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The Honourable Jackson Lafferty, Speaker

Legislative Assembly of the Northwest Territories

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(Great Slave)

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YELLOWKNIFE, NORTHWEST TERRITORIES**Tuesday, August 13, 2019****Members Present**

Mr. Beaulieu, Mr. Blake, Hon. Caroline Cochrane, Ms. Green, Hon. Jackson Lafferty, Hon. Bob McLeod, Hon. Robert McLeod, Mr. McNeely, Hon. Alfred Moses, Mr. Nadli, Mr. Nakimayak, Mr. O'Reilly, Hon. Wally Schumann, Hon. Louis Sebert, Mr. Simpson, Mr. Testart, Mr. Thompson, Mr. Vanthuyne

The House met at 1:30 p.m.

Prayer

---Prayer

SPEAKER (Hon. Jackson Lafferty): Good afternoon, Members. Item 2, Ministers' statements. The Honourable Premier.

Ministers' Statements

MINISTER'S STATEMENT 213-18(3):
MINISTER ABSENT FROM THE HOUSE

HON. BOB MCLEOD: Mr. Speaker, I wish to advise the Members that the Honourable Glen Abernethy will be absent in the House today due to illness. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Ministers' statements. Minister of Education, Culture and Employment.

MINISTER'S STATEMENT 214-18(3):
INCOME SECURITY PROGRAMS UPDATE

HON. CAROLINE COCHRANE: Mr. Speaker, the Government of the Northwest Territories is responsible for ensuring that Income Security programs respond to the needs and realities of residents. I am proud of how this government has increased its financial support to those in greatest need.

Income Security programs help residents bridge gaps in their ability to support themselves and pursue their personal, educational, and career goals. They are a vital part of our social safety network. During the life of this Assembly, the Department of Education, Culture and Employment has implemented numerous enhancements to its suite of Income Security programs.

In 2016, the department changed the way Income Assistance payments were calculated and restructured the program to ensure that income intended for children was no longer included. These changes resulted in more families with children being eligible to receive assistance and increase their monthly household income.

The high cost of living disproportionately affects our low- to modest-income residents. Our government increased the Northwest Territories Child Benefit to provide additional support to families. As well, we increased the Senior Citizen Supplementary Benefit and the supports available through the Seniors Home Heating Subsidy to support low- to modest-income seniors.

The department reviewed and increased the amount available through the Income Assistance Program to cover rental costs. We also increased the funding available to emergency shelter operators. Together, these improvements help address homelessness, and all of these improvements together support this Assembly's mandate to reduce the cost of living, foster healthy families, reduce poverty, and help seniors age in place.

Mr. Speaker, I am accountable for ensuring that the programs and services offered by the Department of Education, Culture and Employment are helpful to the residents they are intended to serve. I want to make sure that we improve quality of life and expand opportunities for our residents.

The best approach to achieving this is through working together. This past December we convened a meeting that included those who access our programs, non-governmental organizations, and those who provide services to income support clientele. We also solicited input from Members of this House and other orders of government. By working together, we have identified 27 priority actions to further improve the Income Assistance Program. I am pleased to report that we have already started on actions to improve the timeliness of payments, communications materials, and the client experience.

A new client-focused income assistance handbook has been developed as a key resource for those accessing the program and their supporters. The handbook provides a user-friendly, plain-language explanation of the program, with helpful tips and resources. It is currently being finalized. Both online and paper copies will soon be available in all regional offices across the Northwest Territories to empower and equip clients with the information they need.

We recognize that knowledgeable and well-trained front-line staff are critical to delivering programs that respond to the needs of our clients. As a direct response to feedback from our partners, the department will ensure that trauma-informed and disability-sensitivity training is added to the required training that staff currently receives. Through this required training, client services officers will continue to build on their professional development and enhance their client-centred services.

We have also introduced departmental service standards for the Income Security and Labour Branch, which will provide a benchmark for the quality of service that clients can expect of employees and senior managers. Materials to make this information readily available has been developed. They will be accessible online in every regional office, and will also be shared with all clients.

We heard from our partners that they want to be just that, partners in supporting people who need it most and working towards solutions that provide better-integrated services. The department is continuing to connect with non-governmental organizations. We will establish regular meetings to share information, learn from each other, and advance our collective goals.

Mr. Speaker, we are committed to improving the efficiency and effectiveness of internal administration, and significant work has been done to ensure Income Security programs meet the needs of residents, but we still have work to do. Change does take time. Through solution-based discussions with those who understand the issues, ongoing evaluations of our programs, and building strong community partnerships, we are making positive steps to reach our goals. Mahsi cho, Mr. Speaker.

MR. SPEAKER: Masi. Ministers' statements. Minister of Environment and Natural Resources.

MINISTER'S STATEMENT 215-18(3):
ENVIRONMENTAL MONITORING AND
RESEARCH PROJECTS FUNDED

HON. ROBERT MCLEOD: Mr. Speaker, I am pleased to announce that the Northwest Territories Cumulative Impact Monitoring Program is providing \$1.7 million this year to support 28 monitoring and research projects. Funding recipients include Indigenous governments and organizations, universities, and territorial and federal government departments.

This year, seven new projects are receiving funding over three years to address key cumulative impact monitoring priorities for caribou, water, and fish. Results will provide valuable scientific and

traditional knowledge for resource managers, governments, and communities to use for decision-making.

Mr. Speaker, recommendations on project funding were made by a steering committee comprised of representatives from Indigenous governments and organizations and territorial and federal governments.

Northwest Territories Cumulative Impact Monitoring Program results are available online and at an annual results workshop later this year. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Ministers' statements. Minister of Justice.

MINISTER'S STATEMENT 216-18(3):
IMPROVING PROGRAMS FOR INMATES IN NWT
CORRECTIONAL FACILITIES

HON. LOUIS SEBERT: Thank you, Mr. Speaker. During my time as Minister of Justice, I have often spoken about the Corrections Service and the important work they are doing to improve the programming and supports available in our facilities to help address the needs of individuals in our corrections system.

I know that Members of the Legislative Assembly share with me the hope that people in our care are able to return to their communities on their way to becoming healthier members of our society. Over the past four years, we have made fundamental changes to the programs available to inmates, have been investing in our correctional facilities, and have been advancing legislative changes to better position inmates for success.

Knowing that some of the most prevalent risk factors for incarceration are substance abuse, violence, and relationship violence, evidence-based programs have been implemented that address these root causes of why some individuals find themselves in contact with the criminal justice system.

By working in close collaboration with elders, traditional liaison officers, and Indigenous staff, our Corrections Service continues to take special care and attention to ensure that programs delivered in our corrections facilities recognize the importance of Indigenous cultures and traditions. We are also delivering a suite of programs aimed at supporting inmates to become better aware of the triggers that lead them to engage in unhealthy and unsafe behaviours. Specific programs include Substance Abuse Management, Living without Violence, and the Respectful Relationships programs.

More recently, the Corrections Service has implemented the Northern Addictions Sessions at the South Mackenzie Correctional Centre. Work is also under way to develop a northern module to be included as part of the Living Without Violence and Respectful Relationships programs, as well.

Mr. Speaker, changes have been made to the release planning process to ensure that case managers are considering which community programming options for inmates are available upon release. Where possible, clients are matched with similar programming that they received while in custody so that they can continue to build the skills that they need to become successful once at home.

We also recognize the importance of offering programs and opportunities to inmates so that they may advance their educational goals while in our corrections facilities. Inmates have access to adult literacy, basic education and upgrading, high school and exam preparation, trades exam preparation, life and employment readiness skills, and assistance with pursuing post-secondary studies.

Mr. Speaker, I would be remiss if I did not recognize the critical role that the men and women working in the corrections field do to provide the high-quality correctional programming and care to inmates we have put so much effort into developing in the Northwest Territories. The reality is that there are few others in our society who are closer in contact, on a prolonged basis, with members of our society who are facing such challenging and complex social issues than those working in the Corrections Service. As the NWT Corrections Service has evolved to find new and innovative ways to better support inmates, it is the dedication and professionalism of our corrections staff that has been, and will always be, key to our current and future successes.

Hand-in-hand with modernizing our legislative framework and improving our programming and supports, we have also focused on modernizing our correctional facilities. Later this month, the grand opening of the newly constructed women's unit of the Fort Smith Correctional Complex is planned, with building occupancy scheduled for later this fall. The design for this facility reflects the current and future needs of adult female offenders in the Northwest Territories. Access to family support to aid the healing process and to improve reintegration of inmates into their communities; access to northern-developed and northern-specific programming; and limiting access and connection with southern inmates, where gangs, drugs, and organized crime are prevalent, are all factored into the design and creation of the new women's unit.

Mr. Speaker, I am very pleased to advise that our government is moving forward with work to

transition the South Mackenzie Correctional Centre in Hay River into a facility that operates under a Therapeutic Community model. Under this model, substance abuse is seen as a symptom of much broader problems and, as such, a holistic approach is used that touches on every aspect of an offender's life. With an emphasis on social learning and mutual self-help, individual participants take on some of the responsibility for their peers' recovery. Providing help and support to others is seen as an important part of changing oneself under this model.

The transition of the facility to this new model is anticipated to take place in the spring of 2020 and, in the coming weeks, officials with the Department of Justice will be making presentations on the Therapeutic Community model to the Town of Hay River, Indigenous governments, and community groups.

Mr. Speaker, the people of the Northwest Territories have been clear. They want inmates prepared and ready to rejoin their communities. The programming, facilities, and legislative changes that we have worked hard to advance during the 18th Legislative Assembly have laid a strong foundation for an improved NWT Corrections Service. Through the efforts of our dedicated staff and the continued partnerships that we have with other departments and stakeholders, our Corrections Service is making a difference in the lives of Northerners and helping to create safer and healthier communities throughout the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Ministers' statements. Minister of Industry, Tourism and Investment.

MINISTER'S STATEMENT 217-18(3):
DIVERSIFYING THE NWT'S ECONOMY

HON. WALLY SCHUMANN: Thank you, Mr. Speaker. Strong economies must encourage economic diversity and, while our economy relies on the resource sector as its foundation, our government has committed to fostering an economic environment where our residents can find success across a variety of sectors.

It is also this government's view that true economic diversity for the Northwest Territories also means getting the most out of secondary industries arising from our diamond sector, while also working to branch out and encourage the responsible development of new resources.

Through the life of this government, Mr. Speaker, I can say that we have made strides towards building this kind of strong, diverse economy. I would like to highlight some of the commitments that this government has met in that area.

Our tourism sector has reached new heights, and the numbers speak for themselves. In 2017-2018, visitors spent more than \$203 million in the Northwest Territories, more than \$36 million in gains since this government took office. Over the same period, we welcomed more than 112,000 visitors to our territory, roughly 25 percent more than we did at the start of our mandate. This is, in part, a reflection of the ongoing investments that we have made in world-class tourism and parks facilities and the destination marketing work that we have invested in through Northwest Territories Tourism.

By working together, our government has welcomed new entrepreneurs to our territory through the Nominee Program and implemented the Government of the Northwest Territories Immigration Strategy, which included streamlining the application for those looking to make the Northwest Territories their home. People in Hay River and Yellowknife have seen the positive effects of those efforts firsthand.

We have developed and are implementing an agriculture strategy to encourage local food production and shepherd the sector towards commercial viability. We have since leveraged the new Canadian Agricultural Partnership and other funding programs to support growing agriculture businesses.

We are implementing a strategy to revitalize the Great Slave Lake Commercial Fishery. Since the release of this strategy, we have secured funding and went out to tender to build a cutting-edge fish processing plant in Hay River, worked closely with the Northwest Territories Fishermen's Federation on laying the foundation for a sustainable business, and taken leadership in representing the Northwest Territories' interests as the federal government sets a new path for the freshwater fishery in Canada's North.

We have committed to investing in building the profile of Northwest Territories art, both at home and abroad. Our revamped Northwest Territories Arts website now includes a Where to Buy feature, which connects regional, national, and international customers to Northwest Territories-made art. Together, the Departments of Industry, Tourism and Investment and Education, Culture and Employment engaged the public on putting the Arts Strategy into action with the principles of the Northwest Territories' arts community in mind.

Mr. Speaker, our support of the arts extends to the commitments that we have made to grow our territory's film industry. Eleven film projects have received support under the Northwest Territories Film Rebate Program since the program launched in 2015. Those rebates have leveraged around \$1.5

million in economic investment by film projects in the Northwest Territories.

We have connected the local industry with new opportunities to develop below-the-line skills and build a future in film. Just last year I was proud to announce our investment in the Northwest Territories Professional Media Association's apprenticeship pilot program. We have invested in shining a light on producers, their films, and our industry more broadly through national and international marketing efforts.

We worked with industry to expand manufacturing by developing a Manufacturing Strategy. We released this strategy with partnership from the Northwest Territories Manufacturers Association this year, and work is already being done to reach our ambitions.

We have worked to advance the knowledge economy in this territory, and we have once again seen results. We supported the establishment of the exciting Arts, Crafts, and Micro-manufacturing Centre in Inuvik, along with other partners. I am pleased to report that ITI has been asked to sit on the board of directors for this initiative to help ensure its continued success in the Beaufort Delta. A number of agencies from other countries are working in Inuvik and benefitting from the region's geographic advantages for satellite transmissions, made possible from the investment in the Mackenzie Valley Fibre Optic link. The resources are now in place, and work has already begun to develop a strategic framework to advance the knowledge economy in the Northwest Territories.

We have committed to connecting our furs with international markets to help encourage the traditional economy. Our continued investment in the Genuine Mackenzie Valley Fur brand has brought trappers' goods to market throughout the life of this government.

Mr. Speaker, we have also done a great deal to diversify our resource sector. First and foremost, I am pleased to say that Almod Diamonds, one of our approved Northwest Territories Diamond Manufacturers, has announced that their factory has established its team, and its first diamonds are now being polished right here in our capital. I encourage everyone to look for their grand opening in 2020.

This good news comes in the wake of our changes to the Northwest Territories Diamond Policy Framework, which is designed to encourage diverse investments from businesses looking to generate local benefits from the diamonds that our mines make available for local manufacturing.

Throughout this government, we have delivered on our commitment to implement the Mineral Development Strategy and our Petroleum Resources Strategy to build a stronger resource sector, and I am pleased to say that we have seen progress that will build on what we already have with our strong, resilient diamond mines.

Our Mining Incentive Program has leveraged millions in additional work from commodities running the gamut from precious metals, like gold, to technology metals, like lithium or cobalt. We are also seeing exciting results coming to light in regions like the Sahtu for gold, where bigger players are now getting involved. Mr. Speaker, I would like to seek unanimous consent to conclude my Minister's statement.

---Unanimous consent granted

HON. WALLY SCHUMANN: Mr. Speaker, we have also committed to working to diversify our resource mix by developing a long-term strategy for oil and gas in our territory. We have delivered, releasing our Petroleum Resources Strategy with two key outcomes in mind: local benefits, like heating and power generation; and a healthy export market in the future. We have made progress since.

I am pleased to see the Inuvialuit Regional Corporation defining a way forward for their regional natural gas heat and electricity initiative, which has a vision to provide reliable, affordable energy in the area. Our government has supported this project since its conception and looks forward to exciting things in the future. We have also received positive feedback from the global industry as we tell a new story about future of our territory's export natural gas sector.

Mr. Speaker, as this government's tenure draws to a close, I can say with confidence that we have laid the groundwork for the future governments to achieve even more. I am proud of the actions that we have taken to build a broad, diverse economy for the benefit of all Northwest Territories residents and conclude this Assembly feeling positive about our territory's economic future. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Ministers' statements. Item 3, Members' statements. Member for Mackenzie Delta.

Members' Statements

MEMBER'S STATEMENT ON GRIZZLY BEARS IN AKLAVIK

MR. BLAKE: Thank you, Mr. Speaker. We have a grizzly bear problem in Aklavik. Like last year when I brought up this issue, at the moment, we have up

to 13 grizzly bears hanging around at the dump site. Also, as it is starting to get dark now, the bears are starting to bother around the community. This is a threat to the community, as bears are very unpredictable.

Mr. Speaker, my constituents want some action taken to either relocate or put some of the bears down to detour the bears from hanging around the community. In the past, the NR officer was able to put down problem bears and hire residents to keep them out. From what I was told, this can only be done when the bear is a threat.

Well, Mr. Speaker, I think it is pretty clear that 14 grizzly bears are a threat. Let's not wait until something serious happens. Let's take some action to keep Aklavik safe. Thank you, Mr. Speaker. I will have questions later today.

MR. SPEAKER: Masi. Members' statements. Member for Kam Lake.

MEMBER'S STATEMENT ON DISRUPTIONS TO DIGITAL CONNECTIVITY

MR. TESTART: Mr. Speaker, today I rise to address a sadly reoccurring issue: disruptions to our digital connectivity. Since the beginning of 2019, we have dealt with three roughly day-long service interruptions; May the 8th, July 13th, and yesterday, August 12th. I must acknowledge that the incidents are still under investigation by the RCMP, and I trust that they will do their utmost while investigating these matters.

However, I am concerned about the bigger issues these incidents have brought to the forefront of our attention. Every time we have an outage of this severity, it first and foremost affects our businesses. Transacting any form of electronic payment becomes unreliable or impossible. As the mayor of Yellowknife said yesterday, "It's not just, 'Oh shoot, Facebook is down.' It's people's livelihoods. We need something more reliable." Point-of-sale devices, business and government operations, emergency contact numbers, just to name a few, were all affected by this outage.

Connectivity in the North and other rural areas of Canada has been a hot topic for years. I wonder what steps the GNWT, Ottawa, Northwestel, and other potential governments and service providers have and are considering as a solution to not only secure our tech infrastructure, but also what plans have been explored concerning the building of redundancy measures with greater bandwidth than currently exists.

We know that the bandwidth of the existing redundancy measures is nowhere near sufficient to handle the average daily throughput we need here

in the North. This is a problem which must be addressed by the existing service provider with joint effort from the GNWT, Ottawa, and other industry partners alike. Infrastructure protection is a tough topic in Canada, and especially in the North, as we have such vast expanses through which to protect our physical infrastructure. It should be noted that it is incredibly difficult to protect individual assets from malicious damage.

If we wish to overcome this over the next few years and diversify towards a true knowledge-based economy, then we must have quality digital infrastructure and uninterrupted connectivity, with sufficient redundancy in place to ensure that. We have to increase remote learning opportunities and truly build a North that can access the full breadth of information that is out there.

I will have further questions later today for the Minister responsible for our telecoms in the Northwest Territories. Hopefully, he can shed some light on what we are doing to improve our quality of service in the NWT. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Deh Cho.

MEMBER'S STATEMENT ON
RELATIONSHIP BETWEEN KAKISA AND THE
GOVERNMENT OF THE NORTHWEST
TERRITORIES

MR. NADLI: Mahsi, Mr. Speaker. In 2012, the GNWT developed a respect, recognition, and responsibility strategy to engage with Aboriginal governments. Part of this strategy includes that Aboriginal governments are essential partners in shaping the future and creating opportunities and prosperity in communities and regions. [English translation not provided].

Mr. Speaker, small communities are constantly fighting for services that are taken for granted in larger centres. Their voices can be lost, and the government spends less time considering their needs. Ka'a'gee Tu First Nations have been working hard to advance their key initiative. While some have been addressed, including local housing concerns and establishment of a new dock, there are still pressing concerns about the local water supply and the need for a new office.

Recognition of treaty rights and Aboriginal titles to lands and resources and the right to self-determination of local governments matter. Protocols need to be based on mutual recognition and respect, and consultations with the community are critical to advance priorities of both the community and the GNWT.

Mr. Speaker, the respect, recognition, and responsibility strategy states that "The GNWT is committed to building and maintaining mutually respectful government-to-government relationships with Aboriginal governments." I will have questions for the Premier on how he sees the relationship between Ka'a'gee Tu First Nation and the GNWT evolving and how it will follow the respect, recognition, and responsibility strategy. Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Yellowknife North.

MEMBER'S STATEMENT ON
YELLOWKNIVES DENE FIRST NATION AND
CITY OF YELLOWKNIFE LAND TRANSFER

MR. VANTHUYNE: Thank you, Mr. Speaker. Today I'd like to talk about the recent agreement between Yellowknife City Council and the Yellowknives Dene First Nation to change a boundary between the city and the YKDFN land. I would like to compliment both the city and the Yellowknives Dene on this agreement. With respect to both parties, it is a solid achievement. It is good to see the positive engagement and collaboration between the city and YKDFN to serve their people's best interests.

It also raised questions, Mr. Speaker, and constituents of Yellowknife North are looking for answers. How will this agreement affect residents of Yellowknife North? What kind of impacts will there be for houseboaters in Yellowknife Bay? What effect will there be on the negotiation of the Akaitcho land rights agreement? Is there any potential downside?

Mr. Speaker, it is important that the people affected by this agreement are consulted. Residents deserve the opportunity to review, consider, and contribute to the discussion about the impact the changes may have on their lives. They want to know who will make sure that there is an effective and thorough conversation among everyone who will be affected.

Over the years, there has been vigorous discussion about the management and access to the harbour front of Yellowknife Bay. Residents and visitors alike use the lake for boating, fishing, sightseeing, business, and pleasure. Considerable work was put into developing a waterfront plan through a city-led harbour planning committee. How will that plan inform the new agreement? Is it time for a harbour commission?

We will also certainly have to consider the effect this agreement might have on the Akaitcho land rights negotiation, as well as the Yellowknife periphery recreational land use plan. It is important

to consider the impact it may have on the city's general plan. All of these plans will describe the future of the lands and waters where we all live and where many of us work. It is essential that everyone's interests are fully discussed and considered when creating new boundaries that may affect land use in the future.

I recognize that the consultation and final decisions on this agreement may ultimately fall to the 19th Assembly. However, on this important initiative, robust public engagement and discussions is essential. That is why I am raising it today. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Yellowknife North.

MEMBER'S STATEMENT ON
PREMIERS' LETTER TO PRIME MINISTER
TRUDEAU REGARDING BILL C-68 AND BILL C-
48

MR. O'REILLY: Merci, Monsieur le President. On June 10th, our Premier co-signed a letter, along with premiers of Ontario, New Brunswick, Manitoba, Saskatchewan, and Alberta, to the Prime Minister of Canada. That letter warned that national unity would be threatened if the federal government did not accept numerous changes to federal Bills C-69 and C-48 as dictated by the oil and gas industry.

This action came as a total surprise to this MLA and many residents of the Northwest Territories. I will be the first to defend the Premier in expressing any personal views he may have on such matters, but he signed this letter as the duly elected head of this government, meaning he was speaking on behalf of this government. He was once again significantly breaching the guiding principles of consensus government as approved by himself as Premier and all MLAs in October 2016.

More specifically, these guiding principles state, "Except under extraordinary circumstances, Members of the Legislative Assembly should be made aware of and have opportunity to discuss significant announcements, changes, consultations, or initiatives before they are released to the public or introduced to the Legislative Assembly. Use of the element of surprise is inconsistent with consensus government."

Bill C-69 begins to rebuild federal environmental assessment to restore a modicum of public confidence and decision-making around areas of federal jurisdiction after the virtual destruction of these processes. It actually has very limited application in the Northwest Territories and comes into play only when there is a trans-boundary project or a development of national interest.

Bill C-48 deals with shipping off the west coast of Canada and has nothing to do with the Northwest Territories. It is not clear to me why the Premier felt it necessary to align this government with such a partisan effort, as represented by the letter that he signed.

Later today, I will ask the Premier whether he consulted or informed his Cabinet colleagues about this letter and why he continues to breach the guiding principles of consensus government. Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Sahtu.

MEMBER'S STATEMENT ON
ACCESS TO EDUCATION IN COMMUNITIES

MR. MCNEELY: Thank you, Mr. Speaker. Over the course of this government, I have had ongoing concerns about the education system in general and specifically about the quality of education delivered in our communities I am here to serve. I believe strongly that a solid education system is the necessary foundation required to move our youth forward and to provide our labour market with the workers it needs to fill new positions and complete succession planning that result in more northern people in northern jobs.

Mr. Speaker, we are obligated, both in a fiduciary sense and a moral one, to ensure that all youth throughout the Northwest Territories have access to high-quality education that equips our youth to reach their fullest potential and be able to find meaningful, well-paid employment. I have been heartened to see the technology advances in education that are making education more accessible in our rural and remote regions, and I want to see youth in the communities that I serve benefit from this progress.

The NWT has seen all kinds of progress from before and during my time in this Assembly, with land claim settlements, self-government agreements, and greater understanding that we have reached through the truth and reconciliation process and the release of the Final Report on Missing and Murdered Indigenous Women. We know that we have need to do a better job for our youth. Over my term, I have worked diligently to improve education in the communities I serve. I have brought the concerns of my constituents forward and have worked with the Sahtu leadership, the Minister responsible, and my colleagues to find solutions. Mr. Speaker, I seek unanimous consent to conclude my statement. Mahsi.

---Unanimous consent granted

MR. MCNEELY: Mr. Speaker, just this past month, I came together with the Sahtu leadership in the beautiful community of Deline to discuss the delivery of education in our region and benefitted from the work of my esteemed colleague from the Deh Cho riding, Mr. Nadli, in this area. Through these discussions and many others, I have greater appreciation of the challenges we face and will have questions for the Minister responsible later. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Yellowknife Centre.

MEMBER'S STATEMENT ON
STATUS OF SERVICES FOR SENIORS IN
YELLOWKNIFE

MS. GREEN: Mahsi, Mr. Speaker. Seniors are the heart of my constituency and, through the next decade, their population will grow by 134 households in Yellowknife each year. The fact that the seniors population is growing is not news. Our lack of preparedness to meet their needs is today's headline.

The NWT Housing Corporation has a suite of programs for seniors to repair their homes and complete retrofits so they can stay in their homes as they age. That is all good, obviously. The problem is that, while the seniors population has been increasing, program funding has not. The same amount of money is available this year as it was last year for programs such as CARE. The total budget for the NWT for aging in place retrofits is just half a million dollars. In our mandate, we said we would help seniors to age in place, but the truth is there are a lot of gaps.

Mr. Speaker, here in Yellowknife we have a crisis of available and affordable housing for seniors. Not one, and let me say that again, not one new unit has been added to the inventory during the term of this Assembly. There are 60 people on the waiting list for AVENS Court; 49 on the waiting list for public housing; and there is a backlog of seniors in emergency shelters, as well. We need at least 100 new units for independent living, and we need them now.

We also need new investments in homecare to help people age in place. I am looking forward to the paid family and community caregiver project, and I am pleased that Yellowknife is one of the pilot communities, given the size of our senior population, but this program does not include nursing and personal care. We need a plan that addresses the growing need for professional care by people who are trying to retain their independence by living at home.

Last but not least is the day program. Almost three years after it closed, the GNWT still has not found a replacement for the adult day program. I realize the Minister has looked at various options and there is now a survey out for seniors to complete, but the fact is there is nothing in place.

Mr. Speaker, as we age along with the rest of the population, we are going to need increasing support, whether that is help to say where we are, a smaller unit that is more affordable and accessible, services to help us with everyday tasks, specialized nursing, or social inclusion activities. On all of these fronts, the next Assembly must do better than we have. Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Tu Nedhe-Wiilideh.

MEMBER'S STATEMENT ON
PREVENTION OF ALCOHOL BOOTLEGGING

MR. BEAULIEU: Marsi cho, Mr. Speaker. Alcohol is a big issue in our communities, including regional centres and Yellowknife. In the last government, I was the Minister of Health and Social Services for two years. I could not believe that we were spending well over a million dollars a day in that department.

As I travelled to the communities, I asked the nurses what they thought were the biggest cost drivers in their communities. In almost all cases, they said alcohol.

I believe the causes of alcohol abuse in small communities, some of the causes, can be attributed to bootlegging. Mr. Speaker, I think it is time for us as a government to look at ways of preventing bootlegging from running a thriving business at the expense of our citizens.

Recently the City of Yellowknife discussed liquor store hours. Maybe there is merit in looking at changing liquor store hours one way or the other. Maybe you have liquor store open hours longer that will have the customers go to the liquor store instead of a bootlegger, or maybe we shorten the hours, I have not thought about that fully, to get away from the bootleggers, or maybe we shorten the hours. I do not know what it should be, but it certainly should be reviewed, Mr. Speaker.

The one thing our government may want to look at is the restriction on the amount of liquor that a customer can buy. A person should not be allowed to buy cases and cases of hard liquor, take them home for after the liquor store hours are closed, and then they have it for resale. We put restrictions on the purchase of cannabis and the possession of cannabis. I think we can do the same with alcohol. We must find a way to prevent the bootleggers from

going to the liquor store and buying all kinds of alcohol, and everybody knows it's for resale, without affecting the average citizen who wishes to go to the liquor store and buy some wine or some beer or even some hard liquor for themselves, for their own consumption in their homes, so we must find a happy medium. Allowing bootleggers to buy unlimited amount of alcohol from liquor stores is not correct, and that should be stopped. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Nahendeh.

MEMBER'S STATEMENT ON HIGHWAY INFRASTRUCTURE PROJECTS

MR. THOMPSON: Thank you, Mr. Speaker. I rise in the House to talk about a couple of infrastructure projects on Highway No. 1 and locations on Highways No. 3, 5, 6, and the Hay River Reserve access road this year. Unfortunately, the tenders were awarded to two southern companies. It was my understanding the bid difference was less than a million dollars, so we are seeing approximately \$17.5 million leaving the Northwest Territories.

Mr. Speaker, I am not sure how many northern and local contractors are being used on this work, but I know I have witnessed a lot of BC and Alberta plates on equipment as I have driven by. It is my understanding that the old way we implemented the business incentive policy was to use the full amount of the contracts. However, the new way only allows contractors to use a few million dollars of the whole contract.

Mr. Speaker, it is frustrating for Northern contractors, because the GNWT are making contracts larger, and BIP does not help keep the work in the North.

Companies from BC and Alberta have no ties in the North, and with contracts being awarded, the majority of the money is going south, with no benefit to NWT besides the project itself. These are unfair practices and have a huge impact on northern contractors. I have heard some talk that it would be beneficial to leave the territories and become absentee contractors so they are not subject to the high cost of living in working in the North.

Without northern companies hiring northern people, the tax base of the Northwest Territories will continue to shrink. Without the tax base, many of the projects the NWT would like to complete would no longer be done without the assistance of the federal government. The BIP in its current format does not work for large contracts. An example method that does work is, when an out-of-province contractor bids on projects in BC, they are subject

to extreme penalty costs from the BC government. This penalty protects BC contracts, and ensures the contract awarded stays in BC.

The government should either make the contracts smaller, so they are less attractive to out-of-province companies, or reinstate the BIP back to the original format and intent. The original intent was to ensure money spent in the North stays in the North. This is the only way to ensure that the NWT grows both in local services and population.

We know we are dependent on federal funding, and every person has a value. Every person we lose has an impact on us. I will have questions for the Minister of Infrastructure later on today. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Nunakput.

MEMBER'S STATEMENT ON SALMON IN THE ARCTIC

MR. NAKIMAYAK: Thank you, Mr. Speaker. Every day Nunakput constituents are posting on social media about the high amounts of salmon they are catching in their fish nets in the Beaufort Sea. The Arctic char at this time are usually feeding along the coast before they migrate up the lakes and rivers for the winter. I am worried that these invasive species will take over some of the lakes and rivers where we harvest Arctic char, whitefish, coney, herring, lake trout, and other fish species, ultimately affecting the ecosystem as a whole.

The ocean currents have been warming and allowing species that do not usually migrate to the Arctic to traverse the waters through the high seas, affecting the ecosystem on and offshore. We see the effects of climate change with the sporadic and unpredictable weather patterns all over the globe. The warm ocean currents are bringing species such as salmon to colder water, which means that they are changing the balance of the ecosystem in the Arctic.

Fish farming in Alaska is likely contributing to this increase, and we must work with our co-management groups across the Northwest Territories and abroad to ensure that we are doing our best to support the rivers, lakes, and communities along the rivers and coast to ensure that this does not become a food security issue.

Mr. Speaker, I believe there is a need to take a look at this and get involved and partner with Indigenous governments, hunters and trappers in the Northwest Territories, and the federal government to ensure that we can take a picture of this invasion of salmon and do our best to understand the underlying causes that are affecting the harvesters'

catch in Nunakput and across the Northwest Territories. Partnering on projects and collaboration and cooperation has never been as important as we learn why this is occurring. We need to understand this from a global perspective to ensure that we do our best to protect our way of life in the Arctic.

Mr. Speaker, local Indigenous knowledge is key to the planning, conservation, and protection of the species in the Northwest Territories and across Canada. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Item 4, reports of standing and special committees. Member for Yellowknife North.

Reports of Standing and Special Committees

COMMITTEE REPORT 25-18(3):
STANDING COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT REPORT
ON THE REVIEW OF BILL 36: AN ACT TO
AMEND THE PETROLEUM RESOURCES ACT
AND BILL 37: AN ACT TO AMEND THE OIL AND
GAS OPERATIONS ACT

MR. VANTHUYNE: Thank you, Mr. Speaker. Your Standing Committee on Economic Development and Environment is pleased to provide its Report on Bill 36, An Act to Amend the Petroleum Resources Act, and Bill 37, an Act to Amend the Oil and Gas Operations Act.

Introduction

Mr. Speaker, Bill 36, An Act to Amend the Petroleum Resources Act, and Bill 37, An Act to Amend the Oil and Gas Operations Act, provide the framework for the administration and management of the exploration and production of onshore petroleum resources in the Northwest Territories. The Petroleum Act governs how the Government of the Northwest Territories will act as the owner and manager of petroleum resources and sets the rules for companies to acquire the rights to explore for and produce oil and gas in public lands in the Northwest Territories. The Oil and Gas Operations Act regulates oil and gas activities and promotes safety, the protection of the environment, and the efficient extraction of oil and gas resources.

The amendment of oil and gas legislation is part of the mandate of the Government of the Northwest Territories 2016-2019. Under mandate point 1.3.2, the Department of Industry, Tourism and Investment committed to develop and propose amendments to both acts. The department expressed that the proposed bills are a first step towards a larger review aimed at modernizing

legislation and improving transparency of petroleum production in the Northwest Territories.

The Standing Committee on Economic Development and Environment, "the committee," commends the Minister for the development of these bills. Bill 36 and Bill 37 make amendments to existing legislation and propose to increase transparency and public accountability in the Petroleum Resources Act and the Oil and Gas Operations Act.

Both bills received second reading and were referred to the committee on February 22, 2019. Public hearings were conducted during May and June 2019, and the clause-by-clause review was held on August 2, 2019. During the review, the committee passed seven amendments to address concerns identified by the stakeholders and committee.

Overall, stakeholders indicated support of the bills. Many stakeholders were concerned for each bill to achieve the most appropriate balance between information to be made public and confidentiality to be provided. Stakeholders also raised concerns about the term for Significant Discovery Licences (SDL) and suggested additions to the proposed reporting requirements on hydraulic fracturing fluid recovered from a well.

The work of the standing committee to amend Bill 36 and Bill 37 is set out in this report. The remainder of this report addresses concerns from stakeholders and committee, provides rationale for the motions brought forward by committee and recommends several courses of action. Motions are listed in order of their appearance in the bills in the chapter of clause-by-clause review of the bills, and are referred to in this report by the number assigned.

Requirement for Federal Consent

Bill 36 and Bill 37 are among the legislation for which federal consent in certain instances is required. For the purposes of the Oil and Gas Operations Act, the National Energy Board continues to be the regulator for onshore development in the Inuvialuit settlement region. The Office of the Regulator of Oil and Gas Operations generally performs this function in the onshore in other parts of the Northwest Territories.

According to section 22(2) of the Northwest Territories Act, the Northwest Territories Legislature is required to seek federal consent for amendments that would change the regulatory functions of the National Energy Board, if these functions apply to the onshore portion of the Inuvialuit settlement region. This requirement is in effect for 20 years

from the day on which the act came into force in 2014.

Committee learned in a later stage of the legislative review process that federal consent had already been sought by the department and been granted for several amendments proposed in Bills 36 and 37. Committee would have preferred that committee's efforts to improve the bill through making amendments based on public consultation had been considered and committee's oversight and accountability role been taken into account. Committee therefore makes the following recommendation.

Recommendation 1

The Standing Committee on Economic Development and Environment recommends that, should any portion of a bill require federal concurrence, a statement to this effect be included in the legislative proposal and that the relevant clauses be identified at the time of introduction to the appropriate standing committee. Committee further recommends that a bill should not be submitted to the federal government for their concurrence until after it has been reported back to the House following committee's review.

Public Consultation

The committee held public meetings in Inuvik, Norman Wells, and Yellowknife. A scheduled hearing for Fort Simpson was cancelled on request of the community. Numerous representatives of Indigenous governments, non-governmental organizations, and individuals made public representations to the committee, either in person or via written submissions. Written submissions are attached as Appendix 1.

Comments were received from seven stakeholders, including:

- Alternatives North, Ecology North, CPAWS-NWT, and the Canadian Arctic Resources Committee (CARC) joint submission;
- The Information and Privacy Commissioner of the Northwest Territories;
- Non-Profit Governance Solutions (Dr. Cody Sharpe) on behalf of Ecology North;
- NWT Metis Nation;
- NWT Chamber of Commerce;
- Sahtu Secretariat Incorporated; and
- Todd Slack (as individual).

The standing committee heard general support for the bills from presenters and received

recommendations for improvements. Committee thanks every individual and organization who attended these meetings to share their views on Bill 36 and Bill 37.

The committee appreciates the plain-language material supplied by the Minister's office for the public hearings.

After having sought clarification from the sponsoring department, the committee considered the comments received during public hearings and discussed these matters amongst its members. Committee submitted eight motions in total to amend Bill 36 and Bill 37.

Mr. Speaker, at this time, I will turn the reading over to my honourable colleague from Nunakput, MLA Nakimayak. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Member for Nunakput.

MR. NAKIMAYAK: Thank you, Mr. Speaker.

What We Heard

This part of the report is organized around the key themes or subject areas raised during the committee's public hearings and in the written submissions received.

Confidentiality in Bill 36

Committee appreciates the steps taken by the Department of Industry, Tourism and Investment to improve and modernize Bill 36 and Bill 37 by amending the confidentiality provisions in both bills. Improving accountability and transparency is a fundamental component of the Government of the Northwest Territories' Mandate. Ensuring in legislation that all information is made available while determining certain criteria for confidentiality is contributing to achieving a better balance between increasing transparency and the need to protect confidential information.

Stakeholders commented on the importance of transparency in all aspects of regulating oil and gas-related activities in the Northwest Territories. One stakeholder remained unconvinced that the bills strike the appropriate balance between confidentiality of proprietary information and public transparency. Currently, all information provided for the purposes of the Petroleum Resources Act and the Oil and Gas Operations Act, and the regulations under those acts, is deemed privileged and kept confidential, with few exceptions.

Bills 36 and Bill 37 change this and reverse the process in that all information required to be provided will be made available to the public unless the recipient of the information, which would be either the Minister or the Regulator, determines the

information meets the test for confidentiality. Committee recognizes and supports this important step in the modernization of the legislation.

Role of Minister and Regulator

The Regulator is designated by the Commissioner in Executive Council under the Oil and Gas Operations Act (OGOA). The Minister has designated the regulator, however, delegated those powers to the Executive Director of the Office of the Regulator of Oil and Gas Operations (OROGO). Generally speaking, the Minister of Industry, Tourism and Investment has stronger responsibilities under the Petroleum Resources Act, and the regulator has a more robust role under the Oil and Gas Operations Act.

Committee received several comments on the importance that the roles of Minister and regulator do not overlap or interfere with either mandate. For example, where the Minister has the authority to classify information as confidential, this discretion must not overlap or infringe on the authority of the regulator. It was pointed out clearly that the regulator must be an independent decision-maker, if its rulings are to be viewed by the public as being free from political interference. However, there also was a clear desire expressed for more clarity around what information the Minister and the regulator should make publicly available. Committee considered carefully these concerns when discussing publication and annual report requirements.

Publication Requirement in Bill 36

Committee heard a number of comments on what is required to be published in the Petroleum Resources Act. Currently, the Minister is required to post notices in the Government of the Northwest Territories Gazette and "in any other publication the Minister deems appropriate"; this was seen as too vague. Stakeholders asked to improve the transparency of government decisions by setting out where the notices should be published.

Committee heard that the Gazette is an antiquated system of public notification and that it cannot be considered widely used. It was suggested that information be made available on websites or electronically to broaden the reach and accessibility of the information. Committee agreed that specifying where information needs to be made available is consistent with the Government of the Northwest Territories' Open Government Policy and the commitment to make information accessible in a way that is responsive to the needs and expectations of Northwest Territories residents.

Committee also wanted to ensure that information is being made accessible consistently and is user-

friendly. Committee therefore moved Motion 1, which requires the administering department to publish information in the Gazette, make information public more widely, and publish it in a timely manner on a website.

Mr. Speaker, I now pass this on to the honourable Member for Hay River North. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Member for Hay River North.

MR. SIMPSON: Thank you, Mr. Speaker.

Content of Annual Report

A commitment to improving accountability and transparency is one of the key priorities of the 18th Legislative Assembly. Public information is expected to be clear, concise, and easily understood. Committee agreed with submitters of comments that making information available will increase public confidence in the regulatory process.

Having the information, year over year, compiled in one place proves of interest and value in the context of accountable and transparent governance. The value of an annual report is the ability to have flexibility around how information is presented so as to allow the reader to put it clearly in context. The regulator already voluntarily prepares and publishes annual reports on activities, which is not required by legislation. The Minister is required to prepare a report with respect to the administration of the Petroleum Resources Act. The committee is of the view that contents of the report should be set out in legislation.

To provide greater clarity for the annual report that is required under the existing legislation, the licences and information issued, for example, can be provided by the Minister. Committee developed two motions that would link several sections and result in collaboration between the regulator and the Minister and annual reporting. This is reflected in Motion 2. The committee also proposed amendments that would set forth a list of information that should be included in the annual report of the Minister, which is reflected in Motion 6 amending Bill 36.

Well Abandonment and Financial Responsibility in Bill 37

Committee heard concerns and sought clarification on the commencement of the one-year period during which an operator must maintain proof of financial responsibility. Committee also had questions on the environmental remediation triggers within the respective reporting year.

During committee's deliberations on how the timing of the one-year period is determined, it was confirmed that abandoning a well is included in the definition of well operation, and that all operations require approval from the regulator. The holder of an authorization must maintain proof of financial responsibility for one year after the Office of the Regulator of Oil and Gas Operations has given notice to the proponent that all authorized works in respect of the abandonment of a well are completed. The extent of reclamation to be carried out before the notice would be issued depends on the approved work plans rather than statutory definitions respecting reclamation.

While committee is confident that concerns regarding the one-year period are addressed in regulations, the general question of assessing financial liability in resource management was raised. Committee is of the view that there needs to be further consideration of how to best ensure that end-of-life obligations are addressed in order to protect the government and residents of the Northwest Territories from potential liabilities.

Due to recent court cases, such as the Redwater case, committee is of the view that decisions which relate to terms of financial responsibility need to be reviewed on their consistency with recent court decisions. Therefore, committee makes the following recommendation.

Recommendation 2

The Standing Committee on Economic Development and Environment recommends that, in the second phase of the review of oil and gas legislation, consideration should be given to recent court decisions and best practices to ensure that the Government of the Northwest Territories and the public are protected from potential liabilities arising from oil and gas operations.

Committee is of the view that the cap for financial liability, which is currently set out in regulations, needs to be reviewed and aligned with Canadian practices. The Oil and Gas Spills Debris Liability Regulations were inherited from the federal government with devolution and have not been updated. Since 2014, however, the federal legislation governing offshore oil and gas exploration was updated to increase the absolute liability cap to \$1 billion following a review by the Auditor General of Canada. Committee therefore makes the following recommendation.

Recommendation 3

The Standing Committee on Economic Development and Environment recommends that the Government of the Northwest Territories undertake a comprehensive review of oil and gas-

related regulation with the expressed purpose to increase the cap for absolute liability.

I will now pass the reading on to the Member for Frame Lake. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Member for Frame Lake.

MR. O'REILLY: Merci, Monsieur le President.

Significant Discovery Licences in Bill 36

Bill 36 establishes a term of 15 years for significant discovery licences (SDL) where previously exclusive rights to petroleum lands were granted for an indefinite time. Committee received submissions that questioned the 15-year term and were seeking answers on why this number was chosen. Considering term limits in other jurisdictions while taking into account the unique conditions of the Northwest Territories, committee believes that 15 years is a time limit that would allow industry to do work and still insert a time-bound requirement.

Several submissions accepted the 15-year term of SDLs, however expressed a preference for a set time limit on the renewal term for SDLs. Bill 36 provides the Minister with the discretion to make a decision that would have an SDL being considered for an extension. This discretion was seen by several stakeholders to be concerning for two reasons: first, placing the authority with the Minister allows the possibility of political interference in what should be a regulatory function; and secondly, the ability to indefinitely renew an SDL would allow companies to potentially hold territorial lands indefinitely.

Committee shares these concerns and believes that a licence renewal should be time-bound. Consequently, committee proposed in Motion 3 to amend the current wording and require that an extension of the term of a SDL licence is for one or more terms of 15 years.

Committee had intensive discussions on the mechanism of SDLs and whether it is the best approach to ensure that the Northwest Territories will benefit from oil and gas exploration. Making SDLs time-bound by setting a time limit on the term of licence and licence renewal was considered a positive step toward a more transparent and accountable system. However, to maximize benefits to the Northwest Territories, committee is suggesting a more comprehensive review of the SDL system, including consideration of models for oil and gas exploration in other jurisdictions.

Therefore, committee is making the following recommendation.

Recommendation 4

The Standing Committee on Economic Development and Environment recommends that, in phase two of the review of Northwest Territories oil and gas legislation, a comprehensive evaluation of options related to Significant Discovery Licences (SDLs) be conducted, providing alternatives for consideration, and table its findings during the 19th Legislative Assembly. Committee further recommends that this report identify how the findings will inform any future changes to be made by the Government of the Northwest Territories with respect to its oil and gas resources.

Environmental Studies Management Board in Bill 36

Several submissions commented on the new provisions on the Environmental Studies Management Board (ESMB). Committee heard that the ESMB's public legitimacy would be improved by setting terms for the appointment of the members. Currently, members are appointed by the Minister and hold office during pleasure. Committee gave this suggestion consideration, however is not able to propose term requirements. The term of board members is determined under subsection 70(2) of the Petroleum Resources Act, and this subsection is not included for amendment. Therefore, a motion to set terms would be out of scope and not applicable.

Committee heard that, for the appointment of members to the ESMB, a clear definition of number of appointments by interest group should be provided in legislation. Stakeholders asked that public representation should be ensured. The definition of membership representation was seen as an improvement to the public legitimacy of the ESMB.

Committee agreed with the need for clarity on board membership and proposed an amendment that would ensure that at least one member from the public will be serving on the ESMB. To further ensure that the appointment of members from the public would allow for a balanced representation, committee moved Motion 4, which requires the Minister to appoint one member from the public for a board with the size of five or less members, and two members from the public for a board with six or more members.

Definition of Hydraulic Fracturing Fluid in Bill 36 and Bill 37

Committee received several submissions from Indigenous governments and organizations, as well as non-government organizations, asking for an addition to the definition of hydraulic fracturing fluid. Bills 36 and 37 propose a comprehensive definition for hydraulic fracturing, including the requirement that the cubic metre volume of water injected into a

well be measured. In their submissions, some stakeholders proposed to include the requirement to collect data on volume of fluids recovered from wells.

Committee agreed that knowledge of the volume of fluids recovered is important to better understand how much fluid may be left underground. Committee therefore moved Motion 5 to Bill 36 and Motion 2 to Bill 37 to amend the definition of hydraulic fracturing fluid information to be collected and to include information on the fluid recovered from wells.

In the context of hydraulic fracturing in the Northwest Territories, committee members discussed initiatives of past Legislative Assemblies. It was noted that, during the 17th Assembly, the Government of the Northwest Territories proposed to improve the regulatory framework by drafting new regulations. In its current mandate, the Government of the Northwest Territories committed to "ensure that residents have meaningful opportunities to participate in the assessment of potential benefits and risks associated with resource development, including hydraulic fracturing."

Committee is making the observation that the Government of the Northwest Territories has chosen to address mandate commitment 1.1.10 through the amendment of its oil and gas legislation and presentation of Bill 36 and Bill 37.

Mr. Speaker, I would like to turn over the next part of the report to the honourable Member for Kam Lake. Mahsi.

MR. SPEAKER: Masi. Member for Kam Lake.

MR. TESTART: Thank you, Mr. Speaker. Thank you, colleagues.

Public Hearings by the Regulator in Bill 37

Bill 37 proposes that the regulator be authorized to hold public hearings, however, leaves it to the discretion of the regulator to determine when a public hearing would be in the public interest. Committee members discussed regulatory practices in the Northwest Territories, where public hearings are obligatory. In resource development, thresholds are set, for example, for various types of water use and waste disposal, which determine when public hearings must be advertised and conducted.

Committee is of the view that the regulator should establish a threshold to identify when public hearings should be conducted. This would create consistency and certainty for applicants and other stakeholders as to when public hearings must take

place. It would also allow consistency with other regulators and their approach.

Committee prepared a motion proposing that a subclause be added to require that the regulator issue and publish guidelines setting out the circumstances in which a public hearing must be held. The Minister did not concur on this motion.

Clause-by-Clause Review of Bills 36 and 37

The clause-by-clause review of the bill was held on August 2, 2019. The committee thanks the honourable Minister of Industry, Tourism and Investment, and members of his staff, for their appearance before the committee.

At this meeting, the committee moved six separate motions to amend Bill 36, which were all concurred with by the Minister. Committee moved two separate motions to amend Bill 37, and one found concurrence by the Minister.

Committee moved the following motions to amend Bill 36:

Motion 1:

That clause 4 of Bill 36 be amended:

(a) in proposed clause 18 by striking out

"must be published in the Northwest Territories Gazette and in any other publication the Minister considers appropriate" and substituting "must be published in a timely manner in the Northwest Territories Gazette and on a website maintained by the department responsible for the administration of this act"; and

(b) in that portion of proposed clause 18.1 preceding paragraph (a), by striking out

"shall make publicly available" and substituting "shall publish, in a timely manner, on a website maintained by the department responsible for the administration of this act."

The motion was carried, and the Minister concurred. The bill will be amended accordingly.

Motion 2:

That clause 4 of Bill 36 be amended by adding the following after proposed clause 18.1:

8.2. A report prepared by the Minister under section 98 shall include a list of

(a) the notices published under section 18; and

(b) the information made available to the public under section 18.1.

The motion was carried and the Minister concurred. The bill will be amended accordingly.

Motion 3:

That clause 9 of Bill 36 be amended in that portion of proposed subclause 32(4) preceding paragraph (a), by striking out "extend the term of a significant discovery licence if" and substituting "extend the term of a significant discovery licence, for one or more terms of 15 years, if."

The motion was carried, and the Minister concurred. The bill will be amended accordingly.

Motion 4:

That clause 14 of Bill 36 be amended by striking out subclause (5) and substituting the following:

(5) Notwithstanding subsections (2) to (4), if the number of members of the board is fixed

(a) at five or less, the Minister shall appoint one member of the public to the board; or

(b) at six or more, the Minister shall appoint two members of the public to the board.

The motion was carried, and the Minister concurred. The bill will be amended accordingly.

Motion 5:

That clause 16 of Bill 36 be amended in proposed subclause 91(1) in the proposed definition "hydraulic fracturing fluid information" by adding the following after paragraph (k):

(k.1) the total volume of fluid, in cubic metres, recovered from the well,

The motion was carried, and the Minister concurred. The bill will be amended accordingly.

Motion 6:

That clause 16 of Bill 36 be amended by adding the following after proposed subclause 91(9):

(9.1) A report prepared by the Minister under section 98 shall include a list of the information made available to the public by the Minister under this section.

The motion was carried, and the Minister concurred. The bill will be amended accordingly.

Committee moved the following motions to amend Bill 37:

Motion 1:

That clause 5 of Bill 37 be amended by renumbering proposed clause 19.1 as subclause

19.1(1) and adding the following after that renumbered subclause:

(2) The regulator shall issue and publish guidelines setting out the circumstances in which a public hearing must be held.

The motion was carried by committee. The Minister did not concur. Not carried.

Motion 2:

That clause 7 of Bill 37 be amended in proposed subclause 22(1) in the proposed definition "hydraulic fracturing fluid information" by adding the following after paragraph (k):

(k.1) the total volume of fluid, in cubic metres, recovered from the well,

The motion was carried, and the Minister concurred. The bill will be amended accordingly.

Now I will turn the reading of this report over to the honourable Member for Yellowknife North. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Member for Yellowknife North.

MR. VANTHUYNE: Thank you, Mr. Speaker.

Conclusion

The committee commends the Minister for his willingness to work with committee to further amend Bill 36 and Bill 37 in response to public interest and to work collaboratively with committee on the amendments.

The committee thanks all those who took the time to appear before committee to share their thoughts on this legislation.

Following the clause-by-clause review, motions were carried to report Bill 36, An Act to Amend the Petroleum Resources Act, and Bill 37, An Act to Amend the Oil and Gas Operations Act, as amended and reprinted, as ready for consideration in Committee of the Whole.

Rule 100(5) of the Rules of the Legislative Assembly of the Northwest Territories requires Cabinet, in response to a motion by committee, to table a comprehensive response that addresses the committee report and any related motions adopted by the House. As required by this rule, committee usually includes a recommendation in each report, which is moved as a motion in the House, requesting a response from government within 120 days. Given that the 18th Legislative Assembly will dissolve prior to the conclusion of the 120-day time period allowed by the rules, committee has opted to forego this recommendation. Committee

nonetheless requests, to the extent that it is possible before the dissolution of the 18th Assembly and for the public record, that government provide a response to this recommendation, even of a preliminary nature, that committee may publicly disclose.

This concludes the standing committee's review of Bills 36 and 37. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Reports of standing and special committees. Member for Yellowknife North.

MOTION TO RECEIVE COMMITTEE REPORT 25-18(3) AND MOVE INTO COMMITTEE OF THE WHOLE,
CARRIED

MR. VANTHUYNE: Thank you, Mr. Speaker. I seek unanimous consent to waive rule 100(4) and to have committee report 25-18(3), Standing Committee on Economic Development and Environment Report on the Review of Bill 36, An Act to Amend the Petroleum Resources Act, and Bill 37, An Act to Amend the Oil and Gas Operations Act, moved into Committee of the Whole for consideration later today. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The Member is seeking unanimous consent to waive rule 100(4) to have Committee Report 25-18(3) moved into Committee of the Whole for consideration later today.

---Unanimous consent granted

Bill 36, An Act to Amend the Petroleum Resources Act, and Bill 37, An Act to Amend the Oil and Gas Operations Act is now moved into Committee of the Whole for consideration later today. Reports of standing and special committees. Member for Kam Lake.

COMMITTEE REPORT 26-18(3):
REPORT ON THE REVIEW OF THE CARBON TAX BILLS: BILL 42: AN ACT TO AMEND THE PETROLEUM PRODUCTS TAX ACT AND BILL 43: AN ACT TO AMEND THE INCOME TAX ACT

MR. TESTART: Thank you, Mr. Speaker. Your Standing Committee on Government Operations is pleased to present its Report on the Review of the Carbon Tax Bills, Bill 42, An Act to Amend the Petroleum Products Tax Act, and Bill 43, An Act to Amend the Income Tax Act, and commends it to the House.

INTRODUCTION

The Standing Committee on Government Operations ("the committee") is pleased to report on its review of Bill 42, An Act to Amend the Petroleum Products Tax Act, and Bill 43, An Act to Amend the

Income Tax Act, collectively referred to as the carbon tax bills.

The carbon tax bills, sponsored by the Government of the Northwest Territories (GNWT) Department of Finance, were given second reading in the Legislative Assembly and referred to the Standing Committee on Government Operations for review on March 8, 2019. When passed, these bills will implement a carbon tax in the Northwest Territories.

Bill 42 proposes to amend the Petroleum Products Tax Act to:

- Impose a carbon tax on petroleum products and natural gas;
- Clarify that all existing provisions in the act related to the current fuel tax are noted as such;
- Provide an exemption from the fuel tax for petroleum products delivered to or purchased by an Indian or Indian band on a reserve; or used by a designated municipal authority that is recognized by the Minister as representing a community;
- Make the necessary amendments for collection and administration of this tax in the same manner as the current fuel tax, which requires purchasers to pay the tax, and vendors and collectors to remit the tax to the GNWT;
- Allow the Minister to provide in regulations for rebates and grants;
- Increase the maximum fines and penalties which may be imposed as administrative penalties or on summary conviction; and
- Set out a process for the appeal of an assessment of tax, interest, or administrative penalties under the act.

Bill 43 proposes to amend the Income Tax Act to provide a cost-of-living offset as a mechanism for returning carbon tax revenues to Northwest Territories residents.

Bill 43 also proposes to amend the Income Tax Act to make changes in non-refundable tax credits claimed by multi-jurisdictional tax filers, including changes that restrict the Northwest Territories pension credit to NWT residents and changes that allow full pension and dividend credits to be claimed by NWT residents with business income earned outside the Northwest Territories.

This amendment, which is not related to the implementation of the carbon tax, arises out of discussions between the Department of Finance and the Canada Revenue Agency aimed at

harmonizing the provincial-territorial tax treatment of pension and dividend tax credits for multi-jurisdictional tax filers. It will have the effect of denying NWT pension credits to non-residents with business income earned in the NWT and allowing full pension and dividend tax credits to NWT residents with business income earned outside the NWT.

BACKGROUND

As a signatory to the Pan-Canadian Framework on Clean Growth and Climate Change, the GNWT made a commitment to implement carbon pricing in the Northwest Territories. This tax on fuels that emit greenhouse gases (GHGs) is intended to encourage residents and businesses in the Northwest Territories to reduce fuel consumption. Along with the provinces and other territories, the GNWT was given the option by the federal government to implement its own approach to carbon pricing, provided that approach is consistent with the federal approach. For those jurisdictions choosing not to implement their own approach, Canada advised that it would impose its approach, often referred to as the "federal backstop." The GNWT opted to implement its own approach to carbon pricing, the details of which were publicly released in July 2018.

Lack of Meaningful Engagement with Committee

The GNWT communicated early and frequently with committee on this work as it progressed, including providing three presentations on the GNWT's proposed approach prior to its public release. The first of these took place in June 2017, prior to the public release of the GNWT's Discussion Paper on Implementing Pan-Canadian Carbon Pricing in the Northwest Territories. During this time period, committee wrote twice to the Finance Minister raising concerns that the GNWT's approach did not set out options for public debate; the proposed 75 percent direct rebate for large emitters was too high; there was no rebate or special measures for small businesses; and the policy objectives of the carbon tax were not clearly articulated.

According to the GNWT's plain-language summary of Bill 42, the "federal government reviewed and approved the planned approach in September 2018, and Bill 42 and Bill 43, which are needed to implement carbon pricing, were tabled in the NWT Legislative Assembly in March 2019." Committee was not advised that the federal government had "approved" the planned approach in September, which occurred while the committee was in the process of considering the legislative proposal for the carbon tax bills.

In November 2018, the committee again wrote to the government, advising that it does not support the proposal in its current form and reiterating its concerns that the 75-percent rebate for large emitters is too high and that there are no specific measures for small businesses. To this, committee added its concern that the rebates to individuals can only be claimed by filing taxes. Committee also expressed its concern that there was no indication from government as to whether or not the carbon tax legislation would mandate public reporting to enable transparency, increase public awareness of how the tax revenue is being used, and measure the impact of the carbon tax on emissions in the NWT.

While the GNWT was very forthcoming with respect to its discussions with the federal government on the GNWT's proposed approach, there was little actual engagement with committee to allow Regular Members to have input into the development of this approach. As noted, committee wrote several letters to the Minister raising committee's concerns with the proposed approach. In retrospect, committee does not feel that its input was given due consideration, nor was it made clear to committee that the information being shared was for information purposes only and that the input of Regular Members was not being sought.

Committee understands that the GNWT's proposed approach to carbon pricing in the Northwest Territories was negotiated with the federal government, leaving little room for input from Regular Members once that process had commenced. The lesson here, from the committee's perspective, is that earlier engagement of Regular Members, including engagement on the discussion of whether or not the GNWT should pursue its own approach, should have taken place.

This would have afforded Members the opportunity to debate issues such as the relative merits of differing policy approaches to reducing greenhouse gas emissions, such as a cap-and-trade system versus a carbon tax. It would have also allowed for dialogue about lessons learned from other jurisdictions such as British Columbia, which has had a carbon tax in place since 2008 and where the Minister is required to present annual plans to the provincial legislature setting out the amount of tax revenue anticipated.

Bills 42 and 43 were introduced in the Legislative Assembly, given first and second reading, and referred to committee for review on March 8, 2019.

Now, Mr. Speaker, I will turn the reading of this report over to the honourable Member for Sahtu.

MR. SPEAKER: Masi. Member for Sahtu.

MR. MCNEELY: Thank you, Mr. Speaker.

The Public Review of Bills 42 and 43

Timing of Review

Rule 75(1) of the Rules of the Legislative Assembly provides that a bill referred to a standing committee "shall not be proceeded with until the Assembly receives the report of the committee or 120 calendar days pass from the day the bill was given second reading." Convention provides that, should the 120-day period expire while the House is not sitting, committee must report the bill on the first day of the next sitting of the Legislative Assembly.

On June 5, 2019, the Finance Minister made a statement in the Legislative Assembly advising that the GNWT now intended to implement a carbon tax in the Northwest Territories on September 1, 2019. This statement, which appeared to be directed at the federal government, suggested that there was a delay in the legislative process and that "this delay was unintended and in no way should be considered as a lowering of the government's commitment to implementing the NWT carbon tax."

Given that the 120-day period allowed for the review of Bills 42 and 43 expired well after the spring sitting of the Legislative Assembly, committee is of the view that it has been required, from the outset, to report the bills on August 12, 2019, the first day of the final sitting of the 18th Legislative Assembly, regardless of the GNWT's planned July 1, 2019 carbon tax implementation date. While it is perhaps moot at this point in the terms of the 18th Assembly, committee nonetheless encourages Cabinet Ministers to keep in mind the time allowed by the rules for standing committee review of bills when planning its legislative calendar.

Challenges in Comparing Options

Before commencing its review of Bills 42 and 43, committee undertook to analyze and compare the GNWT's approach with the federal backstop, which is based on Canada's output based pricing system. This system establishes emission intensity standards for various large industrial sectors based on average emissions per unit of output.

Committee found it challenging to assess the salient differences between the two approaches. While Finance provided ample material regarding the GNWT's proposed approach, the key features of the federal backstop were more difficult to ascertain. For example, Finance provided committee with a figure indicating the estimated "effective carbon tax" for small emitters under the GNWT's approach, which is the average carbon tax per tonne of emissions. Committee asked both Finance and Environment and Climate Change

Canada for the corresponding figure under the federal backstop. Committee also requested information on the annual net carbon tax revenues deriving from small emitters under the federal output based pricing system.

The GNWT's response, while detailed, did not provide committee with the figures it sought. The response from the federal Minister of Environment and Climate Change Canada completely disregarded committee's inquiries, instead referring committee to public information on the Government of Canada's website about the output based pricing system that is technically detailed and not specific to the Northwest Territories. Similarly, a lack of detail about the federal government's approach to offsetting the carbon tax for small businesses and municipalities, made direct comparisons with the GNWT's proposal difficult.

Mr. Speaker, I pass the rest of the reading on to the Member from the Deh Cho. Thank you.

MR. SPEAKER: Masi. Member for Deh Cho.

MR. NADLI: Mahsi, Mr. Speaker.

Confidential Information and Nature of the Bills Inhibited Public Consultation

Committee originally planned to hold public meetings in Fort Providence, Hay River, Inuvik, and Yellowknife. However, on May 8th of this year, two thirds of the way through the formal 120-day review period, committee was notified in writing by the Finance Minister that the GNWT had revised its carbon tax approach for large emitters, those emitting 50,000 tonnes or greater of annual greenhouse gas emissions. This was of concern to committee, which already felt that the GNWT's proposed approach to large emitters was too generous. Committee was advised that this adjustment was necessary to better align the GNWT's approach with the federal backstop, details of which were only released by Canada in December 2018.

Committee had hoped that additional information about this change in approach would be made public by the Minister during the May-June sitting, including details provided in confidence to committee. When this information was not shared with the public, committee subsequently issued a news release on June 7th advising of its decision to postpone the planned public consultations until more information was provided by the Department of Finance.

Committee asked that as much detail as possible related to the committee's specific questions be shared with the public. Unfortunately, as with much of the other information shared by Finance with committee, the responses to these questions were

marked "Confidential - Not for Distribution." This is particularly vexing with respect to Bills 42 and 43, where the majority of the GNWT's proposal is not contained in the legislation itself but in regulations and other public policy instruments.

Committee is not at liberty to disclose information provided in confidence by Cabinet Ministers. Unfortunately, the large majority of the correspondence received by committee from the Finance Minister on this initiative, including responses to committee's questions, was marked confidential, thereby prohibiting committee from publicly disclosing its contents. This also inhibited committee's ability to engage in a meaningful consultation. For example, committee's inability to disclose the information contained in Finance's May 8 letter rendered committee unable to explain to the public, even with the writing of this report, how the GNWT's approach to large emitters has changed.

Plain-Language Summaries Provided

Committee wrote to the Minister requesting plain-language explanations of Bills 42 and 43 that could be shared with the public.

Committee wishes to take this opportunity to thank the Minister for responding positively to the committee's request by preparing plain-language summaries of both bills that could be shared with the public. It is committee's experience, based on consultations undertaken over the course of the 18th Assembly, that simple, straight-forward information for NWT residents outlining the purposes of changes to the law and the impact of those changes is vital to obtaining meaningful input from the public. Too often, committee finds itself having to explain government-sponsored bills, leading to confusion about the role of standing committees and the legislative process. Accordingly, committee makes the following recommendation.

Recommendation 1

The Standing Committee on Government Operations recommends that, for all bills proposing to establish, replace, or make significant changes to territorial legislation, a plain-language summary be prepared and made available to the appropriate standing committee at the time the bill is introduced in the Legislative Assembly.

Committee sent out a second news release on July 15th, indicating that it still lacked sufficient detail to enable committee to adequately answer questions from the public on these Finance-sponsored bills. This consideration, along with timing constraints, led committee to the decision to request written submissions from the public and hold a single public meeting in Yellowknife on August 1st.

Mr. Speaker, I now pass on the reading responsibilities to my honourable colleague, to my colleague for Hay River North.

MR. SPEAKER: Masi. Member for Hay River North.

Mr. SIMPSON: Thank you, Mr. Speaker.

PUBLIC INPUT AND COMMITTEE RECOMMENDATIONS

Committee received four submissions on Bills 42 and 43. These submissions from the NWT Association of Communities (NWTAC), the City of Yellowknife, Arctic Energy Alliance, and a joint submission from Ecology North and Alternatives North are appended to this report. A representative of the NWTAC also attended committee's public hearing to present the association's submission.

While the submission from the NWTAC indicates general support for the GNWT's approach over the federal backstop, it points out that, without a cost-of-living offset, the carbon tax will end up costing municipalities. This is occurring at a time when the GNWT has acknowledged a significant gap between municipal funding needs and funding support received from the territorial government. In fact, the NWTAC submission alleges that when this concern was raised with the Department of Finance, municipalities were advised that they would "just have to increase their property taxes." Committee is dismayed to hear such a report and feels that more should have been done in the GNWT's approach to mitigate the impacts of the carbon tax on underfunded local authorities. Accordingly, committee makes the following recommendation.

Recommendation 2

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories, led by the Department of Municipal and Community Affairs, complete its work to assess the municipal funding gap on an urgent basis, taking into consideration the increased costs of the carbon tax to all local authorities, and that additional forced growth funding to compensate for these costs be included in the 2020-2021 budget.

The City of Yellowknife's submission also notes chronic underfunding by the GNWT and points out that, while the NWT houses 50 percent of the territories' population, none of the projects identified in the 2030 energy plan over the next five years are scheduled for Yellowknife. The city recommends making revenues available to community governments in order to support actions set out in their Community Energy Plans. Committee notes that the GNWT's Department of Infrastructure administers a GHG Grant Program for Government,

which is designed to fill a gap in funding for larger GHG reduction initiatives. Under this program, in place until March 31, 2022, applicants may be eligible to receive up to 75 percent of eligible project costs.

The City of Yellowknife's submission points out that "if the proposed carbon pricing regime does not accomplish a reduction in GHG emissions it has merely created an unnecessary administrative burden and cost to residents and businesses," recommending that "the GNWT re-evaluate the program after implementation to ensure that it is making a difference."

This recommendation for program evaluation is also contained in the joint submission from Ecology North and Alternatives North, which recommends that there should be "an annual reporting mechanism that evaluates and measures the effectiveness of the tax in meeting its purpose."

Committee fully agrees that there should be both annual reporting on the carbon tax and program evaluation to determine the effectiveness of reducing GHG emissions in the Northwest Territories and to guide future policy decisions. Committee raised these issues during its in-camera discussions with and correspondence to the Department of Finance.

Committee also sought the advice of the law clerk regarding the potential to amend Bill 42 to include reporting requirements. Committee was advised that such an amendment would likely be ruled out of the scope of the bill given that there are no provisions currently contained in the Petroleum Products Tax Act mandating reporting and that the scope of the bill is narrowly defined to allow for the imposition of the tax and the provision of grants and rebates through regulation.

During the clause-by-clause review of Bills 42 and 43, the Minister indicated that he had made a commitment to committee that the department would undertake annual reporting on the carbon tax. While committee is pleased to hear this, a commitment made during an in-camera discussion did not carry the weight of a public commitment. Therefore, to provide for this public commitment, committee makes the following recommendation.

Recommendation 3

The Standing Committee on Government Operations recommends that the Department of Finance table an annual report in the Legislative Assembly on the carbon tax that provides details on total carbon taxes collected; carbon taxes collected from large emitters; total rebates provided; number and nature of grants provided; costs of administering the carbon tax; reinvestment of

carbon tax revenues; projected tax revenues for coming year; and an annual plan for future year reinvestment of carbon tax revenues.

With respect to program evaluation, committee makes the following recommendation.

Recommendation 4

The Standing Committee on Government Operations recommends that the Department of Finance undertake an annual assessment of the impacts of the carbon tax on greenhouse gas emissions in the Northwest Territories to be reported in the annual report. This should be integrated with the reporting on GHG emissions under the Climate Change Strategic Framework and energy projects under the Energy Strategy. This will allow an evaluation of whether the carbon tax is effective in reducing GHG emissions.

Recommendation 5

The standing committee further recommends that the Department of Finance undertake a comprehensive review and evaluation of its carbon tax approach, including public consultation, to be completed after the program is fully implemented in 2022. The purpose of review is to determine the effectiveness of the program on reducing GHG emissions and to assess its impacts on the NWT economy in order to develop program improvements.

The submission received from the Arctic Energy Alliance asked committee to consider the inclusion of a provision in the Petroleum Products Tax Act to allow for the disclosure of fuel sales data at the community level to address significant gaps in the organization's knowledge of energy use in the Northwest Territories. The committee is sympathetic to this request and Members appreciate that good data is essential to well-informed, evidence-based decision making. Unfortunately, the same issues of scope that prevented committee from including annual reporting requirements in Bill 42 also prevent the inclusion of a clause mandating the release of this information as it is not related to the collection or expenditure of carbon tax revenues.

I will now pass the reading on to the Member for Kam Lake.

MR. SPEAKER: Masi. Member for Kam Lake.

MR. TESTART: Thank you, Mr. Speaker. Thank you, colleagues.

CONCLUSION

The clause-by-clause review of the bill was held on August 7, 2019. Committee thanks the honourable

Minister of Finance and his officials for their appearance before the committee. Committee did not move any motions to amend Bills 42 or 43.

Rule 100(5) of the Rules of the Legislative Assembly of the Northwest Territories requires Cabinet, in response to a motion by committee, to table a comprehensive response that addresses the committee report and any related motions adopted by the House. As required by this rule, committee usually includes a recommendation in each report, which is moved as a motion in the House, requesting a response from government within 120 days. Given that the 18th Legislative Assembly will dissolve prior to the conclusion of the 120-day time period allowed by the rules, committee has opted to forego this recommendation. Committee nonetheless requests, to the extent it is possible before the dissolution of the 18th Assembly and for the public record, that government provide a response to the recommendations contained in this report, even of a preliminary nature, that committee may publicly disclose.

This concludes the Standing Committee's review. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Reports of standing and special committees. Member for Kam Lake.

MOTION TO RECEIVE COMMITTEE REPORT 26-18(3) AND MOVE INTO COMMITTEE OF THE WHOLE, CARRIED

MR. TESTART: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Hay River North, that Committee Report 26-18(3): Standing Committee on Government Operations Report on the Review of the Carbon Tax Bills, Bill 42: An Act to Amend the Petroleum Products Tax Act and Bill 43: An Act to Amend the Income Tax Act be received by the Assembly and moved into Committee of the Whole for further consideration. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The motion is in order. The motion is non-debatable. All those in favour? All those opposed?

---Carried

Committee Report 26-18(3): Standing Committee on Government Operations Report on the Review of the Carbon Tax Bills, Bill 42: An Act to Amend the Petroleum Products Tax Act and Bill 43: An Act to Amend the Income Tax Act is now received by Assembly, is now moved to Committee of the Whole for further consideration. Masi. Reports of standing and special committees. Item 5, returns to oral questions. Item 6, recognition of visitors in the gallery. Member for Yellowknife North.

Recognition of Visitors in the Gallery

MR. VANTHUYNE: Thank you, Mr. Speaker. I would like to take the opportunity to recognize Fernanda Martins, the executive director of the NWT chapter for the Canadian Cancer Society and a Yellowknife North resident. Welcome.

I would also like to take this opportunity to recognize four Pages from the riding of Yellowknife North; Zefer Jordison, Lea Schwarz, Jaylen Base-Smith, and Quinton Base-Smith. Thank you all for the tremendous work you do for us here in the Assembly. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. If we missed anyone in the gallery, thanks for being here with us. It is always nice to have an audience as part of our proceedings. Masi. Item 7, acknowledgements. Colleagues, at this point in time, we are going to call for a short break.

--SHORT RECESS

MR. SPEAKER: Colleagues, we left off at item 7, acknowledgements. Now we are on to item 8, oral questions. Member for Nunakput.

Oral Questions

QUESTION 792-18(3): EFFECTS OF SALMON IN THE CANADIAN ARCTIC

MR. NAKIMAYAK: Thank you, Mr. Speaker. Earlier on, I spoke about the amount of salmon being caught in fish nets across Nunakput, and my questions are for the Minister of ENR. Mr. Speaker, my first question is: has the department responded to communities who are experiencing higher than normal salmon catches this season? Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Minister of Environment and Natural Resources.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. There is currently a University of Manitoba Department of Fisheries and Oceans Salmon Research Project addressing the issue of salmon being captured in the Canadian Arctic in more places and in seemingly higher numbers than ever before.

Locally, in our office, there is an assistance program, CIMP, with community members taking any salmon that local residents wish to provide to the research program. The project actually is to see why there is starting to be large numbers of salmon in the Canadian Arctic. There are year-to-year changes in the harvest levels which are likely

related to changing environmental conditions in the salmon population. Thank you, Mr. Speaker.

MR. NAKIMAYAK: Earlier on, the Minister made a statement about funding for community-based projects, and this sounds like a project that can increase capacity in the region. Mr. Speaker, this increase has salmon has been occurring for a few seasons in higher numbers, but this year has been quite noticeable. My question to the Minister is, will ENR partner with the Department of Fisheries and Oceans, hunters and trappers committees in the Northwest Territories in tracking these invasive species?

HON. ROBERT MCLEOD: We work with a DFO researcher who leads the Arctic salmon research project in partnership with the local and resource boards to track salmon in the Arctic. The Member is absolutely correct. The NWT CIMP that I announced before actually supports the project and has promoted research through its regular, northern research bulletins.

MR. NAKIMAYAK: I appreciate the response from the Minister. What about the Arctic char, the coney, the whitefish and the herring, and other fish species that we rely on in the Arctic? They make up a high percentage of food and nutrients for Nunakput residents. This can be looked at as a threat to our food security, not just in Nunakput, but all communities across the territories. My question is: what will the department do to ensure the planning for community-based monitoring of these species, as well as other type of species that are now entering our waters, for the fall season as the ice will set in and the nets are put under the ice in the communities across the Northwest Territories?

HON. ROBERT MCLEOD: As the Member mentioned before, there are a lot of changes that are going on, and we have heard that about a lot of species that we have seen in some places that they are not used to being seen there. The Arctic Salmon Research Project is actually looking into what the appearance of salmon means to the native fish species. The lead researcher regularly reports back to the community, and my understanding is the project does rely on some of the salmon that is turned in by community fishers, and my understanding, again, there are a couple of different value gift cards that are available to community members who turn in a full salmon or a salmon head. I think there is more information that could be obtained as to what that consist of and, if the Member wants or if the community doesn't have access to that information, I will be sure that they get it.

MR. SPEAKER: Masi. Oral questions. Member for Kam Lake.

QUESTION 793-18(3):
FIBRE OPTIC INFRASTRUCTURE

MR. TESTART: Thank you, Mr. Speaker. I have questions for the honourable Minister of Finance on the state of our fibre optic telecommunications infrastructure. Has the government done any planning to investigate improving our redundancy, so when a fibre line is cut, in particular to my community of Yellowknife, but when a fibre line is cut, it doesn't knock everything out of there? Are there more options to keep the systems going so that they don't cause that massive interruption to businesses and households? Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Minister of Finance.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. We have raised concerns both with redundancy, with the provider Northwestel and with CRTC, and we continue to work actively with industry partners to explore viable and affordable redundancy measures. I think, with some money that has been made available by the federal government in improving northern broadband, I think one of the industry partners, Northwestel, has accessed on that money to possibly run a redundancy line down the Dempster Highway to serve that area. I take the Member's point that there needs to be redundancy looked at for this part of the Northwest Territories, and we will continue to work with our industry partners to ensure that that work is ongoing.

MR. TESTART: I thank the Minister. I think this House is well aware of the excellent work that has been done on the northern part of the territory, the fibre optic line and the future potential it has, but the southern part of the territory still has these issues; in particular, our capital of Yellowknife. Can the Minister bring the public up to date on what is known about the incidents on May the 8th, July the 13th, and August the 12th of this year where the fibre line was cut?

HON. ROBERT MCLEOD: My understanding is three of the incidents did not occur on GNWT infrastructure. Northwestel is the owner and operator of the infrastructure associated with these three incidents. We are unable to speak on their behalf. In some cases, and I think the Member mentioned in his Member statement, there are active investigations that are under way.

MR. TESTART: Obviously, I wouldn't ask the Minister to respond on behalf of Northwestel if he has no information from them, but is the department or the Minister's office in active communication with Northwestel? They are our sole service provider in many regions of the territory. Is there a way they can coordinate better flow of information, sharing

the information, when it comes to these events in the future?

HON. ROBERT MCLEOD: My office, myself directly, have had no discussions with Northwestel. They may have had discussions with my officials, and I will follow up to see if those discussions have taken place, but with my office, personally, I have not had any conversations with them. I will reach out to department to see if we have had conversations with their officials, and, if I am able to, I will share that information with this Assembly.

MR. SPEAKER: Masi. Oral questions. Member for Kam Lake.

MR. TESTART: Thank you, Mr. Speaker. Finally, one of my largest concerns is how these disturbances can disrupt the productivity and livelihood of business owners in particular, many of whom rely on that service to sell their goods. Shutting it down can have economic consequences, as well. Can the Minister update the House as to what efforts the service provider has been pursuing to improve redundancy to Yellowknife, in particular?

HON. ROBERT MCLEOD: Again, I would have to have that conversation with the service provider. I am not sure if they have any particular plan for the capital. I have not had those discussions, but I do know that there is some infrastructure that was available. I'm not sure if they have accessed that. I think it's a conversation that needs to be had because I think the incident, the last three incidents, how it can lead for some redundancy, and in the southern part of the Northwest Territories, in particular in the capital. I will commit to the Member that I will have those discussions, and then I can report back to Members, or report back to this House, assuming those discussions happen before September 2nd. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Member for Mackenzie Delta.

QUESTION 795-18(3):
GRIZZLY BEARS IN AKLAVIK

MR. BLAKE: Thank you, Mr. Speaker. In follow-up to my Member's statement, I have a few questions for the Minister of Environment and Natural Resources. As I mentioned, we have a problem with grizzly bears in Aklavik. I am sure the Minister is aware. I know they have the same issue in Inuvik at the moment, but I would like to ask the Minister: what steps can the department take to deal with their grizzly bear problem in Aklavik? Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Minister of Environment and Natural Resources.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. The Member is correct. We have had some incidents in Inuvik with grizzly bears, particularly around the garbage dump. I have seen some pictures, actually, of them right outside an apartment building, just down the road from where I am at. I have actually seen one out at the dump when I was throwing some garbage away three weeks ago. It has been a bit of an issue. I think the Inuvik side is not so much a big of an issue as it has been the last few years with the number spotted there, but this is not about Inuvik. This is about the Member's constituency.

I know there have been some bear occurrences in Aklavik. I think there were about 10 of them. They usually average about 100 sightings and incidents a year. I think, this year, we're down to only about 32. That doesn't take away from the problem that there a number of problem bears at the dump in Aklavik. I would have to check with the local ENR officer to see what steps that they are taking. As we get later and later into the fall and the bears are foraging for more food, I think there have been some sightings probably within the community. I know our ENR officer up there is well aware of that, and we will continue to monitor the situation closely to ensure that the public safety of the residents of Aklavik is not compromised.

MR. BLAKE: Clearly, our grizzly bear population is at its highest, as many people do not harvest them anymore. Will the department increase the number of tags of available and not have a zone which limits where hunters can harvest?

HON. ROBERT MCLEOD: I think one of the reasons that they put the tag system in place was a number of years ago, when there was no tag system, there was a large amount of bears that were harvested, and I think there was a belief at that time, and this might have been 10 or 15 years ago, that, had they not put restriction on it, then that might have hurt the grizzly bear population quite a bit more. I think what we are seeing today is a result of some of those measures that were put in place to try to protect some of the grizzly bear population. We would have to work with our co-management partners, we would have to work with the Aboriginal organizations up there to see if there maybe is a way that we can increase the number of tags that are distributed every year. I do know that they do have tags up there, and the number has gone down in the last few years, and I think it's having an effect on the population. We will work with our co-management partners to see if there are measures we can put in place to increase the number of tags in the Beaudel.

MR. BLAKE: My constituents want to see some clear action, so will the department collar and

relocate the majority if not all of the grizzly bears from Aklavik?

HON. ROBERT MCLEOD: That is what I appreciate about the Member for Mackenzie Delta. He just asked "will you." I cannot give you a clear answer. I would like to. I would like to. Again, I would have to work with my department, and we will have discussions with the local officer as well as the local hunters and trappers, and, if they feel that it's a problem that needs to be addressed and if relocation is one of the options, if disposal is one of the options, then, those, we would have to consider. Again, you know, I would be reluctant and I would not just send our folks in there to start disposing of the bears without working with the local leadership to see what are the best options that are available.

MR. SPEAKER: Oral questions. Member for Mackenzie Delta.

MR. BLAKE: Thank you, Mr. Speaker. I would just like to ask the Minister: does had department know the cost to relocate, say, five to 10 bears? I am sure they know the price for one, but, you know, you just have to multiply that by how many bears there are, so does the department have a clear idea of how much it would cost if we had that option?

HON. ROBERT MCLEOD: I am sure the department has a clear idea of some of the numbers or some of the costs that it would take to relocate some of these bears. The department might have a clear idea. The Minister actually, unfortunately, does not have a clear idea as to exactly what it would cost, and the Minister will commit to working with his department to find the cost and then work with the Member and the community of Aklavik to see if those can be implemented. Thank you.

MR. SPEAKER: Masi. Oral questions. Member for Yellowknife Centre.

QUESTION 795-18(3):
NEW HOUSING UNITS FOR SENIORS

MS. GREEN: Mahsi, Mr. Speaker. My questions are for the Minister responsible for NWT housing. As I said in my statement, there have been no new units for seniors built in Yellowknife during this Assembly, while, at the same time, the population of seniors has continued to grow rapidly. Can the Minister tell us what plans are in place with funding attached to meet those needs going forward? Thank you.

MR. SPEAKER: Masi. Minister responsible for the Northwest Territories Housing Corporation.

HON. ALFRED MOSES: Thank you, Mr. Speaker, and I appreciate the Member's questions. As Members know, we have done a comprehensive seniors' planning study throughout the Northwest Territories. We did recognize that there are communities across the Northwest Territories that need action addressed to seniors' housing and to help seniors out moving forward. The two communities that we have recognized, as I have said in this House before, are Yellowknife and Hay River, and the other one is Norman Wells. We are looking at creating partnerships with our stakeholders, and, as I have also mentioned in this House, we did get a carve-out for the co-investment fund that we do not have to apply on, that we can work with our partnerships to address the issue.

Moving forward, we are working with AVENS towards a possible partnership for the development of more seniors' housing in Yellowknife at this time. It's probably something that might not take place until the next government, but we are out there. We are working with our stakeholders to address all housing issues. Specifically for seniors, it will be Yellowknife and Hay River at the start, and focusing on Norman Wells and other communities. One big part of that is going to be the community housing plans that we have been addressing and looking at the priorities that communities see are priorities that we need to address, and seniors are going to be part of that.

MS. GREEN: I appreciate the Minister's wide-ranging answer, but, if he could provide some specific information about whether there are any projects that are in the hopper with funding attached to meet seniors' needs at this time, that is what I am after.

HON. ALFRED MOSES: We do have a lot of major seniors' housing initiatives. Some of them are the seniors' aging in place retrofits, ongoing seniors' marketing and promoting the campaigns through our district offices to our seniors in the regions. Also, the transfer of a family home program is another one that we have worked on, which facilitates the transfer of family home if a senior does need to relocate due to a medical or other urgent reason. We are also piloting LHO repair services to private residents and not people who are living in public housing units, especially for seniors who have difficulty securing contracts. The CARE program is one that we have been working on, programs for major repairs, preventative maintenance; we also have the fuel tank upgrade; like I mentioned earlier, Aging in Place; and emergency repairs.

In the 2018-2019 fiscal year, we did approve 540 applicants for repair, for assistance for seniors. We will continue to do that. As long as we get that information out there in our district offices and our

staff and as Members representing our seniors can get that information out there, then we can work on assisting our seniors throughout the Northwest Territories.

MS. GREEN: No one could say that the Minister is not getting the information out there. Answering the questions, that is another story. Another means to ensure that seniors have appropriate housing in Yellowknife is to assist them with retrofitting their homes, and this is a very cost-effective solution, more cost-effective than providing a whole new place to live. The budget for the CARE program, as one example, for the whole of the NWT is only half a million dollars, so can the Minister tell us how many seniors' households were assisted with retrofits in the last fiscal year?

HON. ALFRED MOSES: There is a lot of work that has been going on in this area, particularly since we have done the seniors' planning study. The Housing Corporation are maintaining a \$2-million funding level in our fiscal framework for 2020-2021 and beyond for the CARE major program. We did supplement the CARE major program with other new homeownership programs introduced via our strategic renewal, which I have mentioned in the House, and previous Ministers for Housing have also talked about this strategic renewal. This new program for seniors commenced in 2017, assisting 37 senior households, and this assisted 103 senior households in 2018-2019.

Historically, spending over the past few years has been in the range of about \$1 million. We expect to have more uptake in the future years as our senior population continues to grow, and we will be making adjustments to reduce the copayment requirements. With any input that we can get from Members, as well as our stakeholders in the communities, to address these needs, we will continue to work and build strong partnerships.

MR. SPEAKER: Masi. Oral questions. Member for Yellowknife Centre.

MS. GREEN: Mahsi, Mr. Speaker, and thank you to the Minister for that. At the end of the day, how does the demand for funding for seniors, retrofits, and other kinds of housing initiatives compare with the demand for it? How does the demand line up with the money available? What is the gap between those two? Thank you.

HON. ALFRED MOSES: To be honest, we know that there is a housing issue throughout the Northwest Territories. We have been working and making strides with the co-investment fund that we were able to carve out with our agreement that we signed with the federal government to address housing needs for all of our demographics, populations throughout the Northwest Territories.

Of course, seniors is one. We did the Seniors Planning Study. We need to address all housing needs across the Northwest Territories. In this case, we will work with our stakeholders. We will work with our groups and our communities to develop their community plans to address the priorities that they need in housing, and we will continue on that path.

I can say with confidence that the NWT Housing Corporation has done a great job, and we are working on these agreements to address the housing needs right across the NWT for everyone. We will continue to work that, and we will continue to lobby our federal counterparts. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Member for Frame Lake.

QUESTION 796-18(3):
LETTER TO PRIME MINISTER CO-SIGNED WITH
CONSERVATIVE PREMIERS

MR. O'REILLY: Merci, Monsieur le President. Earlier today I raised concerns about a letter that the Premier signed with five provincial Premiers that threaten national unity. Can the Premier confirm that the document I tabled in the House yesterday is indeed the text of the letter that he signed on June 10, 2019, to the Prime Minister of Canada, and can he table that letter in this House? Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. The Honourable Premier.

HON. BOB MCLEOD: Thank you, Mr. Speaker. I haven't seen the letter that the Member tabled as of yet. Thank you, Mr. Speaker.

MR. O'REILLY: Of course, the Premier is under no obligation to actually answer questions, but if he does have that letter, the signed version, it would be great to see it. Can the Premier tell us whether he consulted or informed his Cabinet colleagues about this letter before it was signed and sent?

HON. BOB MCLEOD: We all spent about six months working together on developing a mandate for the Government of the Northwest Territories. As part of signing this letter, it was to promote five mandate items that were in the mandate. The work with some of the Premiers related to Bill C-69 also allowed me to advance Northwest Territories interests, including ensuring efficient and effective regulatory process for transboundary projects and in the Inuvialuit Settlement Region; also to promote oil and gas; and also mining and other significant projects. Why it was so critical, I felt, is because it would apply to projects critical to the Northwest Territories' economic future and where major

projects could conceivably be subjected to two full assessments.

If the Government of the Northwest Territories wants a pipeline built to Alberta, BC, or north through the ISR, or a hydroelectric transmission line built to Alberta or Saskatchewan, or a Slave Province road connected to Nunavut, the Impact Assessment Act provided for under Bill C-69 will apply. We adhere to the principle of one project, one assessment, and we will continue to work towards that.

MR. O'REILLY: Once again, the Premier didn't answer my question about whether he actually consulted with his Cabinet colleagues about this letter before it was signed and sent.

I explained in my statement earlier today that these pieces of federal legislation that the Minister cited have very little, if any, application in the Northwest Territories. Of course, the Premier knows very well that the Mackenzie Gas Project was assessed under three different regimes, and of course, it was done through an agreed-upon arrangement under those three different regimes. I suspect any transboundary project would be done in the same way.

Can the Premier tell us in this House and, indeed, all residents of the Northwest Territories why he signed such a partisan and threatening letter?

HON. BOB MCLEOD: With the five mandate items that directed that we make progress in a number of areas, including oil and gas and also investments in our natural resources, in our view, if the energy sector in southern Canada disappears, then there is very little hope for further investments in oil and gas in the Northwest Territories, and it would affect future developments.

I felt that it was important to make sure that our concerns were addressed. It is very difficult for a small territory to get their interests addressed at a national level, and so I have made it a practice to work with all three of the leading parties in Canada to make sure that our interests are represented and, also, working very closely with my Premier colleagues in Canada to help us advance our interests.

MR. SPEAKER: Masi. Oral questions. Member for Frame Lake.

MR. O'REILLY: Merci, Monsieur le President. I am glad to hear that the Premier is in such a collaborative mood today. I hope that he can actually start to work with Members on this side of the House.

Earlier I cited how, in my view, this was a breach of the guiding principles of consensus government. I

will just quote again: "Except under extraordinary circumstances, Members of the Legislative Assembly should be made aware of and have opportunity to discuss significant announcements, changes, consultations, or initiatives before they are released to the public." I would like to know from the Premier why he breached this guiding principle of consensus government in signing such a letter. It sounds like he may not have informed his Cabinet colleagues, and he certainly didn't inform Regular MLAs. Mahsi, Mr. Speaker.

HON. BOB MCLEOD: There was no breach involved whatsoever. Five mandate items were all agreed to by this Assembly. It is in the mandate of the Government of the Northwest Territories. I will be tabling the mandate document before the end of this sitting. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Member for Sahtu.

QUESTION 797-18(3):
EDUCATION IN THE SAHTU REGION

MR. MCNEELY: Thank you, Mr. Speaker. Further to my statement earlier, my questions are directed to the Minister of Education. My first question, Mr. Speaker, is: my constituents are concerned about the low student achievements in the Sahtu. Indigenous government leaders in the region are interested in working more closely with ECE and other education bodies towards improving education achievement and outcomes. What is the department willing to commit to in regards to engaging with local leadership on the direction of education in the region? Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Minister of Education, Culture and Employment.

HON. CAROLINE COCHRANE: Thank you, Mr. Speaker. I think that most people know by now, after four years, that I try to consult with stakeholders as much as possible. I believe that the best service is done when we do work together, in all honesty. That's not just in this House; that means with everybody.

Indigenous governments actually have a real role in education. As we move towards self-governments, they have even more and more of a role. They have the right to actually draw down education. I think we have an obligation within GNWT to actually work with them and to actually provide the supports. I know that within the Sahtu, there was a change in superintendent there. My understanding is that the Aboriginal governments want more feedback.

I know that the Sahtu District Education Council has put out an offer to meet with them more, to engage them more in planning. I am watching it carefully,

and I support that. I actually asked that they would do that. I am urging all district education councils out there. It is time. It is time to start engaging with our Aboriginal governments. It is time to start working better. They have a right. They have a concern.

We can't solve this on our own. We need to have more. Everybody needs to be at the table. As far as I am concerned, we need to engage with Aboriginal governments more in regards to our education services.

MR. MCNEELY: Thanks to the Minister for the answer, assurances of collaboration and partnership and working together, which leads me to my next question: I am aware of the education initiatives which are in place to support student achievements. Yet, one measurable, graduation rates, continue to be lower than other parts of the jurisdiction of Canada. Is it possible to conduct a review of education in the Sahtu to better understand what is needed to support our students and families?

HON. CAROLINE COCHRANE: We have three weeks left in this Assembly. I am not going to make big commitments to actually doing more projects. I recognize that we have to leave room for the other ones. I can't commit to doing a full review of education in the Sahtu. What I can say, though, is that it is needed. It is not only needed in the Sahtu. It is needed right across the Northwest Territories. I don't know who will be in the House, but I am hopeful that one of the Regular MLAs or Cabinet will actually grab this the Assembly and bring it forward because I think it is time.

It is time that our whole Education Act and our whole system was looked at with the understanding that self-government have the right to draw down. Indigenous governments have the right to have a say in how their services are provided to the people. I do think that we have to look at the structure. We have to look at the act in the next Assembly would be my preference, to make sure that we are engaging as appropriate.

MR. MCNEELY: Thanks to the Minister for the response. My third question is: what actions are temporarily being done for the department to transition education or improvements, recognizing the gaps to the 19th Assembly?

HON. CAROLINE COCHRANE: As stated, again, we can't really say what the 19th Assembly will take on. That is not our role, but I am hopeful that education will be on the priority list for the next Assembly. We need to work better. We are failing at our children. Our graduation rates are low. Our early developmental index is coming in low. It is not okay. Our children are our future. We keep saying

that. If we really believe that as a society, we have to put our energy, we have to put resources behind that and the next government has to focus more on that.

I just recently learned, actually, that not all district education authorities actually have long-term plans. Some of them just have annual plans. That is not okay. How can you actually do a strategic plan if you don't have long-term plans? We have a lot of work to do. I am the first to admit that. Every day I come across, I am finding more and more issues. I am hoping that education will take a strong focus in the next Assembly. If I am here or any Members are here, please put it forward on the priorities because we need to do better. We can do better. We need to do better. Children are our future. We owe it to them.

MR. SPEAKER: Masi. Oral questions. Member for Sahtu.

MR. MCNEELY: Thank you, Mr. Speaker. Thanks to the response from the Minister. This leads me to my last question. We did a number of consultations these past summer months, in particular, a conference forum we had with the leadership of the Sahtu and Deline, at which time, we had learned a number of weaknesses and gaps in the current delivery system.

Recognizing those weaknesses or needs for improvement, will the Minister commit to issuing a letter or issuing a suggestion in a transitional report from the department to the 19th Assembly to have the 19th Assembly revisit the reform of the Education Act so it will be brought up to today's standards compared to its incorporation back in 1996? Mahsi, Mr. Speaker.

HON. CAROLINE COCHRANE: I am hoping that, again, at least some of us will get elected again. I am hoping that the new Members will see it as a role. I am not 100 percent sure. If I could actually put it in the transition report, I would be more than willing to commit to doing that, but I am not 100 percent sure if I can at this time. What I will say is that I will stress it with our department and ask the department to bring it forward to the next Minister and share my concerns.

Whether elected or not, I have no problem actually writing a letter to the Minister of Education in the next Assembly and sharing my own personal concerns on what we think needs to happen in that Assembly. I will commit on a personal level to sharing my own concerns with that Minister, whoever it may be in the next Assembly. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Member for Deh Cho.

QUESTION 798-18(3):
RELATIONSHIP BETWEEN KA'A'GEE TU FIRST NATION/KAKISA AND THE GOVERNMENT OF THE NORTHWEST TERRITORIES

MR. NADLI: Thank you, Mr. Speaker. My questions are to Premier McLeod. Earlier, I made reference to the community of Ka'a'gee Tu First Nation of Kakisa and their aspirations as a Deh Cho community. What they are contemplating is the question: how can their relationship with the GNWT get better? I think that it is a great opportunity. I am going ask my first question to the Premier: can the Premier update this House on the status of discussions with Ka'a'gee Tu First Nations of Kakisa on their priorities? Mahsi.

MR. SPEAKER: Masi. The Honourable Premier.

HON. BOB MCLEOD: Thank you, Mr. Speaker. The Government of the Northwest Territories is happy to work with the Ka'a'gee Tu First Nation to advance their priorities. I certainly agree with the notion that building a better relationship will lead to new possibilities. Each community develops its own infrastructure plan supported by Government of the Northwest Territories funding. MACA provides advice and support on projects and priorities.

We are happy to continue these discussions and look for opportunities to leverage federal funding to achieve the community's priorities. One challenge we all face as leaders is the reality of having more priorities than funding. MACA can support some of the critical analysis required to ensure the local development of their capital plans that will reflect their priorities. Thank you, Mr. Speaker.

MR. NADLI: I would like to thank the Premier for his reply. My second question is: is the GNWT currently planning any future engagements with the Ka'a'gee Tu First Nations?

HON. BOB MCLEOD: Each region has a regional management team, and we also have a regional director; one in the north and one in the south. Our regional management team is committed to continuing engagement with the community. Departments such as MACA and the NWT Housing Corporation have committed to ongoing support and engagement. We want to ensure that our engagement is effective. The regional management committee will work to expand these engagements into other areas of priority as identified by the community.

The fact that we are only a couple of weeks away before the writ is dropped, I don't anticipate that there will be any political visits or engagement with the community. I expect that early in the new 19th Assembly, there will be lots of opportunities for

future engagement with the Ka'a'gee Tu First Nation.

MR. NADLI: Is there a difference in engagement by the GNWT when an Aboriginal government is part of a broader self-government agreement like the Deh Cho process, versus a stand-alone government, such as the K'atlodeeche First Nations?

HON. BOB MCLEOD: I guess it's a fine line that we walk because we try to respect the regional Aboriginal government, such as the Dehcho First Nation. We do not want to be seen as dividing and conquering, so we work with the regional Aboriginal government. In this case, in reference to the K'atlodeeche First Nation, they are no longer part of the Dehcho First Nation. They have signed on to the devolution agreement of 2014, and they are part of our intergovernmental counsel. We have also signed a formal government-to-government arrangement by signing an MoU with the K'atlodeeche First Nation, which we formalize this, regular meetings on an annual basis, and to work out on different priorities and issues. I guess I should also raise the fact that the on-reserve/off-reserve issue also complicates the matter because the K'atlodeeche First Nation is also on reserve, so it does make it very complex, so that is the difference in engagement.

MR. SPEAKER: Masi. Oral questions. Member for Nahendeh.

QUESTION 799-18(3):

HIGHWAY INFRASTRUCTURE PROJECTS AND
APPLICATION OF BUSINESS INCENTIVE
POLICY

MR. THOMPSON: Thank you, Mr. Speaker. Earlier this afternoon I did a Member's statement on some challenges that we see with infrastructure in contracts, so I have questions for the Minister of Infrastructure about big projects and the process the department uses. Can the Minister explain why the Business Incentive Policy was developed by the Government of the Northwest Territories in the first place? Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Minister of Infrastructure.

HON. WALLY SCHUMANN: Thank you, Mr. Speaker. The intent of the Business Incentive Policy when it was created was always to support the creation and growth of a competitive business sector in the Northwest Territories. As I have said in the House before, this is probably one of the best policies the Government of the Northwest Territories ever created. The policy recognizes the additional costs that northern operators experience in the Northwest Territories, and what this policy does is allow businesses to adjust their bids by 20

percent versus southern bidders, and it leverages our government in our procurement projects for investment in our business communities across the Northwest Territories.

MR. THOMPSON: I have been advised that previously, with the Business Incentive Policy, it was for the whole contract, and now I have been advised that it's only based on a few million dollars, and I am a little bit confused. Can the Minister advise this House what the cap is when it comes to northern contractors bidding on projects using BIP?

HON. WALLY SCHUMANN: There is no cap for northern contractors bidding on projects. We welcome bids from northern contractors on all projects, but I think what the Member is referring to is the BIP adjustment within the BIP policy, which adds up the contracts to up to \$1 million and over \$1 million. I will read it all in verbatim, just for the public.

Section 8:

(8) Application of Bid Adjustment

Contracts Less than \$25,000

Whenever possible, goods, services and construction valued at less than \$25,000 should be purchased directly from BIP Businesses in the Local Community, but no bid adjustment will be applied.

Contracts equal to or more Than \$25,000 and Less Than \$1,000,000

(i) A 15 percent Bid Adjustment will be applied to the NWT Content. An additional 5 percent Bid Adjustment will be applied to any Local Content.

Contracts Equal to or More Than \$1,000,000

(i) For the first \$1,000,000, a 15 percent Bid Adjustment will be applied to the NWT Content and an additional 5 percent Bid Adjustment will be applied to any Local Content.

(ii) For that portion of the contract above \$1,000,000, up to the maximum allowable bid adjustment:

a. 1.5 percent Bid Adjustment will be applied to the NWT Content;

b. an additional 0.5 percent Bid Adjustment will be applied to the Local Content.

The maximum bid adjustment for all bidders on northern or local content is \$500,000. So that the Member is also aware, in 2018-2019, the GNWT had contracts of 1,501 contracts, and only 46 of them were above \$1 million. Thank you, Mr. Speaker.

MR. THOMPSON: So this policy has changed, from my understanding, and maybe the Minister can correct me if I am wrong, but what was the rationale for the department using this new process to up to a maximum of a half a million dollars?

HON. WALLY SCHUMANN: First, let's be clear. We are not limiting the contracts that NWT businesses can bid on. There is a limit in place on the dollar amount of the total adjustment that can be applied, and that is \$500,000. While the intent of the Business Incentive Policy is to support northern businesses and recognize the higher costs of doing business in the North, we also have a public responsibility to ensure effective and appropriate expenditure of public resources. In a review that was taken a number of years ago, it was determined that the total bid adjustment of \$500,000 was a fair amount and would offset any higher costs of maintaining a business in the Northwest Territories, regardless of what the overall value of the contract was.

MR. SPEAKER: Masi. Oral questions. Member for Nahendeh.

MR. THOMPSON: Thank you, Mr. Speaker, and I thank the Minister for the clarification. I guess his definition of fair and my definition of fair is a little bit different. When I see a whole bunch of money going down south, it's a bit of a challenge. I know in BC they actually have a policy in place that, you know, gives incentives to businesses in their province to just keep the contracts there, and it's making it more of a challenge. Can the Minister advise the House here why doesn't the department have similar policies in place so it makes it harder for southern companies to come and take contracts from us, to go down and take the money down there?

HON. WALLY SCHUMANN: I think the BIP policy is more than fair. That is a \$500,000 adjustment to a contract over a million dollars. That is a significant amount of money. As the Member is referring to the policy in BC, Infrastructure follows the BIP policy to the letter of the law, and we do that, and that is for NWT-owned and -operated businesses in the Northwest Territories, and that is what the BIP adjustment is for. What he is referring to, what BC is trying to do, I am not even sure if they are doing it. I have to double check it, but we cannot put restrictions on people bidding on contracts in the Northwest Territories, because this would breach our obligations under the Canadian Free Trade Act. I have had lots of opportunities to speak to different people about BIP and how things are working in the Northwest Territories, and a lot of people do not understand our BIP adjustment is subject to all of these Canadian free trade agreements and international trade agreements. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Member for Tu Nedhe-Wiilideh.

QUESTION 800-18(3):
ALCOHOL SALES AND REDUCTION OF
BOOTLEGGING

MR. BEAULIEU: Thank you, Mr. Speaker. In my Member's statement, I talked about alcohol impacts on our communities. I would to ask the Minister of Finance some questions on some of the items that I thought might help, hours of operation for liquor stores and purchasing limits. I would like to ask if the Minister or his staff can begin discussing the hours of operations with the communities that have liquor stores, to see if they are amenable to looking at hours adjusted, with the thought of combatting bootlegging. Thank you.

MR. SPEAKER: Masi. Minister of Finance.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. The consumption of alcohol and the effects of alcohol is a very sensitive topic across the Northwest Territories. A lot of people grew up with the effects of alcohol. A lot of people are still feeling the effects of alcohol, even today, and I totally agree with the Member. I mean, if there are steps that we can take to try to curb the consumption of alcohol, one of the first things we would like to do is we like to see people make the decision to quit their drinking. That is always a first good step, but we need to do what we can as a government and as a society to try to help them do that. Is shortening the hours or lengthening the hours going to help? We don't know that. They may. They may not. I can see shortening the hours as to maybe increasing the number of trips that people need to make to bootleggers because they don't have the liquor store open.

There are a number of things that need to be taken into consideration, and there is always a willingness to have that discuss with people. We have an election coming up in about a month and a half, and then there is a new slate of MLAs that will be coming out, a new Legislative Assembly that will be coming. Of course, there are going to be some new MLAs who come in as well. I think it would be and should be a priority of theirs when they come in, and it should still be a priority of ours as we are leaving the Assembly.

We need to take what steps we can. We see the effects of alcohol all over the place, all of the time, small communities, large communities. We would like to see what we can do to try to help alleviate the problem. Thank you, Mr. Speaker.

MR. BEAULIEU: In my Member's statement, I spoke of the City of Yellowknife having discussing on operation hours of the liquor store. I think that

the initial concept was that they would reduce the amount of hours, and it was, I think, rejected by council. I would like to ask the Minister if his department could have some form of dialogue with the City. It is quite possible that the best way to combat bootlegging with operational hours would be to have the liquor store open longer so that people don't go and feed the bootlegger, that they are able to go to the liquor store most hours that they wish to.

I am not advocating that the liquor store be open 24/7, but maybe something with more hours would have the people who are looking for alcohol go to the liquor store as opposed to supporting bootlegging.

HON. ROBERT MCLEOD: We can always have those discussions with not only the City of Yellowknife, but we can have those discussions with all of the communities that do have liquor stores in them. I mean, we all know how sneaky smart a lot of these bootleggers are, and they will always find ways around everything. Everything that you try to do to combat the problem, they will find ways around. I think there was a rationing system that was tried. I know that, in my home community, a number of years ago, they found ways around that. We have to be vigilant in trying deal with this. Again, we will have discussions with anybody, any time, on the effects of alcohol on the people of the Northwest Territories.

MR. BEAULIEU: In Iqaluit, recently, they opened a beer-wine store, and they put some restrictions and limits on the amount of wine and beer that can be purchased by an individual, I think, like, 24 cans of beer and maybe four bottles of wine, or a combination of something. In our liquor stores, we also have that added hard liquor.

I was wondering if we should start to think about putting restrictions on the amount of alcohol an individual can purchase in one day. I know that, sometimes, these programs or ideas backfire. Preventing people from getting alcohol sometimes doesn't work. However, I think that preventing people from buying cases and cases of alcohol might work.

I would like to ask the Minister if his department could start looking at restrictions, dealing, again, with individuals that are directly involved, like the councils and the liquor store operators, but to start looking at ways of restricting the amount of alcohol an individual can buy in one purchase.

HON. ROBERT MCLEOD: The Liquor Act provides for provisions for community control on the sale and distribution of liquor in the community. A community can request to hold a plebiscite on these types of controls. The department works with the

communities on that process, including developing the question.

Any broader change that would apply across the Northwest Territories would likely require a legislative change. This is something that the 19th Assembly could look at, but the department, in anticipation of that, could develop some options for consideration.

MR. SPEAKER: Masi. Oral questions. Member for Tu Nedhe-Wiilideh.

MR. BEAULIEU: Thank you, Mr. Speaker. That is exactly what I was thinking of: a legislative change. I think that going to the communities and having the communities vote on this type of thing sometimes works, sometimes doesn't work. People are upset over those types of decisions, but I was thinking of making a legislative change saying that an individual person can only purchase a certain amount of alcohol in a day. The limits could be adequate for most people who are using alcohol, but certainly not adequate for bootleggers. Thank you, Mr. Speaker.

HON. ROBERT MCLEOD: Like I said before, we can have those discussions with the operators, or we can have those discussions with communities. It is something that I believe has been tried before. As I said before, they do always find ways around it. I agree with the Member 100 percent that this is an issue that really has an adverse effect on the people of the Northwest Territories. Always has; always has.

We hope, with some of the changes that we have made, some of the education out there, and people seeing first-hand the effects of alcohol, that they would make a decision to change their lifestyle. There is always support there for them, but we do realize that a lot of these people need help. By putting in some of the changes that the Member is suggesting, that might be a start. Again, we could start the work, and then we would hope that the 19th Assembly would come and carry the ball. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Member for Yellowknife North.

QUESTION 801-18(3):

YELLOWKNIVES DENE FIRST NATION / CITY OF YELLOWKNIFE BOUNDARY CHANGES

MR. VANTHUYNE: Thank you, Mr. Speaker. My questions are for the Minister of Municipal and Community Affairs. I just want to say that I absolutely do appreciate and respect the boundary agreement between the City of Yellowknife and the YKDFN. I think that that is a positive move and

would be beneficial to the residents of Yellowknife, Detah, and Ndilo.

With that said, I do have a few questions for the Minister. I want to be able to best inform my constituents, so I want to start by asking the Minister: what is the process if a band council or a city council wants to change their boundary? What is the process for a community to request a change to their municipal boundary, and what is our government's role in that process? Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Minister of Municipal and Community Affairs.

HON. ALFRED MOSES: Thank you, Mr. Speaker. I want to let the Member know that we did have a meeting with the City of Yellowknife and the chiefs from the YK Dene. I won't say that the process is pretty simple, but all of our communities across the Northwest Territories do have to submit a Community Land Use Plan. In this case, I am honestly glad to see that the City of Yellowknife and the YK Dene are working together to address some of these boundary issues here in the region. However, communities have to submit a Community Land Use Plan, and before it does get signed off through myself or the ministerial approval, the department does review the plan. It normally goes through the community planning division to ensure that Community Land Use Plans meet the requirements of the Community Planning and Development Act.

Now, on top of that, there is section 35 under the Constitution Act. That does require that consultation with Indigenous groups happen, and we want to make sure that any Indigenous groups that are in the area are consulted with when these plans are looked at and approved. That is the process.

As I did mention to the Member, we did meet with the City of Yellowknife and the chiefs and their staff earlier this summer in June, and we have started that process, but that is the process moving forward for any of the Members who want to look at their Community Land Use Plans. Thank you, Mr. Speaker.

MR. VANTHUYNE: Thank you to the Minister for his reply, and I am happy to hear that the department is working with the respective governments. The Minister mentioned that there is a review process, so maybe he can expand a little bit more on what that is, what does that really entail. Does the Department of Municipal and Community Affairs undertake some kind of assessment on maybe what impacts such a boundary change may have? For example, in my case, the boundary is going to leave houseboaters who were once upon a time inside the municipal

boundary now on the outside of the municipal boundary. What does it mean for residents such as them?

HON. ALFRED MOSES: As I mentioned, all communities submit a community land use plan, and we appreciate the work that they do in terms of consulting with their residents and taxpayers. I also mentioned under section 35 that they also have to consult with Indigenous groups in the communities before it is approved. We feel that our staff and the staff of the municipalities and the communities do their due diligence to make sure that everyone is consulted with when these discussions, and more importantly, decisions are made.

MR. VANTHUYNE: Thank you to the Minister for the reply. I appreciate that there are some levels of consultation that will take place, and as it relates to section 35, and that's important, but notwithstanding section 35, will the department be engaging in a public consultation process to inform residents of such a change? Is that part of the Government of the Northwest Territories' responsibility? Is that part of this review? Will the residents that could be affected by this have the opportunity to be informed and provide input?

HON. ALFRED MOSES: As I mentioned, there are a couple of acts that we have to follow, and that is the Planning and Development Act, Community Planning and Development Act, as well as the Constitution Act with section 35. Some of this responsibility also has to fall on the municipality, whoever puts in their community land use plan. In this case, I know the Member is mentioning the City of Yellowknife as well as the Yellowknives Dene and the Metis all play a part in this, and I think the consultation needs to be put on the responsibility of all those involved. As a government, we follow those two acts to ensure that we are following our due diligence and making sure that those that need to be consulted, and the partners that we're working with, do the work that they need to do, as well.

MR. SPEAKER: Oral questions. Member for Yellowknife North.

MR. VANTHUYNE: Thank you, Mr. Speaker. Thank you to the Minister for his reply. Some time ago, the City of Yellowknife through one of their respective committees started a harbour planning committee, and there were a number of recommendations in there with regard to a number of aspects around the waterfronts of Yellowknife. One of them was about starting a harbour commission. Now that lands and water has been devolved down to the territorial government, is there any interest from the territorial government?

I will put it to the Minister of Municipal and Community Affairs, since this would certainly affect

their department, in working with the city and other key stakeholders in starting a harbour commission so that we can start to better understand what uses can be made in the waterfronts around Yellowknife; Back Bay, Yellowknife Bay. Is there any interest in the government in starting a harbour commission with the respective stakeholders? Thank you, Mr. Speaker.

HON. ALFRED MOSES: I can't make that commitment at this time; however, I can let the Member know and interested stakeholders know that we have had these discussions with the City of Yellowknife and their officials, as well as the Chiefs of Detah and N'Dilo, and let the Member know that these are discussions that we are going to continue to have. In terms of the community land use plans under section 35, that is something that we need to get out there to make sure that everybody is on board should the boundaries change for this region or any other communities throughout the Northwest Territories. I want to assure the Member that we have had these discussions already, and I think it is going to be something that is going to be in the 19th Assembly, and I think further discussions are going to happen. I thank the Member for his concerns and his questions. Mahsi.

MR. SPEAKER: Masi. The time for oral questions has expired. Item 9, written questions. Item 10, returns to written questions. Item 11, replies to the Commissioners opening address. Item 12, petitions. Item 13, reports of committees on the review of bills. Item 14, tabling of documents. Minister of Municipal and Community Affairs.

Tabling of Documents

TABLED DOCUMENT 483-18(3):
FOLLOW-UP LETTER FOR ORAL QUESTION
766-18(3): ABORIGINAL SPORTS CIRCLE
FUNDING

HON. ALFRED MOSES: Thank you, Mr. Speaker. I wish to table the following document entitled "Follow-up Letter for Oral Question 766-18(3): Aboriginal Sports Circle Funding." Thank you, Mr. Speaker.

MR. SPEAKER: Tabling of documents. Minister of Finance.

TABLED DOCUMENT 486-18(3):
NORTHERN EMPLOYEE BENEFITS SERVICES
(NEBS) PENSION PLAN ANNUAL REPORT FOR
THE YEAR ENDED DECEMBER 31, 2018 AND
INCLUDING UPDATED INFORMATION TO JUNE
2019

TABLED DOCUMENT 487-18(3):
THE NATURAL RESOURCES CONSERVATION
TRUST FUND FINANCIAL STATEMENTS FOR
THE YEAR ENDED MARCH 31, 2019

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. I wish to table the following document entitled "Northern Employee Benefits Services (NEBS) Pension Plan Annual Report for the year ended December 31, 2018, and including updated information to June 2019."

I would also like to table the following document as Minister of Environment and Natural Resources: "The Natural Resources Conservation Trust Fund Financial Statement for the year ended March 31, 2019." Thank you, Mr. Speaker.

MR. SPEAKER: Tabling of documents. Minister of Industry, Tourism and Investment.

TABLED DOCUMENT 488-18(3):
COMMUNITY FUTURES PROGRAM 2016-2017
AND 2017-2018 ANNUAL REPORTS

HON. WALLY SCHUMANN: Thank you, Mr. Speaker. I wish to table the following document entitled "Community Futures Program 2016-2017 and 2017-2018 Annual Reports." Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Tabling of documents. Item 16, notices of motion. Item 17, notices of motion for first reading of bills. Item 17, motions. Item 18, first reading of bills. Item 19, second reading of bills. Item 19, Consideration of Committee of the Whole of Bills and Other Matters: Bill 36, An Act to Amend the Petroleum Resources Act; Bill 37, An Act to Amend the Oil and Gas Operations Act; Ministers' Statement 151-18(3), New Federal Infrastructure Agreement; Ministers' statement 158-18(3), Developments in Early Childhood Programs and Services; Ministers' statement 211-18(3), Addressing the Caribou Crisis; and Tabled Document 442-18(3), 2030 NWT Climate Change Strategic Framework 2019-2023 Action Plan, with the Member for Hay River North in the chair.

Consideration in Committee of the Whole of Bills and Other Matters

CHAIRPERSON (Mr. Simpson): I will now call the Committee of the Whole to order. What is the wish of committee? Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. The committee would like to consider Committee Report 25-18(3), Standing Committee on Economic Development and Environment Report on the Review of Bill 36, An Act to Amend the Petroleum Resources Act, and Bill 37, An Act to Amend the Oil and Gas Operations Act; Bill 36, An Act to Amend

the Petroleum Resources Act; and Bill 37, An Act to Amend the Oil and Gas Operations Act, in that order. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. We won't take a break, but we are going to take about two minutes to get organized here at the table. Everyone can sit tight and get your reports out. Get your binders out, and we will get started right away here. I just don't want anyone to leave because it takes forever to get everyone back.

Thank you for your patience, committee. We have agreed to consider Committee Report 25-18(3). I will turn to the chair of the Standing Committee on Economic Development and Environment for any opening comments that he may have. Mr. Vanthuyne.

MR. VANTHUYNE: Thank you, Mr. Chair. Bill 36 and, in this case, as it relates to the report, Bills 36 and 37 were referred to the Standing Committee on Economic Development and Environment on February 22, 2019.

The committee sent letters inviting input from an extensive list of stakeholders, including municipal and Indigenous governments in the Northwest Territories, as well as a number of NGOs, non-governmental organizations, and various stakeholders.

The committee travelled throughout the territory and held public hearings, in this case, in Inuvik, Norman Wells, and Yellowknife. Of course, the committee wants to thank everyone who attended these meetings or provided written submissions and shared their views with us on Bills 36 and 37.

The committee would also like to thank the Minister of Industry, Tourism and Investment and his staff for the collaborative approach on the review of these bills.

The committee concluded its review of Bill 36, An Act to Amend the Petroleum Resources Act, on August 2, with a public clause-by-clause review held at the Assembly. The committee moved six separate motions to amend Bill 36. All six were carried.

The committee concluded its review of Bill 37, An Act to Amend the Oil and Gas Operations Act, on August 2, with a public clause-by-clause review held at the Legislative Assembly building. The committee moved two separate motions to amend

Bill 37. Both were carried with concurrence from the Minister.

At this time, if individual Members have additional comments or questions as we proceed with consideration of the bill, then I would be happy to hear from others. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Vanthuyne. I will open up the floor to general comments on the report itself. Any comments from committee? Mr. Vanthuyne.

MR. VANTHUYNE: Thank you, Mr. Chair. It seems like there are no comments in relation to the report. There are probably people who will speak to the bills themselves. To that, Mr. Chair, I have some motions.

COMMITTEE MOTION 163-18(3):
STANDING COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT REPORT
ON THE REVIEW OF BILL 36: AN ACT TO
AMEND THE PETROLEUM RESOURCES ACT
AND BILL 37: AN ACT TO AMEND THE OIL AND
GAS OPERATIONS ACT – BILLS REQUIRING
FEDERAL CONCURRENCE, CARRIED

If I may, Mr. Chair, I move that this committee recommends that, should any portion of a bill require federal concurrence, a statement to this effect be included in the legislative proposal and that the relevant clauses be identified at the time of introduction to the appropriate standing committee and, further, that a bill should not be submitted to the federal government for their concurrence until after it has been reported back to the House following the committee's review. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Vanthuyne. There is a motion on the floor. The motion is in order. To the motion. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I am not going to belabour this one, because I am going to wait for the Minister to come up, and he is going to answer some questions about this. The public does need to know that the department and the Minister went off and got federal concurrence on the bills, because there is a requirement that that take place under the Northwest Territories Act.

While the bills were before the committee, the Minister went off and sought federal concurrence before committee had even changed them. It is my understanding that, even with the changes that have now been incorporated into the bills, they have to go back again to the federal government to get concurrence. That is a duplication of effort, it is going to delay the implementation of these bills, and I don't understand why the department went

ahead and did that anyway. I think it is close to a breach of parliamentary privilege that the Minister went ahead and did this while the bills were before the committee.

I am going to wait until the Minister is in the witness stand before I ask questions about this, but I do agree with the motion, and I am very concerned about the precedent that was set by the Minister's action in this case. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. All those in favour? All those opposed?

---Carried

Thank you. Mr. Vanthuyne.

COMMITTEE MOTION 164-18(3):
STANDING COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT REPORT
ON THE REVIEW OF BILL 36: AN ACT TO
AMEND THE PETROLEUM RESOURCES ACT
AND BILL 37: AN ACT TO AMEND THE OIL AND
GAS OPERATIONS ACT – POTENTIAL
LIABILITIES ARISING FROM OIL AND GAS
OPERATIONS, CARRIED

MR. VANTHUYNE: Thank you, Mr. Chair. I move that this committee recommends that, in the second phase of the review of oil and gas legislation, consideration should be given to recent court decisions and best practices to ensure that the Government of the Northwest Territories and the public are protected from potential liabilities arising from oil and gas operations. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. There is a motion on the floor. The motion is in order. To the motion. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I raised the Redwater case in a Member's statement and asked questions of our Minister of Justice about this. The answers that I got back weren't really all that satisfactory. It doesn't appear to me that our government is taking a serious look at this court case and what it means to prevent liability accruing to our government. I don't believe that the lessons learned from that have been incorporated even into this legislation to the extent that they can and should have. We are going to come back to this again, I am sure, in the future, but I support the recommendation. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. All those in favour? All those opposed?

---Carried

Mr. Vanthuyne.

COMMITTEE MOTION 165-18(3):
STANDING COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT REPORT
ON THE REVIEW OF BILL 36: AN ACT TO
AMEND THE PETROLEUM RESOURCES ACT
AND BILL 37: AN ACT TO AMEND THE OIL AND
GAS OPERATIONS ACT – COMPREHENSIVE
REVIEW TO INCREASE CAP FOR ABSOLUTE
LIABILITY, CARRIED

MR. VANTHUYNE: Thank you, Mr. Chair. I move that this committee recommends that the Government of the Northwest Territories undertake a comprehensive review of oil-and-gas-related regulation with the express purpose to increase the cap for absolute liability. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. There is a motion on the floor. It is in order. To the motion. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I have raised this issue, again, on the floor of the House. I don't actually agree with everything that is in the recommendation. We don't have to do a comprehensive review of oil-and-gas-related regulation.

This absolute liability cap is in regulation right now. The Minister could change this tomorrow if the Minister wanted, and this should have been within the scope of the changes that were made to these pieces of legislation. I don't understand why the department didn't flag this internally as a problem. Right now, the absolute liability cap is somewhere between about \$10 and \$40 million for onshore exploration and development. If something happens, and it costs more to clean it up than that, our government could be on the hook for that.

That is the kind of liability that we assumed under devolution and could and should have been fixed by now, but this Minister won't do it, so it appears again here as a recommendation. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. All those in favour? All those opposed?

---Carried

Mr. Vanthuyne.

COMMITTEE MOTION 166-18(3):
STANDING COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT REPORT
ON THE REVIEW OF BILL 36: AN ACT TO
AMEND THE PETROLEUM RESOURCES ACT
AND BILL 37: AN ACT TO AMEND THE OIL AND
GAS OPERATIONS ACT – SIGNIFICANT
DISCOVERY LICENSES

MR. VANTHUYNE: Thank you, Mr. Chair. I move that this committee recommends that in phase two of the review of Northwest Territories' Oil and Gas Legislation, a comprehensive evaluation of options related to significant discovery licences be conducted, providing alternatives for consideration, and table its findings during the 19th Legislative Assembly; and further, that this report identify how the findings will inform any future changes to be made by the Government of the Northwest Territories with respect to its oil and gas resources. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Vanthuyne. There is an order. To the motion. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I agree with this recommendation. I am disappointed that the department and the Minister did not actually conduct a comprehensive evaluation of this significant discovery licence issues and problems. There were some options set out in discussion materials that were part of this development of these bills. I don't believe that there was a systematic, inclusive evaluation of the options. Those options include things like even doing away completely with significant discovery licences so that a company would jump from an exploration licence straight to a production licence.

What this has done, and this is an artefact of the way that the federal government set up their legislation, is three significant parts of the Northwest Territories have been tied up forever in terms of oil and gas rights. Even our own Minister issued 10 of these in the post-devolution world that amount to an area of about 39 percent of the area of Prince Edward Island. Our Minister issued those significant discovery licences. It is my view that he actually had a choice about what to do.

The other options include rental rates, as I said, getting rid of SDLs completely. Unfortunately, I don't believe these received adequate consideration in the development of this bill. The purpose of this recommendation is to try to ensure that this issue is addressed in the 19th Assembly and that we try to find ways to deal with the large

amounts of land that have been tied up forever. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. McNeely.

MR. MCNEELY: Thank you, Mr. Chair. To this motion here, I am of the opinion that, if you are going to make an attractive investment environment for players such as the oil and gas community, which have 100 times more the budget that we operate in 12 months, you are going to have to make it regulatorily attractive. Yet, on the hand of balance, ensuring that there is protection for our pristine environment and having experienced many projects within this sector, I am of the opinion that it is not only in our best interest that the developer acknowledges the terms and conditions of the licence issued as well as the daily operations of their land-use permit conditions, as well.

It is in their best interest to run a clean operation in order to maintain shareholder fairness to the increasing dividends that they are in business to produce. This and the other previous motions, I am hesitant to see the rationale behind, in my opinion, I am assuming that are putting barriers to trying to attract development players. Given that balance approach, I am confident that the department has taken this legislation seriously on the road, developing what they heard, as well as committee's chores or committee's efforts in doing their due diligence, as well.

We come to an accommodation here where we see to mitigate what we see as fair to the environment, to the people, and to outside industry. We're seeing benefits from industry as we speak. Having to create barriers in terms of additions, it may sound like it is minimal, but the words of legislation have large impacts on certainty and uncertainty. There is elsewhere for players to invest their proceeds. In today's world, I think there are faster returns elsewhere in more moderate weather conditions. I just want to point that out here. I am not in favour of this motion. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): To the motion. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. I think to the economic future of the territory, I always think of what is going to pull our economy forward out of the negative growth that is anticipated for our foreseeable future. The advocacy I have brought to this Chamber has typically revolved around the minerals industry, which I believe is the quickest way to get our economy back on track.

I have had the opportunity to travel to the Sahtu, where oil and gas is not just another economic opportunity, but it very much is the industry that has

created a lot of prosperity for the region. Seeing the operations that Imperial Oil has on the ground, seeing the impact it has on the community, really opened up my eyes to how important this industry is to our residents and to our entire territory.

I think oil and gas resources, when done correctly, are an incredibly powerful economic driver. We should be making best efforts to attract that level of investment, but we do have to account for the gaps in infrastructure that make it a much less attractive place than perhaps areas that are closer to tidewater or closer to major infrastructure, which makes this process easier.

Now, when it comes to my understanding in reviewing this bill and having the opportunity to have conversations with departmental officials is that the SDL was developed as a tool to address the lack of infrastructure and allow industry to come into a region that doesn't have adequate support for production but can hold on to it until that support exists. It was really to address the state of play many, many years ago when the federal government was calling the shots. It is an artefact of that regime.

What we have today is a circumstance which my honourable friend from Frame Lake laid out very clearly: a licence that has no expiry, that ties up land and resources potentially forever with no requirement for work. This is a concern that the standing committee heard directly when we met with representatives of the Sahtu Secretariat Incorporated. This was a big issue for them.

It was not driven by committee concerns or by eco-colonialists but rather by Northerners and northern governments who were concerned of a lack of economic opportunity and that SDLs were not supporting their region and their regional economy. I think we can extrapolate that to the global territorial economy, as well. If we had thriving oil fields where they exist in the NWT, I think our economy would be in a much different position than it is today.

When it comes to SDLs, we have to carefully manage this tool. The changes that have been proposed in the legislation, which we will be debating later today, are much needed improvements. The question that is on my mind is: do they go far enough? Do they strike that balance of addressing infrastructure gaps as a tool to say, "Look. We might not have all the infrastructure in place, but you will be able to hold on to your rights until it is there but not in perpetuity. If you are not able to do the work, you move on." I am not sure if we have struck that balance.

There are other options that were presented to the standing committee by the department. The work

that this motion is calling for I think has largely been done. It just hasn't been properly assessed by the entire caucus and made a priority of government. It has been the conversation between a Minister and the standing committee.

This motion encourages the government to look at this problem again because I don't think we have struck the balance we need to and really carefully assess how to manage this tool because if it is going to drive investment and industry action in the Northwest Territories, then it has to be done in a way that ensures there is benefit to the people of the Northwest Territories, as well.

Things like a rent scale or mandatory work that has to be done, those are all the kinds of things I would like to see moving forward, and I think this motion calls for that work to be done and to again be carefully considered as a political priority of the next government. I do support the motion. This significant discovery licence is a significant issue, and again it's one that we were unable to satisfactorily address as a standing committee, through the legislative process, so I hope this motion is successfully passed and that the public service who will be supporting the Members of the 19th Assembly take heed of the recommendation and bring forward some options for the next government. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. I am going to ask that all Members raise their hands up high and hold them there until they have been counted when I call for "yea" or "nay." All those in favour? All those opposed? The motion is carried.

---Carried

Thank you, committee. Mr. Vanthuyne.

COMMITTEE MOTION 167-18(3):
STANDING COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT REPORT
ON THE REVIEW OF BILL 36: AN ACT TO
AMEND THE PETROLEUM RESOURCES ACT
AND BILL 37: AN ACT TO AMEND THE OIL AND
GAS OPERATIONS ACT – GOVERNMENT
RESPONSE TO RECOMMENDATIONS, CARRIED

MR. VANTHUYNE: Thank you, Mr. Chair. I move, to the extent it is possible before the dissolution of the 18th Assembly and for the public record, that the government provide a response to these recommendations, even of a preliminary nature,

that committee may publicly disclose. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. There is a motion on the floor. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

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

---Carried

Thank you, committee. Seeing nothing further, does committee agree that this concludes consideration of Committee Report 25-18(3)?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. This concludes our consideration of the committee report. We have agreed to next consider Bill 36. We are going to change some personnel out here, so just give us a minute, and we will get right into it.

Thank you, committee. We will get right into Bill 36. I will ask the Minister responsible for it to introduce it. Minister Schumann.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. I am pleased to introduce Bill 36, An Act to Amend the Petroleum Resources Act.

Bill 36 seeks to enhance transparency and public accountability, address administrative and technical issues, and manage significant discoveries of petroleum in the Northwest Territories in the best interests of all residents.

To enhance transparency and public accountability, this bill proposes:

- requiring greater amounts of information to be disclosed about a number of different licences and activities related to the petroleum in the NWT;
- increasing public representation on the Environmental Studies Management Board, while requiring more reporting on activities of the fund they manage;
- adding consideration of Indigenous traditional knowledge and input from Indigenous organizations when appointing board members; and
- clarifying the requirements related to conflicts of interest on public boards established under the act.

To better manage significant petroleum discoveries, this bill would amend the criteria for an interest holder to be eligible for a significant discovery licence. This bill will also restrict the term of a significant discovery licence to better reflect our territory's values and principles when it comes to land and natural resource management.

On the administrative and technical side, this bill would clarify authorities of the Minister to delegate their powers, duties, and functions to other qualified persons, and correct inconsistencies and errors identified throughout the current Petroleum Resources Act.

This bill is part of the government's work to improve the NWT land and resource management regime, to ensure northerners are able to make decisions that support sustainable, responsible development and protection of the environment while respecting Indigenous rights.

This kind of made-in-the-NWT legislation will help ensure NWT residents are making the decisions about how land and resources in the NWT are developed and used on behalf of current residents and future generations.

This bill resulted from an extensive policy development effort, including significant legislative research; two months of open and multi-platform engagement with the public, industry, Indigenous governments, NGOs, and other interested stakeholders; feedback from those on this committee; and close collaboration with Indigenous governments through the Intergovernmental Council. The Department of Industry, Tourism and Investment also prepared plain-language materials to support the public engagement process.

The Department of Industry, Tourism and Investment has worked with the Legislation Division of the Department of Justice on the Bill. The department does not anticipate that new regulations are necessary for this particular legislative initiative but does anticipate working with the Office of the Regulator of Oil and Gas Operations to ensure appropriate guidance is developed before bringing these changes into force should the bill pass.

I also wish to take this opportunity to commend the committee on their continued engagement with the public as this bill was moved through the legislative process. I welcome any questions the Members may have. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. I will now turn to the chair of the Standing Committee on Economic Development, which considered the bill, for any opening comments that he may have. Mr. Vanthuyne, any opening comments?

MR. VANTHUYNE: Thank you, Mr. Chair. Nothing further to add, just similar, along the lines of the opening comments provided with regard to the report, so no further comments. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. Minister, I understand you have witnesses you wish to bring into the Chamber, so, Sergeant-at-Arms, please escort the witnesses into Chamber. We will try to squeeze them all at that table. Minister, you may take your seat at the witness table. Minister, will you please introduce your witnesses for the record.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. On my left, I have Menzie McEachern, director of mineral and petroleum resources. On my immediate right, I have Joel Marion, senior legislation advisor. On my far right, I have Christina Brownlee, lead drafter. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Welcome to the witnesses. I will now open the floor to general comments. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. Just before we get into the actual business of reviewing the legislation clause by clause, I would like to ask some questions on significant discovery licences, and hopefully the witnesses can oblige. How many significant discovery licences, or SDLs, are currently in the Northwest Territories or have been issued to rights holders in the Northwest Territories? Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. We do not have that number in front of us, but we can probably get it before this session is over so that we can get the number back to the Member. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. I was under the assumption that that would be a relatively small amount, but I will look forward to that information. My second question is: how much land is currently covered by the existing SDLs? Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. The Member asked how much land is currently covered by the existing SDLs. Does the Minister have an answer? Minister.

HON. WALLY SCHUMANN: Same thing. We will get that information while we are sitting, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. So what is the term of existing SDLs in the Northwest Territories? Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. Under the current regulations, it's indefinite. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. What tools are available to the government to change the terms of existing SDLs? Thank you.

CHAIRPERSON (Mr. Simpson): Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. It's either by consent or drilling order. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): I am sorry. Could you repeat your answer?

HON. WALLY SCHUMANN: It's either by consent or drilling order. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Testart.

MR. TESTART: Thank you. This legislation proposes to change the terms of SDLs in particular and to provide for some certainty that work will be done before extensions of term are granted. Those are fine, and those are the kind of things that I think are a better approach to the old federal artefact, as I call it, but I would like to know if those new terms will apply to the existing SDLs that have an indeterminate term. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. No, they will not.

CHAIRPERSON (Mr. Simpson): Thank you. If the witnesses could just indicate when they are done speaking so that our team knows when to change the mics, that would be appreciated. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. What assurances can the Minister give to people who are concerned about the old SDLs, the SDLs that weren't really working as well as intended? That was the feedback that we received. What assurances can the Minister give that those existing SDLs will be either brought into the regime that we will be bringing forward with the new legislation or, at least, will become competitive and not just sit there for an indeterminate amount of time, which

could be until the end of time? What assurances can the Minister give that there will be work done and that these SDLs will generate economic activity that will benefit Northerners? Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. It has been quite clear; we cannot change these existing SDLs that are already put into place. There would be significant litigation possibilities, as I have said to committee when we discussed this. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart.

MR. TESTART: Thank you, Mr. Chair, I think the question is not: "will the Minister change the existing SDLs?" It was: "what comfort can he give to people who are concerned around the existing SDL regime that there will, in fact, be economic opportunity produced by these licences?" It doesn't have to be heavy-handed; it doesn't have to be drilling orders, but there has to be something there. If the department has no answer today, is this something that they can look at cooperatively with industry so that we can see some work move forward? Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. One of the things with these SDLs that are already in place, as I said, there would be significant litigation possibilities with it.

Now, if we want to try to get these companies to create some type of economic opportunity from existing SDLs, I would say exactly that is what we are doing through our petroleum strategy. We are trying to attract investment in the Northwest Territories. We are trying to get the federal government to invest in infrastructure to help lay the way to make it more possible for industry to be attracted to this area, to bring their costs down.

These are the opportunities that we will need to continue to work on in the 19th Legislative Assembly to attract investment back to the Northwest Territories around oil and gas. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. To be frank, the federal government can't build a pipeline to save its life, so I find it highly doubtful that they will be able to bring forward significant infrastructure to

address the concerns that SDLs were created to address.

What can this government do directly, through working with industry, because I will address the liability that the Minister has clearly laid out, to avoid any potential liability of changing the existing SDLs? What can this government do to incentivize or encourage work in the areas that are covered by these SDL licences? Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Minister.

HON. WALLY SCHUMANN: As I have said, Mr. Chair, these SDL-holders that hold a significant amount of opportunity in the Northwest Territories are put into a spot right for you, as the Member from the Sahtu earlier said in his comments today, to attract investment into the Northwest Territories versus some of these other opportunities that lie globally. We are at a significant disadvantage, the way things are playing out globally. There are a lot of challenges around that industry.

Canada, as a whole, is having a problem attracting the oil and gas industry back to Canada as an investment opportunity, and we will continue to work with all of our partners across the country to be able to try to bring opportunities back to our region, and that is what we will do in the rest of the life of this Assembly. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. I appreciate the Minister's earnest attempts to drive investment in this region, but I don't think that these instruments are working. We have heard directly from stakeholders that they are not working as intended. Going forward, they will work better, but there are still a lot of issues with even the revised forms. At least there is an expiry to the terms, but I am afraid that I am still unconvinced that the current state of affairs surrounding SDLs is the best approach to managing opportunities in our economy.

I wouldn't be encouraging any effort that would drive liabilities up for government or expropriate private property or privately-obtained rights, but we have to do something, and if we can collaborate with these proponents who already have these licences and, again, who can hold them until the end of time, then that would be the best way forward. Even if that is a specific feature of the petroleum strategy or whatever efforts are going forward, we have to do something. People are relying on these opportunities, and to say that we will wait until commodity markets make it feasible or wait until a pipeline is built, we might be waiting a

very long time. The economic opportunity is needed now and badly needed in some of our regions. If there is a way to make use of these licences now and to respect that they were granted, to respect that they are federal art facts, but to still make sure of the relationships that they have created, I think that that is the best way forward.

That is more of a comment, but this was a significant concern for me as I reviewed this bill, and it was a significant concern of committee as well. It is not to penalize industry or to drive away investment. Rather, it is the opposite; it is to make sure that we have responsible resource development and that the tools that we create are driving economic opportunity or, at the very least, are driving revenues or benefits for the public Government of the Northwest Territories to benefit the people of the Northwest Territories. We still haven't hit that balance with the existing regime, and that has to change. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. Next, I believe Mr. O'Reilly was on the list. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I have a few brief comments, and I do have a couple of lines of questioning that I would like to pursue.

First off, I was quite surprised that committee received absolutely no submissions from industry. Not one. Nothing. There is no record of any submissions made to the department as part of their development of the bill, because all of the submissions are still available on their website. To me, that means that there doesn't seem to be a lot of interest on the part of industry in commenting on our regulatory regime that they are actually governed by. They don't seem to be all that interested in doing any work here. I just want to get that on the record.

Now, the scope of the changes that were made was very limited, and I do want to congratulate late the department and the Minister for reversing the onus on secrecy. Right now everything is secret. Now everything is going to be public, unless there is some reason to keep it secret. That is a good thing, so I want to thank the Minister and the department for doing that.

The scope of some of the changes in here, I don't think, are really where they can and should have been, and I will give a couple of examples. The Environment Studies Management Board can and should have been made a co-management approach. I had raised that while the bill was being developed on the floor of this House. That was not done in this bill. We have some tinkering in here to include some public representation on the Environmental Studies Management Board, but

industry representatives still sit on this, and I think that that is an inherent conflict of interest.

The scope of the changes does not include royalties, one of the most fundamental things that we have inherited. Even on the Significant Discovery Licences, my colleague mentioned that this does not fix the problem of Significant Discovery Licences. Under this bill, the Minister will still retain incredible discretion over whether Significant Discovery Licences are issued and, more particularly, renewed, and I don't think that that creates certainty.

This bill does not deal with the issue of whether to frack or not. That was a commitment made by this government as part of the mandate, to ensure that our residents have an opportunity to make informed decisions about this matter. This bill does not address this in any significant way.

I want to move on to a couple of issues that I mentioned, Mr. Chair. I raised federal concurrence in my remarks on the report by committee. I would like to ask the Minister why he went out and sought federal concurrence on this legislation while it was before committee. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: Can you repeat the question?

CHAIRPERSON (Mr. Simpson): Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. Why did the Minister and his department seek federal concurrence on these bills while they were before committee? Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: I am going to give a fulsome answer here, so just bear with me. Okay? The threshold for dissent requirement is low federal consent is required for any amendment that would affect the regulatory functions of the NEB and the ISR onshore. Given that low threshold for federal consent requirement, ITI staff began engaging with the federal government in 2018, in July. ITI staff worked with the federal government and the NEB to ensure that it would be able to obtain federal consent for any amendments it proposed. The federal government, through an order in council dated May 21, 2019, provided its consent to specific amendments in Bills 36 and 37. Securing federal consent does not interfere with any processes of our legislator, and, should the legislator want to make changes to a bill that would trigger federal consent, it would be the GNWT's responsibility to secure such consent. We are not

required to, and this work did not interfere with any process within the Legislature, so there was no need to. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. Well, I am not sure I agree with the Minister's assessment. I believe that this is really certainly not in keeping with consensus government principles, to go off and seek federal concurrence while a bill is before the Legislative Assembly. I would like to get confirmation from the Minister and his staff: the changes that have now been made to this bill, they, as I understand it, they will require federal concurrence again. Is that correct?

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. No, we will not. It is consented as a bill already. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. It was my understanding and I believe it was stated in committee that, with the amendments that were made that the Minister has already concurred with, that some of them do impact and affect the authority and jurisdiction of the National Energy Board as it relates to the ISR. Do any of those amendments require federal concurrence? Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. No, nothing in the bill needs federal consent. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. O'Reilly.

MR. O'REILLY: Okay. Thanks, Mr. Chair. That is not what I heard in committee, but I will take the Minister and his staff at face value. This could have still created a lot of duplication. It took 10 months for the department and the Minister to get federal concurrence, so this is a time-consuming process on their part. It's not what I heard at committee, but I will take it at face value. I don't think this was a good thing, to be messing around with a bill while it's before committee. I would like to ask the Minister: what are the next steps in terms of reviewing oil and gas legislation? This was step one. What is the next step, and when is it going to happen? Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: Well, we are figuring that out. I have the information here for Members on SDLs. Northwest Territories onshore, we have 90 SDLs, 90, nine-zero, covering 460,077 hectares. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. We are still awaiting answer, I believe, on Mr. O'Reilly's question, as this is his time. Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. We will recommend to the 19th Legislative Assembly to review regulations under the PRA and the Oil and Gas Operations Act. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. When do the Minister and the department anticipate actually looking at the royalty regime? Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. As this has come up with the mineral side of things, too, my answer is exactly the same. Our fiscal regimes needs to be looked at carefully and holistically, not through the lens of just royalties. It's our opinion that there is insufficient time to put in the attention that this process deserves in the life of this Assembly, and it is our opinion the responsible thing to do was to get through these first-step amendments right and set the stage for the review of our government's fiscal regime for the mineral and petroleum resources for the next Assembly. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. Yes, and I hope to be here in the next Assembly to have some say in how that rolls out, but I think that is all the questions I had. I want to put the law clerk on the spot here, if I may, Mr. Chair. I would like to ask the law clerk: any of the motions to amend the bill in committee, did any of those motions -- I guess I can only really ask about Bill 36. Did any of those motions have any effect on the jurisdiction of the National Energy Board with regard to the ISR? Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. One minute. Madam Law Clerk.

MS. BROWNLEE: Thank you, Mr. Chairman. We had understood that the definition of "hydraulic

fracturing fluid" had to certainly be reviewed by the NEB and that that may require federal concurrence. I do understand that officials consulted with the National Energy Board on the change to the definition of "hydraulic fracturing fluid" that was inserted into Bill 36. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. So can the Minister or his staff confirm, then, that definition of "hydraulic fracturing fluid" that we changed in the bill, does that require federal concurrence, and, if so, has it already been secured? Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. O'Reilly. I was going to keep everyone at a tight 10 minutes, but I will allow the department to answer very briefly as Mr. O'Reilly's time is up. Mr. Marion.

MR. MARION: Yes. We worked with the law clerk and her staff as well as OROGO and the National Energy Board on this motion, on what would be an acceptable addition to the hydraulic fracturing fluid information, and then, from there, we talked to CIRNAC, the division of the federal government, and confirmed that it would not actually trigger the need for additional federal consent pursuant to subsection 22(2) of the Northwest Territories Act.

CHAIRPERSON (Mr. Simpson): Thank you for the answer. Next, we have Mr. McNeely. General comments on the bill, Mr. McNeely.

MR. MCNEELY: Thank you, Mr. Chair. Yes, in general comments to the bill here, my colleague here from Kam Lake had mentioned what the government can do here. What we have been suggested by various reports is to reform our regulatory system to make it more certain and more flexible. However, that is our job, to legislate the balance of what is certain. Keeping this community or this territory to move up into the attractive world of a climate for investment is exactly what we are doing. When I ask, when I see revenues outside of our TFF, I look at industry's presence for that shortfall, and the longer we can keep industry here, the more sales or the more revenues can be realized, aside from the commerce of jobs and opportunities that industry brings. On the issue of SDLs, there was an SDL issued back in 1985 to Petro-Canada just outside of Colville Lake and later inherited to this government, and as well as a different oil company, called Suncor, that acquired that asset. I think, if anybody would give it some thought here, when they're having discussions with the Canadian Association for Petroleum Producers in Calgary they would realize that it only makes sense on returns on costs through the infrastructure that is available. Because of a lack of infrastructure,

the Colville Lake gas field sits idle like many others, other SDLs that have been issued since.

We can't force industry to come back. It would just not be economical for the stockholders to realize that. Using this idle time in industry's absence, I think it's very productive as to what we are doing right now on regulatory reform. I am confident that the department is and has done that, and has consulted with the Canadian Association of Petroleum Producers that represents multiple membership in the industry.

I am quite satisfied on this made-in-the-North with our resource development legislation that we are doing now and will be doing, and keeping in mind, we are not going to agree on all the motions or legislation; however, I do respect everybody's position, and I do respect, more so, if others could respect mine. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. McNeely. Any further general comments on the bill? Mr. Nakimayak.

MR. NAKIMAYAK: Thank you, Mr. Chair. I am looking at the second page, and I am just going to read this sentence here, this paragraph: "This bill was developed through an extensive policy development effort, including significant legislative research. Two months of open multi-platform engagement with the public industry. Indigenous governments and NGOs, not as stakeholders, feedback, and also the Intergovernmental Council." I'm just wondering if the Minister can elaborate on that? Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Marion.

MR. MARION: Yes. We had a fairly extensive public engagement period. We produced an engagement paper which identified issues and recommended options to address those issues. They looked at transparency and public accountability, administrative and technical issues, and significant discovery licenses. From that, we engaged. I believe we went to six regional centres, and at each regional centre we met with Indigenous governments and organizations. We had public meetings. We also had technical stakeholder meetings with the regulator, industry, NGOs, environmental, non-government organizations, and then that culminated in a "what we heard" report. Then we developed the legislative proposal and onwards.

Throughout that entire process, we had regular meetings with the intergovernmental council and worked with them to develop policy, and eventually the bills. Thank you, Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Nakimayak.

MR. NAKIMAYAK: Thank you, Mr. Chair. Coming from the Inuvialuit Regional ISR, there are definitely some, the industry there is obviously slow, and I am sure that the government is well aware of all the issues they are having in the region with their licences and with all the natural gas. I am just wondering what role the IRC had to play in this? Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. McEachern.

MR. MCEACHERN: Thank you, Mr. Chair. The IRC and other Indigenous governments that have a particular interest in the oil and gas sector were engaged extensively during the process of the development of these two bills. It was a very collaborative approach in sharing documentation with them throughout the process, and getting their input throughout. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Nakimayak.

MR. NAKIMAYAK: Thank you, Mr. Chair. Throughout this Assembly, I always encourage the government to work with Indigenous governments to develop policy, especially the regulation stages. It is good to hear that the GNWT and the department are involved with Indigenous governments, the IRC which is close to my region with oil and gas interests. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Anything further from committee? Seeing none, does committee agree that we begin our clause-by-clause consideration?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, Committee. We will defer the bill number and title until after consideration of the clauses. There are 18 clauses. I will call them out each individually. Members may put their hands up if they have questions or comments on the clause. When I call it out, please if you agree, respond accordingly, and if not, same thing.

Please turn to page 1 of the bill. Does committee agree?

SOME HON. MEMBERS: Agreed.

---Clauses 1 through 18 inclusive approved

CHAIRPERSON (Mr. Simpson): Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. Can the Minister or staff tell me when this bill will come into force? Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. McEachern.

MR. MCEACHERN: Mr. Chair, this bill will come into force as soon as it is ready to do so. There are some elements here that can benefit from guidance, for example, from the regulator. Those elements that require additional guidance can come into force when that guidance is ready. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. It's a bit of a cryptic answer. I know the Member is going to ask: is there an estimation of time? Is there a date that the witnesses can provide? Mr. Marion.

MR. MARION: Thank you, Mr. Chair.

MR. MCEACHERN: I would ask Mr. Marion to add to that answer.

MR. MARION: Thank you, Mr. Chair. As my colleague Mr. McEachern, noted, some will work on development of guidance documents from the regulator. I can't commit on timelines for those, but, from a GNWT perspective, development of, say, policy regarding the new environmental stage management board consultation, nominations and that sort of process may take some time, but I don't foresee it extending too far into the future.

CHAIRPERSON (Mr. Simpson): I will send it back to Mr. O'Reilly. Perhaps he can clarify and ask again. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I thought it was a relatively straightforward question, but it is nice to see the agreement at the table. I think that this is a complicated piece of legislation. I get it. What I would like to do, then, is get a commitment out of the Minister to provide Regular MLAs and maybe even the public a bit of an implementation plan for how this is going to roll out, but I would like to get that information before the end of this Assembly. I think that the public deserves to know, and industry deserves to know, how these changes are going to roll out. If it involves developing some regulations, some policy guidance around those, put it in a table and tell us when they anticipate that information is generally going to be available or finished and rolled out, so that people know when these new requirements are going to come into effect.

Can the Minister make that commitment to provide an implementation plan to Regular MLAs and the public before the end of this Assembly? Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. Yes, we will certainly make that commitment. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I appreciate that. I understand that this is complicated. Now I will push my luck. If we can even get it before the end of next week, that would be even better. I will leave that with the Minister and his staff; they are laughing over there at me, but we have a shelf life here, and I would like to get that information before mine expires. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. More of a comment. Minister, would you care to respond? Minister.

HON. WALLY SCHUMANN: Thank you, Mr. Chair. We will have a look at it, and we will do the best that we can. If we can accommodate that timeline, we will certainly do it, but if it is going to take longer, I will let the Member know. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Nothing further from Mr. O'Reilly. I will once again call the clause. Clause 18. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. Please return to the bill number and title: Bill 36, An Act to Amend the Petroleum Resources Act. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. To the bill as a whole. Does committee agree that Bill 36 is now ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. Bill 36 is now ready for third reading. Does committee agree that this concludes our consideration of Bill 36?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. Thank you to the Minister and the witnesses. Sergeant-at-Arms, you may escort the witnesses from the Chamber. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. I move that the chair rise and report progress.

CHAIRPERSON (Mr. Simpson): Thank you. There is a motion to report progress. The motion is in order and non-debatable. All those in favour? All those opposed?

---Carried

I will rise and report progress.

MR. SPEAKER: May I have the report, Member for Hay River North?

Report of Committee of the Whole

MR. SIMPSON: Thank you, Mr. Speaker. Your committee has been considering Committee Report 25-18(3), Report on the Review of Bill 36, An Act to Amend the Petroleum Resources Act and Bill 37, An Act to Amend the Oil and Gas Operations Act; Bill 36, An Act to Amend the Petroleum Resources Act; and Bill 37, An Act to Amend the Oil and Gas Operations Act, and would like to report that Committee Report 25-18(3) has concluded with five motions adopted and that Bill 36 is ready for third reading. Mr. Speaker, I move that the report of the Committee of the Whole be concurred with.

MR. SPEAKER: Do I have a seconder? Member for Hay River South. The motion is in order. All those in favour? All those opposed?

---Carried

Masi. Item 22, third reading of bills. Minister of Industry, Tourism and Investment.

Third Reading of Bills

BILL 40:

SMOKING CONTROL AND REDUCTION ACT

HON. WALLY SCHUMANN: Mr. Speaker, I move, seconded by the honourable Member for Thebacha, that Bill 40, Smoking Control and Reduction Act, be read for the third time; and, Mr. Speaker, I request a recorded vote. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The Member has requested a recorded vote. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. All those in favour, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Mercer): The Member for Hay River South, the Member for Thebacha, the Member for Hay River North, the Member for Mackenzie Delta, the Member for Sahtu, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Wiilideh, the Member for Nahendeh, the Member for Frame Lake, the Member for Yellowknife

Centre, the Member for Deh Cho, the Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Yellowknife South, the Member for Inuvik Twin Lakes.

MR. SPEAKER: Masi. All those opposed, please stand. All those abstaining, please stand. The results of the recorded vote: 17 in favour, zero against, zero abstentions.

---Carried

Bill 40 has had its third reading. Third reading of bills. Minister of Industry, Tourism and Investment.

BILL 41:
TOBACCO AND VAPOUR PRODUCTS CONTROL
ACT

HON. WALLY SCHUMANN: Mr. Speaker, I move, seconded by the honourable Member for Thebacha, that Bill 41, Tobacco and Vapour Products Control Act, be read for the third time; and, Mr. Speaker, I request a recorded vote. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The Member has requested a recorded vote. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. All those in favour, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Mercer): The Member for Hay River South, the Member for Thebacha, the Member for Hay River North, the Member for Mackenzie Delta, the Member for Sahtu, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Wiilideh, the Member for Nahendeh, the Member for Frame Lake, the Member for Yellowknife Centre, the Member for Deh Cho, the Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Yellowknife South, the Member for Inuvik Twin Lakes.

MR. SPEAKER: Masi. All those opposed, please stand. All those abstaining, please stand. The results of the recorded vote: 17 in favour, zero against, zero abstentions.

---Carried

Bill 41 has had its third reading. Third reading of bills. Minister of Finance.

BILL 54:
STANDARD INTEREST RATES STATUTES
AMENDMENT ACT

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Yellowknife South, that Bill 54, Standard Interest Rates Statutes Amendment Act, be read for the third time. Mr. Speaker, I would request a recorded vote. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The Member has requested a recorded vote. The motion is in order. To the motion.

SOME HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Mercer): The Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Hay River North, the Member for Mackenzie Delta, the Member for Sahtu, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Wiilideh, the Member for Nahendeh, the Member for Frame Lake, the Member for Yellowknife Centre, the Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Yellowknife South.

MR. SPEAKER: Masi. All those opposed, please stand. All those abstaining, please stand.

CLERK OF THE HOUSE (Mr. Mercer): The Member for Deh Cho.

MR. SPEAKER: The results of the recorded vote: 16 in favour, zero opposed, one abstention. The motion is carried.

---Carried

Bill 54 has had its third reading. Third reading of bills. Minister of Education, Culture and Employment.

BILL 57:
AN ACT TO AMEND THE EMPLOYMENT
STANDARDS ACT

HON. CAROLINE COCHRANE: Mr. Speaker, I move, seconded by the honourable Member for Inuvik Boot Lake, that Bill 57, An Act to Amend the Employment Standards Act, be read for the third time. Mr. Speaker, I request a recorded vote. Mahsi cho, Mr. Speaker.

MR. SPEAKER: Masi. The Member has requested a recorded vote. The motion is in order. To the motion.

SOME HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Ms. Cynthia James): The Member for Range Lake, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Mackenzie Delta, the Member for Sahtu, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Willideh, the Member for Nahendeh, the Member for Frame Lake, the Member for Yellowknife Centre, the Member for Deh Cho, the Member for Nunakput, the Member for Inuvik Boot Lake.

MR. SPEAKER: Masi. All those opposed, please stand. All those abstaining, please stand. Masi. The results of the recorded vote: 16 in favour, zero opposed, zero abstentions. The motion is carried.

---Carried

Bill 57 has had its third reading. Third reading of bills. Minister of Justice.

BILL 58: JUSTICE ADMINISTRATION STATUTES AMENDMENT ACT

HON. LOUIS SEBERT: Mr. Speaker, I move, seconded by the honourable Member for Hay River South, that Bill 58: Justice Administration Statutes Amendment Act be read for the third time. Mr. Speaker, I request a recorded vote. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The Member has requested a recorded vote. The motion is in order. To the motion. Member for Kam Lake.

MR. TESTART: Thank you, Mr. Speaker. Although I support much of this bill, as Members of this House will recall, during the clause-by-clause review, I took issue with clause 7. I continue to stand opposed to that clause of the bill. Seeing as there is no way to modify it at this point and that the House has settled that question, I will be in support of this bill because the rest of it does very good things for the people of the Northwest Territories. Thank you.

MR. SPEAKER: Masi. To the motion.

SOME HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Mercer): The Member for Thebacha, the Member for Mackenzie Delta, the Member for Sahtu, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Willideh, the Member for Nahendeh, the Member for Frame Lake, the Member for Yellowknife Centre, the Member for Deh Cho, the Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South.

MR. SPEAKER: Masi. All those opposed, please stand. All those abstaining, please stand. The results of the recorded vote: 16 in favour, zero opposed, zero abstentions. The motion is carried.

---Carried

Bill 58 has had its third reading. Third reading of bills. Mister Clerk, orders of the day.

Orders of the Day

CLERK OF THE HOUSE (Mr. Mercer): Orders of the day for Wednesday, August 14, 2019, 1:30 p.m.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Acknowledgements
7. Oral Questions
8. Written Questions
9. Returns to Written Questions
10. Replies to the Commissioner's Opening Address
11. Petitions
12. Reports of Standing and Special Committees
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

18. First Reading of Bills

19. Second Reading of Bills

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

- Bill 25, An Act to Amend the Workers' Compensation Act
- Bill 37, An Act to Amend the Oil and Gas Operations Act
- Bill 39, Environmental Rights Act
- Bill 42, An Act to Amend the Petroleum Products Tax Act
- Bill 43, An Act to Amend the Income Tax Act
- Bill 48, Post-Secondary Education Act
- Committee Report 24-18(3), Standing Committee on Social Development Report on the Review of Bill 48: Post-Secondary Education Act
- Minister's Statement 151-18(3), New Federal Infrastructure Agreement
- Minister's Statement 158-18(3), Developments in Early Childhood Programs and Services
- Minister's Statement 211-18(3), Addressing the Caribou Crisis
- Tabled Document 442-18(3), 2030 NWT Climate Change Strategic Framework 2019-2023 Action Plan

21. Report of Committee of the Whole

22. Third Reading of Bills

- Bill 36, An Act to Amend the Petroleum Resources Act

23. Orders of the Day

MR. SPEAKER: Masi, Mr. Clerk. [Translation] This House stands adjourned until Wednesday, August 14, 2019, at 1:30 p.m. [Translation ends]

---ADJOURNMENT

The House adjourned at 6:11 p.m.