty people are having navigating on it with their snowmobiles.

What regulations are in place to control and regulate the building of ice roads on NWT lakes, to make sure that roads are built and used rationally and safely for both people and the land? Mahsi.

**MR. SPEAKER:** Thank you, Mr. Bromley. Minister of Lands, Mr. McLeod.

**HON. ROBERT MCLEOD:** Mr. Speaker, I'm not sure what the regulations are. I would have to check with the Department of Transportation because I'm not quite sure what the regulations are. So, I will commit to working with Transportation and see what those regulations are and share that information. Thank you, Mr. Speaker.

**MR. BROMLEY:** Sorry for the confusion there. I should have stipulated Minister McLeod. I have been working with Minister McLeod on this and still some questions remain, but I understand that in fact we don't have regulations, but I'll wait for that to be confirmed.

People are being injured on Prelude Lake travelling to their cabins and homes by snowmobile because of the six-foot concrete-hard berms associated with roads that have appeared overnight and are basically chaotically placed on the lake.

I'm wondering what this Minister proposes to do before this issue arises again next winter as a land use issue, to regulate the building of private ice roads and ensure that Prelude Lake is safe for snowmobiling, both for recreational and commuting travel. Mahsi.

**HON. ROBERT MCLEOD:** We will work with the Department of Transportation and ENR. I think we've already formed a working group, and we will attempt to find some resolution to this issue before next winter. In my correspondence with the Member, and conversations with the Member, he has been pointing out that it is getting to be quite an issue around some of the lakes with all the trails that are being made there. So, I'll work closely with my colleagues and we'll see if we can put a plan in place before the next winter season.

**MR. BROMLEY:** I appreciate the fast work of the Minister. The Minister recently held public meetings about recreational leasing regulations in several communities. This was a good initiative and I applaud it. Presumably, access roads on land and

ice would be part and parcel of any new rules regulating what may or may not be done by people holding recreational leases.

Did the Minister hear any references or concerns from the participants in these meetings about the building of ice or land roads to their leases, or casual users of the common concerns about interference from roads? Mahsi.

**HON. ROBERT MCLEOD:** I have not heard personally, but I haven't had an opportunity to review some of the comments that came back. But I would assume it would be a concern of a lot of residents out there, especially with so many people getting out on the land now and the ability to make trails to these lands. I know, back where I'm from, we have a few trails out to some of the cabins out there. There aren't as many as around here because of the higher usage here. But I will review that, and again, I will relay that information on to the Members. Thank you, Mr. Speaker.

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

**MR. BROMLEY:** Thank you, Mr. Speaker. Devolution legislation has not been reviewed at all by people as being referred to as having northern tools and things like that. We've heard "devolve" and "evolve." Perhaps we should have "revolve."

There seems to be a few legislative gaps in our Lands legislation that needs filling. Despite promises from our Premier, serious review will only occur when departments take it on. A new department in a supposedly democratic government guided by legislation with absolutely no vetting from the citizenry, that's the Department of Lands.

When will the Minister begin the consultative process to make inherited legislation relevant, that the people of the Northwest Territories were promised, in a way that people were promised? Mahsi.

**HON. ROBERT MCLEOD:** Mr. Speaker, that will happen. On the Lands side of it, we've inherited the Territorial Lands Act, which is a huge piece of work. We also are working with the Commissioner's Lands Act that we had worked with previously. That is a huge undertaking, and I can commit to the Member and all Members of this House that that work, I think, in the life of this government anyway will have to do the initial work. The bigger piece is going to have to be done, I think, in the 18<sup>th</sup> Assembly, to amalgamate those two acts. It's a huge undertaking, but it's one that we're aware of and one that has been brought to our attention, and the work is going to get started on that. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. McLeod. Member for Hay River North, Mr. Bouchard.

QUESTION 787-17(5):  
SENIORS' QUALITY OF LIFE

**MR. BOUCHARD:** Thank you, Mr. Speaker. I will have questions for the Minister responsible for Seniors, Mr. Abernethy. As I indicated in my statement, seniors are a valuable asset in the Northwest Territories and we know there is an expanding group of people. What is the Government of the Northwest Territories doing to improve the seniors' quality of life in the Northwest Territories? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Bouchard. Minister responsible for Seniors, Mr. Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. I'm not sure there are enough minutes on the clock to outline all the things the Department of Health and Social Services in addition to the Housing Corp, Education, Culture and Employment and all the other departments are doing to support seniors. But I will go into a few of the items that the department is undertaking.

We do have Our Elders, Our Communities, which is a framework for action on improving the results for seniors in the Northwest Territories. Our Elders, Our Communities outlines priority areas that will be used to guide future programming and design for older adults to assist them to remain in their communities for as long as possible. Some of the priority areas that we're working on include healthy and active aging, home and community care services, integrated and coordinated services across the continuum, caregiver supports, elder-responsive communities, accessible and current information as well as some sustainable factors, Mr. Speaker. I can go on and on but I'll defer to the Member. Thank you, Mr. Speaker.

**MR. BOUCHARD:** I could have asked this question to several Ministers, as the Minister indicated, but my question to the Minister responsible for Seniors is: What is the connection? Is there a committee that gets all the departments together that are linking seniors together that have seniors issues, whether it's the Department of Finance for taxation, whether it's Health, whether it's MACA, whether it's Housing? Is there a group of people who get together and discuss seniors specifically? Thank you, Mr. Speaker.

**HON. GLEN ABERNETHY:** A number of requests do come to me from organizations like the NWT Seniors' Society, which I absolutely share with the individual Ministers responsible. But we also have the Ministers' Social Envelope Committee of Cabinet where there's an opportunity for us to discuss issues across multiple departments. Thank you, Mr. Speaker.

**MR. BOUCHARD:** My question is about that committee. Does that committee get together on a regular basis to talk about seniors along with the

Minister responsible for Seniors, to actually just sit down and discuss, or do they come up just on specific topics? Does this group get together regularly regarding seniors? Thank you, Mr. Speaker.

**HON. GLEN ABERNETHY:** The Social Envelope Committee of Cabinet meets on a frequent but not scheduled basis and we talk about topics that have come up either in the House or directly from other individuals from outside of the government itself, and we're topic based. We have had issues or topics specific to seniors but we don't have a seniors standing agenda item.

As the Minister responsible for Seniors, like I said, I do have a lot of different groups, different seniors' societies coming to me on a regular basis with issues that are cross-departmental and I do bring those forward to the respective departments and work with them to get responses back to the individuals who are looking for answers.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Final, short supplementary, Mr. Bouchard.

**MR. BOUCHARD:** Thank you, Mr. Speaker. It's hard to get all of the questions in because there are a lot of issues that we deal with as Regular Members here on this side. I guess my question would be concerning funding.

Has the department or the Minister looked at the funding that we give to seniors, whether it's through senior groups, whether it's through fuel subsidies? Are we looking at expanding funding that we give to seniors?

**HON. GLEN ABERNETHY:** When you add all the programs together, whether it's housing or education or health and social services, there is significant money going into this particular area. I will commit to getting some more quantified, sort of, results or numbers for the Member and provide that to him as soon as I can.

**MR. SPEAKER:** Thank you, Mr. Abernethy. The Member for Mackenzie Delta, Mr. Blake.

QUESTION 788-17(5):  
REPLACEMENT OF MOOSE KERR SCHOOL

**MR. BLAKE:** Thank you, Mr. Speaker. My questions are for the Minister of Public Works and Services. Will the Minister confirm when a planning study will be undertaken for replacement of the school in Aklavik?

**MR. SPEAKER:** Thank you, Mr. Blake. The Minister of Public Works, Mr. Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Speaker. As I indicated earlier, that school will be scheduled for replacement or a major upgrade about 20 years after the last mid-life retrofit, and that would be in 2019. If we work backwards, I'm assuming that construction will begin in 2019. Then the planning

study, if we're following the cycle, should start in 2017.

**MR. BLAKE:** Last week the Minister did confirm that we were going to go ahead with construction for a new school here. My question pertains to the community consultation.

Will the Minister assure me that his department will consult with the community members to ensure a new school building accommodates their needs?

**HON. TOM BEAULIEU:** We have a capital planning process and the capital planning process takes the department's requests for new infrastructure through five different filters and then once the projects are categorized they will go through five more filters. At that point it is determined that we are going to move forward, that this was the project that was highest on the points, and then we move to a planning process. After the planning process is complete, actually the following year, we go to design detail. It is during the design detail that there is community consultation that will occur. There's a schematic design and then when there's a detailed design, then there will be a community consultation process. But there are discussions with the communities through the organizations that are responsible for the infrastructure from the very beginning of the process.

**MR. BLAKE:** There are a number of problems with this school here, whether it's the foundation, electrical, plumbing, a number of issues. This building was built in 1969. That's well over the 40 year mark. It's time for a replacement. We had confirmation last week. Will the Minister live up to his confirmation that there will be a new building?

**HON. TOM BEAULIEU:** Thank you. We know that Moose Kerr building is actually in pretty good physical shape. We are going to run it through the capital process. There's no doubt we have been maintaining the building and it is in good shape, so we're pleased about that. Even though the schedules have time periods as to when the buildings should be replaced, sometimes the buildings are in very good condition and then, in that case, for the sake of the money, we could effectively do a major renovation. But as I indicated, there is a plan to replace that building in 2019. The process leading up to that, I'm indicating that the process will start in 2016 and then a planning study in 2017. From there it just flows to when the building is commissioned, which would be, I guess, between 2019 and 2020.

**MR. SPEAKER:** Thank you, Mr. Beaulieu. Final closing, Mr. Blake.

**MR. BLAKE:** Thank you, Mr. Speaker. The policy kind of conflicts here. First it says whether the building is over 40 years old you will get a new

building. Then it says 20 years after major retrofit, which will still be way over 40 years.

So I'd like to ask the Minister, will the Minister ensure that Moose Kerr School is put on the right flag list? Thank you.

**HON. TOM BEAULIEU:** The Department of Education is going to put this into the capital planning process. What we essentially do is compare project to project using various filters, protection of people, protection of assets, protection of environment, financial investment, and the need for programs and so on. After that we do the scale of the impact, the severity of the impact, the urgency and also the mitigation factors. So those are filters that we use for all capital planning. In that way we're able to compare one capital project against another and it makes sure that the process is an objective process. Thank you.

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

QUESTION 789-17(5):  
POLICIES REGARDING EMPLOYEES  
CHARGED WITH CRIMINAL OFFENCES

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. I want to ask the Minister of Human Resources some questions about the department's position on employees who have been charged. I'm not too clear if they've got a policy or a guideline or a procedure or how it works when it comes to our employees. Thank you.

**MR. SPEAKER:** Thank you, Mr. Menicoche. The Minister of Human Resources, Mr. Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Speaker. Each case is quite specific. It would depend on whether or not the individual was management, excluded, union. In the case where an individual was unionized, then what we'd recommend to the employee, if there are issues that they're not happy with if they're to be charged and not feeling that they're being treated fairly by the departments, is they have the option to deal with their union. Thank you.

**MR. MENICOCHÉ:** Earlier in my Member's statement I spoke about the presumption of innocence, which means, of course, you're innocent until proven guilty. I've got a scenario where an employee was actually suspended without pay, pending the court case. If there's no policy or guidelines, how can this happen? Like, we're an employer, we've got beautiful policies on maintaining and keeping and expanding on our employees, yet when somebody gets in a situation like this we suspend them without pay. How can this happen? I'd like the Minister of Human Resources to answer that. Thank you.

**HON. TOM BEAULIEU:** Aside from any court situation, we have a code of conduct with our

employees. So, employees are expected to follow a code of conduct. There is also a possibility that individuals could be new employees and still be under probation. Therefore, there's a possibility that the department could be looking at rejection based on probation. Thank you.

**MR. MENICOCHÉ:** Natural justice must prevail. I clearly laid out in my Member's statement with regard to the Charter of Rights and Freedoms that people are innocent until proven guilty, yet here the Minister is saying perhaps they are breaching a code of conduct. They're actually not. It has to be proven in a court of law. I would like to cover off in other departments, Justice, maybe RCMP, people are actually not suspended without pay. They are delegated other duties in their department.

Why are we taking a hard-line position, especially when we're not following any natural justice process? I think we've got to be fair to all our employees, Mr. Speaker. Thank you.

**HON. TOM BEAULIEU:** It is very difficult to speak in an open forum like this about individuals' employment status. My best advice to the employee or to the Member, and the employee has gone to the Member for advice and support, is to actually discuss with the union the situation the employee is encountering. He is likely a union employee. In that case, then the union would provide the support necessary so that when he feels he is being treated unfairly, the union will represent that individual with the management of the department. Thank you.

**MR. SPEAKER:** Thank you, Mr. Beaulieu. Final, short supplementary, Mr. Menicoché.

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. I know that the Minister thinks I'm trying to be specific, but I'm trying to be general about this. When it comes to treating employees fairly, it means treating them all fairly.

Why would we want to treat one employee more unfair than other employees, especially when he's not management, he's not an excluded employee and he's fairly low level as an employee? So just generally, he's sitting there, he's the Minister of Human Resources, the law and natural justice must prevail and everybody must be treated equally, Mr. Speaker. Thank you.

**HON. TOM BEAULIEU:** To be general, in the Public Service Act, Section 29 allows the deputy head to suspend individuals in the public service that are considered to have misconduct. Thank you.

**MR. SPEAKER:** Thank you, Mr. Beaulieu. Member for Inuvik Boot Lake, Mr. Moses.

QUESTION 790-17(5):  
PATIENT'S RIGHT TO  
SECOND MEDICAL OPINION

**MR. MOSES:** Thank you, Mr. Speaker. I mentioned back in February of 2013, I asked then-Minister of Health and Social Services about the right to a second opinion. He mentioned that they were hiring a policy officer to review the health benefits. The review of a second opinion is within that review.

I would like to ask the Minister of Health and Social Services, what is the update on that review of the health benefits? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Moses. Minister of Health, Mr. Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. Since the Minister made his initial set of questions in 2013, we have hired a clinical advisor within the Department of Health and Social Services who is helping us to determine or quantify some of these results and questions in these areas. I just want to be clear to the Member, in some complex areas, medical diagnoses, some patients clearly would like to get a second opinion from another doctor. Doctors will respect a patient's request, reasonable request, for a second opinion from a physician of the patient's choice. This is consistent or is straight from the Canadian Medical Association Code of Ethics, paragraph 26.

NWT residents can also ask the doctor who's given the original diagnoses for the name of another expert, someone with whom he or she is not actually associated with where the patient can go and get a second opinion.

I would just like to throw something out there for residents of the Northwest Territories, and that's not to be worried about offending your doctor. They won't be offended. They understand their obligations and they understand the importance of a second opinion, so please don't be worried about offending the practitioners.

The cost of the visit itself for a second opinion is an insured service paid for by Health and Social Services. So the visit itself is covered. However, if a doctor for the second opinion is not located in the patient's home community, the medical travel costs would not be covered or would, rather, be the responsibility of the patient itself. Depending on the outcome of that second opinion, some of the travel costs may be eligible for reimbursement. Thank you, Mr. Speaker.

**MR. MOSES:** I would like to thank the Minister for that very comprehensive response to a second medical opinion. They've done a lot of work and I agree that residents shouldn't be afraid to offend any medical practitioner or physician in seeking a second medical opinion. He did mention something and I was going to ask a question in terms of the

lack of physicians in the Northwest Territories in some of the regions and the medical costs. He understands the situation we are in, where some of the regions don't have physicians and we have locums who continue to come through.

Would he be looking at reviewing that medical travel for someone who needs a second medical opinion? I know Members on this side have all heard our constituents who have gone to the hospital and been given Tylenol or something and told to go back home and not to worry about it. Would the Minister look at reviewing that medical cost for people who need that second medical opinion? Thank you, Mr. Speaker.

**HON. GLEN ABERNETHY:** As I indicated, depending on the outcomes of a second medical opinion, if an individual did have to travel to get that second medical opinion, we would be willing to explore covering some of the costs. I do hear the Member and I have heard other individuals express concern in this particular area. I can confirm that this topic is part of the medical travel modernization. This is a topic we are looking at as we modernize medical travel here in the Northwest Territories. Thank you, Mr. Speaker.

**MR. MOSES:** Some of our highest rates of health risks and health incidents are in the Northwest Territories and fall into the area of people who live in poverty, who live on income assistance and housing, who can't afford to go to Yellowknife or Edmonton to get that second medical opinion. Some of them are even afraid to go to the hospital and will take their word as trust.

I'm asking the Minister if he would be willing to look at paying costs up front for individuals to have the right to go get the specialized medical diagnoses in areas that might provide those such as Edmonton, who I know we have contracts with. Will the Minister be looking at doing that? Thank you, Mr. Speaker.

**HON. GLEN ABERNETHY:** As I've already indicated, our policy doesn't currently do that, but we are willing to reimburse if a second opinion is determined to be necessary upon completion of the second opinion. I have already indicated it is part of the medical travel modernization and this is something we're looking at. We need to make sure we are detailed on this assessment because not everyone needs a second medical opinion and we want to be careful about how far we put ourselves out there financially. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Final, short supplementary, Mr. Moses.

**MR. MOSES:** Thank you, Mr. Speaker. I mentioned in my Member's statement, a person's health and life is at stake when we go this route. I don't think putting ourselves at a financial risk should be the indicator for seeking a second

medical opinion. The policy in itself is a barrier for this second medical opinion. He mentioned, and he is going to say again when I ask again, that I've stated that it's in our policy that we will reimburse upon return.

I am asking the Minister if he would look at reviewing that policy so we don't reimburse upon return, but be able to support someone to go seek that second medical opinion. Thank you, Mr. Speaker.

**HON. GLEN ABERNETHY:** The Member is right; I'm going to say exactly the same thing again. We are doing medical travel modernization and we are including this as one of the areas that we are hoping to address, or intend to address for that program. Right now our policy is such that it allows us to do reimbursements where a second opinion is justified. But it could be that people may choose to go out for second opinions if they know their trip is going to be paid for when they don't actually need a second opinion. So we need to be cautious. We can't just say we'll pay for everybody that wants to go anywhere for a second opinion. We encourage people to use the system that is at hand. We encourage people to work with their doctors and continue through normal processes.

But at the same time, if somebody is frustrated with the treatment they're receiving or not convinced that the treatment they're receiving is appropriate, I strongly encourage them to go to the quality assurance individuals and staff within each of the authorities. These quality assurance individuals can do a review of the situation, which actually allows us to get good feedback so that we can continually improve the system. So there are other mechanisms where people can express their frustrations. Thank you.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Member for Deh Cho, Mr. Nadli.

#### QUESTION 791-17(5): ENTERPRISE FIRE TOWER

**MR. NADLI:** Thank you, Mr. Speaker. Just following up on my Member's statement in terms of recognizing the local employment opportunities for the tiny hamlet of Enterprise, recently the community was quite excited to experience the construction of the fire tower in the vicinity of their community.

Can the Minister of Environment and Natural Resources provide an update on the construction of the Enterprise fire tower? Mahsi.

**MR. SPEAKER:** Thank you, Mr. Nadli. Minister of Environment and Natural Resources, Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** I can, Mr. Speaker, and I'd be happy to make sure the

Member gets it as soon as I get that update for him. Thank you.

**MR. NADLI:** This community receiving a fire tower wasn't a random decision. I know ENR considers the geography and the location of these towers.

How was it determined that Enterprise would see a fire tower? Mahsi.

**HON. MICHAEL MILTENBERGER:** There was a range of vision, there was a need to replace, there was a discussion with the community looking for appropriate land, and then working through the logistics in terms of the actual project to get it built. Thank you.

**MR. NADLI:** Just in terms of the experience of last fire season, which was fairly significant, the biggest on record, is there anything special that the Minister and his department will undertake to involve the community in terms of preparing for this fire season? For example, perhaps considering some strategic locations of communities for fire bases, or amassing, perhaps, a camp of personnel, ensuring that communities are involved and perhaps ensuring that communications are very clear in terms of involving communities. Mahsi.

**HON. MICHAEL MILTENBERGER:** ENR has been doing work all winter and is concluding that work in the coming months to work with the communities, work with stakeholders, getting feedback on last fire season, as well as going around, along with MACA, to look at communities getting fire smarted, getting ready with their emergency measures plans.

We've learned from last year. We're going to be bringing our emergency firefighters on stream sooner, and we're going to be standing ready, especially in light of the indicators that we're now getting in regards to snowpack and those types of things, which look to be below normal at a time when we're in the fourth year of the most severe drought. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Final, short supplementary, Mr. Nadli.

**MR. NADLI:** Thank you, Mr. Speaker. I think the Minister just alluded to perhaps an indication of some environmental factors in terms of snowpack, in terms of trying to predict whether we're going to have another dry season or not.

Can the Minister at least give an indication to the House in terms of his efforts or department's efforts to try and forecast whether we're going to have another drought season or not? Mahsi.

**HON. MICHAEL MILTENBERGER:** We've been looking at talking to the people we have on retainer, the meteorologists that take long-term forecasts. NTPC, in the next couple of weeks, is going to be doing testing of the snowpack in the Snare system just to check to see what they anticipate the runoff might be. Of course, we're monitoring. With the

benefit of satellite imagery now, we're monitoring the snowpack and we can tell, from everything I've heard, that what has fallen so far this year is less than a normal year. To have any positive effect, we need at least double the snow we currently have to date. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Member for Sahtu, Mr. Yakeleya.

QUESTION 792-17(5):  
ENVIRONMENTAL IMPACT OF  
MINERAL DEVELOPMENT

**MR. YAKELEYA:** Thank you, Mr. Speaker. My questions are to the Minister of ENR. In my Member's statement I talked about the mining industry impacts. Today I want to focus on the environment and the cleanup, and later on I'll focus on the business opportunities and the potential opportunities and challenges to date.

I want to ask the Minister of Environment, has this government been working with the federal government in regards to the Bear Lake remediation cleanup of the mines that have been happening in that area? It's been reported that 700,000 tonnes of waste was dumped into Bear Lake. Is the government working with the community of Deline on that cleanup?

**MR. SPEAKER:** Thank you, Mr. Yakeleya. Minister of Environment and Natural Resources, Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. We are well aware of that. From what I recollect, that is one of the waste sites that the federal government has kept to be remediated. Thank you.

**MR. YAKELEYA:** Mining has been pretty active in the Sahtu, and I'd like to continue my question. In the Mackenzie Mountains across from Tulita, I think the Minister is aware that there's a lake called Drum Lake where the Drum Lake Lodge is situated. In that area there is a small site that's been abandoned by, reportedly, a Shell company there that needs to be cleaned up.

Has the Minister looked at this small site at the Drum Lake area?

**HON. MICHAEL MILTENBERGER:** If my memory serves me correctly once again, I do recollect the Member sending me pictures of the site, which I sent to the department. We're aware of the circumstance, but there's been no active ability to put funds towards the cleanup at this point. Thank you.

**MR. YAKELEYA:** Thank you. I'll continue working with the Minister on this issue. I want to look at the other areas in the Sahtu.

Have there been any other sites in the Good Hope/Colville Lake area in regards to mining



activities that are left for remediation by this government or the federal government?

**HON. MICHAEL MILTENBERGER:** I'll commit to the Member to get him a complete list of sites in the Sahtu, federal and territorial, as they currently exist today. Thank you.

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

**MR. YAKELEYA:** Thank you, Mr. Speaker. I look forward to that list. The Doi T'oh Territorial Park and the Canol Heritage Trail are 942 square kilometres. Can I ask the Minister if he would provide a remediation, contamination report on the cleanup, because this is in discussion with this government here, as regards to our responsibility once all the checks and balances have been signed off and we take ownership of those two areas?

**HON. MICHAEL MILTENBERGER:** I once again recollect flying down, having the benefit of being able to take a tour of partway into Doi T'oh Canyon into Godlin Lake with the Member, and it is truly spectacular country. You can see the remnants from World War II. That is still a federal area. As the Member has pointed out, there is a considerable amount of remediation that has to be done. When that is done to the satisfaction of all parties, then the territorial government will look at taking over the remediated site. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Member for Range Lake, Mr. Dolynny.

QUESTION 793-17(5):  
TAXATION FORMULA  
FOR MICRO-BREWERIES

**MR. DOLYNNY:** Thank you, Mr. Speaker. Earlier today I raised the concern of the overbearing micro-brewery tax system being imposed on our brew pub manufacturing starting up in Yellowknife. When one should be supporting this entrepreneurial start-up business, the GNWT, even by cutting its rate by half, still has one of the highest micro-brewery sin taxes in all of Canada. Sadly, when production increases, many fear with the tax regime being proposed, this will do very little to enhance the true potential of this new industry.

I bud my questions today for the wiser Minister of Finance. There is no denying the huge tourism and employment potential of a northern micro-brewing industry.

Can the Minister indicate, has the department undertaken, or plan to undertake, any studies of tourism and employment of this new industry? Thank you.

**MR. SPEAKER:** Thank you, Mr. Dolynny. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. We need to look at this issue. I would

suggest a broader perspective of why we have placed such a high cost on alcohol. Having spent a good number of years in social services, five and a half years as Health Minister, I can tell you it's because the abuse of alcohol costs this government over \$100 million a year, probably more if you add in all the costs related to hospitals and FASD children. We just approved in this House, I think about \$11 million for residents down south, the majority of which, if you checked the case files, would have alcohol abuse in there somewhere.

So, we have deliberately placed the high price on some of the things that are causing the most trouble in our jurisdiction. Those two things are alcohol and tobacco. Northerners have a prodigious thirst and a fairly prodigious propensity to smoke or use tobacco, all of which we know, when they're abused, can be deadly.

We have made a conscious decision for many, many years now to stick to that. It's the same concept as a carbon tax. If you make the price high enough, it's supposed to drive down consumption. It hasn't quite worked yet, but it's still something we see as a very, very big issue.

So in regards to this issue, we have offered up an incentive, as the Member has indicated, 50 percent, but the bottom line rationale is what's the impact of alcohol on our society and our government and our coffers as a government, and it's dramatic, and that's why we are where we are. I'm not sure there would be the public will to start cutting taxes for alcohol. Thank you.

**MR. DOLYNNY:** A very thorough response, but again, we're trying to start a start-up company. While the admitted markup for beer produced in the NWT has been substantially reduced, as we indicated, it still stands out in significant contrast to lower rates for micro-breweries in every other Canadian jurisdiction.

Can the Minister indicate, what is the competitive advantage of having the highest micro-brewery tax rate in the country while trying to encourage business manufacturing, jobs, tourism potential and attracting what he has proposed, a 2,000 population growth? Thank you.

**HON. MICHAEL MILTENBERGER:** The direction that has been chosen by the government consistently over the many Assemblies that I've been here and prior is to see the need to try to control the abuse of alcohol. One of the ways we've chosen to do that is to put a tax on it that would be a disincentive to use, in addition to all the education and all the programs we have trying to work with communities for healthy babies and smart choices and active living.

So, we have two issues. The Member wants us to have a very modest tax regime to encourage the

production of alcohol, and I'm saying I think we have a broader societal obligation and a governmental obligation, and that's to try to manage the devastation that's caused by alcohol abuse.

We do recognize the value of this type of business. We do provide some incentive. But if, once again, we're going to make a decision to cut taxes on alcohol, we can't just pick the micro-brewery. I would suggest we need to have a very broad policy discussion about what is our approach going to be across the board, because it would be a dramatic shift if that's what we decide to do. Thank you.

**MR. DOLYNNY:** Thank you, Mr. Speaker. As of December 2014, the GNWT updated their tax regime to a three-tiered system. This was allegedly to match the start of production of the new brewery. However, after speaking to the manufacturers myself, they feel that the 2,500 hectolitre maximum threshold would be met in no time and just when this company is considering market penetration to the South.

Can the Minister indicate how can our local manufacturer, a micro-brewery, expect to be competitive with southern micro-brewery producers when we have the highest energy costs of production in Canada, we have high transportation costs, and now we have the highest micro tax regime in the country?

**HON. MICHAEL MILTENBERGER:** If there is consistent will expressed by committee, SCOPP, for example, that we need to have a review of the tax rates on alcohol production, beer production, and if they make that clear to us, we will have a discussion about that. But I would suggest to the Member you can't just pick a micro-brewery and talk about some kind of modified favourable tax rate. We would have to be prepared to talk about taxes on alcohol, what's our position on alcohol, how do we want to manage the business piece along with dealing with the incredible social impact that we know exists in every one of our communities. In fact, the Member for the Sahtu just passed a private member's bill to make sure that people in his region would have a say and a right to some direction being provided in terms of access to alcohol. This is a very, very important, sensitive subject, and I don't think it would be good management, good government for us to talk specifically about let's look at a specialized rate for micro-breweries.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Final, short supplementary, Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Mr. Speaker. I'm very much aware of the social impact of alcohol in the Northwest Territories. Sitting on the standing committee, I see all too well all the issues around the Northwest Territories. I believe that this is not impeding this. We're talking about an industry.

Clearly, this government has an opportunity to do the right thing and to re-evaluate this tax regime on micro-brewery manufacturing in the Northwest Territories.

Will the Minister commit to re-examining this tax regime and to bring our tax system with what is considered standard best practice for this type of small-scale brewery?

**HON. MICHAEL MILTENBERGER:** If this House represented by the Standing Committee on Priorities and Planning writes to us as a government, to me as the Minister of Finance saying that it is the will of this Legislature that we look at adjusting the prices of alcohol to be more favourable to the producers of the alcohol, then of course we will look at engaging in that discussion. But I would point out it will not just be focused on the business opportunity that may be provided by providing some kind of tax incentive to a micro-brewery, that I would suggest that it would become a much more fundamental policy discussion.

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

#### QUESTION 794-17(5): HUMAN RESOURCE POLICIES

**MS. BISARO:** Thank you, Mr. Speaker. I have some questions today for the Minister of Human Resources. I'd like to ask some questions about the policies that I referenced in my Member's statement.

I'd like to, first of all, ask the Minister in regard to the Human Resources Manual. I found it extremely difficult to get information when I was researching policies in HR, and I found the HR Manual had absolutely no information on voluntary separation. I had to then go and find a number of policies elsewhere, which I did find but took a little digging.

I'd like to, first of all, ask the Minister why do we not have all HR policies in the HR Manual so everything is in one place?

**MR. SPEAKER:** Thank you, Ms. Bisaro. The Minister of HR, Mr. Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Speaker. The section on voluntary separation, the Staff Retention Policy and so on are in the Collective Agreement that we have with the UNW. The voluntary separation is also a policy that we've discussed with the UNW as per the Collective Agreement, and it's in Section 27 of the Public Service Act. However, why they are not all consolidated, if they are not all consolidated in the HR Manual, I don't have the answer for that at this time. But I will ensure that if there are policies that are scattered around in the act or in the agreement and not all in the Human Resources Manual, I will ensure that they are put under one consolidated manual.

**MS. BISARO:** I couldn't quite hear the Minister at the end but I thought he said that he was going to encompass in the HR Manual all the policies, all the various policies that we have, the one for voluntary separation, the one for affected employees. I can't remember the names, but there are two or three other ones.

Is that what the Minister said, that he is going to encompass all policies in the HR Manual, and if that's the case, when will that be done?

**HON. TOM BEAULIEU:** Anything that should be appropriately reflected in the HR Manual, if we have to take sections of policy out of the act and so on and incorporate them into the manual, we will do that. I will have the department begin work on that as soon as it is possible for them to begin work on that.

**MS. BISARO:** Thanks to the Minister. There are specific policies that are listed, so I don't think we have to take anything out of an act. I heard him say when we're going to start but I didn't hear an end date, so that will be interesting.

I'd like to ask the Minister another question about it. I don't believe this is a policy, but it's something that has come to my attention. I do believe that we have a fair number of GNWT employees who work for the GNWT but do not live in the NWT. They have moved out. They may be contracted on an annual basis but they are not living here. They are working from home in Calgary, in Montreal, in Edmonton, any number of different places.

I'd like to ask the Minister, do we have a policy or is there a policy that governs NWT employees, GNWT employees who do not live here but work for the GNWT?

**HON. TOM BEAULIEU:** There are individuals who would work for the GNWT who would have their jobs specifically in a down south location; however, employees who work for the GNWT who have their jobs here should be working here. I've only heard of one employee who was working at a distance, and that was an individual who was working in Alberta for the GNWT, and I was looking into that to see how that was possible and why that was happening. My preference, of course, and the preference of this government is that if the individuals are working for the GNWT, then they be located at their job sites in the NWT.

**MR. SPEAKER:** Thank you, Mr. Beaulieu. Final, short supplementary, Ms. Bisaro.

**MS. BISARO:** I would ask the Minister to look into this a little further. I think he ought to check with managers of every department and find out. There are, from what I understand, a number of people who work from home and their home is not in the NWT.

I'd like to ask the Minister, if he says that he's looking into this and he thinks people should be working here, if we do have employees who live outside the NWT, I find it very hard to understand how that fits in with our policy of 2,000 people in the NWT in the next five years. How does it fit in that we allow this to happen?

**HON. TOM BEAULIEU:** I agree with the Member that people working for the GNWT who have their jobs in the NWT should be living in the NWT. If we have situations beyond the one that I am currently looking into where there are other people who are working for the various departments at a distance from outside the Northwest Territories, then I would immediately have our deputy of HR start discussions with the heads of departments where these employees may be employed and find out why that situation exists and how we're going to find a way to remedy that problem.

**MR. SPEAKER:** Thank you, Mr. Beaulieu. The Member for Yellowknife Centre, Mr. Hawkins.

#### QUESTION 795-17(5): ENERGY COSTS

**MR. HAWKINS:** Thank you. Once again I'm rising to continue the conversation regarding power costs here in the Northwest Territories. Without having to go through it at great length, we all know how this affects the everyday family and certainly the everyday business that's trying to get by.

My question for the NWT Power Corporation Minister is that we all understand that restructuring could happen and that could take out some of the inefficiencies within the system.

Can the NWT Power Corp Minister explain what work is being done to analyze the inefficiencies in the system, and where does he see us moving forward in a positive direction so we can create a better system that works better for Northerners and hopefully drive costs for power down and makes it affordable for the everyday family? Thank you.

**MR. SPEAKER:** Thank you, Mr. Hawkins. The Minister responsible for the NWT Power Corporation, Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I was at the Energy Charrette where the reference that my colleague from Yellowknife Centre made in terms of the most complicated 65 megawatts the guest speaker had ever seen and I think it's indicative of one of the challenges. We have two challenges. It's to bring down the cost of generation and then there's the cost of distribution and transmission. On the generation side we know that we have to get off diesel, and we're investing and will continue to invest in things like LNG investment in Inuvik. We're doing some groundbreaking work in Colville Lake with batteries, solar and diesel to have a maximum amount of

solar penetration. We've put in some significant solar, as well, into Simpson.

Depending on the outcome of our borrowing limit, we intend and know we have to invest more money. We know that Yellowknife needs additional generation. We know that Yellowknife has existing diesel plants that are soon going to be reaching the end of their life. So we're going to have to look at bringing in a cheaper form, a more inexpensive form of energy to run those power requirements.

At the same time, we know, from a structural point of view, how we set ourselves up with our various rate zones is a driver how our Territorial Power Support Program is applied for and where it's used. How we are set up as a distribution system, as well, has to be looked at. So there are a number of issues, and we've committed, as a government, to make cost of living a priority. So, on the energy side, those are the areas we've got to look at. Thank you.

**MR. HAWKINS:** It's my understanding that the Brighter Futures provided a bit of a promising direction if not a path for the NWT to take. Where does the NWT Power Corporation see the opportunity here to create a better system that works for folks and working to help see collective work come together to help drive down the price of power, make our system more reliable and certainly make a structure that makes sense for all Northerners? Thank you.

**HON. MICHAEL MILTENBERGER:** As we discussed in this House previously, one of the areas that we are carefully considering as a government is the request from the Town of Hay River in regard to their franchise agreement to see if we would consider putting a bid in on that. That would have a direct impact on potential structure, distribution structure. We've already committed publicly that once our borrowing limit is set, we would be prepared to invest money, significant money into the generation side once again here in Yellowknife.

For example, in Inuvik you could put in, an example would be some of that wind power that's there, and you could cut the diesel production in Inuvik and Tuk in half by doing that kind of investment that would provide alternative energy on an ongoing basis while we wait for the eventual day when gas is going to be produced and available in Inuvik. Thank you.

**MR. HAWKINS:** The everyday person doesn't really care about government policy until it affects them. Frankly, that's probably the truth.

What energy policy do we need to do and work on, and what can we do today to ensure that we start delivering an energy policy that is delivering results to the everyday Northerner who is trying to get by? Thank you.

**HON. MICHAEL MILTENBERGER:** Thank you. As we move forward, we have a lot of the tools already. Depending on how we evolve in terms of distribution and generation, we have to look at things as I raised previously, the role and relationship of the Power Corporation. Right now it's a stand-alone power corporation with a board. Given our close working relationship and financial investment, is that the best structure, could it be structured more efficiently and effectively any other way? We have to look at the distribution, and the Cabinet is going to be looking at the request from Hay River and responding to that in the not-too-distant future. We also need to look at, as we do that, as we evolve and if the system changes, we have to look at are we properly structured in terms of the Public Utilities Board structure as well.

So it's not only the generation of energy, it's going to be how we're structured to deliver regulated. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Final, short supplementary, Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Speaker. For my final supplementary, of course, when can we actually see something on the ground to see the emergence of new policy that will break ground on how we deliver power in the Northwest Territories? I'll add that citizens themselves can't wait much longer and we need a government that responds, that's light on its feet to be delivering real results for the cost of living problem to Northerners. Thank you.

**HON. MICHAEL MILTENBERGER:** We have a number of documents that are currently available in terms of the energy planning. The Power System Plan for the Power Corporation and, as well, the final formal response to the Energy Charrette, which was in fact the most recent way that people could get involved, citizens could get involved in providing feedback and advice, to which they did in a very quality way that we're going to look at responding to.

A lot of what we're going to do is then going to be predicated on the final outcome of our borrowing limit, which will dictate how much we're prepared to invest in the critical area of cost of living. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Time for oral questions has expired. Item 8, written questions. Mr. Menicoche.

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. I seek unanimous consent to go to item 7, oral questions, on the Order Paper. Mahsi.

---Unanimous consent granted

### Oral Questions (Reversion)

QUESTION 796-17(5):

#### DEHCHO PROCESS NEGOTIATIONS

**MR. MENICOCHÉ:** Thank you graciously, colleagues. I spoke to the Premier in his role as the Minister of Aboriginal Affairs on Monday, but I'd like to ask Mr. Premier about the GNWT and the negotiating table for the Dehcho First Nations. I know that they haven't actually been negotiating since January.

How does the GNWT intend to respond to the Dehcho First Nations for their request for mediation to resolve the current impasse to get negotiations back on track? Thank you.

**MR. SPEAKER:** Thank you, Mr. Menicoche. The honourable Premier, Mr. McLeod.

**HON. BOB MCLEOD:** Thank you, Mr. Speaker. The Member's questioning on behalf of the Dehcho First Nations brings to mind the old fable of the boy who cried wolf. The Government of the Northwest Territories has never left the table. We've never said we would not negotiate. We are prepared to negotiate. The Dehcho First Nations has gone through great contortions to show otherwise. Their legal counsel has written to us and said they absolutely reject our latest offer. Their legal counsel has written to us and threatened to take us to court, and we're prepared to negotiate and always have been. Thank you.

**MR. MENICOCHÉ:** Thank you very much. I'd like to thank the Premier for that answer, but that's not the position that the Dehcho First Nations has seen or had seen.

I'd just like to ask the Premier once again – I think on Monday I noted his great negotiation ability – does the Premier see a way to get back to the negotiating table? I know, like any negotiator, Mr. Premier of course doesn't want to negotiate in the media, but he must have a way in order to continue the talks. Thank you very much.

**HON. BOB MCLEOD:** Thank you. The Dehcho First Nations has written to the Government of Canada, asking for a bilateral process with the Government of Canada despite the fact that our government has increased the Government of Canada's land quantum offer of 2007 from 33,448 square kilometres to 37,500 kilometres. Despite that, it appears the Dehcho First Nations would prefer a bilateral process with the Government of Canada. Despite that, we are prepared to negotiate at the main table. The Dehcho First Nations chief negotiator wrote to our chief negotiator, asking for a main table meeting and then turned around and cancelled the meeting. So we are prepared to follow the agreement-in-principle that does provide for facilitation. Thank you, Mr. Speaker.

**MR. MENICOCHÉ:** I'm glad that Mr. Premier mentioned the whole area about facilitation and mediation. That's getting back to the first question.

Does the Premier see a role for mediation when it comes to a perceived impasse as it were? Mr. Premier and Aboriginal Affairs doesn't see it as stalled talks, so despite that, is it their way to get mediation happening, look at both sides' positions and come to some resolution and try to continue to move forward with the talks? Thank you, Mr. Speaker.

**HON. BOB MCLEOD:** That's why the main table is there. We have the Government of Canada, the Dehcho First Nation, the Government of the Northwest Territories, and as I said, the agreement-in-principle does allow for facilitation. Thank you, Mr. Speaker.

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

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. I guess he's calling it facilitation. Apparently there's a process laid out. I guess the Dehcho is willing to go down the facilitation road or mediation road.

How does this process kick in, Mr. Speaker? Thank you.

**HON. BOB MCLEOD:** I would suggest, Mr. Speaker, the next step would be for the Dehcho First Nations to attend the main table meeting. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. McLeod. Honourable Member for Deh Cho, Mr. Nadli.

QUESTION 797-17(5):

#### DEHCHO PROCESS NEGOTIATIONS

**MR. NADLI:** Thank you, Mr. Speaker. I too wanted to ask questions in terms of the Dehcho First Nations and GNWT negotiations. I just wanted to clarify with the Premier whether indeed the negotiations and talks have been suspended or boycotted by the GNWT. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Nadli. Honourable Premier, Mr. McLeod.

**HON. BOB MCLEOD:** I won't repeat my comments about the boy who cried wolf. We've never left the table. We have never threatened not to negotiate. Thank you, Mr. Speaker.

**MR. NADLI:** Through his role as the Minister of Aboriginal Affairs, what other considerations would the department consider to maybe exhaust all options to try to move the negotiations forward, if there is still a willingness on the part of the GNWT to move negotiations forward? Mahsi.

**HON. BOB MCLEOD:** As far as we're concerned, nothing has changed. We are prepared to negotiate. The DCFN legal counsel has rejected our

of hand our latest offer. He's threatened to take us to court. He won't say on what basis. We have always said we have never left the table. Thank you, Mr. Speaker.

**MR. NADLI:** Maybe I could ask the Premier, is there a message that you would like to impart to the Dehcho First Nations to try to get negotiations back on track? Mahsi.

**HON. BOB MCLEOD:** There is a main table involving the Government of Canada, the Dehcho First Nations and the Government of the Northwest Territories, so I would suggest they get together, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. McLeod. Member for Yellowknife Centre, Mr. Hawkins.

QUESTION 798-17(5):  
SUPPORT SERVICES FOR  
FOSTER FAMILIES

**MR. HAWKINS:** Thank you, Mr. Speaker. We all know how essential services such as foster families provide the Northwest Territories. They are obviously critical to the care of those most vulnerable at certain times. It's my understanding that only two territories and two provinces don't offer support through insurance programs and legal support.

I wonder what the Minister of Health and Social Services can do to ensure foster families are protected and provided the right services so when they do step up to the plate to help this government deliver those essential services when necessary that they are supported as well.

**MR. SPEAKER:** Thank you, Mr. Hawkins. Minister of Health, Mr. Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. We work closely with the Foster Family Coalition. If that issue is brought to us by committee or by them, we will certainly look at it, Mr. Speaker.

**MR. HAWKINS:** So, a Member bringing it to the attention of the Minister means nothing? Thank you.

**HON. GLEN ABERNETHY:** Of course not, but I'm seeing something come from committee with the full support of committee on that. Thank you, Mr. Speaker.

**MR. HAWKINS:** So, when a Member of the Legislative Assembly stands up and cites a particular issue and tries to draw it to the attention of the Minister, is it because it's this Member or is it because one Member is bringing an issue forward on behalf of an association it doesn't matter? Is that the attitude we're getting from this government that we have to have the whole Assembly agree that something matters? Thank you.

**HON. GLEN ABERNETHY:** I appreciate the words the Member is putting in my mouth. The bottom line is obviously it will carry more weight if it comes from one of the standing committees, in this case the Standing Committee on Social Programs. I do hear the Member. I will look at it, but I would appreciate hearing something from the Standing Committee on Social Programs as well. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Final, short supplementary, Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Speaker. I feel terrible I had to waste three questions to ask for something to be looked at. If the Members would so oblige me... Or I should say not me; the heck with me. On behalf of the foster families, if you would also look upon the issue of the fact that since 1996 a per diem rate of \$24 a day has not changed.

So, in 19 years, \$24 a day for the children under their care has remained stagnant and it's been a challenge. So don't look at it for me. Would you be willing to look at this issue on behalf of the foster families? Thank you.

**HON. GLEN ABERNETHY:** Of course this is something that has come up in our discussions around child and family services from standing committee as well as the public and is something we are already working on. I would be happy to share that information with the Member once we have concluded our review. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Member for Sahtu, Mr. Yakeleya.

QUESTION 799-17(5):  
INUVIK-TUKTOYAKTUK HIGHWAY

**MR. YAKELEYA:** Thank you, Mr. Speaker. My question is to the Minister of Transportation. I want to ask the Minister of Transportation questions on the Inuvik-Tuk highway.

Are we on schedule, on budget and on time to complete the highway as said in the House in previous years?

**MR. SPEAKER:** Thank you, Mr. Yakeleya. Minister of Transportation, Mr. Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Speaker. We are on schedule, on budget and we expect to complete the highway the date indicated when we started the highway. Thank you.

**MR. YAKELEYA:** I ask this question because I would dearly love to see the Mackenzie Valley Highway right after this project. The lessons we are learning on the Inuvik-Tuk highway, it would be good to transfer those lessons to the Mackenzie Valley Highway from Norman Wells going to Wrigley for a portion.

Are the recommendations that we are learning on the Inuvik-Tuk highway going to be solidified in the Mackenzie Valley Highway?

**HON. TOM BEAULIEU:** We are encouraging individuals who will be involved in the eventual construction of the Mackenzie Valley Highway to have discussion with the project company that is building the Inuvik-Tuk highway. We think there are lessons to be learned, especially in the type of equipment that's purchased, as one example. We are hoping we are able to transfer a lot of knowledge from the construction of the Inuvik-Tuk highway down to any other major highway that we hope to construct in the future. Thank you.

**MR. YAKELEYA:** Is the Minister receiving any type of signals from the federal government in respect to the proposal that is now in the office of the federal government?

**HON. TOM BEAULIEU:** Yes, we are. We've also had face-to-face discussions during NWT Days with the federal Minister of Transportation, Minister responsible for Infrastructure, which it is under his bailiwick.

We're at a point now where we are looking at the business case that we've produced. The federal government has asked us for a business case. We're able to produce a business case. It's 300 pages long so it takes a lot of work to present this business case to the federal government, and it's done. We are now looking at that to ensure that all the information that's required from the federal government is in this business case. Thank you.

**MR. SPEAKER:** Thank you, Mr. Beaulieu. Final, short supplementary, Mr. Yakeleya.

**MR. YAKELEYA:** Thank you, Mr. Speaker. Three hundred pages long, if we read one page a day I think we should get to it.

I want to ask the Minister, in the business case of the Mackenzie Valley Highway, as with the Inuvik-Tuk highway, are there pre-training types of employment opportunities for the Mackenzie Valley Highway in the business case with the Department of Transportation?

**HON. TOM BEAULIEU:** I think that's one of the lessons that we will learn from the Inuvik-Tuk highway, what type of training should occur. Certainly any impacts on the economy, the economic impacts are part of the business case. So, training individuals, employment, on the site employment to the region and overall economic impacts of such a huge infrastructure project are certainly in the business case. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Beaulieu. Mr. Hawkins.

QUESTION 800-17(5):  
DECHINTA BUSH UNIVERSITY

**MR. HAWKINS:** Thank you, Mr. Speaker. I had the pleasure yesterday of meeting with the folks from Dechinta and they expressed, very well by the way, their desire about continuing in their program here in the Northwest Territories and they cited about their need of support, and support means cash, obviously, but it also means enabling legislation.

I'd like to ask the Minister of Education, Culture and Employment, what work is being done on developing legislation that could allow Dechinta to create its own northern university? Thank you.

**MR. SPEAKER:** Thank you, Mr. Hawkins. Minister of Education, Mr. Lafferty.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. Aurora College and Dechinta have been working very closely together. Both institutions, both facilities deliver degree programming through southern institutions. So they're not recognized as a degree-granting institution, but they are involved in a partnership with southern institutions. So they allow that through our campuses with a partnership for another two years in a southern institution.

So, in order to change that, we have to change our legislation in order to recognize the institution to be granting degree programming into our facilities. Those are the processes that have been discussed with Dechinta and Aurora College institution as well. Thank you.

**MR. HAWKINS:** My understanding is that some of these questions were asked last week, but there's certainly no reason not to ask these questions again and ensure we get clear policy direction from the Department of Education and to show that we're moving in the right direction.

So, when can we see something that would create enabling legislation so that this organization can be a stand-alone university in the Northwest Territories? They're working very hard with the University of Alberta and the McGill University. They've also told me that they have in the range of 22 Ph.D. professor types who will work in partnership here in the Northwest Territories. They don't need bricks and mortar; they need legislation. So, I just want to see what support our government is getting behind and when can we see an aspect of legislation come forward? Thank you.

**HON. JACKSON LAFFERTY:** As indicated earlier, we are working very closely with the Dechinta stakeholder, the owner of Dechinta. I just met with her at the Skills for Success symposium. We talked about the process; we talked about the business planning process; we talked about the legislation, how there has to be a process in play. I did mention to her that the college is working very closely with her, so there is a process in place in order to make

those changes in this House. So, time is of the essence.

Those are the processes that we continue to work with the stakeholders. Mahsi.

**MR. HAWKINS:** I think I heard the word “process” four or five times there. I didn’t actually count. When will we see this process actually emerge to a result? Thank you.

**HON. JACKSON LAFFERTY:** Mr. Speaker, obviously we’re at the end of our budget session. In order for this to happen, we have to deal with the stakeholders. It’s not only Dechinta, it’s Aurora College and other organizations that need to have their input as well. So, more than likely it won’t happen during the life of this Assembly. But in the transition period for the next Assembly, this is a discussion that more than likely will happen. Mahsi.

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

**MR. HAWKINS:** Mr. Speaker, respectfully I say I fail to understand why this sort of looming election always affects the work we’re doing in the Northwest Territories. It continues to be the overriding well, we can’t work on this because we have an election. Frankly, the bureaucracy’s machinery keeps grinding forward day after day. It doesn’t care who the politicians are. The process and the bureaucracy keeps working forward every day for us. Politicians are talking heads of departments, that’s all.

So, I’m asking what type of time frame can we see a legislative proposal or document that the public can see. It doesn’t matter if we have an election; what matters is the department is working on it and when can we see it. Thank you.

**HON. JACKSON LAFFERTY:** As I stated, these are the discussions that we’re currently having with the people who are involved, whether it be Dechinta, the college or my department. In order to push through legislation within this House, there has to be considerable consultation. It won’t just happen at the snap of a finger, Mr. Speaker. So, those are discussions we are currently having.

As I stated, there is a process in place. Yes, I may have mentioned four times the process. It’s very important to have a process in place to deliver those key messages, key deliveries into our legislation. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Lafferty. Item 8, written questions. Mr. Yakeleya.

## Written Questions

### WRITTEN QUESTION 28-17(5): COMPARISON OF IMPACTS OF HYDRAULIC FRACTURING AND OTHER DEVELOPMENTS

**MR. YAKELEYA:** Mr. Speaker, my questions are for the Minister of Industry, Tourism and Investment. Would the Minister provide the following information:

1. What is/are the cleanest-burning fossil fuel(s) for heating use and for generating electricity?
2. Please provide the city of Yellowknife’s annual energy consumption, with a breakdown of each source of energy.
3. Please describe a typical hydraulic fracturing operation, including how many times a well is “fracked.”
4. Please provide a table or graph showing the annual water use of:
  - a) a typical hydraulic fracturing operation;
  - b) Imperial Oil’s facilities in Norman Wells;
  - c) the city of Yellowknife; and
  - d) the Diavik Diamond Mine.
5. What is the Department of Industry, Tourism and Investment doing to educate NWT residents about the technology used in hydraulic fracturing?

### WRITTEN QUESTION 29-17(5): IMPACTS AND BENEFITS OF MINING

My questions are for the Minister of Industry, Tourism and Investment. Would the Minister provide the following information:

1. Which mining companies contribute to non-profit organizations in the NWT, and how much do they contribute?
2. How many NWT residents who work for mining companies active in the NWT live in communities other than Yellowknife?
3. How many lakes have been lost to diamond mines and how much water was drained from NWT lakes to accommodate diamond mines?
4. How many fish were lost when these lakes were drained, and what has been done to compensate for the loss of fish habitat?
5. What is the impact of winter roads to the diamond mines on caribou herds?

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Yakeleya. Mr. Lafferty.



**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. I seek unanimous consent to go back on the orders of the day to item 5, please.

---Unanimous consent granted

### **Recognition of Visitors in the Gallery (Reversion)**

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. It gives me great pleasure to recognize some of the folks in the gallery. They are part of the Tlicho Community Services Agency. It's been 10 years in the making since the Tlicho Land Claim came into effect, so they've been working diligently and the board members are here with us. I'd just like to recognize Mr. Ted Blondin, who is the chair of the Tlicho Community Services Agency. Also, Gloria Ekendia-Gon is a Gameti representative; and Mr. Ted Nitsiza, a representative from Whati. Next to him is Mary Adelle Football from Wekweeti, a representative. Also, I'd just like to recognize Mr. Glen Blondin with us here as well.

**MR. SPEAKER:** Thank you, Mr. Lafferty. Mr. Bouchard.

**MR. BOUCHARD:** Thank you, Mr. Speaker. I'd like to recognize Ted Blondin, a Lethbridge alumni and a good friend from going to university in Lethbridge. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Bouchard. Item 9, returns to written questions. Item 10, replies to opening address. Item 11, petitions. Item 12, reports of standing and special committees. Mr. Nadli.

### **Reports of Standing and Special Committees**

#### **COMMITTEE REPORT 14-17(5): REPORT ON THE 2014 REVIEW OF THE OFFICIAL LANGUAGES ACT**

**MR. NADLI:** Thank you, Mr. Speaker. Your Standing Committee on Government Operations is pleased to provide its report on the 2014 Review of the Official Languages Act and commends it to the House.

#### **Introduction**

The Standing Committee on Government Operations, the "standing committee" or "SCOGO," is pleased to report on its 2014 Review of the Official Languages Act.

#### **The Official Languages Act – A Brief History**

In June 1984 the Legislative Assembly of the Northwest Territories passed its first Official Languages Ordinance. Modeled on federal official languages legislation, the territorial legislation guaranteed that members of the public could

access government programs and services equally, in either French or English.

Additionally, the ordinance identified Chipewyan, Cree, Dogrib, Loucheux – Gwich'in, North Slavey, South Slavey and Inuktitut as the official Aboriginal languages of the Northwest Territories. The ordinance provided that regulations could be used to prescribe the use of an Aboriginal language for any and all of the official purposes of the Territories. This included prescribing the circumstances under which an Aboriginal language may or shall be used and declaring an area to be one in which the regulations apply with respect to the use of an Aboriginal language.

In 1985 the Official Languages Ordinance became the Official Languages Act of the Northwest Territories.

In 1989 a Special Committee on Aboriginal Languages was established as recommended by the NWT Task Force on Aboriginal Languages. The special committee report, dated April 1990, included draft amendments to the Official Languages Act that, with some modifications, were passed into law in 1990.

As a result of the 1990 amendments, in addition to English and French, the act recognized Chipewyan; Cree; Gwich'in; Inuktitut, which was specified to include Inuinnaqtun and Inuvialuktun; Slavey, which was specified as North Slavey and South Slavey; and Dogrib, now known as Tlicho, as official languages of the Northwest Territories. The Aboriginal languages were given equal status within all institutions of the Legislative Assembly and the Government of the Northwest Territories, as defined in the act and any subsequent regulations. In addition, the act was amended to establish the Office of the Languages Commissioner.

Mr. Speaker, I would now pass the reading of the report to my colleague Mr. Dolynny.

**MR. SPEAKER:** Thank you, Mr. Nadli. Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Mr. Speaker. Thank you, Mr. Nadli.

#### **Past Reviews of the Official Languages Act**

In 2000 a Special Committee on the Review of the Official Languages Act, SCROLA, was established by the Legislative Assembly to undertake a comprehensive review of the Official Languages Act.

As a result of this review, the 14<sup>th</sup> Legislative Assembly amended the act in 2003, clearly identifying Chipewyan, Cree, English, French, Gwich'in, Inuinnaqtun, Inuktitut, Inuvialuktun, North Slavey, South Slavey and Tlicho as the official languages of the Northwest Territories. These amendments changed the roles of the Minister responsible for Official Languages and the

Languages Commissioner and established the Official Languages Board and the Aboriginal Languages Revitalization Board.

Section 35 (1) of the Official Languages Act, as amended in 2003, obligated a committee of the Legislative Assembly to review the provisions and operation of the Official Languages Act at the next session following December 31, 2007.

That review culminated in a report by the Standing Committee on Government Operations of the 16<sup>th</sup> Legislative Assembly entitled "Final Report on the Review of the Official Languages Act 2008-2009 – Reality Check: Securing a Future for the Official Languages of the Northwest Territories," "the 2009 report." The response of the GNWT to that report is a matter of great concern for the current standing committee and will be addressed in this report.

#### **The Committee's Mandate**

The mandate for the Standing Committee's review of the Official Languages Act comes from the act itself. Section 35(2) mandates that the review shall include an examination of the administration and implementation of the act, the effectiveness of its provisions, the achievement of the objectives stated in its preamble, and may include any recommendations for changes to the act. Simply put, the committee is obligated to examine program management and delivery, the strength of the legislative and policy framework and how effectively the roles defined in legislation are contributing to achieving the vision articulated in the preamble to the act.

Section 35(1) requires that a review of the act be undertaken in five-year intervals following the December 31, 2007, date. Accordingly, a review of the act should have started in early 2013. Due to mitigating circumstances, the current review did not take place until 2014.

#### **The Committee's Approach to the Review**

Although the act prescribes what the standing committee must consider under the review, it allows great latitude for the committee to determine how the review will be undertaken.

Previous reviews have focused largely on the management and delivery of official languages programs and services. In the 2009 review, the 16<sup>th</sup> Assembly's Standing Committee on Government Operations chose to focus on the following areas: strengthening legislation and policy; improvement of management and accountability; effective and adequate financing; enhancing service delivery; building human resource capacity; supporting research and development for official languages; increasing and improving Aboriginal languages education and promoting official languages. This approach resulted in an exhaustive review of the Department of Education, Culture and Employment's, ECE,

official languages program management and delivery, which resulted in over 70 recommendations and sub-recommendations for improvement.

In designing the 2014 review, the committee was cognizant of the massive amount of work that went into the 2009 review. This review spanned two years and involved extensive travel, consultation and expense. The committee did not want to duplicate the efforts of the previous standing committee by doing another review of the same magnitude, particularly in light of what the committee views as an inadequate response from the GNWT to the previous review.

The committee was also aware that the department conducted not one but two language symposia, involving the key language stakeholders in the Northwest Territories, in the period since the 2009 review. The committee was, therefore, concerned about consultation fatigue in the language communities.

The committee also felt that the timing of such an expansive consultation was not optimal. When the committee began its review, ECE was in the process of establishing an Aboriginal Languages Secretariat. The committee saw little advantage in consulting with the Aboriginal languages communities before the completion of this initiative.

Instead, the committee chose to pick up where the 2009 review left off and build upon the work of the previous committee by ensuring accountability for the work that was previously done. The committee conducted in-depth assessment of the work done by ECE in response to the 2009 report and held an in camera briefing with the Honourable Jackson Lafferty, Minister of Education, Culture and Employment, and his officials regarding the committee review of the Official Languages Act.

Mr. Speaker, through you, I'd like to pass this report on to my colleague Ms. Bisaro. Thank you.

**MR. SPEAKER:** Thank you, Mr. Dolynny. Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Speaker. Thanks, Mr. Dolynny.

#### **The Review**

The committee began its review with an exhaustive examination of previous committee reports and briefing materials related to the management and delivery of official languages programming.

#### **The GNWT's Response to the 2009 Review**

The committee examined the GNWT's "Response to the Standing Committee on Government Operations Review of the Official Languages Act" – "the 2009 response" – tabled October 5, 2009. The committee was troubled by the tone of the response and the lack of commitment by the department to follow up with the standing committee regarding

progress on implementing the recommendations made in the report.

The committee found the following statement in the government's response to be very telling of the department's attitude towards the work of the 16<sup>th</sup> Assembly's standing committee:

"The Government of the Northwest Territories is not providing a detailed response to each recommendation at this time to ensure that we do not bias the development of the official languages strategy and implementation plans that will involve ongoing engagement and consultation with language communities and practitioners."

The standing committee wishes to point out that the very language communities and practitioners referred to by the department were essentially the same groups consulted in the development of the standing committee's report. The suggestion that consideration of the committee's recommendations might "bias" the work of the department reveals a stunning lack of respect for months of work by the 16<sup>th</sup> Assembly's Standing Committee on Government Operations and for the stakeholders consulted. The recommendations of the 16<sup>th</sup> Assembly's standing committee should have served as a tool to inform the development of the promised official languages strategy, not be viewed as something that would detract from it.

The committee reminds the department that the recommendations contained in the 2009 report, as well as those in this report, flow from a review process that is mandated by law. The department has an obligation to consider these recommendations fully and fairly and to respond in good faith.

In its 2009 response, the GNWT committed to table a full response to the 2009 report in the fall 2010 session, yet this commitment was not met. The department further noted that, although detailed responses to the standing committee's recommendations would not be ready for inclusion in the October 2009 Report on Official Languages, updates would be included in subsequent annual reports.

When the department tabled its "Annual Report on Official Languages 2010-2011", on December 15, 2011, the standing committee took note of the fact that it did not contain a progress report on the recommendations arising from the 2009 review. The chair of the Standing Committee wrote to Minister Lafferty to point out this oversight.

The standing committee was assured that future annual reports would contain updates on the various recommendations arising from the 2009 review. Since that time, Annual Reports on Official Languages for 2011-2012, 2012-2013 and 2013-2014 have been tabled and none has contained

any references to the recommendations arising from the 2009 review or how they may have shaped the model for official languages program and service delivery that the department is implementing.

The committee did, ultimately, receive two detailed progress reports which were provided by the department at the request of the committee chair in preparation for meetings between the Minister and the standing committee. These reports, dated May 2012 and April 2014, were not tabled by the department and are therefore not available to the public.

Mr. Speaker, I would ask to pass the reading of the report to my colleague Mr. Moses. Thank you.

**MR. SPEAKER:** Thank you, Ms. Bisaro. Mr. Moses.

**MR. MOSES:** Thank you, Mr. Speaker. Thank you, Ms. Bisaro.

### The Department's "New Approach"

Since the 2009 review, the department has done a great deal of work to restructure the delivery of official languages programs and services in the Northwest Territories. The Minister has referred to this as the department's "new approach."

In the absence of a final response from ECE to the 2009 review, the standing committee has struggled to reconcile the direction that ECE has taken with this "new approach," with the vision outlined in the standing committee's 2009 report, which was based on the development of an official languages services model and a separate and distinct Aboriginal languages protection regime.

It might have been the department's intention, at one point in time, to outline its new approach in the "official languages strategy" promised in the 2009 response, but it does not appear that such a strategy was ever tabled. This strategy is the missing link that might have bridged the communications gap between the recommendations contained in the 2009 report and the French and Aboriginal Languages Plans that were finally produced.

In October 2010 ECE did table a document titled "Northwest Territories Aboriginal Languages Plan: A Shared Responsibility." This appears to have formed the basis of the department's "new approach" which involved the establishment of an Aboriginal Languages Secretariat – which was under development at the time this review commenced – and the transfer of funding directly to Aboriginal Language Communities. This funding approach is apparently intended to allow the Aboriginal language communities to implement their own priorities, as identified in a series of language plans developed with the assistance of the department.

The tabling of the “NWT Aboriginal Languages Plan: A Shared Responsibility” seems to have been complemented by the “Strategic Plan on French Language Communications and Services,” which was tabled in the Legislative Assembly in October 2012. ECE officially opened the Secretariat for Francophone Affairs in Yellowknife on April 3, 2012.

In the “NWT Aboriginal Languages Plan: A Shared Responsibility,” under the strategy of “enhanced organizational support for language activities,” the department noted the need for changes to the legislation to support the strategy and also acknowledged, page 64, that legislative change was called for by the Legislative Assembly in the standing committee’s 2009 review. The report also confirmed the government’s intention to eliminate the Official Languages Board.

The department did bring forward a legislative proposal in June 2011 for An Act to Amend the Official Languages Act (OLA). In it, the transitional recommendations for changes to the Official Languages Act contained in the 2009 report are referenced in support of the legislative changes being proposed. However, the department only brought forward a specific component of the transitional recommendations, citing the priorities established in the “Northwest Territories Aboriginal Languages Plan: A Shared Responsibility” as the reason for doing so.

In August 2011 the Standing Committee on Social Programs reviewed the legislative proposal and advised that the bill should address all of the legislative amendments contained in the transitional recommendations of the 2009 report.

The standing committee was, therefore, of the view that changes to the Official Languages Act should contain the transitional recommendations on the Languages Commissioner, in addition to those referring to the Official Languages Board and the Aboriginal Languages Revitalization Board.

No further progress was made on changes to the legislation which, consequently, remains unchanged since 2004.

Following the order of the Supreme Court of the NWT, the GNWT and the Federation Franco-Tenoise established a Comprehensive Plan Consultation and Co-operation Committee in 2010 to facilitate consultation on a strategic plan for the provision of French language communications and services under the Official Languages Act. It is the understanding of the standing committee that the participation of French language community representatives on this committee supersedes, by mutual agreement, the participation of the French representatives on the Official Languages Board and that it follows the withdrawal of the Federation Franco-Tenoise from the Official Languages Board in 2006.

New members were appointed to the Official Languages Board and the Aboriginal Languages Revitalization Board in March and April 2010. Contrary to the requirements of the existing Official Languages Act and the requirements of the regulations for both the Official Languages Board and the Aboriginal Languages Revitalization Board, English, French and Inuktitut language communities were not represented.

Mr. Speaker, I would now like to return the report over to my colleague Mr. Yakeleya.

**MR. SPEAKER:** Thank you, Mr. Moses. Mr. Yakeleya.

**MR. YAKELEYA:** Thank you, Mr. Speaker. Thank you, Mr. Moses.

### **Findings and Recommendations**

The standing committee is deeply concerned by the attitude of disregard displayed by the department with respect to the 2009 review and hopes that future reviews of the Official Languages Act will be received respectfully and treated more seriously.

A. The failure of the Department of Education, Culture and Employment to provide a final, public response to the 2009 report had the following impacts:

1. The department did not articulate which parts of the 2009 report it agreed with and was prepared to implement, nor provide any rationale for those recommendations it rejected;
2. The department, without adequate rationale or substantiation to the standing committee, implemented a model for official languages programs and services that differs from the one proposed in the 2009 report; and
3. With the exception of the department’s initial response to the 2009 review, none of the information provided by the department in response to the review is in the public domain.

As a result, the department failed to be accountable to the standing committee, which has a legitimate mandate for oversight, or to the public which has a significant interest in and right to know what factors are influencing official languages policymaking and programming.

Another unfortunate outcome of the lack of response to the 2009 report is that it has strained the department’s relationship with the standing committee and overshadowed the fact that the department has done a lot of work and made a good deal of progress on official languages. The standing committee wants to emphasize that the criticism directed at the department in this report has more to do with the casual treatment of the standing committee’s role and mandate than with much

of the actual work being done by the department.

- B. Nonetheless, the standing committee is deeply troubled by the department's apparent lack of concern for the fact that it is operating the Official Languages Board and the Aboriginal Languages Revitalization Board in contravention of its own legislation. The department has created a de-facto Aboriginal Languages Revitalization Board, similar to the one contemplated in the "Northwest Territories Aboriginal Languages Plan: A Shared Responsibility," by tailoring the membership on the existing board to align with the "new approach." This was done as a matter of expediency, which may have served the purpose of meeting immediate needs, but is not a defense against the need to ensure that the legislation is current. Given the fact that the FFT withdrew from the Official Languages Board in 2006, the department has had more than ample time to amend the legislation. The legislation should ultimately be dictating the structure and function of official languages program service and delivery, not the other way around.
- C. Standing committee is also concerned about the funding model for the delivery of Aboriginal language revitalization. The standing committee supports the aspirations of the language communities, but has concerns about accountability, particularly in the event that goals established by the language communities are not met within the funding provided. The standing committee will be looking to ensure that the department establishes an appropriate monitoring and accountability framework.

Mr. Speaker, I turn the report over to Mr. Nadli.

**MR. SPEAKER:** Thank you, Mr. Yakeleya. Mr. Nadli.

**MR. NADLI:** Thank you, Mr. Speaker. In concluding its report, the Standing Committee on Government Operations makes the following recommendations:

**Recommendation 1**

The Standing Committee on Government Operations recommends that the Department of Education, Culture and Employment table an official languages strategy that includes a clear response to the 2009 review, identifying which recommendations were accepted and rejected and the reasons why. This report must clearly articulate the vision for the department's "new approach" and identify how this coincides with and differs from the vision contained in the 2009 report.

With respect to this recommendation, the committee notes that a good deal of this analytical work has already been done by the department, but

because it takes place in confidential updates and correspondence from the Minister, it is not available for public review as it should be.

**Recommendation 2**

The Standing Committee on Government Operations recommends that the Department of Education, Culture and Employment work closely with the standing committee to revise and bring forward its legislative proposal for amendments to the Official Languages Act in the life of this Assembly. If the department has received any legal opinions related to the issue of federal concurrence with changes to the NWT's Official Languages Act, this information should be shared in confidence with the standing committee, so that the department and standing committee are working with a shared understanding of the factors affecting legislative change.

**Recommendation 3**

The Standing Committee on Government Operations recommends that the Department of Education, Culture and Employment establish an accountability framework for the funding provided to Aboriginal language communities under the "new approach" and provide the standing committee with progress reports and a copy of the framework when completed.

**Recommendation 4**

The Standing Committee on Government Operations recommends that the Department of Education, Culture and Employment respond to this report within 120 days.

MOTION TO RECEIVE  
COMMITTEE REPORT 14-17(5) AND  
MOVE INTO COMMITTEE OF THE WHOLE,  
CARRIED

Mr. Speaker, that concludes the presentation of our report. Therefore, I move, seconded by the honourable Member for Frame Lake, that Committee Report 14-17(5), Report on the 2014 Review of the Official Languages Act, be received by the Assembly and moved into Committee of the Whole for further consideration. Mahsi, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Nadli. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. Committee Report 14-17(5) is received and moved into Committee of the Whole.

---Carried

Mr. Nadli.

**MR. NADLI:** Mr. Speaker, I seek unanimous consent to waive Rule 93(4) to have Committee

Report 14-17(5), Report of the Standing Committee on Government Operations Review of the 2014 Official Languages Act, be moved into Committee of the Whole for consideration later today. Mahsi, Mr. Speaker.

---Unanimous consent granted

**MR. SPEAKER:** Committee Report 14-17(5) will be moved into Committee of the Whole for consideration later today. Item 13, reports of committees on the review of bills. Item 14, tabling of documents. Mr. Beaulieu.

### Tabling of Documents

TABLED DOCUMENT 224-17(5):  
MINISTER OF TRANSPORTATION'S REPORT  
TO THE LEGISLATIVE ASSEMBLY FOR 2014  
ON THE TRANSPORTATION OF  
DANGEROUS GOODS ACT, 1990

**HON. TOM BEAULIEU:** Mahsi cho, Mr. Speaker. I wish to table the following document, entitled "Minister of Transportation's Report to the Legislative Assembly for 2014 on the Transportation of Dangerous Goods Act, 1990." Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Beaulieu. Mr. Lafferty.

TABLED DOCUMENT 225-17(5):  
WORKERS' SAFETY AND COMPENSATION  
COMMISSION 2015 CORPORATE PLAN

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. I wish to table the following document, entitled "Workers' Safety and Compensation Commission 2015 Corporate Plan." Mahsi.

**MR. SPEAKER:** Thank you, Mr. Lafferty. Item 15, notices of motion. Colleagues, we are going to have a 15-minute break.

---SHORT RECESS

**MR. SPEAKER:** I call the House back to order. Item 16, notices of motion for first reading of bills. Item 17, motions. Mr. Moses.

### Motions

MOTION 39-17(5):  
DOMESTIC VIOLENCE  
DEATH REVIEW COMMITTEE,  
CARRIED

**MR. MOSES:** WHEREAS the Northwest Territories has the second-highest rate of violent crime in Canada;

AND WHEREAS numerous deaths have been caused by domestic violence in the Northwest Territories;

AND WHEREAS risk factors and long-standing patterns of abuse are typically evident before domestic violence results in death;

AND WHEREAS the purpose of a domestic violence death review committee is to establish a forum for experts, community advocates and family members to study trends, risk factors, and systemic concerns and to recommend changes that will prevent future tragedies;

AND WHEREAS death review committees typically operate in a no-fault, no-blame spirit;

AND WHEREAS Manitoba, Ontario, British Columbia and numerous jurisdictions outside Canada have taken steps to establish a domestic violence death review committee;

AND WHEREAS Manitoba's Domestic Violence Death Review Committee collects first-hand information from family members, friends and co-workers of the victim and the offender;

AND WHEREAS the Minister of Justice stated in the Legislative Assembly on February 24, 2014, that the Chief Coroner is actively working with her colleagues in other jurisdictions to investigate the feasibility of establishing a death review committee in the Northwest Territories;

AND WHEREAS the Coroner's Act authorizes the chief coroner of the Northwest Territories to bring the findings and recommendations of coroners and juries to the attention of appropriate persons, agencies or departments of governments;

AND WHEREAS the Legislative Assembly passed a motion on November 4, 2014, in support of a national inquiry and a national round table into missing and murdered Aboriginal women and girls;

NOW THEREFORE I MOVE, seconded by the honourable Member for Range Lake, that the Legislative Assembly strongly recommends that the Department of Health and Social Services investigate the feasibility of a domestic violence death review committee for the Northwest Territories;

AND FURTHER, that the government provide a comprehensive response to this motion within 120 days.

**MR. SPEAKER:** Thank you, Mr. Moses. The motion is in order. To the motion. Mr. Moses.

**MR. MOSES:** Thank you, Mr. Speaker. We are very honoured to bring this motion forward. We don't have to scratch the surface very far to find family or domestic violence, which has very devastating impacts on individuals and communities.

Family and domestic violence almost never occurs without warning. In most cases there have been repeated incidents of violence and indicators of risk

as well as opportunities for agencies and individuals to intervene before death.

It's important to try to understand the factors that lead to such tragedy and lead to needless deaths when intimate relationships take a fatal turn. One death is one too many, and a domestic violence death review committee can gain to truly be powerful when it comes to preventing domestic violence and the deaths that result from such.

This motion calls for the feasibility to the establishment of a domestic violence death review committee and is an important step forward in the NWT's ongoing efforts to confront family violence and violence against women, or men, for that matter, or children.

The purpose of this committee, should it be established, is to assist the office of the chief coroner in the investigation and review of deaths of persons that occur as a result of domestic violence and to make recommendations to help prevent as well as reduce and eliminate such deaths in similar circumstances. This will be completed under the expert opinions of the committee members.

This committee would work to develop a comprehensive understanding of why domestic homicides occur and how they might be prevented. It will also help identify the presence of absence of systemic issues, problems, gaps, risk factors, trends and patterns or shortcomings of each case to facilitate the appropriate recommendations for prevention. It will only work with the collaboration and communication among investigative agencies and the service providers, such organizations like victim services, prosecution services, probation, family violence prevention programs, possibly members from the Status of Women or Native Women's Association, chief medical health officer, positions like psychologists, nurses, of course the RCMP and possibly a member from the community or even from an Aboriginal organization.

Mr. Speaker, we've got to stop working in silos. We need to work together to address the issues that are at hand and address the issues that affect our people. We all know someone who has died from domestic violence. We all know a family who has suffered such a tragic loss. We all know a community who has experienced such tragedy as well. It's worse in the Northwest Territories because we're such a small population that we literally know family and friends of such people who have gone through the case.

Over the last five years, there have been nine cases of family and domestic violence in the Northwest Territories that resulted in death. This needs to stop. I just want to make reference to a press release that the Native Women's Association released about two weeks ago with regard to this. It expressed working together to prevent and address violence against indigenous women and girls. It

highlights that indigenous families and leaders, Premiers, provincial and territorial Ministers and representatives and nurses from the Government of Canada met in Ottawa on needed action to present and address violence against indigenous women and girls.

In May of 2014 the RCMP released a national operational overview of missing and murdered Aboriginal women. The research identified 1,181 missing and murdered Aboriginal women in Canada in Canadian police databases between 1980 and 2012. Of those, 1,017 were murdered.

Mr. Speaker, there was a national round table that resulted in creating some priorities. There were three priorities that were highlighted. The first one was prevention and awareness. Under prevention and awareness, one of the areas that they focused on was improving prevention and responses to violence within intimate relationships and families, something that this motion is going to address.

Number two, in community safety it talks about engaging communities, governments, organizations and institutions in supporting prevention, action and intervention when violence occurs. This is what this motion is doing, Mr. Speaker.

The third area they're focusing on is policing measures and justice responses. Under that heading, they speak of identifying strategies within the justice system to protect and assist indigenous women and girls who are victims of violence, something that this motion will help work on.

In this press release from the Native Women's Association of Canada, they did take quotes from leaders right across Canada. I would like to highlight one person's quote in here and that's our own Premier, Mr. Bob McLeod. He was at the round table and he did express his support. He goes on by saying: "Our experience in the Northwest Territories is that we are stronger and more successful when we work together as partners. This has been at the foundation of our commitment to engage with Aboriginal governments and organizations in the spirit of respect, recognition and responsibility. As the chair of the National Roundtable, I am very encouraged by the willingness of all the participants to engage in a meaningful national dialogue about concrete action and solutions to address the crisis of violence against indigenous women and girls."

I would like to take this opportunity to thank the Premier for representing this government at the round table but also being a very strong advocate for Aboriginal and indigenous women and girls not only across Canada but up here, as well, on this very important initiative.

This government took a bold step November 4, 2014, to support a national inquiry and a National Round Table on Missing and Murdered Aboriginal

Women and Girls. I ask this government to continue that support in protecting our women in the Northwest Territories, and men, for that matter, in domestic violence that results in death and re-creating the resources and putting a foundation in place so we can intervene, find the trends, find the things that result in death and stop it before it happens.

Before I finish, I would just like to thank my colleagues who will be supporting the bill. I'd like to thank the chief coroner of the NWT, Ms. Cathy Menard. In fact, I'd like to thank all the coroners on the tough jobs they do when it results in the deaths, as I stated earlier, domestic and family deaths over the last five years, as well as the RCMP, the victim service coordinators and all those who work in the justice system who have to deal with these kinds of issues possibly on a daily basis.

With that, I would like to thank my colleagues who will be supporting. Thank you.

**MR. SPEAKER:** Thank you, Mr. Moses. I'll allow the seconder to the motion, Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Mr. Speaker. I'm honoured to second the motion today. As you've heard from the Member for Inuvik Boot Lake and his passion, many of us are very thankful that he spends a considerable amount of time doing a lot of research for a motion such of this.

The mover, Mr. Moses, has been a staunch advocate for issues surrounding coroner's reports. I know he spends many hours reviewing these reports for recommendations, trends and insights and how to make NWT a better and safer place. So when the Member brought forward this motion for committee review, I was taken aback on the incredible amount of information that was available online on numerous jurisdictions already enjoying the benefits of such a domestic violence death review committee.

Unfortunately, learning from tragedies helps us break the vicious cycle of domestic abuse plaguing our society. These domestic violence death review committees undertake many meaningful approaches on recommended changes, and with the proper establishment of such measurement instruments, such as domestic violence risk management screening tools, many jurisdictions in Canada are benefitting and working towards awareness and the elimination of violence.

Although most of these domestic violence death review committees in Canada were established based on horrific findings, and as a result of extensive evidence pointing to systemic abuse and sexual violence and oppression, we have the opportunity to do something positive now, knowing full well our long-standing patterns of abuse in the Northwest Territories. In other words, Mr. Speaker, let's not wait for a specific tragedy or tragedies

before we can act in this area. Let's put the power of networking, partnerships and resource building in the hands of a coordinated community approach to domestic violence awareness.

I know funds are tight and I know time is limited in the House. As the motion points out, we are merely asking the Minister of Justice to undertake the investigation and feasibility of such a committee that gives back the basic human right of safety, dignity and social economic justice to society.

Again, I want to thank the hard work of Mr. Moses for raising awareness today on such an important opportunity for the people of the Northwest Territories. Mr. Speaker, if you're not aware by now, I will be voting in favour of this motion. Thank you.

**MR. SPEAKER:** Thank you, Mr. Dolynny. To the motion. Mr. Menicoche.

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. I just want to say that this domestic violence death review committee motion, I certainly will be supporting it. As the motion states, and the mover of the motion as well, it's just reviewing these situations. We'll learn from them. It has benefitted many jurisdictions and I think it's time for us to start doing that. Even though when you review it, it's for a large, general population, but I believe it can work in the smaller communities as well. It's about establishing and learning from the risk patterns that are out there and protecting our people as well. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Menicoche. To the motion. Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Speaker. I want to thank the mover and the seconder for bringing this motion forward. I am in support of this motion, and I just have a few brief comments.

We have a very high incidence of domestic violence in our territory, unfortunately, and that's been pointed out already. The thing that I struggle with, that I have difficulty with is that we can't seem to find a solution. It's a very complicated issue, but we continue to work to try to make things better, to try to reduce the incidents of domestic violence in our territory.

One of the organizations that are doing good work and that is attempting to bring down the incidence of domestic violence is the Coalition on Family Violence, and we have funded them for quite some time. I think that this motion will enhance the work that the coalition has done and is doing. It simply asks for an investigation of a domestic violence review committee, a committee which can look at an incident of domestic violence death, can determine why it occurred and can look at ways to prevent that from happening. We're never going to stop domestic violence unless we put more... I don't want to say more money. We need to put a greater emphasis on prevention. I think we have



some, but I think it needs to be a mindset that's a little closer to the front of mind as opposed to the back of mind. Anything we can do to prevent domestic violence is simply going to make life better for our residents, Mr. Speaker.

I am in support of the motion. I thank the mover and the seconder for bringing it forward. I encourage my colleagues to support the motion as well. Thank you.

**MR. SPEAKER:** Thank you, Ms. Bisaro. To the motion. Mr. Bromley.

**MR. BROMLEY:** Thank you, Mr. Speaker. I also rise in support of this motion. A domestic violence death review committee is something that I know our coroner has been interested in for some time. Our chief coroner has done a lot of work to bring forward recommendations and try to learn lessons that we should have been learning when these events have occurred and brought those forward through recommendations.

I know a number of Members have been a little bit uncomfortable, perhaps, in that we haven't necessarily followed up as much as we should have to actually address a lot of those recommendations and concerns. I know having something like this, a domestic violence death review committee, would help enhance the issue, increase the insights and opportunities for learning and going forward with real action towards reducing the occurrence of these and the severity of these.

Again, I appreciate this being brought forward by the Members for Boot Lake and Range Lake. I think it lays it out pretty clearly here. It's something we have talked about for a long time, the need to follow up on the sorts of things we have been hearing from our chief coroners over the years. This is action that will capitalize on that intent.

Again, I appreciate that. I will be supporting the motion. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Bromley. To the motion. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Speaker. Anything that helps solve domestic violence is a good thing. By all means I will be voting in favour of it. I also will vote in favour of it, thinking that we could probably do more by making our coroner's recommendations binding. I don't necessarily think that this is the only solution. I think it's a step in the right direction and I wouldn't deny by any means. But I think if we wanted to do more, we would be standing here finding a way to get those coroner's directions and recommendations and making the government act upon them. We have seen many good ones come forward over the years and they just sit on the bookshelves of government and get ignored. We seem to revisit the same types of issues over and over again.

I will vote in favour, but I'm not sure what results will drive the end of it, but it certainly wouldn't solve its potential by any means. I think it could be an idea that delivers results, so why would a person get in the way of that?

That's why I'm happy to vote in favour. But, like I said at the start, if we wanted to have real change, we would make sure those coroner recommendations are binding and get behind them with the right resources. Thank you.

**MR. SPEAKER:** Thank you, Mr. Hawkins. To the motion. Mr. Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. We know that the Northwest Territories has a significant incidence of domestic and/or family violence. Domestic violence in the Northwest Territories is a complex issue with no single solution. One of the main goals of the 17<sup>th</sup> Legislative Assembly is to support development of sustainable, vibrant and safe communities. In order to achieve this goal, we need to reduce the levels of family violence across our territory.

The Department of Health and Social Services focuses on prevention and intervention of family violence including providing recovery as well as support programs. Recently the department launched the What Will it Take? campaign to change attitudes towards family violence.

The department also funds a network of family violence shelters providing safe environments for women and children fleeing violence. On February 27<sup>th</sup> the Premier chaired the National Round Table on Missing and Murdered Indigenous Women and Girls. Addressing the issues of missing and murdered indigenous women is complex, and while it goes beyond family violence, we have to recognize that violence against women, children and elders is a charged topic that cannot be ignored.

The proposed review committee is one more tool we consider in dealing with the issues of domestic violence. A very brief review of these death review committees in other jurisdictions shows that studying trends and risk factors to prevent future tragedies is their purpose. We will need to investigate how such a committee would work before we can actually take steps to establish a committee in the Northwest Territories.

We understand that in Manitoba, Ontario, British Columbia and New Brunswick these committees have been established under the authority of the chief coroner. As these committees usually report to the chief coroner, we are happy to partner with the Department of Justice to work on a feasibility study for the domestic violence death review committee here in the Northwest Territories, and we will report back within 120 days. However, as this is

a recommendation to government, Cabinet will be abstaining from the vote.

**MR. SPEAKER:** Thank you, Mr. Abernethy. I now call upon the mover of the motion, Mr. Moses, to close debate on the motion. Mr. Moses.

**MR. MOSES:** Thank you, Mr. Speaker. I would like to thank all my colleagues who spoke in support of the motion. It is a very important issue that we have in the Northwest Territories and right across the North and Canada, and I think the direction we're giving to government is the right step to address this issue. I did mention earlier about all the different organizations working on, when a death occurs, the work that they do. This feasibility study will bring all these organizations together to understand that, yes, we've got to work together, we've got to make the recommendations so that it stops now and that we can make the prevention happen before it occurs.

I'd also like to just once again say that in the last five years we've had nine deaths related to domestic family violence, and one just in this year, 2015. I just want to send a message out there to those families and let those families know that their losses didn't go unnoticed and that this government is actually working on addressing the necessary steps so that no other families have to go through what these families have went through.

Once again, I'd like to thank all my colleagues who spoke in favour of this and will be supporting it and voting.

**MR. SPEAKER:** Thank you, Mr. Moses. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. The motion is carried.

---Carried

Mr. Menicoche.

MOTION 40-17(5):  
WELLNESS CENTRE AT  
STANTON HOSPITAL

**MR. MENICOCHÉ:** Thank you, Mr. Speaker. WHEREAS the chair of the Stanton Elders' Council has called upon the Department of Health and Social Services to include a wellness centre at Stanton Territorial Hospital to provide a blend of traditional Aboriginal and western medicine;

AND WHEREAS the Alaska Native Medical Center and First Nations health programs at Whitehorse General Hospital in the Yukon provide useful examples to emulate, including access to traditional food, medicine and healing practices;

AND WHEREAS other jurisdictions have shown that incorporating a unique wellness model in the

health care system improves health and well-being and reduces the rates of various diseases;

AND WHEREAS the Stanton Territorial Hospital Renewal Project does not currently include a wellness centre;

NOW THEREFORE I MOVE, seconded by the honourable Member for Hay River North, that the Legislative Assembly strongly recommends that the Department of Health and Social Services work with Aboriginal governments to establish a wellness centre at Stanton Territorial Hospital;

AND FURTHER, that the Department of Health and Social Services incorporate a wellness centre into its plan for renewal of the Stanton Territorial Hospital;

AND FURTHERMORE, that the government provide a comprehensive response to this motion within 120 days.

**MR. SPEAKER:** Thank you, Mr. Menicoche. The motion is in order. To the motion. Mr. Menicoche.

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. Thank you, colleagues, for allowing me to speak to the motion.

I spoke on this issue last week, and I felt it was deserving of a motion to speak about a wellness centre to be included in the Stanton Renewal Project.

I think at that time, too, Mr. Francois Paulette, the chair of the Stanton Elders' Council, had been calling upon the Department of Health and Social Services to include a wellness centre at the Stanton Territorial Hospital for about eight years, and now the Stanton Elders' Council is in full support of designing a facility like that.

I'm pleased to hear that the Department of Health and Social Services is supportive of the concept and has identified and set aside land at the Stanton Territorial Hospital, but, regretfully, there are no resources there right now, and that's what this motion is calling upon the department to do, is to work with Aboriginal governments.

I would also like to say to work with other wellness groups that should be invited. In fact, while I'm speaking, I'd like to call upon the other groups to assist the Elders' Council with their plans for a wellness centre.

It has been said times are tight and GNWT resources are limited, but we're not talking about a full facility right now, just the resources to do a planning study, even assistance to cost out the cost of a planning study. I think that's what they're looking for, how much this facility is going to cost, what it's going to look like. They really need assistance in that. That's why I am bringing forward this motion. Let's get assistance to cost out a planning study.

I too, about 10 years ago, was at the Alaska Native Medical Center and I saw how that facility works, how homey it is. They have Aboriginal culture, paintings, and it really looks homey and gives people a sense of a northern facility and of belonging in the North. It gets away from a facility that's so square and institutional. I really believe we have to get away from that because we've been living that way too long.

Further, I believe it is an idea whose time has come. We have to support it and get the political ball rolling, as it were, Mr. Speaker. Mahsi cho.

**MR. SPEAKER:** Thank you, Mr. Menicoche. To the motion. Mr. Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. The department and Stanton recognize the importance of culture in health care and works to incorporate Aboriginal wellness programs into the delivery of health care services.

The department and Stanton have planned for the continued delivery of Aboriginal wellness programs within the hospital as part of the technical and program renewal of Stanton. However, we also recognize that a stand-alone wellness centre could accommodate traditional activities and act as a gathering place for patients, family and friends. Some aspects of Aboriginal wellness cannot be accommodated within the walls of an acute care hospital due to Building Code and safety requirements.

Concurrent with the Stanton Hospital Redevelopment Project, we are looking at best practices that are occurring in other jurisdictions in this area. Over the next few months, we will be reaching out to stakeholders, including Aboriginal governments, the Stanton Hospital and Elders' Advisory Council, to seek their input on what kind of programming would be important to provide at the territorial hospital.

This is an essential first step in developing a proposal for the Aboriginal wellness centre. We are all well aware that in the current fiscal environment, funding available for capital projects is limited and that there are many competing priorities and we are going to have to think outside the box.

We will obviously be reporting back to the House in 120 days, Mr. Speaker. As this is a recommendation to government, we will be abstaining from the vote. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Abernethy. To the motion. Mr. Bromley.

**Mr. BROMLEY:** Thank you, Mr. Speaker. I would like to thank the movers for bringing this forward and the remarks from the Minister and the support for the general concept. The issue of resources certainly comes up on both sides of the House whenever we are talking about these things. That is

why I think the Minister will note in the "therefore" that we said "work with Aboriginal governments" that we know now are being resourced through our net fiscal benefit and other means, that they now have the opportunity to participate in the issue the Minister raised.

I just wanted to mention that that wasn't omitted in our thinking. Again, thanks to the movers. I will be supporting the motion. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Bromley. Mr. Menicoche.

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. I just want to say, for the record, that motions are not taken lightly by Members of this House or the Priorities and Planning committee where the motion was talked about.

In closing, I would like to thank the honourable Member for Hay River North for seconding this motion and getting it into the House to talk about.

I am pleased to hear the Minister's response with regard to taking it seriously and moving forward. Certainly, that's where I want to go with this motion. It's about considering it seriously. Let's continue deliberations about the planning. I'm a realist. I'm not asking for capital dollars, but I think we should find some resources to help work on a planning study about the size and content of the building. I believe it will be a stand-alone facility, because having it in the new Stanton Territorial Hospital, there are so many technical aspects required for health and safety in a new and modern hospital.

In closing, I, like everybody else in the North and everybody else in this room, think it's time for a wellness facility that we can call our own, Mr. Speaker. Mahsi cho.

**MR. SPEAKER:** Thank you, Mr. Menicoche. To the motion.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. The motion is carried.

---Carried

Item 18, first reading of bills. Item 19, second reading of bills. Item 20, consideration in Committee of the Whole of bills and other matters: Bill 42, An Act to Amend the Residential Tenancies Act; Committee Report 13-17(5), Report on Bill 42: An Act to Amend the Residential Tenancies Act; and Committee Report 14-17(5), Report on the 2014 Review of the Official Languages Act, with Mrs. Groenewegen in the chair.

### Consideration in Committee of the Whole of Bills and Other Matters

**CHAIRPERSON (Mrs. Groenewegen):** I'd like to call Committee of the Whole to order. What is the wish of committee? Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Chair. We wish to deal with Committee Report 13-17(5) and Bill 42. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Ms. Bisaro. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, committee. We will commence with Committee Report 13-17(5), Report on Bill 42: An Act to Amend the Residential Tenancies Act. At this time I would like to call on the chair of the Standing Committee on Social Programs, who reviewed the act, to deliver the committee comments on the committee report on the bill. Mr. Moses.

COMMITTEE MOTION 112-17(5):  
COMPREHENSIVE RESPONSE  
WITHIN 120 DAYS,  
CARRIED

**MR. MOSES:** Thank you, Madam Chair. We did make the comments in the House yesterday when we read the report in. I do have a motion, Madam Chair.

I move that the Government of the Northwest Territories provide a comprehensive response to this report within 120 days. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Moses. The motion has been distributed. To the motion. Ms. Bisaro.

**MS. BISARO:** Thanks, Madam Chair. This report had one motion, but it had a number of recommended actions. I just wanted to mention a couple of the recommended actions and some of the discussion that happened at committee in the development of this report on this bill.

First of all, there was quite a bit of interest, and I want to compliment the Department of Justice for the consultation process that they went through. They did get quite a bit of interest from stakeholders, quite a number of submissions, and they considered all of the issues that were brought forward by the stakeholders who made submissions. They didn't accept them all, but they did certainly consider them. From what we got at committee, the department provided pretty good rationale as to why they didn't incorporate some of the suggestions from the stakeholders.

For me, the biggest issue and one that provided difficulty for me as a committee member, and I think

we were stuck, I guess, as a committee on the issue of transition housing. It's not covered under the Residential Tenancies Act currently and the department chose to continue that exclusion of transitional housing in the act. There is no amendment to deal with transition housing in this bill that's going to come before us. There are two recommendations from committee. One is that the department provide a definition of transition housing in the next round of statutory amendments to this bill and, secondly, that the Department of Justice provide better protection for transition housing tenants against unreasonable restrictions on personal freedom and arbitrary evidence. Actually, there's one more, that there be a definition of transition housing in the regulations attached to this bill.

There was quite a bit of strong feeling on the part of at least some of committee that transition housing tenants do not have the same protection under the Residential Tenancies Act that any other tenant does, and many of the transition housing suppliers and providers don't want their housing to be covered under the Residential Tenancies Act. I would say the submissions were pretty much divided 50/50, so I can understand why the department chose to keep the status quo. But I think there needs to be very strong consideration of the human rights aspect of tenants in transition housing, and I think, to make it clear and to make it easy for the rental officer to deal with situations of tenants and landlords, there needs to be a definition of transitional housing. The act specifically excludes it, but it doesn't define it. I think that that's something that is missing, and I sincerely hope that the department will make that adjustment the next time this act comes forward for amendment. That's all I have.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Ms. Bisaro. Any further comments on the motion? To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mrs. Groenewegen):** Question has been called. The motion is carried.

---Carried

Does committee agree that that concludes consideration of Committee Report 13-17(5)?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Now we'll move to Bill 42, An Act to Amend the Residential Tenancies Act, and I would like to ask Minister Abernethy if he would like to deliver the department's opening comments on the bill. Minister Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Madam Chair. I am pleased to be here for the Department

of Justice to introduce Bill 42, An Act to Amend the Residential Tenancies Act.

Bill 42 addresses a number of concerns that have been brought to the attention of the Department of Justice through a series of engagements with stakeholders.

It includes amendments which will ensure that orders of the rental officer are enforceable by permitting them to be filed in the Supreme Court instead of the Territorial Court, allow a victim of family violence to make an application to terminate a tenancy agreement, and establish regulation-making authority to set fees for filing applications with the rental office.

These and other changes provided for in the bill will ensure that the Residential Tenancies Act continues to effectively govern the relationship between landlords and tenants, while defining and striking a balance between the rights and obligations of each.

The department undertook significant consultations while developing this bill. This process started with a review of the act during the fall of 2012. Information about the review and the issues identified was shared with the Standing Committee on Social Programs in December 2012. This early work allowed the department to focus on eight core issues in the development of a consultation document distributed in August 2013 to a list of housing stakeholders and MLAs and made available to the general public through the department's website.

The consultation closed on September 30, 2013. At the request of stakeholders, departmental officials met in person to explain and discuss potential amendments to the act. This included meetings with the Coalition Against Family Violence, the Yellowknife Homelessness Coalition, the NWT Housing Corporation and the two rental officers. Submissions were received from housing organizations, landlords, territorial and community agencies and individuals. The deputy rental officer and the NWT Housing Corporation also submitted responses to the consultation paper. Suggestions for improvements to the act were received from MLAs and were considered as part of the consultation.

I would like to thank the Standing Committee on Social Programs for its review of Bill 42 and for its willingness to advance two motions that have improved the legislation before you today. I would be pleased to answer any questions that Members may have regarding Bill 42. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Abernethy. At this time I would like to ask the Minister if he would like to bring witnesses into the Chamber.

**HON. GLEN ABERNETHY:** I would, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Abernethy. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** I will ask the Sergeant-at-Arms to please escort the witnesses to the table.

Minister Abernethy, for the record, could you please introduce your witnesses.

**HON. GLEN ABERNETHY:** Thank you, Madam Chair. With me on my left is Mark Aitken, the assistant deputy minister and Attorney General of the Northwest Territories. On my far right is Emily Ingarfield, the manager of policy and planning. Beside me on my right is Ken Chutskoff, who is legislative counsel working on this particular piece of legislation.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Abernethy. Bill 42, An Act to Amend the Residential Tenancies Act. General comments?

**SOME HON. MEMBERS:** Detail.

**CHAIRPERSON (Mrs. Groenewegen):** Detail. Okay, thank you. Clause 1.

---Clauses 1 through 16 inclusive approved

**CHAIRPERSON (Mrs. Groenewegen):** The bill as a whole?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Does committee agree that Bill 42 is ready for third reading?

---Bill 42 as a whole approved for third reading

**CHAIRPERSON (Mrs. Groenewegen):** Minister Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Madam Chair. I would just like to take another opportunity to thank standing committee for all their hard work on this bill. I know it was a significant amount of work. I would also like to thank the department and all the staff who worked on this. They did a significant amount of work and a significant amount of analysis in order to get this right, so I'd like just to take this opportunity to thank all the staff here as well as the staff in the department and the standing committee.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you very much, Minister Abernethy, and thank you to the officials who joined us here today. Sergeant-at-Arms, please escort the witnesses from the Chamber.

What is the wish of the committee? Ms. Bisaro.

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

**CHAIRPERSON (Mrs. Groenewegen):** Thank you. The motion is in order. The motion is carried.

---Carried

I will now rise and report progress.

**MR. SPEAKER:** Good afternoon. Item 21, report of Committee of the Whole. Mrs. Groenewegen.

### Report of Committee of the Whole

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. Your committee has been considering Bill 42, An Act to Amend the Residential Tenancies Act; and Committee Report 13-17(5), Standing Committee on Social Programs Report on the Review of Bill 42: An Act to Amend the Residential Tenancies Act; and would like to report progress with one motion being adopted and that Committee Report 13-17(5) is concluded and that Bill 42 is ready for third reading. I move that the report of Committee of the Whole be concurred with. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mrs. Groenewegen. Do I have a seconder? Mr. Menicoche.

---Carried

Item 22, third reading of bills. Mr. Miltenberger.

### Third Reading of Bills

#### BILL 12: NORTHERN EMPLOYEE BENEFITS SERVICES PENSION PLAN ACT

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Yellowknife South, that Bill 12, Northern Employee Benefits Services Pension Plan Act, be read for the third time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. Bill 12, Northern Employee Benefits Services Pension Plan Act, has had third reading.

---Carried

Mr. Abernethy.

#### BILL 36: HEALTH AND SOCIAL SERVICES PROFESSIONS ACT

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Thebacha, that Bill 36, Health and Social Services Professions Act, be read for the third time.

**MR. SPEAKER:** Thank you, Mr. Abernethy. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. Bill 36, Health and Social Services Professions Act, has had third reading.

---Carried

Mr. Clerk, orders of the day.

### Orders of the Day

**DEPUTY CLERK OF THE HOUSE (Mr. Schuerte):** Orders of the day for Thursday, March 12, 2015, at 1:30 p.m.:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Reports of Standing and Special Committees
5. Returns to Oral Questions
6. Recognition of Visitors in the Gallery
7. Acknowledgements
8. Oral Questions
9. Written Questions
10. Returns to Written Questions
11. Replies to Opening Address
12. Petitions
13. Reports of Committees on the Review of Bills
14. Tabling of Documents
15. Notices of Motion
16. Notices of Motion for First Reading of Bills
17. Motions
  - Motion 41-17(5), Repeal and Replace Rules of the Legislative Assembly of the Northwest Territories
  - Motion 42-17(5), Extended Adjournment of the House to May 27, 2015
18. First Reading of Bills
  - Bill 48, An Act to Amend the Mental Health Act
  - Bill 50, Appropriation Act (Operations Expenditures), 2015-2016
  - Bill 51, Supplementary Appropriation Act (Infrastructure Expenditures), No. 5, 2014-2015
  - Bill 52, Supplementary Appropriation Act (Operations Expenditures), No. 3, 2014-2015
  - Bill 53, Supplementary Appropriation Act (Infrastructure Expenditures), No. 1, 2015-2016
  - Bill 54, An Act to Amend the Forest Management Act

19. Second Reading of Bills
20. Consideration in Committee of the Whole of Bills and Other Matters
21. Committee Report 14-17(5),
22. Report of Committee of the Whole
23. Third Reading of Bills
  - Bill 42, An Act to Amend the Residential Tenancies Act
24. Orders of the Day

**MR. SPEAKER:** Thank you, Mr. Clerk. Accordingly, this House stands adjourned until Thursday, March 12<sup>th</sup>, at 1:30 p.m.

---ADJOURNMENT

The House adjourned at 5:02 p.m.

