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The Honourable Frederick Blake Jr, Speaker

Legislative Assembly of the Northwest Territories

Members of the Legislative Assembly

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(Yellowknife North)

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(Thebacha)

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(Great Slave)

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(Frame Lake)

Ms. Lesa Semmler

(Inuvik Twin Lakes)

Mr. Rocky Simpson

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Minister responsible for Youth

Hon. Caroline Wawzonek

(Yellowknife South)
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Minister of Industry, Tourism and Investment, including responsibility for the Business Development and Investment Corporation
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(Monfwi)

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YELLOWKNIFE, NORTHWEST TERRITORIES**Tuesday, October 3, 2023****Members Present**

Hon. Diane Archie, Hon. Frederick Blake Jr., Mr. Bonnetrouge, Hon. Paulie Chinna, Ms. Cleveland, Hon. Caroline Cochrane, Mr. Edjericon, Hon. Julie Green, Mr. Jacobson, Mr. Johnson, Ms. Martselos, Ms. Nokleby, Mr. O'Reilly, Ms. Semmler, Hon. R.J. Simpson, Mr. Rocky Simpson, Hon. Shane Thompson, Hon. Caroline Wawzonek, Ms. Weyallon Armstrong

The House met at 1:30 a.m.

Prayer

---Prayer

SPEAKER (Hon. Frederick Blake Jr.):

Members, before we start today, I would like to make an announcement regarding the Legislative Assembly's scholarship. This scholarship was established in 2014 and has been awarded to 17 northern recipients. Many of you will remember Haylee Carlson who worked at the Legislative Assembly for over 16 years. Haylee passed away from breast cancer in February 2020, and we wanted to find a way to acknowledge the impact she had on the staff and Members alike.

Haylee was instrumental in the creation of this scholarship which has helped so many students pursue their dreams of furthering their education. Today, I would like to announce that the scholarship name has been changed to the Haylee Carlson Memorial Legislative Assembly Fund. This fund will continue to assist individuals pursuing studies in political science or a related field.

Please help me in welcoming Haylee's family to the public gallery. Mike, Shanli, Trina, Kristin, Shelby, Dave, and Jude, brothers watching on TV. Also welcome to the representatives from the Yellowknife Community Foundation. Thank you for your work on this. Thank you.

Ministers' statements. Minister responsible for Industry, Tourism and Investment.

Ministers' Statements

MINISTER'S STATEMENT 385-19(2):
MINERAL RESOURCES ACT
REGULATIONS – STATUS REPORT

HON. CAROLINE WAWZONEK: Mr. Speaker, the regulations for the Northwest Territories Mineral Resources Act define the first made-in-the-Northwest Territories approach to governing mineral development. That is not the

only thing that makes them historic. They are the first legal instrument to be developed in their entirety under the legislative development protocol set out by the Northwest Territories Intergovernmental Agreement on Lands and Resource Management.

Later this afternoon, I will be tabling a report highlighting the status and success of the Intergovernmental Council's collaborative process. This collaboration, Mr. Speaker, is deliberate and methodical. The legislative development protocol that is being followed by the Intergovernmental Council formalizes seven steps for the development of regulations. Work is ongoing, and as of this June 2023 I am pleased to say that the development of regulations for the Northwest Territories Mineral Resources Act was in the sixth of these seven steps.

The goal is consensus, and consensus takes time. The policy decisions that must anchor the development of regulations require not only hearing but understanding and trying to reconcile wide-ranging perspectives, interests, and approaches. Very often technical topics may first require participants to have expert subject-matter support so that discussions lead to the best solutions.

The subject of benefits is a good example and was a topic with high interest from all parties. In the last year, the Intergovernmental Council technical working group was successful in reaching consensus on 54 subtopics under the otherwise broad subject of benefits. Benefits are only one of many high-level matters relevant to these regulations. In all, the Intergovernmental Council technical working group considered 112 public comments from 11 separate submissions, along with input and feedback from multiple targeted surveys, presentations, and face-to-face meetings. Approximately 90 percent of this input has now been captured by the comprehensive policy intentions document that will guide legal drafters tasked with creating the regulations required.

The next step will be to finalize these draft regulations and post them publicly for review. Formal Section 35 consultations will also need to be completed with Indigenous governments. Once these steps are complete, the proposed regulations can be enacted.

Before the new Northwest Territories Mineral Resources Act comes into force, extensive work is also happening to update the associated business processes, implement complementary software changes, and introduce the organizational change that will be needed to administer the new Act.

Mr. Speaker, resource availability, technology, market demand, and global interest are aligning to create extraordinary opportunities for investment in the Northwest Territories' mineral resource sector. The implementation early in the 20th Legislative Assembly of a new, clear, modern, and streamlined legislative environment, grounded in the consensus of northern governments and Indigenous and industry partners and focused on the priorities of Northwest Territories residents, will be unique in Canada.

Thank you to the collaborative approach in which it was developed and the leading-edge policies that it is founded on, the Northwest Territories Mineral Resources Act will be a milestone in the evolution of the Northwest Territories that we can all look back and take pride in. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Ministers' statements. Minister responsible for Health and Social Services.

MINISTER'S STATEMENT 386-19(2):
2023-2028 CHILD, YOUTH AND FAMILY
SERVICES STRATEGIC DIRECTION AND
ACTION PLAN

HON. JULIE GREEN: Mr. Speaker, the Government of the Northwest Territories remains committed to transforming the child and family services system to better serve children, families, and communities. Our primary concern is addressing the overrepresentation of Indigenous children and youth within the child and family services system. We have made progress on this issue through quality improvement plans starting in 2019, but there is still more to do to ensure the child and family services system is culturally safe, that it supports children and youth in a meaningful way, and helps more families stay together.

Later today, I will be tabling the 2023-2028 Child, Youth and Family Services Strategic Direction and Action Plan. This plan will guide

the work to fundamentally shift the child and family services system towards the goal of cultural safety. Achieving this vision will require sustained engagement with Indigenous governments, communities, and other partners. To uphold transparency and accountability, we will continue to report on our progress through a public action tracker and on service delivery trends that appear in the child and family services director's annual report.

Mr. Speaker, it is vital to ensure children and youth feel connected to their family, community, and culture. As a society, we share a collective responsibility to ensure that each child and youth is nurtured in a safe and secure environment that enables them to reach their full potential.

The stark overrepresentation of Indigenous children and youth within the child and family services system demands we make a paradigm shift in our approach. We need to think differently and act collectively to create a service framework that responds to the needs of Indigenous children, youth, and families.

The plan lays out seven priority areas that will guide our transformation. They are:

- Working collaboratively with Indigenous governments and organizations;
- Designing, implementing care rooted in Indigenous practices;
- Providing support to care providers and caregivers;
- Strengthening youth supports and transition to adulthood;
- Providing specialized services closer to home;
- Strengthening human resources recruitment and retention efforts for an inclusive and representative workforce; and finally,
- Reducing administrative demands for increased opportunities to connect with families.

Mr. Speaker, the development of the Child, Youth and Family Services Strategic Direction and Action Plan was informed through a comprehensive approach. It drew insights from a diverse range of guiding documents, focused discussions, internal reviews, and the recommendations of the Legislative Assembly's Standing Committee on Social Development.

The onus to lead these strategic priorities within the child and family services system falls on the Department of Health and Social Services. A collaborative effort and commitment from within and outside the Government of the Northwest Territories is required to create sustainable change to address the diverse needs of children and youth.

Mr. Speaker, I would like to thank the child and family services staff, caregivers, care providers, community partners, Indigenous governments, and community leaders for their passion and dedication to the well-being of children, youth, and families. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Ministers' statements. Minister responsible for Workers' Safety and Compensation Commission.

MINISTER'S STATEMENT 387-19(2):
WORKERS' SAFETY AND COMPENSATION
COMMISSION'S NEW PRESIDENT AND
CHIEF EXECUTIVE OFFICER

HON. PAULIE CHINNA: Mr. Speaker, I am pleased to announce the appointment of Mr. Rick Hunt as the new president and chief executive officer of the Workers' Safety and Compensation Commission, effective yesterday, October 2nd. This morning I met with Mr. Hunt and officially welcomed him to the position.

Mr. Hunt is joining the Workers' Safety and Compensation Commission after almost 20 years of service with Nunavut's Qulliq Energy Corporation. His experience and depth of knowledge in the occupational health and safety field is extensive, and we are pleased to bring him on board.

Mr. Speaker, this will mark the first time that the WSCC's president and CEO will be based in Nunavut instead of Yellowknife. I am very proud of the partnership we have formed with our territorial neighbour and welcome the opportunity to work together to advance work safety across both territories. Nunavut Minister responsible for WSCC Margaret Nakashuk and I are equally supportive of Mr. Hunt's appointment and trust that he will do right in both jurisdictions.

This is an exciting time that will allow us to form an even deeper bond with our partner. We are also excited to have Mr. Hunt lead the WSCC through the next phase of our organization as we begin a new five-year strategic plan that will guide us through annual planning and reporting processes until 2027. The new strategic plan, called Paths Towards Safety, which I previously tabled, identifies a number of paths to

improving safety culture through shared responsibilities.

Mr. Speaker, Mr. Hunt is a champion of respectful workplace culture who values his colleagues' and employees' well-being at work. He is a strong advocate for collaborating and supportive relationships across all organizational levels. As a public servant, he also recognizes that he works for and ultimately the public. Understanding the needs and expectations of the public is a vital piece in providing quality services.

Since its inception in 1977, the WSCC has covered the same geographical territory. When Nunavut was created in 1999, the governments of the Northwest Territories and Nunavut agreed to continue forward as a common agency. Maintaining this partnership between our territory is key in supporting the safety and care of workers in the Northwest Territories and Nunavut. I remain very proud of this partnership and our shared commitment to workplace safety. I hope this historic appointment for the WSCC, the Northwest Territories and Nunavut, benefits both workers in both territories for years to come. Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Ministers' statements. Members' statements. Member for Hay River South.

Members' Statements

MEMBER'S STATEMENT 1618-19(2):
EVACUATION SUPPORTS

MR. ROCKY SIMPSON: Thank you, Mr. Speaker. Mr. Speaker, residents who covered their own evacuation costs continue to request financial support. As such, I have requested each to provide me with copies of their receipts and to sign a statutory declaration stating they have not received funds from other sources to cover those costs. These documents will be provided to this, and the federal government, for reimbursement consideration.

Mr. Speaker, I will provide context as to why residents may have covered their own costs and not followed MACAS's direction to use a designated evacuation centre. Mr. Speaker, let me start off by saying that on August 12th, Fort Smith residents were in the process of evacuating to Hay River where they were registered and were provided temporary accommodation and meals. At the same time, the hamlet of Enterprise was hosting their annual Gateway Jamboree. There was no concern of fires as it was understood the fire was still a long way from the community and posed limited risk - how mistaken we were - as

what was to be unleashed can only be likened to a terrifying nightmare.

Mr. Speaker, for residents of Hay River, K'atlodeeche, and Enterprise, it was on August 13th, an evacuation alert was issued and soon followed by an evacuation order at 3 p.m. Residents, along with evacuees from Fort Smith, were directed to leave as soon as possible and all were told that ground and air transportation would be provided for those who had no other way out. All this was unfolding very quickly.

Mr. Speaker, some residents who were able to leave immediately with their own vehicle made their way out prior to the nightmare that was about to become all too real. Day turned into night quickly as smoke blackened the sky and made visibility nonexistent. Drivers were unable to see as they headed directly into the path of the fire and had to drive with their vehicle door open as they tried to find a center line to confirm they were still on the road and not in the ditch. The heat from the fire was so intense that it melted the plastic and paint off the vehicles. Vehicles that hit the ditch were quickly enveloped by flames with passengers barely escaping with their life as pets and possessions were consumed by the heat and fire. Mr. Speaker, I seek unanimous consent to conclude my statement.

---Unanimous consent granted

Mr. Speaker, as the fire was rolling over the treetops and consuming homes and equipment in Paradise Valley, residents were forced to take refuge in the river by sliding down a steep embankment and standing in the water for safety while others drove into the firestorm. Along Patterson Road, a similar picture emerged. With the fire burning all around them, residents were quickly gathering up personal items to take with them, all facing a darkened sky and flames which caused breathing and visibility issues and forced residents into the water while others jumped into their vehicles and drove onto the highway and into an inferno.

Mr. Speaker, if you were not there, if you were not one of those leaving by vehicle, if you were not one in the heart of the fire, and if you did not see the aftermath firsthand, then you would not understand why evacuees, at their own cost, took shelter at the first safe place they came to. Shaken and traumatized, with their lives at risk, with the mental and emotional anxiety of it all, their first thought was preservation and the safety and well-being of their families. They had no idea how long this evacuation would last. The sad part is that this government expected these evacuees to be thinking rationally about accommodation and meals.

Mr. Speaker, this was the reality that took place on August 13th, 2023. I will not have questions for the Minister of MACA or the Minister of Finance on this issue today but I do ask them, and all of Cabinet, to reflect on the terror these evacuees went through and come back prior to the end of this session showing compassion, empathy, and a commitment to support those left out of any financial compensation. Thank you.

MR. SPEAKER: Thank you, Member for Hay River South. Members' statements. Member for Thebacha.

MEMBER'S STATEMENT 1619-19(2):
FUTURE POLYTECHNIC UNIVERSITY

MS. MARTSELOS: Thank you, Mr. Speaker. Mr. Speaker, today I want to speak about the future polytechnic university and some of the actions taking place at Aurora College as it transitions into a territorial university.

First of all, Mr. Speaker, I want to once again reiterate that there are several positions within Aurora College that are currently on loan to the Yellowknife campus but, in fact, they belong to the headquarters office in Fort Smith, and that includes the office of the president. All of the positions in question are entitled to be based in Fort Smith, and they must be returned as soon as possible. In addition, Mr. Speaker, one of the pillars of the 19th Assembly has been for our government to decentralize jobs and services away from the capital and back into the small communities and regional centres. We are not properly serving the people of the NWT when we have everything concentrated in the capital.

Moreover, Mr. Speaker, last week, on September 28th, the Government of the Northwest Territories announced that it is seeking input on a post-secondary institution application that would deliver a new diploma program on Indigenous environmental studies and sciences beginning in the fall of 2023. The program is being put forward by Trent University and is being developed in partnership with YKDFN.

Mr. Speaker, while I certainly do support the people of the NWT having more program options to consider for post-secondary at Aurora College; however, I do not want new education options to be coming at the expense of existing programs that the college delivers. I am worried specifically how this new program might affect the world-renowned environment and natural resources technology program that has existed for many years at Aurora College Thebacha campus. I do not want the ENR technology program to be threatened,

undermined, or replaced. Period. I especially do not want to see Fort Smith lose yet another highly valued and popular program that is taken away from our community. Mr. Speaker, I seek unanimous consent to conclude my statement.

”---Unanimous consent granted

In closing, Mr. Speaker, given our current circumstance of an upcoming territorial election happening very soon, I want to urge the college itself, along with the minister of ECE, to hold off on rolling out this new program at this time. I believe it would be a better decision to wait until after the next government is formed in the 20th Assembly before any new major programs or changes occur within Aurora College. I will have questions for the minister of ECE later today. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Thebacha. Members' statements. Member for Inuvik Twin Lakes.

MEMBER'S STATEMENT 1620-19(2):
AFFIRMATIVE ACTION POLICY

MS. SEMMLER: Mr. Speaker, last week the Minister of Finance tabled the government's What We Heard report on the policy review of the Affirmative Action Policy. Additionally, on our one-day emergency sitting in August, the GNWT tabled the response to the Standing Committee on Government Operations report on Indigenous representation in the NWT public service and the recommendations of that.

Mr. Speaker, the Standing Committee of Government Operations and the GNWT both consulted the public separately and, Mr. Speaker, both the government and standing committee have concluded that, overall, the 34-year-old Affirmative Action Policy is not working as it was originally intended to, which is to successfully increase Indigenous employment across the Northwest Territories -- or across the GNWT.

Mr. Speaker, the committee's report did a deep dive into the history of the Affirmative Action Policy and provided 12 recommendations on how the government could improve the policy to realize its intended effect. We can all agree that the Affirmative Action Policy isn't working and that it is outdated and needs to be replaced. To quote the GNWT, Mr. Speaker, the review has concluded that GNWT should introduce a new policy prioritizing the hiring and career advancement of Indigenous persons. This policy would replace the Affirmative Action Policy and would forward preferred hiring status, first, to Indigenous persons connected to the NWT, then to all Indigenous Canadians. The new policy being referred to here is the

newly developed Indigenous Employment Policy which the government announced back in February.

Mr. Speaker, the spirit and intent of the Affirmative Action Policy is very important to Indigenous people of the Northwest Territories. Therefore, it's vital that if and when the GNWT decides to replace the policy then the overall intent of the affirmative action cannot be lost. Any replacement policy must ensure to continue that Indigenous people have priority hiring in our public service. I will have questions for the Minister of Finance. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Inuvik Twin Lakes. Members' statements. Member for Monfwi.

MEMBER'S STATEMENT 1621-19(2):
PEOPLE UNABLE TO WORK BECAUSE OF
DISABILITIES

MS. WEYALLON ARMSTRONG: Thank you, Mr. Speaker. Mr. Speaker, this is not the first time I have spoken in this House about the administrative burden with income support program. The government creates such an onerous process for residents that it becomes challenging to access resources.

Mr. Speaker, today I would like to talk about people who are unable to work because of a disability.

Mr. Speaker, we have many people across the NWT that receive disability benefits but also access programs and services through income support. Mr. Speaker, there should be a more streamlined way for these individuals to access benefits without following the complex process that they follow today. These people's incomes are already below the poverty line and are some of the most vulnerable people in the communities.

Mr. Speaker, some of these people have disability which make it difficult for them to complete complex paperwork or participate in the workforce. The process, as it is today, puts more work on the income support staff and caregivers. These processes do not benefit the GNWT or the residents of the NWT.

Mr. Speaker, each month I receive concerns about income support from people with disability. Often the issue is late payments due to paperwork problems. We know these people are eligible for benefits each and every month. ECE should find a simpler way of processing benefits for these individuals. If we know someone has a disability, then they should be

able to receive support and not have to continue to provide proof of that disability.

Furthermore, income support is often asking for bank statements. They ask for clients to share their bank account password to go into the online account to see if the clients are telling the truth. They also tell the clients if we don't have access to your bank account, you're not getting help. I'm sure the income assistance workers do not like it but they are bound by the privacy policy in place. This is a breach and invasion of privacy, especially for the most vulnerable. Mr. Speaker, I seek unanimous consent to complete my statement.

---Unanimous consent granted

Thank you, Mr. Speaker. Mr. Speaker, a more holistic approach to program and services are needed in small communities. It is difficult for people trying to access programs and services to be sent from building to building, office to office, trying to access services, especially for those with disabilities. I will have questions for the minister of ECE. Thank you.

MR. SPEAKER: Thank you, Member for Monfwi. Members' statements. Member for Tu Nedhe-Wiilideh.

MEMBER'S STATEMENT 1622-19(2):
MINING PROMOTION

MR. EDJERICON: Thank you, Mr. Speaker. Mr. Speaker, since June of this year Live Power, a Canadian exploration company with its head office in Vancouver, has been drilling for hard rock lithium on the mineral leases near Yellowknife and N'dilo and Dettah. Live Power has one of the most exciting exploration portfolios of hard rock lithium projects globally, with Yellowknife lithium project being the flagship project. Live Power commenced a 45,000-meter drill program, and the drill result for 40 drill holes. It illustrates extensive width and excellent grades of lithium in the Tu Nedhe-Wiilideh riding. The NWT lithium outcrop are so large and extensive that it can be seen from space via satellite. The Yellowknife lithium project is one of the largest private sector exploration projects in the riding, and it is having significant job and business impacts for us. Live Power has opened a camp at the Hidden Lake area that is accessible via winter road for the Ingraham Trail. It also has a core cutting and lodging facility in Yellowknife providing more job and training opportunities for Northerners. Live is very proud of its strong collaborative relationships with the local Indigenous communities and Live prioritizes local Indigenous employment and procurement with 28 percent of Indigenous employees and 25 percent of northern employees working on

its Yellowknife lithium project at the peak of the summer drilling program. Live's commitment to providing employment opportunities for Indigenous workers parallels the achievement of operating mines in the territory. This is another impressive feat for an exploration company.

Lithium is exceptionally important in the world as it's used in several industry applications, including electric cars. And lithium is ion batteries which plays an important role in the global transition to an economy that runs on a green energy.

Mr. Speaker, this project has a potential to be the NWT entry into the global lithium market. We must of course remember that the Live Power Yellowknife lithium project remains at an early exploration stage project at this time. Live is also that this valuable NWT resource will be mined and processed in Canada. Mr. Speaker, I seek unanimous consent to conclude my Member's statement. Thank you.

---Unanimous consent granted

Thank you, Mr. Speaker. Thank you, colleagues. Live Power is committed to the NWT and to providing positive socio-economic impacts. Live will continue to employ and train Indigenous and local people as the workforce grows. It will also continue to partner with Indigenous businesses, such as the Yellowknives Dene that own Deton Cho Corporation with whom Live is already working closely to collect environmental and socio-economic and baseline data.

Mr. Speaker, the potential of moving from lithium exploration to mining will have welcome, long-term benefits for the NWT mining economy that come at a critical time as the diamond mine industry winds down. At the appropriate time, it will be my pleasure to introduce Live Power executives to the Assembly and ask questions to the Minister of tourism and investment regarding our government's role in enabling this project. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Tu Nedhe-Wiilideh. Members' statements. Member for Great Slave.

MEMBER'S STATEMENT 1623-19(2):
STRENGTHEN AND DIVERSIFY
NORTHWEST TERRITORIES ECONOMY
THROUGH AGRICULTURE

MS. NOKLEBY: Thank you, Mr. Speaker. Mr. Speaker, the territory desperately needs to strengthen and diversify our economy. Our residents must have access to healthy and

affordable food, and the need for mental health supports is at an all-time high. There is one sector that can help us improve in all these areas. The agri-food industry provides residents with opportunities to grow their own healthy produce and to open small and medium-sized economic ventures while reducing stress and improving mental health.

Mr. Speaker, our infrastructure gap and limited supply chain leave us vulnerable to food insecurity as was clearly demonstrated during the pandemic. When it took great pressure by myself as the Minister of ITI, with the Minister of Finance, to get flexibility in the federal funding to keep our small airlines alive. If the GNWT can begin to provide a better support system to boost community gardens, encourage residents to start growing their own food, and build capacity throughout the territory, we can directly reinforce our food security efforts through increased community capacity.

I cannot stress this enough, Mr. Speaker. The federal government is not thinking of us when it comes to food security and the GNWT is not giving this topic the attention it deserves. The food security file bounces between departments, with no clear ownership, and I don't see an appropriate nor established path forward. Residents are constantly reaching out to find support to feed their families and social media groups are often full of such pleas.

Mr. Speaker, through coordination, collaboration, and clear responsibility of duties, we can move forward with a solutions-based approach to help build our agri-food sector. There is a lot of federal money available to the agri-food area which could help all our residents; first, by increasing money into the territory and bolstering economic activity but also by providing residents with a reconnection to the land - a reconnection that has been shown to improve people's mental health and well-being. We should be building green houses, investing in fertilizer production, and establishing seed sharing programs. We should connect those with land to those who don't have it that want to garden. Mr. Speaker, I seek unanimous consent to conclude my statement.

---Unanimous consent granted

Thank you, Mr. Speaker. Mr. Speaker, it does not take much to start something positive and build the capacity within the NWT to feed ourselves. Steps must be taken now to support our agri-food industry, an industry that has been battered by two years of flooding and fires. I know that the GNWT can do more in this area, and it often only takes a small investment to see huge local results as demonstrated time and

time again by the growers of our territory. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Great Slave. Members before we continue, I'd like to draw your attention to the presence of a former Member, Mr. Jackson Lafferty. Mr. Lafferty was a Member from 2005 to 2021. Mr. Lafferty was a Regular Member, Minister, and Speaker of the House, and now grand chief. It's always good to see former Members come and cheer on the Members of today. Thank you.

Members' statements. Member for Kam Lake.

MEMBER'S STATEMENT 1624-19(2): GOVERNMENT RENEWAL

MS. CLEVELAND: Thank you, Mr. Speaker. Mr. Speaker, this Assembly, Northerners have navigated crisis after crisis that started with a global pandemic. But during COVID, some monumental things happened to support residents' basic needs. This government payrolled income assistance clients, implemented harm reduction programs, found housing solutions for vulnerable residents, and equitably distributed laptops to students for access to education. These are huge, Mr. Speaker. And they happened in short order.

This bold action, and a need for fiscal recovery, offered a path forward to a common-sense approach to allocating government financial resources based on how effectively programs and services give value to residents.

Mr. Speaker, government renewal was sold as a review to better provide transparency to territorial priorities and how services and programs contribute to those priorities, evaluate the true cost and benefit of programs and services, and build more accountability for results into funding decisions.

In the life of the 19th, finance has changed FMB program evaluation metrics for new spending, how it deals with short and long-term budgeting and reviewed its approach to capital budgeting. But this does not address the status quo spending of this government and, for four years, life has been anything but status quo.

I believe in the value of government renewal, Mr. Speaker. The public service continues to grow as do resident priorities. Budgeting and spending patterns have impaired the GNWT's long-term sustainability. Planning and spending are often reactive, and capital continues to drive debt.

We are three years into the life of the government renewal initiative and anticipating its successes. We have yet to see the completion of a single department. And with

nine departments and nine agencies to get through, I'm worried about the effectiveness of this process given its pace. The GNWT needs a stable fiscal footing to support the territory's sustainability and increased value for dollar for the money it spends. But, Mr. Speaker, residents can't afford to carry the cost of getting there and rely on the creative and innovative internal efficiencies promised through government renewal.

In 2020, the finance minister rightfully said, quote, if ever we needed creative problem solving to achieve responsive and effective results, it is now, end quote. We are still there, Mr. Speaker, and one could say it is even more relevant today. I'll have questions for the Minister of Finance at the appropriate time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Kam Lake. Met. Member for Frame Lake.

MEMBER'S STATEMENT 1625-19(2):
ENERGY AND CLIMATE CRISIS
CONFERENCE

MR. O'REILLY: Merci, Monsieur le President. I have been pushing for some time for a public review of GNWT's failing climate strategy which is really three separate and uncoordinated programs. These are environment and climate changes' climate change strategic framework, infrastructure's 2030 energy strategy, and finance's carbon tax.

As one of the final gasps during the current phase of the climate crisis, GNWT staff put on a three-day conference attended by about 150 participants in July. I want to give credit for the large gathering as there was a diverse set of interests and participants from all parts of the NWT and various sectors of the economy and voluntary sector. There was lots of good people at the conference, but I am not sure what will come out of the other end for the next Legislative Assembly and Cabinet. I am hoping that the next government takes the climate emergency much more seriously and puts in place legislation that will establish clear leadership and priorities.

I have continued to hear people say they don't understand GNWT's carbon tax, where the money goes and whether it is actually working. Persistent questions were also raised about our antiquated net metering approach and caps on renewable energy use in communities. The role of and governance at the NWT Power Corporation remains a lively source of discussion.

The GNWT's approach to climate change is failing again so here's some free advice for my

Cabinet colleagues: We need a declaration that there is a climate emergency. The current forest fires might even convince Cabinet that climate change is an emergency now. We need legislation to back that up where one department is in charge and coordinates a whole-of-government approach. Integrated public reporting is needed, not three separate and disparate reports. We must focus on community-based energy solutions, not mega projects with no investors and no public support. And make the NWT Power Corporation part of the solution, not part of the problem, as it shifts to building energy self-sufficiency and doing itself out of a job with public governance. I will have questions later today for the Minister of Environment and Climate Change. Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Frame Lake. Members' statements. Member for Yellowknife North.

MR. JOHNSON: Thank you, Mr. Speaker. The Affirmative Action Policy that the GNWT has been in place for about 40 years and has seen little improvement in increasing Indigenous people. And, Mr. Speaker, I think before any review is conducted by the government, they have to ask themselves whether they're willing to actually make changes.

The Affirmative Action Policy is a bit of a political bombshell, Mr. Speaker, because I think there is broad agreement that everybody wants Indigenous Northerners to be priority one. And then, really, the question becomes what to do about P2s. And if the government is going to remove P2s from the policy, then they have to go out and do that. Because, Mr. Speaker, at this point it's very unclear whether anything will result from the government's months and years long review of the Affirmative Action Policy.

We have seen different drafts of the policy. We've seen different versions of the policy. It is clear there are very strong divides and opinions in this territory on this but, at this point, we have to do something, Mr. Speaker. And, Mr. Speaker, if we are truly committed to increasing the number of Indigenous people in the public service in this territory, then I think the government has to look no further than the Standing Committee on Government Operations' review of the Affirmative Action Policy.

We had four simple recommendations:

1. Run P1 only hiring policies. Mr. Speaker, I have never seen a job advertised that was just open to P1s.

That is a step we can take tomorrow. We should do that. It can rebuild trust.

2. Mr. Speaker, recommendation number 2 was around decentralization. It's not rocket science. If you want more Indigenous people in the public service, put the jobs where the Indigenous people are. You have to identify positions in headquarters, and you have to move them to communities, Mr. Speaker. That is how you increase Indigenous people in the public service.
3. Mr. Speaker, change the appeal process so that the appeal process can actually overturn a job. Mr. Speaker, right now the appeal process just kind of leads to this end thing where you may or may not be offered another similar position in the future. It does not overturn a mistake and give you the position that you should have got in the first place if you are an Indigenous P1 candidate who didn't get it.
4. Mr. Speaker, recommendation number 4 from our committee, guarantee one ADM position in all departments is Indigenous.

These are four tangible recommendations made by our committee after years of reviewing this. If the government is serious about this, they need to listen to that report and respond to them and make up their mind whether we're removing P2s or not, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you, Member for Yellowknife North. Members' statements. Member for Yellowknife South.

MEMBER'S STATEMENT 1627-19(2):
SPECIAL OLYMPICS WORLD SUMMER
GAMES GOLD MEDAL WINNER CHELSEY
MAKARO

HON. CAROLINE WAWZONEK: Mr. Speaker, today I am very honoured to be speaking about the first Northwest Territories female athlete to win gold at the Special Olympics World Games.

---Applause

Mr. Speaker, this is Yellowknife South resident Chelsey Makaro. And if you have the chance or ability where you are sitting to look up, she has brought her medals with her.

---Applause

Mr. Speaker, this past summer, Ms. Makaro traveled to Berlin, Germany, as part of Team

Canada to attend the Special Olympics World Summer Games. The games are held every two years and offer athletes with intellectual disabilities an opportunity to compete in a variety of sports. She's a member of Canada's swim team. I first met her prior to her departure when we sent her with a Northwest Territories flag. Today, she has proudly returned wearing her Team Canada jacket to show me her medals. Because not only did she participate as a swimmer on behalf of Canada at the games, Mr. Speaker, she brought home two gold medals - one for the 25-meter backstroke and another as part of the four by 50-meter freestyle team relay.

Ms. Makaro earned her medals. She worked tirelessly -- I have spoken with her and her father about her training -- seven days a week, in and out of the pool, all through the year, up at six in the morning, and working with a number of representatives from across Yellowknife for dry land training physiotherapy. Her parents supported her along the way, getting her to those 6 a.m. practices, and clearly it all paid off. As I said at the start, these medals have made her the first Northwest Territories female athlete to win gold at the Special Olympics World Games.

So, Mr. Speaker, I would like to thank Ms. Makaro for representing the Northwest Territories on Team Canada. I want to thank her for carrying our flag with pride, with hard work, and congratulate Chelsey Makaro on her well-deserved and well-earned results at the Special Olympics World Games. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Yellowknife South. Members' statements. Member for Nahendeh.

MEMBER'S STATEMENT 1628-19(2):
NORTH AMERICAN INDIGENOUS GAMES
2023 PARTICIPANTS AND EXPERIENCE OF
ATHLETE AVA ERASMUS

HON. SHANE THOMPSON: Thank you, Mr. Speaker. I don't know how we top that; that's amazing.

Mr. Speaker, as the House is aware, the North American Indigenous Games 2023 were held in Halifax and surrounding communities between July 15th to 23rd. The NWT sent a strong team, and I witness the support these athletes received from parents who traveled to Halifax to cheer them on. Most athletes were able to get to Yellowknife in a timely manner to join up with their teammates. Unfortunately, Ava Erasmus had a really interesting adventure to get to the games. As some of you may have heard from Cabin Radio, she had to get a

working cabin in the Nahanni National Park to Fort Simpson, then to Yellowknife, for Saturday's flight to Halifax.

As part of her job, she would take regular trips into the park and help at Virginia Falls with tourists. Everything was going smoothly until a threat of a flash flood held up the trip in the park, tightening the timeline between finishing up work at the falls and getting back to Fort Simpson to catch the flight to Yellowknife and then to Halifax. Upon getting into the park, things were going well for the first two days, then storms started rolling across the park delaying her departure from the falls. Some of the other adventures included food supplies being rationed, have a prolonged visit from a passing grizzly bear, and growing wildfires further complicated efforts.

Later on during the week, there was a break in the smoke and a Twin Otter was sent to pick them up but like the adventure to this point, it continued. The plane could not land, and it happened the next day too. After this happened, they started thinking about how far they could make it down the river and if they could make it to Nahanni Butte so they could be picked up there. At last a small aircraft, a Beaver, made it in and after a brief scare of having to turn around, the plane landed in Fort Simpson. Her parents picked her up with a packed a bag for her and headed off to the main airport. Unfortunately as she got to the airport, they witnessed the plane leaving.

Mr. Speaker, this led to her next adventure, a seven-hour drive to Yellowknife. She made it in at around midnight to have a quick sleep and then she met her teammates at 6:30 as they head off to Halifax.

Mr. Speaker, I would like recognize the other athletes from the Nahendeh. We had 21 athletes and coaches represent the NWT and their community. I will add the list and request it be deemed as read. They were great ambassadors. Thank you, Mr. Speaker.

- Ava Erasmus
- Brittany Kendo
- Christian Cli-Hopf
- Ryder Hardisty
- Colton Hardisty-Gillis
- Tanner Isaiah
- Ashanti Beaulieu
- Nicholas Bilodeau

- Amy Duntra
- Kadence Norn
- Javen Payer
- Syles Timbre
- Cadence Erasmus
- Gina Hardisty-Isaiah
- Helena Landry
- Lydia Nelner
- Blake Speed
- Amaria Tanche-Hanna
- William Tanche-Hanna
- Jacqueline Thompson
- Jaicee Tsetso

MR. SPEAKER: Thank you, Member for Nahendeh. Members' statements. Member for Nunakput.

MEMBER'S STATEMENT 1629-19(2):
FRANK GRUBEN

MR. JACOBSON: Thank you, Mr. Speaker. Mr. Speaker, on May 6th, 2023, Frank Gruben was last seen in Fort Smith. Almost five months has passed. Mr. Speaker, where's Frank? I'm going to ask again: Where's Frank Gruben? He's not been found. There's no word from him. No one has seen a thing or heard something of him, or choosing not to speak.

Mr. Speaker, it's not to tell the -- somebody's not telling the truth. Frank's family and friends are hurting.

I held Frank as a baby. I know his mother Laura, and I know his father Asaaq. Really, I grew up with them. I was speaking to his mom today. Frank was such a loveable person, she says. Always laughing, having a good time. He loved the Gwich'in language. He loved his family. He was harmless. Frank would never hurt anyone. Mr. Speaker, for him to go missing without any reason doesn't make no sense. He's loved by his mom. He would never turn his back on his family. Someone knows something, what happened to Frank.

When I asked Frank's mother if there was something she wanted me to say on her behalf, she said please bring my baby home. I want answers. Please help me bring him home.

We have to help Frank's mother, Mr. Speaker, and the family and the community in the

Beaufort Delta. If you have information on Frank but are scared to step forward, there's ways that you could be protected such as Crime Stoppers and calling the RCMP. And there's a reward out for \$8,050 she told me today, and you could call the Fort Smith RCMP at 876-872-1111 or, Crime Stoppers, 1-800-222-8477.

Mr. Speaker, it's been five months since we last seen Frank. Frank's friends and family, I want to thank, first, Fort Smith First Nations and the community members who have searched for Frank. Thank you for searching for him. And we need to continue looking for Frank. We need to find him. We'll not forget, and we won't give up until we bring Frank home. Mr. Speaker, I will have questions for the Minister of Justice at the appropriate time. Thank you.

MR. SPEAKER: Thank you, Member for Nunakput. Members' statements. Recognition of visitors in the gallery. Member for Monfwi.

Recognition of Visitors in the Gallery

MS. WEYALLON ARMSTRONG: Thank you, Mr. Speaker. Mr. Speaker, I would like to acknowledge today our grand chief, our Tlicho Grand Chief Jackson Lafferty, to the House, to the Legislative Assembly. I would like to welcome him. Thank you.

MR. SPEAKER: Thank you, Member for Monfwi. Recognition of visitors in the gallery. Member for Tu Nedhe-Wiilideh.

MR. EDJERICON: Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize Jackson Lafferty, grand chief of the Tlicho region. I just want to recognize him. Mahsi.

Also, Mr. Speaker, I also have with us today is Dr. April Hayward, the chief sustainable officer for Live Power. And Dr. Hayward has 25 years' experience in the fuel environmental science. As well, and also, we have Mr. Daniel Gordon, the manager of investor relations for the company. Thank you and welcome. Mahsi.

MR. SPEAKER: Thank you, Member for Tu Nedhe-Wiilideh. Recognition of visitors in the gallery. Member for Thebacha.

MS. MARTSELOS: Mr. Speaker, I would also like to recognize the grand chief of the Tlicho, Jackson. I'm sure that he's finding it easier to make decisions in one day. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Thebacha. Recognition of visitors in the gallery. Member for Yellowknife South.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. I can't see behind me, but I do believe that Mike and Shanli Carlson are still here, Mr. Speaker. They certainly were here in the House, and I am very proud to recognize them, particularly today, as residents of Yellowknife South. Miss Shanli is an absolute joy, and I am very pleased to have her around my house. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Yellowknife South. Recognition of visitors in the gallery. Member for Range Lake.

HON. CAROLINE COCHRANE: Mr. Speaker, I'd also like to recognize grand chief Lafferty. Not only did he become grand chief but he right away took -- agreed to take on the chair for the Council of Leaders, which now is a different chair, but shows to his honour and his courage. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Range Lake. Recognition of visitors in the gallery. Member for Nunakput.

MR. JACOBSON: Thank you, Mr. Speaker. I, too, would like to welcome grand chief Lafferty back to the House, former colleague and good friend of mine, and I'm really proud of his accomplishments in the last year. And you gave us Jane too; she's solid too and we're happy for Jane. And, you know, I just want to thank him for coming to take the time to visit us today and look forward to a little visit. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Nunakput. Recognition of visitors in the gallery. Reports of committees on the review of bills. Reports of standing and special committees. Member for Nunakput.

Reports of Standing and Special Committees

COMMITTEE REPORT 75-19(2):
REPORT ON THE REVIEW OF THE RULES
OF THE NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY, NO. 2,

MR. JACOBSON: Thank you, Mr. Speaker. Your Standing Committee on Rules and Procedures is pleased to provide its Report on the Review of the Rules of the Northwest Territories Legislative Assembly, No. 2, and commends it to the House.

Mr. Speaker, I move, second by the Member of Hay River South, that the Committee Report 75-19(2) is deemed read and printed into Hansard in its entirety. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Nunakput. The motion is in order. To the motion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? Any abstentions? The motion is carried. The committee report is deemed read.

---Carried

MR. JACOBSON:

Introduction

The Standing Committee on Rules and Procedures (Committee) is pleased to report on its review the Rules of the Northwest Territories Legislative Assembly. With the 19th Legislative Assembly coming to end the Committee has reviewed the current Rules of the Northwest Territories Legislative Assembly (the Rules) and is making recommendations to better streamline administrative functions of the parliamentary process of the Northwest Territories. Committee is also making recommendations that the rules be updated to recognize the adoption of the Consensus Government Process Convention on the Introduction and Enactment of Bills Drafted Pursuant to the Intergovernmental Council Legislative Development Protocol.

BACKGROUND

The Process Convention on the Introduction, Consideration and Enactment of Bills

Drafted Pursuant to the Intergovernmental Council Legislative Development Protocol was signed by Premier, Chair of Caucus and Chair of the Standing Committee on Accountability and Oversight on March 6, 2023 and was tabled in the Assembly on March 8, 2023.

The Process Convention includes the extension of the referral to standing committee for bills drafted pursuant to the Protocol from 120 to 180 days, the timelines for the consideration of proposed committee amendments and the attendance of IGC representatives in standing committee meetings, in Committee of the Whole and at the formal Assent ceremony following Third Reading of a bill. It is important to note that although The Rules do not address Legislative Proposals, the Process Convention on Standing Committee Review of Legislation does outline the process.

The Standing Committee on Rules and Procedures has recommended that the

Process Convention on the Introduction, Consideration and Enactment of Bills Drafted Pursuant to the Intergovernmental Council Legislative Development Protocol continue with the 20th Assembly. To help create consistency for the next Assembly:

Recommendation 1 The Standing Committee on Rules and Procedures recommends that the Process Convention on the Introduction, Consideration and Enactment of Bills Drafted Pursuant to the Intergovernmental Council Legislative Development Protocol be renewed in the 20th Assembly to maintain and further develop relationships with Indigenous Governments.

The 20th Assembly should familiarize themselves with the Process Convention and look to enhance this important methodology in the development of land and resources legislation for the Northwest Territories. Examples include the extension of the referral to standing committee for bills drafted pursuant to the Protocol from 120 to 180 days, the timelines for the consideration of proposed committee amendments and the attendance of IGC representatives in standing committee meetings, in Committee of the Whole and at the formal Assent ceremony following Third Reading of a bill. To help promote that integration:

Recommendation 2 The Standing Committee on Rules and Procedures recommends that, when the Process Convention on the Introduction, Consideration and Enactment of Bills Drafted Pursuant to the Intergovernmental Council Legislative Development Protocol is renewed, consideration be given to further integration of the Process Convention into the Rules of the Legislative Assembly.

Administrative Changes to the Rules

The Committee is also recommending changes and clarity to help streamline the Rules of the Northwest Territories Legislative Assembly.

Distribution of the Orders of the Day

Rule 1.6(6) requires the Clerk to “distribute the Order Paper for the day to each Member and to the Speaker”. However, by convention it is typically referred as the “Orders of the Day”. This is a change to create consistency in the rule book and provide greater clarity for members during house procures. To ensure consistency:

Recommendation 3 The Standing Committee on Rules and Procedures recommends that Rule 1.6(3) be amended by deleting “Order Paper for the day” and replacing it with “Orders of the Day” and that the title of rule 1.6(6) be

amended to read "Distribution of the Orders of the Day".

Law Clerk's Responsibilities

Rule 1.6(8)(c) requires the Law Clerk to "review within 15 days from the close of each Session all legislation enacted prior to its distribution". This is part of a statutory requirement of the Northwest Territories Act and is not required in the Rules. For simplicity:

Recommendation 4 The Standing Committee on Rules and Procedures recommends that Rule 1.6(8)(c) be deleted.

Raising a Question of Privilege

Rule 1.7(3) requires a Member to raise a question of privilege "immediately after the words are uttered or the events occur". However, Rule 1.7(6) states that the Speaker will rule whether the matter was "raised at the earliest opportunity". To ensure consistency:

Recommendation 5 The Standing Committee on Rules and Procedures recommends that Rule 1.7(3) be amended by deleting "immediately after the words are uttered or the events occur that give rise to the question" and replacing it with "at the earliest opportunity".

Committee Reports Deemed Read

In recent years it has become practice to have long Committee Reports deemed read in their entirety and printed in Hansard. This is often done after an executive summary of the report, including any recommendations, is read in the house. In practice the motion to have the report deemed read has proceeded without notice; however, the Rules do not expressly permit this. To ensure clarity:

Recommendation 6 The Standing Committee on Rules and Procedures recommends that the following be added after Rule 6.1(2)(m): "(n) to have a Committee Report deemed read and printed in Hansard in its entirety."

First Reading of Bills

Rule 8.2(3) relates to a Bill being deemed read at First Reading; however, the wording in the rules is unclear and does not reflect the practice in the house. To ensure clarity:

Recommendation 7 The Standing Committee on Rules and Procedures recommends that the wording of Rule 8.2(3) be deleted and replaced with "When the Sponsor of a Bill presents it for first reading the Bill will be deemed read for a first time."

Board of Management

Rule 9.2(5) requires the Board of Management to be established in accordance with the Legislative Assembly and Executive Council Act. As the establishment of the Board is required by law it is redundant to also require it in the rules. To ensure consistency:

Recommendation 8 The Standing Committee on Rules and Procedures recommends that Rule 9.2(5) be deleted.

Standing and Special Committees – Number of Members

Rule 9.2(6) sets the maximum number of Members of a standing Committee at six, other than the Standing Committee on Accountability and Oversight. For Committees with six Members, a quorum of four Members is required. During the current Assembly it has, on occasion, been challenging for Committees with six Members to achieve quorum. To help ensure flexibility in the capability of Standing Committee to achieve quorum and set direction:

Recommendation 9 The Standing Committee on Rules and Procedures recommends that Rule 9.3(5) be amended by adding "With the exception of the Standing Committee on Accountability and Oversight, three Members are required for quorum unless the Committee's terms of reference states otherwise."

List of Members

Rule 9.3(2) requires the Clerk "distribute to every Members a list of the Members comprising the Committees and the Board of Management". In practice this list is also made public on the Assembly website. To ensure consistency:

Recommendation 10 The Standing Committee on Rules and Procedures recommends that Rule 9.3(2) be amended by adding "and make the list available publicly" after the words "Board of Management".

Notice of Meetings

Rule 9.3(6) requires the Clerk to "post notices of all Committee meetings in the Legislative Assembly office and circulate them to all Members". With the adoption of the communication website Moodle in the current Assembly, Committee Members are advised of meetings by email notifications via the Moodle platform:

Recommendation 11 The Standing Committee on Rules and Procedures recommends that the wording of Rule 9.3(6) be deleted and replaced with "The Clerk shall

notify all Regular Members of upcoming meetings and ensure Agendas are available publicly”.

Members May Attend Meetings – Exception

Rule 9.3(11) permits “a Member, who is not a Member of the Executive Council or the Speaker, and who is not a Member of the Committee”, to “attend Standing Committee meetings and may address the Committee after its Members have spoken, according to any limits imposed by the Chair”. Rule 9.3(12) provides an exception to the above rules for “public meetings of Standing Committees or when a Member of the Executive Council has been invited to attend a Standing Committee meeting”. By stating that rule 9.3(11) does not apply for public meetings or meetings when a Member of Executive Council has been invited, 9.3(12) may be interpreted as preventing a Member who is not a Member of the Committee from attending or speaking in these meetings. To ensure clarity:

Recommendation 12 The Standing Committee on Rules and Procedures recommends that the wording of Rule 93(12) be deleted and replaced with “All Members may attend public meetings of Standing Committees and may speak according to any limits imposed by the Chair.

Reports of Committees – Response to Report Most Committee reports request a response from Government. Rule 9.4(5) requires a motion to be moved in Committee of the Whole to require a response from Government within 120 days. Consideration of a Committee report and associated recommendations within Committee of the Whole can be a timeconsuming process, often with little debate or discussion around Committee’s recommendations. To ensure clarity:

Recommendation 13 The Standing Committee on Rules and Procedures recommends that Rule 9.4 (5) be amended to read: The Government will be required to table a comprehensive response to a Committee report, including all recommendations, within 120 days, or at the earliest opportunity subsequent to the passage of 120 days when: a) A report requesting a response is adopted by the Assembly; or b) A motion is adopted by Committee of the Whole requesting a response.

Appearance of Witnesses before Standing or Special Committees Rule 9.6(1) allows Committees to invite witnesses “at the discretion of the Chair”. In practice witnesses

are invited with concurrence of the Committee. To ensure consistency:

Recommendation 14 Standing Committee on Rules and Procedures recommends that Rule 9.6(1) be amended by deleting “at the discretion of the Chair” and replacing it with “with concurrence of the Committee”.

Appearance of Witnesses before Committee of the Whole

Rule 9.6(5) requires the adoption of a motion by the Assembly for a witness to appear before Committee of the Whole on matters other than consideration of bills or estimates. It is conceivable that Committee of the Whole could wish to have a witness appear, in a manner like a Standing or Special Committee. Amending the rules to allow Committee of the Whole to have a witness appear without a formal motion in the Assembly is consistent with the process for having witnesses appear before other Committees. To ensure consistency:

Recommendation 15 The Standing Committee on Rules and Procedures recommends that Rule 9.6(5) be amended by deleting “through the adoption of a motion of approval by the Assembly” and replacing it with “with concurrence of Committee of the Whole”.

Point of Privilege

There are several references in the Rules which guides members on the use of a “question of privilege”. However, by convention we typically refer to a “point of privilege” rather than a “question of privilege”. To create consistency:

Recommendation 16 The Standing Committee on Rules and Procedures recommends Rule 1.7(3) be amended by deleting “question of privilege” and replacing it with “point of privilege”.

Recommendation 17 The Standing Committee on Rules and Procedures recommends the Sub-Title for Rule 1.7(3) be amended by deleting “question of privilege” and replacing it with “point of privilege”.

Recommendation 18 The Standing Committee on Rules and Procedures recommends the Sub-Title for Rule 1.7(5) be amended by deleting “question of privilege” and replacing it with “point of privilege”.

Recommendation 19 The Standing Committee on Rules and Procedures recommends the Sub-Title for Rule 1.7(7) be amended by deleting “question of privilege” and replacing it with “point of privilege”.

Recommendation 20 The Standing Committee on Rules and Procedures recommends that Rule 3.1(5) be amended by deleting “question of privilege” and replacing it with “point of privilege”.

Recommendation 21 The Standing Committee on Rules and Procedures recommends that Rule 3.2(3)(b)(iii) be amended by deleting “question of privilege” and replacing it with “point of privilege”.

Recommendation 22 The Standing Committee on Rules and Procedures recommends that Rule 6.1(2)(f) be amended by deleting “question of privilege” and replacing it with “point of privilege”.

Conclusion

This concludes the committee report on the review of the Rules of the Legislative Assembly.

MR. SPEAKER: Reports of standing and special committees. Member for Nunakput.

MR. JACOBSON: Thank you, Mr. Speaker. I move, second by the Member of Hay River South, that the Committee Report 75-19(2), Standing Committee on Rules and Procedures Report on Review of the Rules of the Northwest Territories Legislative Assembly, No. 2, be received in the Assembly and referred to Committee of the Whole. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Nunakput. The motion is in order. To the motion?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? Any abstentions? The motion is carried. The Committee Report 75-19(2) has been received and adopted by the Assembly.

---Carried

Reports of standing and special committees. Returns to oral questions. Acknowledgements. Oral questions. Member for Hay River South.

Oral Questions

QUESTION 1601-19(2):
EVACUATION SUPPORTS

MR. ROCKY SIMPSON: Thank you, Mr. Speaker. And I see the Minister for MACA is smiling over there, so.

Mr. Speaker, can the Minister of MACA confirm if temporary accommodations are available for

those persons who lost their homes during the wildfire will be made available and under what criteria? Thank you.

MR. SPEAKER: Thank you, Member for Hay River South. Minister responsible for Municipal and Community Affairs.

HON. SHANE THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, yes, private accommodations will be provided for the people that were impacted by the wildfires. And, again, in regards to his riding, we have people in Peace River right now and other locations. They'll be there until January, but we will be looking at each case case by case. Thank you, Mr. Speaker.

MR. ROCKY SIMPSON: Thank you, Mr. Speaker. Mr. Speaker, I've had a couple of calls, people asking about accommodation, and I'd like to ask the Minister who it is that residents need to contact to access these accommodations? Thank you. Is it the Pathfinders, or who is it? Thank you.

HON. SHANE THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, it's kind of a dual answer. If they're in Peace River or they have access to accommodations down there through Red Cross or our evacuation process, yes, please reach out to the Pathfinders that way. But if they haven't got accommodations, then, you know, reach out to their MLA, reach out to the South Slave or, if in case, the Pathfinders. Thank you, Mr. Speaker.

MR. ROCKY SIMPSON: Thank you, Mr. Speaker. Mr. Speaker, can the Minister confirm if there -- and I think he alluded to it. Is there a limited time these temporary accommodations will be made available to people who lost their homes and if there is a limited time, what criteria will that be based on? Thank you.

HON. SHANE THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, unfortunately, these people that were impacted by the fires there, their accommodations we're relooking at in January. But as we work on it, it might be extended until we get them actually back into their home or a replacement home as we work through that process. So right now, we got it in January and then we will be -- as we move forward, we'll be looking at each individual case by case. Thank you, Mr. Speaker.

MR. ROCKY SIMPSON: Thank you, Mr. Speaker. Mr. Speaker, I've got a couple of people who are actually in the temporary accommodation right now and they've been told they might only be there until the end of November. And the Minister alluded to that it would be end of -- or in January. So can extensions be granted, or can the Minister at

least let the department know or let -- so they can tell these people that they're good until at least January and then, you know, they'll be given some time; it won't be, you know, a week before that they're told no, the extension's not going to be there or they are going to get an extension, because people are pretty anxious right now and they're worried they're going to be out in the cold this winter. Thank you.

HON. SHANE THOMPSON: Thank you, Mr. Speaker. I don't know exactly which people he's talking about that are impacted, but my understanding is that accommodations are until at least January. But if the Member has heard of different situations, please reach out to us and we'll reach out to the department to make sure we fix that because we don't want these people that are being impacted by the fires to then have to be impacted by the accommodations. They may be -- part of the thing is they may be looking at maybe moving to Hay River and that might be some of the work that we're working on. But if the Member can work with me on this, we will get that resolved. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Inuvik Twin Lakes.

QUESTION 1602-19(2):
AFFIRMATIVE ACTION

MS. SEMMLER: Thank you, Mr. Speaker. Mr. Speaker, my questions are for the Minister of Finance. Last Wednesday, the Minister of Finance tabled the government's What We Heard report on their policy review of the Affirmative Action Policy. Following this report, can the Minister explain what the government intends to do next regarding the affirmative action. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Inuvik Twin Lakes. Minister responsible for Finance.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Yes, Mr. Speaker, I was very pleased to be able to table this report. This has been a long time coming in terms of the work happening around affirmative action but, more importantly, around the hiring of Indigenous Northerners to the public service. And, Mr. Speaker, I can certainly say that the commitment of the Department of Finance and Human Resources to seeing achievement in terms of actual diversity and inclusion in public service remains firm.

With respect to what will happen next, Mr. Speaker, this is a policy that is of the executive council, and so there has been work done now to put together what a new policy might look like, to put together what a new direction might

look like. The evacuations and the changes of timelines have made that somewhat a bit more difficult to act upon, but that work has certainly continued through that process. Thank you, Mr. Speaker.

MS. SEMMLER: Thank you, Mr. Speaker. Mr. Speaker, so can the Minister confirm if the government is firm on its assessment and decision to replace this old, outdated policy, the Affirmative Action Policy, within the Northwest Territories? Thank you, Mr. Speaker.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, I can't obviously speak for the executive as its entirety since that, again, is a policy that belongs to Cabinet as a whole. But I would certainly say that, yes indeed, the Government of the Northwest Territories is firm in its commitment to prioritize the hiring of northern Indigenous candidates and firm in its commitment to a diverse and inclusive workplace.

Mr. Speaker, much has happened over these last four years, not the least of which is a public service strategic plan, which we didn't have before, the Indigenous recruitment and retention framework, which we didn't have before, implementation targets that are now public, and a diversity and inclusion framework. So much has happened, Mr. Speaker. I realize the affirmative action program is one more piece of that, but I would still say that all of those actions do speak loudly that we remain firmly committed to this. Thank you, Mr. Speaker.

MS. SEMMLER: Thank you, Mr. Speaker. So can the Minister confirm that when -- and I'm going to say when, not if -- when the new Indigenous Employment Policy Comes into force, the existing Affirmative Action Policy will be revoked and will cease to exist? Thank you, Mr. Speaker.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, indeed, the -- an Indigenous Employment Policy was the subject of what was being consulted upon and various drafts were put out for review and for consideration and, indeed, if that were to be the direction that we go, that would end the now 30 some-year-old Affirmative Action Policy and bring with it the implementation of a new policy. It may be, Mr. Speaker, particularly given the timing, that we would want to delay implementation or we may want to make it, you know, a pilot or something that gives us a bit of breathing space, recognizing where we are in our timing and the challenges we've had this summer with timing. But in short, it's -- certainly if there's a new policy, that is the point; that it replaces the old one. Thank you.

MR. SPEAKER: Thank you, Minister. Final supplementary. Member for Inuvik Twin Lakes.

MS. SEMMLER: Thank you, Mr. Speaker. Mr. Speaker, you know, I understand the Minister in saying if but when -- I'm going to just keep saying when. When this policy is approved and it is implemented, how long would the Minister consider the timeline to be before we would start seeing the changes at the frontline? Because every single one of us as MLAs, we all are MLAs first, have heard from our constituents on problems with hiring in the GNWT workforce. So when can this Minister -- when the policy comes into play, how long will it take for this government or the next government to have it roll out? Thank you, Mr. Speaker.

HON. CAROLINE WAWZONEK: Mr. Speaker, no one should wait. No one should wait. And, Mr. Speaker, I would encourage people -- the Department of Finance does now have a full online reporting mechanism around Indigenous employment and around the Indigenous recruitment and retention framework. It includes all of the different steps that we had put to ourselves to achieve under the framework. It also now has publicized the targets for hiring of Indigenous candidates, and reporting on all of the implementation of that has begun. So no one should wait. That should be a tool, and the department should be held to it. All departments should be held to it because every department's targets are on there.

With respect to a new policy, Mr. Speaker, the beauty of it being policy is that it will have some more flexibility. If there's a new policy, typically what would happen is it does give an opportunity for departments and agencies to get used to it, to look at it, to refine it, to make sure that it is, in fact, the best one. So I can't give a timeline for a thing that we haven't announced. I can only say that, again, no one should be waiting. They should be using the tools that are already out there to their fullest ability. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Thebacha.

QUESTION 1603-19(2):
POLYTECHNIC UNIVERSITY AND
ENVIRONMENT AND NATURAL
RESOURCES TECHNOLOGY PROGRAM IN
FORT SMITH

MS. MARTSELOS: Thank you, Mr. Speaker. Mr. Speaker, as mentioned in my Member's statements, Trent University's applying to provide a new program of Indigenous environmental studies and sciences at Aurora College starting in the fall of 2023. Can the

Minister of ECE explain who's pushing for and leading the efforts to introduce this new program at the college? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Thebacha. Minister responsible for Education, Culture and Employment.

HON. R.J. SIMPSON: Thank you, Mr. Speaker. And so just to be clear, the program is not being offered at the college. It has nothing to do with Aurora College. This is a program that is a partnership between Trent University and the Yellowknives Dene First Nation. So I would assume that it was the Yellowknives Dene who really initiated this. I know they're working very closely together. And I expect, or I understand that at least the first intake would likely all be Yellowknives Dene members. Thank you.

MS. MARTSELOS: Thank you, Mr. Speaker. Mr. Speaker, with an upcoming territorial election happening very soon, does the Minister believe that the timing of this new environmental-based program is questionable and that it should instead wait to be introduced until after the election? Thank you, Mr. Speaker.

HON. R.J. SIMPSON: Thank you, Mr. Speaker. The start date, I believe it's early in the new year, was what the program wants to -- when they want to begin the program. If we wait until after the election it will delay that, and they will miss their -- I guess their first semester. And so there are some deadlines involved here. Things would have happened earlier had it not been for the evacuations unfortunately. But I see what the Member is saying. You know, we have an environmental studies program. This is another one. You know, there's nothing wrong with a little bit of competition, Mr. Speaker. Thank you.

MS. MARTSELOS: Mr. Speaker, as I have said many times, Fort Smith is the education capital of the NWT. Our community is proud and honoured with this distinction. Therefore, I am sure people can understand Fort Smith's concern with anything that might threaten the ENR technology program at Aurora College Thebacha campus. Can the Minister provide clarity on what exactly this new environmental program will be, which campus will it be offered at, and whether that will in any way undermine or threaten the ENR technology program in Fort Smith? Thank you, Mr. Speaker.

HON. R.J. SIMPSON: Thank you, Mr. Speaker. This program is being offered independently of the college, or it will be. And like the Member's said, the ENRTP is a world-renowned program. Not just one of the jewels of Aurora College, I'd said it's one of the jewels of the Northwest

Territories so I can't imagine that the program has anything to worry about. The program that is out for public input right now -- and I encourage everyone, including the Member, to provide that input -- is focused on, you know, really the Yellowknives Dene and it was developed in concert with them. It focuses on Dene ways of knowing, doing, and being. So I think that they are two different programs, and there's room for both of them. Thank you.

MR. SPEAKER: Thank you, Minister. Final supplementary. Member for Thebacha.

MS. MARTSELOS: Thank you, Mr. Speaker. Mr. Speaker, can the Minister provide assurances that the existing and highly regarded ENR technology program is not going to be dissolved or replaced as a result of this new program? Thank you, Mr. Speaker.

HON. R.J. SIMPSON: Thank you, Mr. Speaker. And of course I can't make any assurances on behalf of the board of governors. They are arm's length from the Government of the Northwest Territories and from the Minister of ECE, but I don't think there's any concerns. I'm not at all concerned about the future of the ENRTP program. I think it's very well established and will continue to produce results for many years to come. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Great Slave.

QUESTION 1604-19(2):
AGRICULTUAL GROWTH

MS. NOKLEBY: Thank you, Mr. Speaker. My questions are for the Minister of ITI. As I mentioned in my statement, I'm hearing more and more from members of the community that are unable to properly feed themselves, especially people that are on income assistance and may only be taking home \$800 a month. So given that there is a lot of money out there in the federal government, I'm also worried that we're not taking the most advantage we could of this area. So can the Minister advise me -- and I understand she has to get back to me -- on how much federal funding that we have received directly to support the growth in our agri-food industry? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Great Slave. Minister responsible for Industry, Tourism and Investment.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, I can say that the -- I mean, we certainly have been receiving funding from the federal government under the

sustainable Canadian agricultural partnership. This is a five-year investment by the federal government in the agri-food sector. And for us, we are expecting over \$7.6 million over the life of that agreement here to the Northwest Territories which is, I would note, a 25 percent increase on numbers we were getting under the last agreement. Thank you, Mr. Speaker.

MS. NOKLEBY: Thank you, Mr. Speaker. Well, for once, that's great news to hear in this House. I'm always glad to hear that we're getting more federal money than less. I guess given that we've had these back to back years of quite terrible environmental conditions for our growers who are predominantly in the South Slave, you know, I just want to sort of reiterate that it is becoming quite concerning. So can the Minister or the department -- do they track the amount of, say, community gardens and greenhouses that are present throughout the territory? Like, how is the department supporting that initiative? Under food security, it's a little bit of a different one because each little bit of money could make a huge amount of impact so I'm just curious to know what way is the department kind of keeping track of that impact? Thank you.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, indeed, this is an area where, while health and social services is the lead for food security generally, ITI certainly plays a significant role, and we are responsible for the agricultural sector as well as for community gardens and providing some funds to them. I certainly know, and I'm confident that the department is working directly with communities, that regional superintendents are working with those communities, and are tracking the amounts of growth in the sector. There, indeed, has been a lot of growth in the community garden sector. And in community gardens, Mr. Speaker, to be clear it's not just individuals going and using a plot only for themselves. I know I can speak, for example in Inuvik, where there's a benefit directly to the community and that what is being grown there does benefit the community. So the agricultural strategy, as I mentioned earlier, does require us to track. We are doing that. And I'd be happy to provide those numbers out into the public sphere. Thank you, Mr. Speaker.

MS. NOKLEBY: Thank you, Mr. Speaker. And I appreciate the Minister's response. But it did reiterate one of the concerns I raised in my statement, which is that this is an area where it does bounce between departments, or it's split over two, and like the immigration file we see that that does not generally work. You know, and if anyone is listening that will be around in the 20th, I do think there needs to be a Minister responsible for food security. I don't think we

can go any longer without having somebody solely responsible for that who has to answer questions for it.

So next, can the Minister advise if there's been any grant programs that are available to residents or communities in those harder areas to grow? So I'm talking more about my colleague, say from Nunakput, or areas where they're not known to be agriculturally-minded in the past. What kind of programs or initiatives are being taken by the department to increase growing food in those areas? Thank you, Mr. Speaker.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, there's not -- under the agricultural strategy, there's not a carve out for one riding or another necessarily. They are done by ways of application. So, therefore, not necessarily reflecting that there might be more challenges to participate in one form of food growth and food -- commercial good growth or food creation because, Mr. Speaker, there's other options. And certainly, in some communities, country food harvesting may well take a greater place and have a greater role in providing for a community than what agriculture, say, might in another. But that's where -- while I -- there are multiple departments involved. This brings yet another department in of ECC. That said, Mr. Speaker, we have one shared briefing note. We have a group that works together across deputies and across officials. And so while I certainly don't speak for other departments, I am able to stand and to give information about all of them because there is the shared messaging and the shared commitment to the issue. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Final supplementary. Member for Great Slave.

MS. NOKLEBY: Thank you, Mr. Speaker. It's not often that Cabinet proves my point, so I do appreciate that there is a third department that is now involved in this.

I think, again, it just speaks a little bit to what I was saying before, that there needs to be a sole direction, there needs to be a plan. We really need to be tackling this and especially given the food insecurity that people are facing. And, Mr. Speaker, I'm sure you're not immune to this. I am on a weekly basis hit up by residents of this territory for money to buy groceries for their children. And I know from speaking with my colleagues that I'm not the only one that this happens to. So when I look at this from a standpoint of mental health and getting young people involved and connecting them back to the land and, as well, even just things like food wastage is minimized when you're actually

growing your own food. That one tomato I grew this season, I am going to eat that with gusto, I'll tell you, so.

So can the Minister speak a little bit further about sort of the impacts of the last few years on the agri-food industry. I'm glad to hear there's been some growth but the biggest complaint I heard was around heating the greenhouses, fuel costs, those types of problems or issues that are common across all of our industries. So could the Minister speak to that a little bit, given that we now also don't have the heating fuel rebate any longer. Thank you.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, there is, indeed, a -- well, again, bringing more expertise to bear from different areas in some ways can tackle what is really a very complex problem. So what we do have here is the teams are coming together. It's led by health and social services, so there is a team lead on it. Obviously from the perspective of commercial food production, commercial food growing, that is where ITI's expertise comes in. But this interdepartmental group involves multiple departments because it brings together, again, as I said, all these different areas and issues. I mean, I certainly can speak at some length about the challenges across sectors from the costs of fuel, from inflation, from supply chain issues, all of which has affected the agricultural sector, not to mention, of course, the wildfire seasons, the flood seasons, which have also in particular affected some of our most critical areas that provide a significant contribution to agriculture. Mr. Speaker, ITI's certainly well aware of it. We are looking to the federal government advocating for our sector with the federal government and for the need for more carve out. All of that work takes time, and all that work is lengthy. So I'll leave it at that today but, Mr. Speaker, to those working in the sector, we are well aware of how important this sector is to supporting food security in the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Tu Nedhe-Wiilideh.

QUESTION 1605-19(2):
MINING PROMOTION

MR. EDJERICON: Thank you, Mr. Speaker. Mr. Speaker, in the early days I was involved as a young councillor for YKDFN and impact benefit agreements with our community now, also with resource development agreements in our communities as well. So I've been involved with working with BHP, Diavik, and De Beers, and now we're getting to the point where these mines are going into reclamation. And so having said that, you know, our communities

really are really in need of, you know, new mines to come up and to, you know, look for work for our young people in our community. And, you know, I was pleased today to talk about the Live Power, the Canada exploration project in our riding. And so I just got two quick questions to the Minister of ITI.

What steps are the government taking to ensure critical minerals exploration companies have the support they need to help the NWT transition to a critical mineral based economy? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Tu Nedhe-Wiilideh. Minister responsible for Industry, Tourism and Investment.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Well, Mr. Speaker, I'm quite pleased to get that question. I can say a couple of things quickly, mindful of time, although I would be happy to go on longer if I had more time.

First of all, Mr. Speaker, the MIP, or the Mineral Incentive Program funding, this is the amount of funding that is provided to exploration projects of all different sorts. And out of the almost \$1.5 million disbursed thus far, Mr. Speaker, over \$1.2 million of it went to critical minerals and metals projects, including a good proportion for lithium projects. So there's that.

It helps leverage dollars. So companies have to bring their own funding to bear and only then can they access this funding. So it leverages significant amounts of funds but provides an important incentive to the mineral resource industry here.

But secondly, Mr. Speaker, is with respect to criticals and minerals more broadly, we are looking to bring our own action plan, or priorities document, to put out into the public sphere the importance and the role of critical minerals and the future mineral resource industry of the Northwest Territories. And I am looking forward to that being out before the end of this Assembly. Thank you, Mr. Speaker.

MR. EDJERICON: Thank you, Mr. Speaker, and thank you, Minister. Does the government have plans to support the critical mineral industry with green power to help ensure NWT resources will be competitive in the global market where low carbon products will prevail? Thank you, Mr. Speaker.

HON. CAROLINE WAWZONEK: Oh, Mr. Speaker, another one that I'd like to speak at about for some length. Mr. Speaker, I would like to say a strong yes. I just don't quite know how it's going to unfold yet. That is a big ask.

The Northwest Territories, Mr. Speaker, we are not going to be able to last on diesel for the next ten years. That much is clear. Whether that will be in the form of the Taltson project, which we have spoken about in the House already and which has already a lot of interest in it, not the least of which is from the lithium companies, or whether we'll be looking for some other path forward. Mr. Speaker, I can say this is a good example where the industry is asking for this. The industry is asking for green power. They want a solution. And they want to be -- they want us to work with them and to keep them involved as we move forward so that they can, in fact, be the consumers, be the customers, and provide the pathway to really change the energy industry in the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Frame Lake.

QUESTION 1606-19(2):
CLIMATE CHANGE EMERGENCY

MR. O'REILLY: Merci, Monsieur le President. My questions are for the Minister of Environment and Climate Change who seems to be the lead on the climate emergency. I asked this question in the last sitting about whether our government considers climate change a crisis or an emergency. The answer was, from the infrastructure Minister was, quote, We could be dismissed or polarized by individuals who are holding very different views, end of quote. That's why we don't do it.

So following the horrendous fires this summer, can the Minister now tell us whether this government considers climate change an emergency for the Northwest Territories? Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Frame Lake. Minister responsible for Environment and Climate Change.

HON. SHANE THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, the GNWT continues to acknowledge the profound affect climate change is having in the NWT right now and the importance of building resiliency and addressing our emissions. Climate change has been a key part of this government's mandate. We've moved climate action in the territories forward through our climate change strategic framework and energy strategy. We're listening to Indigenous government partners through the NWT Climate Change Council, and we've advocated for the NWT perspective and funding at the federal and internationally level. We all agree that climate change will continue to affect our territories in many ways into the future, and we all need to work together to

address this. Mr. Speaker, as the Member says, you look at climate change; four times of what the impact is at the national level. Thank you, Mr. Speaker.

MR. O'REILLY: Merci, Monsieur le President. I want to thank the Minister for that. I didn't hear him actually use the word "crisis" or "emergency". At the recent Our Energy and Climate Future in a Changing World conference in July, some members of the public service used the words "crisis" and "emergency". So can the Minister tell us what the next steps are in GNWT's climate crisis approach as the current one continues to fail? Mahsi, Mr. Speaker.

HON. SHANE THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, other people use words that may or may not be what we're talking about. But the NWT is on track to meet its greenhouse gas emissions target though we acknowledge that this is in part due to the mine closure. GNWT departments are working with partners to implement the 2030 NWT Climate Change Strategy Framework and Action Plan. Of the 132 action items in the action plan, 74 are completed and 58 are on track. The climate change council includes a youth council and have been meeting quarterly to improve coordination, communication around climate change. And I've had the opportunity to meet with that council. I would certainly not characterize this process as failing. GNWT will conduct an independent review on the NWT Climate Change Action Plan/Renewal Plan in 2025. The GNWT is currently in the process of conducting engagement on climate change mitigation and adaptation actions through public engagement and our collaborative work on the risk and opportunities assessment. Thank you, Mr. Speaker.

MR. O'REILLY: Merci, Monsieur le President. I want to thank the Minister. Of course, I still haven't heard him say the word "crisis" or "emergency" in relation to climate change. But the Auditor General raised the failure of two previous GNWT strategies to reach their greenhouse gas reduction targets, and the current one would also fail without the closure of the Diavik mine. Can the Minister tell us whether GNWT will actually embrace net zero as a target and when we might expect to reach that? Mahsi, Mr. Speaker.

HON. SHANE THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, GNWT recently completed a broad public engagement on emissions and targets. One possible scenario discussed was net zero emissions. There is a need to balance healthy economy with climate change mitigation in the NWT. The NWT approach needs to be achievable given our

remoteness and cold climate. Any change to the approach to emission targets in the NWT will be part of the renewed climate change action plan and energy strategy in 2025.

MR. SPEAKER: Thank you, Minister. Oral questions. Final supplementary. Member for Frame Lake.

MR. O'REILLY: Merci, Monsieur le President. I want to thank the Minister for that. Of course, we've actually already incorporated net zero as a target in the carbon tax that's been imposed. But many at the recent conference expressed concerns with the poor communications and accountability around GNWT's carbon tax, governance and direction at the NWT power corp, and need for community-based renewable energy solutions rather than mega projects.

Can the Minister explain how the NWT is going to transition from a fossil fuel importer to energy resiliency while reducing greenhouse gas emissions and drawing in the NWT power corp into building energy self-sufficiency? Mahsi, Mr. Speaker.

HON. SHANE THOMPSON: Thank you, Mr. Speaker. As I mentioned, the GNWT recently completed broad public engagement on climate change mitigation emissions reduction. Any update to the approach to emissions target in the NWT will be part of the renewed climate change action plan and energy strategy in 2025. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Kam Lake.

QUESTION 1607-19(2):
GOVERNMENT RENEWAL

MS. CLEVELAND: Thank you, Mr. Speaker. Mr. Speaker, my questions today are for the Minister of Finance. Mr. Speaker, phase 1 of government renewal was intended to do an inventory of GNWT programs while phase 2 was meant to look at how those programs are funded. Can the Minister start off today by informing this House of the current status on government renewal? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Kam Lake. Minister responsible for Finance.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, I am pleased to say that all of the phase 1 work, including -- up to and including the Northwest Territories Health and Social Services Authority, have all had their inventories completed as of July of this year. That was the last group to make their way through. That work is all done now. And phase 2 is also well underway.

Since November of last year, we kicked off with Housing Northwest Territories, Department of Finance, and Department of Education, Culture and Employment. They are the first ones to see themselves having their programs -- select programs going through the evaluation stage of the GRI. Thank you.

MS. CLEVELAND: Thank you very much, Mr. Speaker. Mr. Speaker, I guess my next question, then, would be when do Members on this side get to kind of see the fruits of the labour, so to speak, of the GNWT with -- in regards to phase 2? What is the expected timeline that they are working towards? Thank you.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, I know we've been sending over updates along the way as the work has progressed. I'm happy to send another one before the end of the life of this Assembly so that all Members are well aware of where it's at. And, certainly, it's also part of our own business planning processes that we are continuing to report on where this work is at. And so all of those -- all of those tools can be used but, as I've said, happy to give one more further update to Members of this House and this Legislative Assembly. Thank you.

MS. CLEVELAND: Thank you, Mr. Speaker, and thank you to the Minister for that commitment. Mr. Speaker, my next question is for government renewal to really be effective, it cannot happen in silos. How is the GNWT working to ensure that now that they're at the phase 2 of this review that this review really is done with a cross-departmental lens? Thank you, Mr. Speaker.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, that is really one of the core elements of government renewal and the shift in thinking around this is that every department has to be thinking about its evaluative process. We have, Mr. Speaker, when government renewal was coming out, we put in place a requirement of program evaluation policy requiring that any programs over \$2 million, we need to have a logic model and performance tracking indicators. Mr. Speaker, a lot of programs did not. A lot of departments struggled with that. The majority of the capacity for evaluation resides in the Department of Finance. So having the GRI now underway creates that cross-departmental work so that this is happening, that departments can access these resources, that they can bring forward their needs and their programs to have logic models, performance tracking, so we can actually have evidence-based programs and evidence-based decision-making about those programs. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Final supplementary. Member for Kam Lake.

MS. CLEVELAND: Thank you, Mr. Speaker. Mr. Speaker, there's a lot riding on government renewal as far as fiscal sustainability is concerned. You can look through Hansard and find numerous occasions where the response in regards to deficits or concerns about spending where Ministers have responded well, we're doing government renewal, we're partaking in government renewal. So we're really relying on this exercise here. So I'm wondering if the Minister can speak to how the GNWT intends to measure the success of this government renewal exercise? Thank you, Mr. Speaker.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, I'd go back to looking at, really, the purpose of government renewal short term, gathering information and evidence. We do like to talk about having data-driven decisions, about having evidence-based decision-making. You can't do that without the data, and you can't do it without the evidence. We had to get that in place, and it has taken quite some time, Mr. Speaker, because we are doing it over the entire Government of the Northwest Territories in a way that has never been done before.

Mr. Speaker, along the way, we found there was over 200 different programs that didn't have evaluation metrics in place. It was important to know that. It's important to understand that that alone, in my view, Mr. Speaker, is a success of this program. But over the long term there needs to be, of course, a really corporate-wide, government-wide, approach to evaluation to employ program evaluation policy, to have the tools ready, to know where to go within the system to do those kinds of evaluations so that -- so that we -- the traction around and the culture change for evaluation and data-driven decision-making only solidifies further. We have a tremendous foundation here, Mr. Speaker, and that is the success but as it goes forward, it will continue to be measured by the programs that get evaluated. Thank you.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Nunakput.

QUESTION 1608-19(2):
FRANK GRUBEN

MR. JACOBSON: Yeah, thank you, Mr. Speaker. Today I asked questions in regarding to the missing person of Frank Gruben. And the reason why I used his name a lot in my Member's statement was to make him humanized in regards to when you're bringing it

up, you're not just hearing a name or looking at a picture, this is a human being. I really want to thank the Salt River First Nation, all the volunteers for what they did in the community. But, you know, with the fires that we've just been through and all the -- you know, it's almost unbearable for the last six weeks for the community. Where is this case now with the RCMP and what are they doing next to try to bring Frank home to his mother? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Nunakput. Minister responsible for Justice.

HON. R.J. SIMPSON: Thank you, Mr. Speaker, and I appreciate what the Member has said about using Frank's name. You know, when I met with his family, it's obvious that, you know, it's a very loving family that very much care for him. And this is, you know, this is tough to say the least. And I can't imagine what the family's going through. With that said, Mr. Speaker, as the Member knows I am not privy to RCMP investigations. But missing persons cases are -- they remain open, so it is still an open investigation. Thank you.

MR. JACOBSON: Thank you, Mr. Speaker. Mr. Speaker, this is my justice Minister who represents us as this House with the RCMP, and the RCMP have a signed contract with us. All I'm asking for is what is he able to do in regards to bringing forward to see -- get an update for the family. I know the RCMP are checking on the family because I talked to Laura. So now can this Minister reassure this House, and reassure me, that he's able to talk to the new superintendent of the RCMP to see the go forward steps on the file because we've been away from the -- the community's been under fire evacuation for a few months now. So what's the next steps? Are they -- is it active? So thank you, Mr. Speaker.

HON. R.J. SIMPSON: Thank you, Mr. Speaker. As I've stated, it still is an open investigation. I do talk to the commanding officer from time to time and, you know, I do discuss this case with him from time to time. That being said, I'm not privy to the details of, you know, of the investigation. But if there's new information that comes to light, then the RCMP can use that and take further steps. So I reiterate the Member's comments: If you know something, please come forward. Thank you.

MR. JACOBSON: Thank you, Mr. Speaker. Mr. Speaker, what we have -- I guess what -- like I said, somebody knows something. Like the Minister said, somebody knows something. There's \$8,050 reward out there for something. And we really just want to bring this to a closure, to bring Frank home back to the Delta and to

Aklavik, back to his mother. I really need my Minister to step up to the plate and talk to the superintendent on a go forward -- he doesn't have to tell us in the House. The RCMP could go to the mother and just tell Laura what's happening because she doesn't hear -- like, she didn't hear anything, no updates because of the fire. And I understand that. There's a lot of things going on across our territory. But they have to go see her and let her know the next steps. And are we able to -- I guess, before winter sets in down here in the South Slave, are we able to do another search? Thank you, Mr. Speaker.

HON. R.J. SIMPSON: Thank you, Mr. Speaker. And as the Member mentioned earlier, the RCMP are in contact with the family. They would be the ones to provide that information to the family. I'm not sure how else to say it, Mr. Speaker. If there is no contact, if, you know, the RCMP aren't in contact with the family, they can't reach the RCMP, then I can provide some assistance. But as it is, it sounds like those lines of communication are open. And as I mentioned earlier, I do have regular discussions with the commanding officer, and this is one of the topics that does come up. So it's not like it's not -- not by a long shot has this been forgotten about. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Final supplementary. Member for Nunakput.

MR. JACOBSON: Thank you, Mr. Speaker. Mr. Speaker, from seldom to regularly, I want my Minister to ask the RCMP superintendent on a go forward on next steps of Frank Gruben. We need answers. I need a plan, a go forward plan, so I could give it to his mother. So I'm requesting the Minister to pick up the phone, either today or tomorrow, just to get the update, so we could update the family. So please and thank you. Have -- show a little bit of empathy and do your job. Thank you, Mr. Speaker.

HON. R.J. SIMPSON: As a former RCMP member, a former Speaker, I think the Member's well aware of what my job is and my role in this investigation and what I can do and what I can't do. So as I've already stated, the family -- the RCMP and the family are in contact. If what the Member is saying is that the RCMP are not informing the family, then what I can do is reach out through the channels of the RCMP and say this is what we're hearing in the Assembly. It doesn't make sense for me to go speak to the commanding officer, he goes and speaks to the officers, they relay it back to the commanding officer, they relay it to me, and I relay it to the family. Why not just have the family and the RCMP talk? That's the proper process, and that's the way that things should

be working. So I will ensure that that is happening. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Yellowknife North.

QUESTION 1604-19(2):
AFFIRMATIVE ACTION POLICY

MR. JOHNSON: Thank you, Mr. Speaker. There was a bit of a back and forth there between the Minister of Finance and the Member from Twin Lakes about if or when the Affirmative Action Policy is being changed, and I think I kind of lost the plot there. Can the Minister just confirm whether the Affirmative Action Policy is going to be changed in the very short remaining life of this government? Thank you.

MR. SPEAKER: Thank you, Member for Yellowknife North. Minister responsible for Finance.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, it is not a decision that I make by myself on this one. The Affirmative Action Policy, although a policy, is one that belongs to all the Cabinet. And as with almost everything else it seems in people's lives over the last few weeks, there's been a number of disruptions over this wildfire season and summer. So there is still a little bit of time left in the Assembly, Mr. Speaker. It is a Cabinet's policy. A lot of work has gone into it. And at this point, I can't speak for it beyond that other than to say a lot of work has gone into it, and we will certainly want to make what we can of the time that we have. Thank you, Mr. Speaker.

MR. JOHNSON: I think that was a maybe, Mr. Speaker. And I get that when things are going through the Cabinet process, there's Cabinet confidentiality and you can't, as a Minister, you know, expose the outcome of that. I guess I'm trying to understand what is going to Cabinet potentially or could possibly. My understanding is we -- version one was an Indigenous employment policy and then a diversity and inclusion policy which added a number of new categories, including P2 and disability and sexuality and racialized persons. That was version 1. We went out, engaged on that. Version 2 essentially dropped the entire equity, including the old P2s, and just had an Indigenous Employment Policy. So those are the two options. I'm just wondering is there some sort of third possible amendment that exists or is in the work to the Affirmative Action Policy? Is there more work being done that may or may not result in the change? Thank you.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, so I certainly can speak to what is in the What We Heard report that came forward as a result of the engagement that was undertaken regarding the Affirmative Action Policy. And in that, Mr. Speaker, the recommendation there really is, again, that the Affirmative Action Policy is out of date, that it is inadequate, that this is unnecessarily complex. And coming from that, what was also contained in that report is that there be an Indigenous Employment Policy to offer priority hiring to Indigenous persons. That is an area where we all know that we have failed and continue to fail for 30 some years under this policy. It simply has not achieved its purpose or targets.

And then secondarily, Mr. Speaker, with respect to a second employment policy, a broader employment policy, that's not with the data it seems to suggest is required under Statistics Canada, certainly not an area that seems to be required in terms of looking at our own demographics as a public service. And there are other tools already in place, such as the diversity and inclusion framework that might speak to it.

So those are the recommendations that were put back to us via the work that was done over the last couple of years. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Monfwi.

QUESTION 1609-19(2):
DISABILITIES

MS. WEYALLON ARMSTRONG: Thank you, Mr. Speaker. Mr. Speaker, it is my understanding that a person with a disability may receive extra funding to pay for things related to the disability; however, I am concerned still around the reporting requirements -- oh, okay. I thought -- sorry about that. Those with disability. Is the government looking to make this less burdensome on residents? I know they ask for utility bills, rent, disability assessment form, disability benefit from the federal government, notice of assessment from previous tax year; how often is all of this required? Thank you.

MR. SPEAKER: Thank you, Member for Monfwi. Minister responsible for Education, Culture and Employment.

HON. R.J. SIMPSON: Thank you, Mr. Speaker. So the employment assistance program provides funding to people to help meet their basic needs. So it is not a program to -- you know, to make people rich or anything like that.

So I understand that for the amount of money that you get, it can seem like a lot of work to provide all of these documents. That is why at the beginning of this Assembly, I set out to change the program and overhaul the program. And we have done the work, and we are months away from launching the new income assistance program for seniors and persons with disabilities. Once that happens, the persons with disabilities will have to provide their notice of assessment once a year. That doesn't mean that's the end of all documentation because if they would like their power bill paid, they have to provide the power bill. So there's things like that where that type of documentation will always need to be provided. How else would the department know how much the power bill is?

So recently, we have been transitioning from the old program hopefully to the new program. There have been delays. And with that transition, we have started -- I'll say removing the payroll. So if someone is -- not expected their income is going to change, they can be payrolled so they only have to provide documents, you know, every three months, six months, or 12 months. Because we are changing to the new program, we want to meet with clients, tell them about the new program and how it's going to work. And so because of that, it might seem like there is more frequent requests for documents but it's because we are working with the clients to help inform them of what it's going to look like going forward. So, Mr. Speaker, yes, we are streamlining the program. It's been a long process, but we are now mere months away. Thank you, Mr. Speaker.

MS. WEYALLON ARMSTRONG: Thank you, Mr. Speaker. It's good to hear that. Good positive change.

Will the Minister commit to review the income support policy to reduce administrative burden for elders and people with disabilities? And then he touched base on some of them already too. So that's good.

MR. SPEAKER: Thank you, Member --

MS. WEYALLON ARMSTRONG: But I do have one more question, sorry about that.

Are ECE and Housing NWT working together to create a more holistic approach to income support and social housing programs? Is there anything being done between the two departments to make it easier for people to access services? Thank you.

HON. R.J. SIMPSON: Thank you, Mr. Speaker. Yes. With, you know, income assistance does provide funding for rent as does the housing

corporation. So, you know, we have two essentially parallel housing support programs in the territory. So we have been working with the housing corporation figuring out, you know, where we can reduce some of these redundancies and how we can better support clients. So, yes, that work is ongoing. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Oral questions. Written questions. Returns to written questions.

Colleagues, we'll return after a short recess.

---SHORT RECESS

MR. SPEAKER: Returns to written questions. Replies to the Commissioner's address. Member for Inuvik Boot Lake.

Replies to the Commissioner's Address

MS. ARCHIE'S REPLY

HON. DIANE ARCHIE: Thank you, Mr. Speaker. In one word I can summarize this Assembly. That word is locusts, because that is the only natural disaster we have not had to deal with. My heart goes out to all those residents who either lost their homes or were adversely affected by the floods, the COVID pandemic, or the fire. It has been a very trying three and a half years for all of us.

We started with 19 Members of which 12, including myself, had no prior experience as MLA. Nearly 50 percent of which were women which was unprecedented in Canadian politics. I am proud of that and I will speak more to it when I talk about my Cabinet colleagues. To say it is a steep learning curve as a new MLA is an understatement.

Mr. Speaker, those of us that were lucky enough to be seated onto Cabinet had to learn our roles as Cabinet Ministers and as MLAs just where one role started the other one began. I am going to start off by talking about the challenges we faced as Cabinet and Regular Members when we responded to pandemics, floods and fire. Of course we all know, just as we were getting our feet underneath us as MLAs and Ministers, the COVID pandemic hit early in 2020. As Minister of Health and Social Services at the time, there were many late nights trying to stay on top of all the new information and directions from the chief public health officer and relay that information to Cabinet, committees, Members, residents. The one thing that kept me up all night was realizing that we did not have the medical resources at our hospital to treat such a mass outbreak. We

had to keep COVID out of the territory to keep residents, and especially our elders, safe. Closing the borders was a radical step but one we needed to do. It was the right decision at the time.

Next up, as newly-minted Minister of Infrastructure and the Minister Responsible for the Northwest Territories Power Corporation, we were dealing with the aftereffects of the 2020 ransom attack on the NWT power corp and the 2021 floods affected South Slave and resulting in the evacuation of Deh Cho communities of Fort Simpson and Jean Marie River that also impacted our highways, airports, and power plants. With the exception of Jean Marie River, NTPC staff and community contractors were able to keep water out of the power plants. We were able to shut down in advance of the flood event, and NTPC was able to get back up running quickly as the water had receded and it was safe to do so.

The efforts of infrastructure staff and contractors to keep airports and Highway No. 1 open and deal with multiple road washouts were incredible. The work that NTPC crews did in getting power back up and running and dealing with flood damages was also greatly appreciated by residents as well as myself, Mr. Speaker.

In 2022, we faced more floods in the South Slave with the evacuation of the K'atloodeeche First Nation as well as the town of Hay River. The damages were significant to the residents and to the infrastructure of the communities including Hay River airport and Highway No. 2. Again, Mr. Speaker, I want to thank infrastructure crews and community contractors that were able to get the airport back up and running and the highway made safe for reopening and the work that was done to deal with the floods affecting Highway No. 1 between Enterprise and the border which was due to high water and very capable beavers.

This year we saw Hay River and KFN evacuated in the spring due to the Hay River flooding again, and then the unprecedented fire season that led to the evacuations of Hay River, K'atloodeeche First Nation, Fort Smith, Enterprise, Jean Marie, Behchoko, Wekweeti, Dettah, N'dilo, and Yellowknife. As a territory, we never had to deal with a climate disaster of this magnitude.

We definitely need to look at what happened, how we as a government reacted, how communities reacted, and how we can better work with Indigenous groups in planning and actual disaster management. There is a lot of work to do but in advance of that, my heart breaks for the residents of Behchoko, Paradise

Gardens, and Enterprise that lost their homes. We owe an immense debt of gratitude for the efforts of the firefighters and volunteers that held the lines, kept the damage from being much worse, and the work of communities that created the firebreaks to further safeguard communities. Through all of this, NTPC kept the power on in Fort Smith, provided power to Northland Utilities to keep the power on in Yellowknife, and got the power back up running in Behchoko as soon as it was safe to do so. Highway crews and contractors worked closely with ECC incident response to open and close highways when it was safe to do so to keep essential goods, equipment, and personnel flowing on the highways when able and to restrict access to communities under this evacuation notice. All this to say, Mr. Speaker, that this government and NTPC employees have went above and above and gone beyond in responding to the crises of the last three and a half years and kept lights on and providing the regular expected government services. I am proud of them.

So anyone listening to the picture I have painted so far might think that the Department of Infrastructure and NTPC were all consumed with reacting to disasters and the major projects did not proceed. Yes, there were delays to some of our projects because of COVID, floods, fires, but major projects along Highway No. 9, the Tli Cho to Whati, and the High Point wind project in Inuvik were completed. Significant progress was made or is being made on the Inuvik runway extension, the refurbishment of the existing Taltson dam facility, and repairs to highways across the NWT. This is very good news, Mr. Speaker. We will be submitting the developer's assessment report to the Mackenzie Land and Water Board for the Wrigley to Norman Wells during the life of this Assembly. Actually, I think it went in on Friday, Mr. Speaker. And we continue to work in collaboration with our Indigenous partners on the Slave Geological Province Corridor. And we will also be submitting permitting applications for gravel sources along the proposed alignment. The Taltson Hydro Expansion business case is out for consultation with our Indigenous Partners, as well with the Canada Infrastructure Bank.

I need to thank many people.

I was Minister of Health and Social Services when COVID hit, the advice of deputy minister Bruce Cooper and Dr. Kami Kandola, the chief public health officer, was greatly appreciated. It was a crazy time. The long hours were long that were put in by Dr. Kandola and her staff to keep residents safe cannot be forgotten.

As Minister of Infrastructure, I need to thank deputy minister Steve Loutitt and his team. And in between the hard work, we did have fun on our constituency tours as well as our travels to the south. ADM Robert Jenkins took some awesome pictures on our travels. If you ever need a picture of me with my half head missing, call Robert. I am proud of the work that was done by the Department of Infrastructure. They kept our roads, airports open, and managed the construction and renovations of all government assets. And they have done this through COVID, through the floods, the fires, with minimal delays.

As Minister responsible for NWT Power Corporation, I was pleased to appoint Cory Strang as CEO, who is the first Indigenous NWT-born CEO. I admire his passion for making sure the corporation is reflective of the people it serves, and I appreciate his advice on the operation of NWT Power Corporation.

As MLA for Inuvik Boot Lake, I want to thank my constituency assistant Arlene Hansen for keeping me organized in Inuvik and tracking all of the constituency requests to make sure they were addressed. Your hard work on behalf of me and the residents of Inuvik Boot Lake are appreciated.

As Minister, I need to thank the staff in my office for all of their assistance. I had three executive admin coordinators that worked with me, starting with Rachel Marin, then Corine Sanderson, and finally Val Daniels. Thanks to all of you for keeping the paper flowing. My ministerial advisor Robert Collinson has an excellent grasp of how the GNWT works and rules for Ministers and MLAs. I thank him for all of his advice.

I also want to recognize the staff at the Legislative Assembly under the leadership of the clerks, first Tim Mercer and then Glen Rutland, for all of their efforts on our behalf. Quyananni.

For my colleagues across the floor, while there has been conflict at times, for the most part we were able to get past that and keep working for the betterment of NWT and our constituents. Thanks to each and every one of you.

For my Cabinet colleagues, I was proud to be part of the first Cabinet in Canada with a woman majority. I thank you for your friendship and your work on behalf of all residents of the Northwest Territories. Special thank you to Minister Simpson and Minister Thompson for doing their share of the housework, mahsi.

When the 19 of us came together in late 2019, it was like the first day of class in a brandnew school. Most of us did not have a personal

connection with each other and we needed to learn to work together, at least tolerate each other. Some of you I consider to be really good friends; some of you I would like to have a chance to get to know you better. Let's just say you can't expect 19 people stuck in a room together to be automatically besties. But I do wish the best of luck to all of you in the upcoming election. If you are running, good luck.

Finally, Mr. Speaker, I want to thank the residents of Inuvik Boot Lake for the trust they placed in electing me. It has been a great honour, and I hope I can continue to serve you.

And thanks to you, last of all, Mr. Speaker, for your sense of humour and control of the asylum.

MR. SPEAKER: Thank you, Member for Inuvik Boot Lake. Replies to the Commissioner's address. Petitions. Tabling of documents. Minister responsible for Health and Social Services.

Tabling of Documents

TABLED DOCUMENT 1014-19(2):
CHILD, YOUTH AND FAMILY SERVICES
STRATEGIC DIRECTION AND ACTION
PLAN 2023-2028

TABLED DOCUMENT 1015-19(2):
NWT DEPARTMENT OF HEALTH AND
SOCIAL SERVICES 2022-2023 ANNUAL
REPORT

HON. JULIE GREEN: Mr. Speaker, I wish to table the following two documents: Child, Youth and Family Services Strategic Direction and Action Plan 2023-2028; and NWT Department of Health and Social Services 2022-2023 Annual Report. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Tabling of documents. Minister responsible for Industry, Tourism and Investment.

TABLED DOCUMENT 1016-19(2):
CANADA ENERGY REGULATOR'S 2022-23
ANNUAL REPORT OF ACTIVITIES UNDER
THE NORTHWEST TERRITORIES' OIL AND
GAS OPERATIONS ACT

TABLED DOCUMENT 1017-19(2):
REGIONAL ECONOMIC DEVELOPMENT
PLAN – DEHCHO

TABLED DOCUMENT 1018-19(2):
REGIONAL ECONOMIC DEVELOPMENT
PLAN – NORTH SLAVE

TABLED DOCUMENT 1019-19(2):
REGIONAL ECONOMIC DEVELOPMENT
PLAN – SAHTU

TABLED DOCUMENT 1020-19(2):
REGIONAL ECONOMIC DEVELOPMENT
PLAN – SOUTH SLAVE

TABLED DOCUMENT 1021-19(2):
REGIONAL ECONOMIC DEVELOPMENT
PLAN – BEAUFORT-DELTA

HON. CAROLINE WAWZONEK: Mr. Speaker, I wish to table the following six documents: Canada Energy Regulator's 2022-23 Annual Report of Activities under the Northwest Territories' Oil and Gas Operations Act; Regional Economic Development Plan - Deh Cho; Regional Economic Development Plan - North Slave; Regional Economic Development Plan - Sahtu; Regional Economic Development Plan - South Slave; and, Regional Economic Development Plan - Beaufort-Delta. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Tabling of documents. Member for Thebacha.

TABLED DOCUMENT 1022-19(2):
GOVERNMENT OF THE NORTHWEST
TERRITORIES PUBLIC SERVICE
ANNOUNCEMENT DATED SEPTEMBER 27,
2023 TITLED "PUBLIC SERVICE
ANNOUNCEMENT – HAVE YOUR SAY ON
THE DELIVERY OF AN INDIGENOUS
ENVIRONMENTAL STUDIES AND
SCIENCES DIPLOMA PROGRAM"

MS. MARTSELOS: Mr. Speaker, I wish to table a Government of the Northwest Territories public service announcement dated September 27, 2023 titled "Public Service Announcement - Have your say on the delivery of an Indigenous Environmental Studies and Sciences Diploma Program". Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Thebacha. Tabling of documents.

TABLED DOCUMENT 1023-19(2):
INTEGRITY COMMISSIONER REPORT ON
INVESTIGATION INTO COMPLAINTS THAT
MS. KATRINA NOKLEBY, MLA BREACHED
THE MEMBERS' CODE OF CONDUCT BY
RETURNING TO AND REMAINING IN
YELLOWKNIFE AFTER IT WAS ORDERED
TO BE EVACUATED IN AUGUST 2023

Colleagues, I wish to table the report of the Integrity Commissioner of the investigation into complaints that Ms. Katrina Nokleby, MLA, breached the Members' Code of Conduct by

returning to and remaining in Yellowknife after it was ordered to be evacuated in August 2023.

Tabling of documents. Notices of motion. Motions. Notices of motion for the first reading of bills. First reading of bills. Second reading of bills. Consideration in Committee of the Whole of bills and other matters Bill 23, 65, 74, 75, 78, 80, 83, 84, and 85, Bill 92, Committee Report 52, 53, 55, and 62-19(2), Minister's Statement 264-19(2), Tabled Document 681-19(2), Tabled Document 973 and 974-19(2).

By the authority given to me as Speaker under Rule 2.2(4), I hereby authorize the House to sit beyond the daily hour of adjournment to consider the business before the House, with Member for Inuvik Twin Lakes in the chair.

Consideration in Committee of the Whole of Bills and Other Matters

CHAIRPERSON (Ms. Semmler): I now call Committee of the Whole to record. What is the wish of committee? Member for Frame Lake.

MR. O'REILLY: Merci, Madam la Presidente. Committee wishes to deal with Committee Report 62-19(2) and Bills 74, 78, 83, and 92. Mahsi.

CHAIRPERSON (Ms. Semmler): Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you, committee. We will take a quick recess, and then we'll start with the first item. About five minutes.

---SHORT RECESS

CHAIRPERSON (Ms. Semmler): I'll now call Committee of the Whole back to order. Committee, we've agreed to consider Committee Report 62-19(2), Standing Committee on Economic Development and Environment Report on the Review of Bill 74: Forest Act. I will go to the chair of standing committee -- or the deputy chair of Standing Committee on Economic Development and Environment for any opening comments. Member for Deh Cho.

MR. BONNETROUGE: Madam Chair, the Standing Committee on Economic Development and Environment took the job of reviewing Bill 74, Forest Act, very seriously. The bill itself will impact residents across the Northwest Territories in a tangible way if it receives assent, and the bill is the first to be co-drafted in the Northwest Territories.

A significant amount of the committee's time and energy went in to reviewing this bill line by line, listening to what the people thought about the bill, and brainstorming solutions to problems identified by committee members. This work is outlined in the committee's report which was read into the record on September 27th, 2023.

The committee received six written submissions and met with residents in person in three regions of the Northwest Territories to hear their perspectives on this matter. The committee consistently heard the need for information to be public and for climate change to be accounted for when decisions are being made about Northwest Territories forests.

Madam Chair, I also want to take this time to acknowledge that the standing committee travelled to Enterprise in June of 2023 to discuss Bill 74. The leadership of Enterprise showed the standing committee the firebreaks they had been building around their community. Madam chair, at that time the community of Enterprise was asking for more support from the government to help them build bigger firebreaks. The community was doing all they could with the resources they had, but they knew it wasn't enough. Unfortunately, a wildfire overtook the community of Enterprise just weeks later.

The recommendations formulated by the committee address the main concerns heard by both stakeholders and members of the public:

- Public information;
- Climate change;
- Public engagements; and,
- Consistency of forest management decisions.

It cannot go unmentioned the immense amount of respectful collaboration and negotiations that took place between this committee and the technical working group for Bill 74. Seeing as this bill was co-drafted, the committee was pleased to work with not just the Government of the Northwest Territories but representatives from Indigenous governments on workshopping this bill to make it as thorough and inclusive as possible.

The committee would like to thank all members of the technical working group for working so collaboratively with the committee. The committee expresses gratitude to everyone who made the effort to provide us with their thoughts in writing and in person during committee's review.

Individual Members may have additional comments. Mahsi, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. I will now open the floor to general comments on Committee Report 62-19(2). Do Members have any general comments? Member for Frame Lake.

MR. O'REILLY: Merci, Madam la Presidente. Yeah, I want to thank the deputy chair for the comments to introduce the report. I serve on the committee and want to thank my colleagues for the work that we collectively put into the bill. And I also want to especially thank those that made written submissions and appeared before us in Whati, Fort Simpson, and Enterprise. We had a lot to think about as a result of the submissions that we received, the input that we got at the public hearings as well.

I also want to recognize that the work of the committee was actually hampered by the fires. We had to cancel and rejig our public engagement as a result of the fires, and we'd hoped to get to some other communities, but we just couldn't given the amount of time and the situation as it unfolded. There was quite a bit of public interest in this, I think as evidenced by the committee report, the submissions we received.

I also want to go on record as recognizing and supporting the legislative development protocol and the process convention that we now have in place for not just co-drafting of bills but collaborative review of bills as well. And this is really quite a historic occasion.

In a few minutes, we're going to have at least one representative, as I understand, from an Indigenous government's technical working group in the Chamber. That just hasn't happened before. So this is a historic occasion. And I do support the work that we undertook together.

I also want to recognize that this Bill 74 is much better than the bill that was introduced in the last Assembly known as Bill 44, The Forest Act. The big changes between 44 and 74 are that we see a much stronger integration of co-management into the bill that's now before us, stronger provisions for Indigenous rights, and certainly better flow and organization of the bill itself and the processes laid out for forest management and fire prevention and protection. And a lot of this, of course, was the work of the technical working group before the bill even came to us. So I also want to thank the Indigenous governments that participated in that process and had their staff attend numerous technical working group meetings.

At the end of the day, 22 amendments proposed by committee were actually accepted by the Minister and the technical working group. And I'm very proud of that work, and I think it's a clear demonstration of the collaboration that took place.

A lot of the work that was done on those 22 amendments really related to public participation in forest management. And, really, that's a public government responsibility. It's not the responsibility of Indigenous governments. That should have been our government doing that work. I would point out for the record, as well, that most of those issues were raised in the last Assembly with Bill 44. They were raised again during the delayed and very short public engagement carried out by the department on Bill 74 during this Assembly. And, in my opinion, they could and should have been better addressed in the bill itself. That being said, we did get 22 amendments and I think that those do reflect the concerns that were largely raised around public participation.

I am going to have some questions for the Minister when the witnesses are here. But there are some lessons that I think we can learn from this, and clearly we just ran out of time at the end where I think we could have achieved some further small changes to the bill in the interest of working together and ensuring good public participation, transparency, and accountability, but we simply ran out of time.

I think the next time around it would be very important to share more information with standing committee throughout the co-drafting process. Nothing was really shared with committee during the entire process, nothing. And I don't think that left committee in a good place when we received the bill. And I would point out, you know, the Department of Industry, Tourism and Investment, as much as I may seem to pick on them sometimes, they did actually share the policy considerations documents. I think it was, like, 500 or 600 pages, in a bit of a docu-dump with standing committee, on the development of the Mineral Resources Act regulations. But we really got nothing from the department in terms of information prior to the bill landing on our docket so to speak.

I think we can -- future standing committees can and should meet more often with the technical working group representatives. We had two meetings with them, and I think they were very helpful in understanding a number of new approaches and wording and so on in the bill, but I think some earlier collaboration would also be helpful. At the same time, I fully recognize that departments and Ministers have to hold the pen on this, and that's their work. But keeping

committee in the loop as that unfolds is, I think -- people are going to see on recommendations on that.

Lastly, I guess I want to say too that there is certainly a need for departments to have additional resources when it comes to doing public engagement on a bill like this. That's not to criticize the department in any way. They just needed more resources, in my opinion, to actually do a better job on public engagement. And there's no reason why the public engagement cannot happen while the co-drafting is going on. In this case, the public engagement happened after the co-drafting was almost finished and was very -- it was delayed and very brief, and the input that was received I don't believe it really -- it was properly reflected in the bill. So I think that in the future, departments have to get additional resources when they carry out public engagement on resource management bills. And that has been the case in this assembly with the Department of Industry, Tourism and Investment where they did secure additional resources, and I think other departments have to do the same thing.

I think, Madam Chair, that's all the comments I have but I will have questions when the Minister appears with the witnesses when we get to the clause-by-clause review, and I will be bringing forward a series of motions to amend the bill that reflect the work of the committee during our clause by clause back on August the 11th. Thanks very much, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Are there any further general comments to the committee report? Member for Great Slave.

MS. NOKLEBY: Thank you, Madam Chair. I agree with the things that were brought forward by my colleague for Frame Lake. It was quite an interesting process back and forth with the department and the and the working group, the technical working group, the Indigenous governments and representatives. I had the pleasure of being able to chair a few of the meetings which was -- helped me to stretch my legislative muscles and work through that kind of a process. And as you can see, the number of motions that we brought forward as a result of just how much back and forth there really had been. I agree that we likely ran out of time to do anything further and to really tease out a lot of the nuances that perhaps committee was really excited to do so.

Given that the information we had heard from communities when we travelled was, for me, really thought provoking and along a whole different sort of line of thinking than maybe I would have thought before, and a big piece of

that that I want to speak to here even though it does come up in motions, was the piece around the Indigenous science and knowledge and that incorporation into each community or area's ability to fight their own fires and to be in charge or control of their own fire management and forestry management plans.

A lot of the elders spoke to us about in the past how fire would be dealt with, that they would come with shovels and buckets and put out every sort of area that they found and in such manner they cared for the land.

Over the years, in the last decades, fire science has changed. I mentioned in the past that I grew up in British Columbia which was a huge forestry province. I remember when the government decided to stop fighting the forest fires for fear that it was changing the ecosystems of the forests in BC. The example given was the pine beetle that destroyed a lot of BC's timber industry. And at that time, a decision was made from what they said was an ecological perspective but also financial perspective because it was costly to go out into the forests and fight each and every single one of them. But what BC has that we don't have is that BC has fortified and built up municipalities.

They have municipalities with fire departments. They have resources within their own municipal governments to deal with fires when they do arrive on their doorstep. We don't have any of that in the Northwest Territories save maybe the capital city and a couple of the regional centres. And even then, it's clear that they were woefully underprepared and understaffed, under capacity for any of what's happened in the past while.

In 2014, ENR did lessons learned on the fire season that year in which we saw unprecedented amounts of our forests burn. At the time, ENR presented to the government -- or sorry, to the engineers and geoscientists on the fires and, quote, and said, that the regeneration of the fire of the forest was not the same any longer because the intensity of the fires in 2014 was so great that the regenerative seeds that were needed to come and bring back the forest and the plant life were all scalded or scorched and were not able to come back in the same manner.

So the fires in 2014, the department was aware that they had altered the landscape and the climate and the vegetation of the territory irrevocably at that time. So now fast forward, we're sitting here in 2023, nine years later, and we didn't seem to learn any lessons from that and instead we've allowed fires to burn. My colleague has spoken often to the resources that her people rely on that are in the -- sorry, in

the forest and how decisions made by this government has basically wiped out huge areas of their resources because they're not considered to have the same value as a building or a structure.

So I understand there's a large complexity around fire science and things are evolving. However, it appeared to me, and going out on this act and being part of this committee, that this department did not bring in the general public of the Indigenous people in the communities. I do appreciate that the working group had a lot of input here, and that for me was the only saving grace of this act that gives me any faith, that it was done at least with some degree of ability to be successful. And I know a lot of the back and forth we had was around varying nuanced conversation raising the issue of the fact that people are not going to be carrying ID into the bush necessarily. So if they're stopped by an officer and need to prove indigeneity, you know, they may not have that card with them. And then I found out even that some of the communities don't even -- or Indigenous organizations don't even use a card. They know who their people are. They have a list, and it's just a matter of a confirmation. So that was really something new to me.

So that being said, I think what gives me assurance, though, is that many of these details will be fleshed out in the regulations and that the assurances from the department that the same collaborative approach with the technical working group will be held when the regulations are developed. It is what gives me the faith, at the very least, that this act will go forward with Indigenous people and their use of the land in mind. And I really want to urge and hope that the people that are on that group and the people in the department really look at what has happened here this year and really start to analyze whether or not this idea of letting everything burn until it's on our doorstep is really a smart one. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Great Slave. Member for Monfwi.

MS. WEYALLON ARMSTRONG: Thank you, Madam Chair. Madam Chair, I know I'm grateful, thankful that, you know, Indigenous government were involved in drafting this Bill 74 to its current form. And it's good to see two sides of government working together, the GNWT and the Indigenous government technical working group developing this draft.

I know this is very -- this is important for the Indigenous people, especially people living in the area that deals with the lands and resources. So I know that it's respecting the

rights of the people living in the area, especially Tlicho and other Indigenous people in the NWT therefore I will support this Act because a lot of work went into it. But when we were travelling, though -- when we were travelling and one of the communities that we went to -- it's all the same. We went to Whati. And this is what the people said in the outlying communities, Whati, Fort Simpson, that, you know, that the forest fire management was better in the past than it is now. That's what we heard on our tour. And they said that they haven't seen these kind of problems before that they are seeing today, the mass evacuation, so which is a problem for them. And they're saying that GNWT used to do a better job fighting the fires in the past, and they got to it before it got out of control and threatened the communities, so what they used to see. And they said that they would like to see brought back is that maybe, like where the GNWT at the beginning, as soon as the forest fire start, they used to drive around in the communities and recruit anybody that was able to fight fires and able-bodied people. You know, they used to collect them. And our elders, they have a lot of knowledge and experience fighting fires without today's fancy technology. That's what we heard in our tour. And they would like to see some of those brought back. So that way we don't have to go through the chaos that we went through with the mass evacuation of Yellowknife, Fort Smith, Hay River, Behchoko. A lot of these were avoidable.

And they said -- what we heard too is that a lot of these people they said you do not mess with Mother Nature. And that's not what this government did. They messed with the Mother Nature, and it got out of control and resulted in 4 million hectares of land burned in the Northwest Territories. Our animals destroyed. Our livelihood destroyed, our language, our culture. And that's what we heard from the people. And we saw what happened. And I just hope that we will not go through that again and we will -- through this act and through both governments, the GNWT and the Indigenous government working together, we can make this better in order for us to move forward. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Monfwi. Are there any further general comments on the committee report? Member for Thebacha.

MS. MARTSELOS: Just a short comment. Since this is our first process convention and it's with Bill 74 with both our government and Indigenous groups, I too want to thank all those that participated. I think it's a first step in ensuring that we hear from the people that are keepers of the land.

I also want to know -- I also want to say that we all know that this was a bad forest fire season, a terrible one. I mean, I was -- some of us were away five weeks for evacuation. We know that there's going to be a What We Heard report, hopefully. I just want to ensure that when we do that, there is public consultation because, you know, after the Fort McMurray fires, there was -- there was a report done but without public consultation. So I want to ensure that, for the record, that we have public consultation, that everybody who wants to see change or wants to have a change in policy, that they are able to attend a public meeting in most of the communities. You know, it was an eye-opener for a lot. People have been predicting this for years, and other leaderships have been predicting that this was going to happen. And it happened. And it was a perfect storm. There's still no rain hardly anywhere. It's very dry. There's drought. And in closing, I want to make sure that we do public consultations, and we listen to what the experts tell us, especially the experts of the land, and that's the Indigenous people.

And I want to also thank all the people who participated in this report, and because it's our first process convention bill I think it's extremely important that we congratulate the people that sat at the table and tried to mediate through these really different and difficult decisions that were put in this bill. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Thebacha. General comments to the committee report? There are no further general comments. Member for Deh Cho.

COMMITTEE MOTION 477-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – INDEPENDENT REVIEW,
CARRIED

MR. BONNETROUGE: Mahsi, Madam Chair. Mahsi to committee and others who made comments regarding the bill.

I move that this committee recommends that the Government of the Northwest Territories undertake an independent, third party, comprehensive review of Government of the Northwest Territories' fire prevention and suppression with public engagement.

And further, this review should consider the policy framework, coordination with other governments and agencies, funding for these activities, as well as departmental practices concerning firefighter safety.

And furthermore, findings of the review should be made publicly available on a Government of the Northwest Territories website. Mahsi, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion? Member for Frame Lake.

MR. O'REILLY: Sorry, I'm not going to let this one -- mahsi, Madam la Presidente, I'm sorry, I'm not going to let this go without talking about it.

Just -- I think it's important to understand the context in which this recommendation was made. This was made before the evacuations took place in, you know, August when we were trying to conclude the review of the bill. But I think it's even more important today.

Now, on Friday, I asked a series of questions of the Minister of Environment and Climate Change, who wears the same hat as the Minister for Municipal and Community Affairs, about some kind of a comprehensive, independent, third party review of not just fire management, also emergency management, those two things. And I'd understood from what the Minister said that that would take place. This Cabinet is not going to be making those decisions. It's going to be made -- those decisions will be made by the next Assembly. And he assured me that the requests for proposal that was put out and closes, I think on October the 13th, that that is not this broader third party independent review. I'm not even convinced that the RFP meets the intent of this motion because I think the RFP that was put out is really an after-action review. It's a template. They do these at the end of every fire season.

I think what we were suggesting in this recommendation is something that actually looks at, you know, the fire prevention and fire suppression policy framework and practices because we heard a lot of concerns/complaints about that during the community hearings that we had and in written submissions as well. So I think this recommendation even goes beyond the RFP that's out there. But this is certainly not what I was talking with the Minister about on Friday, which is a much higher third party independent review of both fire management and community -- or sorry, emergency response, emergency management. So I just wanted to get all that on the record, Madam Chair.

I still believe that this work is necessary, but I think it's even more in-depth and probably the RFP is not going to even meet -- that's out there is going to meet the intention of

recommendation 1 that we have on the floor now to consider. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Tu Nedhe-Wiilideh.

MR. EDJERICON: Thank you, Madam Chair. I, too, I have a concern about what happened here, the fire here in the Northwest Territories. During the three and a half weeks in my riding, I listened to a lot of my elders, and the people in the community were talking about in the early days when fires happened they had a fire tower there. People were manned -- the towers manned by the RWED at the time.

And in those days, when they used to spot a fire, the guys would get on it right away. And they put out the fire. And they do it whether it would be three or four or five days, but they're on it; it's done, and it doesn't come back and haunt the community down the road. So, yes, there's overtime and so on that has to be looked at. But to me, this fire that just happened here in the Northwest Territories is significant. I don't know what to say about it because we never experienced this before. So, you know, this -- absolutely, I agree that we need to have a very comprehensive review of what happened here. And to undertake an independent third party review of what happened is needed. And, you know, we should really look at all those policies. They say that the fire's burning there. Well, then they should have been on it right away. But no, they -- and they said well, let it burn. No problem. We'll just monitor it. Well, you know, look what happened. So all that needs to happen. You know, I even would say that, you know, the firefighters that are now retired should actually be part of this policy review because they know the land. They're from our area. You know, they have the expertise. But right now, as it is, you know, this is something we got to learn from. But things -- we don't want to go down this road again.

And so I would say that, you know, this review is welcomed. And then I seen past reviews done, you know, internally, and it's like the RCMP investigating themselves. And we want -- we don't want that. You know, here we want to have an independent, and we just got to have clearer terms of reference and everything as to what the outcome should be. And so I'm going to support this motion because of that. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Tu Nedhe-Wiilideh. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Member for Deh Cho.

COMMITTEE MOTION 478-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – INFORMATION SHARING,
CARRIED

MR. BONNETROUGE: Madam Chair, I move that this committee recommends that the department review what information it can and should provide regarding its internal interactive fire databases, its communication efforts, and how information is presented and organized on its website to improve access to and knowledge of fire prevention and suppression activities and practices. Mahsi.

CHAIRPERSON (Ms. Semmler): The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. So while we were reviewing the bill, we had an opportunity to go to Fort Simpson. I want to thank the Environment and Climate Change staff that we met in Fort Simpson. We went to their office and we sat in a boardroom, and there was this great huge screen where they were able to flash up all kinds of information about fires. I'd never seen this stuff before. It was amazing. They had, like, real live time data and information there. They could tell you where planes were located, where they were going to be fire bombing and all kinds of stuff. It was amazing the amount of information that these guys were able to show us. But it's not publicly accessible. Nobody knows about it. It's used internally, which is great, and I think it's a very helpful set of tools. But, and I guess I understand maybe the need to keep some of that confidential in terms of values at risk and maybe some of the, you know, the immediate work that they're doing in the air and on the ground. But to not have any public access to that data is not very helpful. You know, the staff are doing a great job, but they've got to find ways to share more of that information. And I think that's what this -- that's what this recommendation is really aimed at, is making more of that kind of information available to the public.

I also want to say, too, that just before the evacuation I was totally exhausted because I was trying to do FireSmarting around our own

house. When I went on their website, there was a lot of good stuff there about FireSmarting, a lot of good stuff, but you got to kind of dig to find it. Some of it's not their documents. They're found on third party sites and things. There's a lot of really good stuff there about FireSmarting. We tried to do as much as we could before we left. But it's not organized in a way that's very user friendly. So my -- I think part of -- I'd like to add in here that that's another reason why this information could be better organized and communicated. It's just not there in a user friendly way. Anyways, you know, the staff do great work. They have some really great tools. We just got to find ways to share that and make it more understandable for everybody so that they can access this stuff. And that's what this recommendation is really aimed at. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Frame Lake. To the motion. Member for Tu Nedhe-Wiilideh.

MR. EDJERICON: Thank you, Madam Chair. And, again, you know, I always ask myself how did we find ourselves in this situation? How did we get here? You know, communication is a big part of, you know, trying to get this information out to the public. And what went down here it was -- it was really scary for a lot of people, especially in my riding Tu Nedhe where I was in Fort Resolution. On one hand, we had fires happening in the south of us in Fort Smith and then you got the one in Hay River. Depending on which way the wind is blowing, Fort Resolution, we're caught in there. The roads get shut off, but we're okay. The thing is that the air quality in that community after for -- oh jeez, I would say about six weeks, it was poor. We had birds dying. And yet, you know, I was a little concerned about how the GNWT could have been more proactive as to dealing with the air quality in that community. However, you know, when I was there for that time, you know, I listened to all the -- you know, the announcements that were made on the radio and the briefings they got, etcetera, you know.

I would say that, you know, we should have had a better handle on the protocol as to who is speaking and that kind of thing because right now we just have one individual constantly on there but then, you know, that person's just an officer of government but yet, you know, the executive, you know, we should have been really there in terms of having somebody there, you know, speaking for this government. You know, this came up in my riding and -- to see that didn't happen. So we definitely have to improve as to how we communicate to the residents of the Northwest Territories, especially in a fire like this. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Tu Nedhe-Wiilideh. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Member for Deh Cho.

COMMITTEE MOTION 479-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – ANNUAL MEETING,
CARRIED

MR. BONNETROUGE: Madam Chair, I move that this committee recommends that there be an annual meeting between relevant Government of the Northwest Territories departmental staff and each community to review values at risk, fire prevention and suppression preparedness, coordination of efforts and related matters. Mahsi.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion. Member for Tu Nedhe-Wiilideh.

MR. EDJERICON: Again, speaking to the motion, Madam Chair, I just was talking about communication. You know, when we talk about value at risk, etcetera, I know in our community in Fort Resolution, I was there when we had an intergovernmental agency meeting, and we talked about this. But any other time, you know, communication, again, has to come down to the leadership and shared with them. And I'm a little concerned that, you know, if we have one meeting, we only have one RWED officer there. But it didn't go far enough. There was too many questions. And, again, communication needs to be looked at for sure. But in this area here, I think there's going to have to be a way to -- the government to start working with the Indigenous governments on communicating what their plans are and especially when -- at value at risk. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Tu Nedhe-Wiilideh. To the motion. Member for Frame Lake.

MR. O'REILLY: Merci, Madam Chair. Yeah, some of the rationale behind this recommendation, the committee went to a number of communities, including Whati, Enterprise, Fort Simpson, and we constantly heard concerns around the size of firebreaks, whether they were adequate. Also concerns

around, you know, the adequacy of their fire prevention suppression capacity within communities. Some people in communities wanted to have, you know, a fire crew based in their community kind of on standby. There was concerns around, I guess, the -- and I don't know all the details, but I guess the training and certification of the folks that fight fires. Very, very high level, very rigorous, as it probably needs to be.

But as people get older, they're not able to meet those physical requirements but they still have a huge amount of experience in actually firefighting, and there doesn't seem to be a way to continue to engage and keep those people on somehow to help younger people. So those were some of the kind of concerns that we heard. And this set of recommendations arise in the report, they're kind of beyond the scope of the bill, but we felt it was important to document these concerns and try to find a way to address them. That's why they still appear in the report. They're outside of the -- perhaps the scope of the bill, but we heard these concerns, and we wanted to find a way to address them.

So one way we felt that some of these concerns could start to be issued is to make sure there's at least an annual meeting that takes place between departmental staff and the community leadership, relevant people in the community, about making sure the proper values at risk have been identified, any changes there, fire prevention suppression preparedness and how people work together.

Maybe these things happen already. If they have -- if they do, they're not being communicated very well to some of the people we were talking to who are actually in leadership positions. So, in any event, this is the reason why committee has made this recommendation, is to try to make sure that we work together to deal with fires better in the future, and I'm sure that's a shared value and objective by everyone in this House. Mahsi, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Frame Lake. To the motion. Member for Hay River South.

MR. ROCKY SIMPSON: Thank you, Madam Chair. You know, I look at this motion here, and I guess I think back to, you know, when the fire started and what happened throughout. You know, I spent most of my time in Hay River during that period. And you know, I saw what was going down. I saw the interaction, I guess, between government, between volunteers, you know, and with the community as well. And you know, at that time, I was thinking, you know, what we need is -- we need some better

coordination with all these groups because in the three disasters we've had, what I found was everybody sort of kind of walks away and then you don't really hear much of it again until next time. And as an example, you know, you had a -- we had a fire in the spring and then we had this big fire and in between, there wasn't -- I there didn't appear to be too much discussion.

We also -- the other thing you got to realize too is that in the community, you know, we have, you know, staff and the community governments but they may lack the qualifications when it comes to firefighting. And that's a big issue. They lack qualifications when it really comes to, you know, emergency measures and looking after that in evacuations as well.

So somebody has to take a lead role. And I know that what I find is that, you know, the GNWT will say oh, the community has the lead role and the community says well, the government kind of has the lead role, and there's that confusion. And when you have that confusion, it takes away time and valuable time. And we saw what happens, you know, in Enterprise. We saw what happened in Hay River when we lost valuable time, you know. And so what I'd like to see, I guess, is -- within the Department of ECC is a section that deals with, you know, emergency measures more so. And not just with fires but also with -- you know, the flooding and anything else that we may -- that may come our way. And we need experts in that field. Just like when we -- you know, you talked about doing a review before. You know, we need experts to do those reviews. We don't want just somebody kind of off the street. But we want to listen to people as well who actually -- you know, that went through some of the fires that were on the highway and that. The big thing is that better coordination, better communication. We need a special section within ECC to actually deal with emergencies and preparedness. And we need staff that are actually qualified, and we need that staff to help the communities qualify to make sure their staff are qualified as well. Like, we do in Hay River, we've got firefighters and that. A lot of them are volunteers. And, you know, there's only so much you can learn. You know, we're lucky they were there. We had -- you know, they were looking after structures while the ECC staff were looking after the wildfire. So just -- and those are just comments and things that I guess I saw while I was on the ground in Hay River. I just don't like to see some of the confusion that does happen. And it could very easily be avoided. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Member. To the motion. Member for Monfwi.

MS. WEYALLON ARMSTRONG: Thank you, Madam Chair. Madam Chair, I know, indeed, we do need expert, but what just happened in Northwest Territories, how can an expert let 4 million hectares of land burn? In the past, a lot of people have said, even the veteran firefighters have said the same thing, and elders have said, in the past government used to pick up all kinds of people on the street to fight fires, and it was those people, because of them, our community is still here. A lot of them, it happened all over. And that was the only jobs that a lot of our Indigenous people had at that time. It's not like before. We know that. But I wouldn't call these expert all the time because expert let 4 million hectares of land burn. And that's where I think here what I would like to see happen here is that strengthening communications. There was a lot of poor communications. There was a lot of things that we could have done to prepare for our communities, for our community members, especially the community members because we have a lot of elders. We have a lot of vulnerable people. We have a lot of children in the communities. You know, like, the firebreaks. And use the veteran firefighters, the elders, the traditional knowledge. We could have avoided many of these situations that we saw over the summer.

And what I would like to see is that, okay, communication needs to be strengthened but more involvement with the Indigenous government. ECC, or the department, needs to work with the ECC -- with the Indigenous government and community government and other organizations, especially when they know it is going to be hot, dry summer. Like, we should prepare for the worst. That's what they should have done. But the people in Yellowknife office, some of our people working here did not know what was happening. Only after that disaster strike, then that's when they were informed. And there was a lot of poor communications. So what I would like to see is the communications strengthened and use more of the veteran firefighters and elders. Because when I was talking to some of the firefighters, the veterans, some of them said we did not go home for two months sometimes. We were out there going from one regions to another fighting fires to save our communities. And we don't see that happening now. What we see is that, okay, they messed with Mother Nature. They don't want to go there and put out the fire. And especially now. We know the water level is low. But if it's going to be a dry season, do something about it, get to it right away before it gets out of control. And that's what destroyed the Highway No. 3.

We lost 15 cabins and four infrastructure in my communities. Our big land is destroyed. A lot of -- our Tlicho land is destroyed where a lot of people do hunting and trapping. It's just that we know we're not going to get it back because it's going to take seven years. And who knows, maybe longer with the climate change. Climate change is here. We might not get our land back or that replenish itself within seven years. It might take longer. So I think communications and meeting with the people, meeting with the Indigenous government, community government, keeping them informed should be strengthened in this and do more. We need an annual report. We need something so that we avoid this next year or within the next, you know, fire seasons. But something needs to be done right away about this. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Member for Deh Cho.

COMMITTEE MOTION 480-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – COLLABORATION WITH
STANDING COMMITTEE,
CARRIED

MR. BONNETROUGE: Madam Chair, I move that this committee recommends that representatives from technical working groups should meet with standing committee earlier in the process, closer to the beginning of the co-drafting process, to discuss opportunities to share information on policy options and policy intentions for resource management legislation. Mahsi.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. Yeah, in my opening remarks, I mentioned how I think it would have been helpful for committee if we had been able to receive more information about what kind of policy options and decisions had been made around different options before, if that could have been shared with committee before we just got the bill, and that the department didn't really share any of that information with us. So we got the bill, and we

had a whole bunch of questions and issues around it that I think probably we could have avoided, or at least had a more productive review of it had more information been shared upfront with us. So I think that's the purpose of this, is to not interfere with the drafting and work that has to be done but find ways to share some of that information during the process so committees can at least start in a better place when they get a bill like this and make more productive use of their time. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Member for Deh Cho.

COMMITTEE MOTION 481-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – EXTEND REVIEW
PROCESS,
CARRIED

MR. BONNETROUGE: Madam Chair, I move that this committee recommends that if the overall legislative timeframe allows, there should be the ability to extend standing committee reviews of resource management bills to allow for completion of the collaborative review process. Mahsi.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. Yeah, I'd mentioned, and other committee members have mentioned, that we kind of ran out of time at the end. We had met a couple of times with the departmental staff representatives of the technical working group and in the second meeting, we had a good discussion around some amendments that committee had proposed, and those were kind of taken away and some further work was done by the departmental staff, by the technical working group members, and then those were provided to committee. And committee had been at least under the impression that there was still time for us to respond to that and try to have maybe one more go at it in terms of reaching consensus on a few items. And we did provide that notice to the Minister, and,

unfortunately, the Minister said I don't have any more time to look at this to get it through Cabinet, or whatever the Minister has to do, and we just ran out of time. So hopefully these things don't always happen at the end of the life of an Assembly. They don't get scrunched in. I guess -- and we also undertook, at the beginning of this, to really look at lessons learned because this is the first time we went through this process. It was a good process. And the thing that I -- one of the things I learned from this as well, that collaborative review worked very well, and if we had a bit more time I think we could have probably reached consensus on a few more items. But we just ran out of time because of the end of the life of this Assembly and the need to get this bill back in for this sitting. So that's the intention of this, is to try to encourage a collaborative review of bills like this and, if there's enough time, to extend that if necessary. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Member for Deh Cho.

COMMITTEE MOTION 482-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – DEVELOPING
LEGISLATION PUBLICLY,
CARRIED

MR. BONNETROUGE: Madam Chair, I move that this committee recommends that exchanges between standing committees, the departments, and technical working groups on the review of resource management bills should be made public, where possible, and documented in committee reports and resource management bills. Mahsi.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Thanks, I'm just waiting for the light to go on. Thanks, Madam Chair. Yeah, I guess what -- the process convention does set out some timelines and, you know, steps for committee to work with departmental staff, with the technical working group. And those are good things. But it's really silent on how public

any of that can or should be. And we did exchange a number of written communications with -- as committee with the Minister. And I think it would be helpful for people, for the public, to know how that process went back and forth and what the outcomes were in some cases. And I think as much as we've tried to do some of that in the report itself, I think we should make more of an effort to be a little bit more transparent and try to find ways to make more of that information public. And that's what this recommendation is aimed at, is that another lesson that we've learned in going through this is that we try to find ways to make that exchange of information, of views, and the work that happens during the collaborative, we make it public. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Member for Deh Cho.

COMMITTEE MOTION 483-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – ADDITIONAL RESOURCES
FOR CO-DRAFTED RESOURCE
MANAGEMENT LEGISLATION,
CARRIED

MR. BONNETROUGE: Madam Chair, I move that this committee recommends that departments undertake in the co-drafting of resource management legislation and regulations, should secure additional resources for this process, and conduct more robust public engagement. Mahsi.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. Yeah, I just want to get into perhaps the weeds a bit here but I guess when the bill was being developed, the department waited until basically the end of the process to carry out a very abbreviated public engagement period where they put out a summary of a policy intentions document. I think there was about four or five weeks to comment on it. It happened partly over the holiday break. It wasn't a very helpful thing to have happen, quite frankly, in terms of trying to engage the public. So it

happened at the end, and it was very short. Some of the work may have been done in the last Assembly, but people wanted to know more about what was in the bill or what was -- could possibly be coming in terms of policy intentions.

We also heard and read in two written submissions from the Northwest Territories Association of Communities and from the NGOs that they felt that the public engagement was not adequate.

So I guess where I'm going with this, Madam Chair, is that as a public government, we have an obligation to do public engagement around these resource management bills. That's not for the Indigenous governments to do. That's for our government as a public government to do. And, you know, credit to the department, they did a great job working with the technical working group. We heard that from everybody engaged and involved. That's great. But it seems like they didn't have enough resources or time to actually do the public engagement that was required. And what this recommendation suggests is that when departments enter into this process, they seriously need to look at the resources they have available.

We asked -- I asked on the floor, and during budget reviews many times, does the department -- are you securing any additional resources for this? The answer was no, they didn't. And I think it clearly showed at the end of the day, when the public engagement happened at the very end, was more or less an afterthought. So I do want to compliment the Department of Industry, Tourism and Investment, again, for securing additional resources for the Mineral Resources Act regulation development. I've been critical of that process. But they did actually go out and secure additional resources to do the work. I just simply believe that other departments need to be able to access similar additional resources. This is not run of the mill stuff. We now have a legislative development protocol. We got -- that we have to live up to. And departments need to get more resources to do this important work. And that's what this recommendation is about. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. To the motion. Member for Tu Nedhe-Wiilideh.

MR. EDJERICON: Thank you, Madam Chair. In regards to this motion, you know, the last few days I have been speaking about treaty rights and Crown consultation and accommodations. And I just want to let people know that, you know, when we -- First Nation communities in my particular riding, we don't have settled

claims. We rely on core funding that comes in from Ottawa directly to our First Nation based on population. And we also rely on the resources we get from the mining industry to offset some of these costs. And I keep saying that we signed an oath, and we swore an oath too as well, to respect the treaties that we have. And we have a Commissioner. You know, we have a Governor General of Canada. Again, you know, a good portion of the monies that come from Ottawa to this government come from grants and contributions from various departments. But at the end of the day, you know, if we're going to be doing this, this work here, again, you know, we need to engage Indigenous governments. We're going to have to make sure Crown consultation and accommodations are met. And if that doesn't happen, then, you know, we could find ourselves in a very awkward position, maybe even in litigation, because, again, we do have treaty rights and, you know, Government of Canada is supposed to uphold it and the GNWT is also viewed as a -- the Crown as well, and that's the case, then they really need to take a look at this and provide adequate resources needed to Indigenous governments to really go through this whole thing. What I'm saying by that is that, you know, we got to fund the communities, the chief and council, the elders, expertise as needed, to review such documents as these. They just don't have the resources. So all I'm saying in speaking to the motion, Madam Chair, I think that should be looked at as well. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Monfwi.

MS. WEYALLON ARMSTRONG: Thank you, Madam Chair. Madam Chair, yes, what I would like to see in this is that more consultation with the Indigenous government as well. Not only with the public government but with the Indigenous government, especially those with the Aboriginal self-government that they have in place. So I would like to see more of that in this because this is important, especially with -- to lands and resources. So I know that this is important for the people who settled their land claims already. And it's just that I would like to see this -- the co-drafting be done with the Indigenous government, not just with the public government because GNWT is a public government and community government of Behchoko, Whati, Gameti, and Wekweeti are all public government as well. So it should be done with the Indigenous government. Thank you.

CHAIRPERSON (Ms. Semmler): To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Member for Deh Cho.

COMMITTEE MOTION 484-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – PUBLIC ENGAGEMENT
THROUGH CO-DRAFTING PROCESS,
CARRIED

MR. BONNETROUGE: Madam Chair, I move that this committee recommends that departments undertaking the co-drafting of resource management legislation and regulations should share more information with the public about policy options and policy intentions and conduct public engagement earlier in the process, that is, not wait until the end of the co-drafting process; and further, public engagement can and should run concurrently with the co-drafting process. Mahsi.

CHAIRPERSON (Ms. Semmler): The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Member for Deh Cho.

COMMITTEE MOTION 485-19(2):
COMMITTEE REPORT 62-19(2): STANDING
COMMITTEE ON ECONOMIC
DEVELOPMENT AND ENVIRONMENT
REPORT ON THE REVIEW OF BILL 74:
FOREST ACT – RESOURCES TO DEVELOP
REGULATIONS,
CARRIED

MR. BONNETROUGE: Madam Chair, I move that this committee recommends that the Department of Environment and Climate Change prepare a detailed budget and work plan for continued co-development of regulations necessary for a new Forest Act allowing for more public engagement on those regulations and the implementation of its new responsibilities under a new Forest Act. Mahsi.

CHAIRPERSON (Ms. Semmler): The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. Yeah, I want to speak to this one. I want to speak to the resources that this government actually got for forest management. The responsibility was, of course, originally held by the federal government and back in 1987, there was a devolution agreement for forestry negotiated. And this government, at that point, received an indexed offset to the territorial formula funding arrangement of \$24 million. And so that was indexed over time. We asked the department about what that would actually be these days. We were told that it's about \$55 million in today's dollars. So that's money that was given to this government for the purposes of carrying out forestry activities, including fire suppression.

Now, you know, in a normal year -- and this is not a normal year -- the department spends about \$35 million a year on forestry. That includes fire suppression and management. So there seems to be a gap there where maybe all the money that GNWT was getting for forestry is perhaps not actually being spent on it in a normal regular year. And the reason why I raise this is this new legislation creates some very significant new tools and responsibilities on our government when it comes to sustainable forestry. There's going to be forest eco -- there should be forest ecosystem management plans. There could be forest harvesting agreements. There's supposed to be forest monitoring. And a lot of this is going to be ecosystem-based management. Working collaboratively with Indigenous governments and co-management bodies. That's a lot of new responsibilities on this government, and this government needs to have the resources to do that.

Why is this important? If we want forestry to take off here and begin to replace wood that's imported, we need to be able to identify where people can do the harvesting and ensure that the research and monitoring that can support those economic opportunities are made available. And I guess I'm not convinced that we do enough of that work right now. But the ability and tools to do that are going to increase exponentially with a passing of this legislation. So our government has to be ready for that. And we need to be spending more money on forestry, on forest research, on inventory work to identify those opportunities so we can create jobs in the forest sector to replace the wood that we import, as much of that as we possibly can. That's why this is important because it can create jobs here. We want to make sure it's done sustainably.

But the department has to get a budget together to do that. You cannot do it with the current budget; it's not going to work. So I'm trying to

make a case for the next Minister to get that work done and put forward a proper budget to make sure that we have sustainable forestry and the jobs that it can create in small communities. And that's what this is aimed at, but also making sure that while we develop those regulations -- and there's a lot more work to be done to develop those regulations -- that that work can be done collaboratively with Indigenous governments and that there's a better public engagement as well. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is carried.

---Carried

Thank you, committee. Does committee agree that you've concluded consideration of Committee Report 62-19(2)?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you. Committee, we have concluded consideration of Committee Report 62-19(2), Standing Committee on Economic Development and Environment Report on the Review of Bill 74: Forest act. Committee, we've agreed to consider Bill 74, Forest Act. I'll ask the Minister of Environment and Climate Change to introduce the bill.

HON. SHANE THOMPSON: Thank you, Madam Chair. I am here to present Bill 74, Forest Act. It is also important to recognize that we are discussing forestry legislation at a time when people, our people, communities and our forests, have been significantly impacted by wildfires.

Bill 74 is the first bill drafted under the Intergovernmental Council Protocol on Legislation Development and the first introduced under the Legislative Assembly's new process convention on bills drafted in accordance with this protocol.

Bill 74 is an important milestone for all of us, and I thank everybody - the Indigenous governments, standing committee, and all Members of of this House - for their work on this bill. The Department of Environment and Climate Change worked closely with Indigenous governments of the Intergovernmental Council through a technical working group to develop Bill 74. Along with the Intergovernmental Council Members,

participation in the technical working group also included Lutselk'e Dene First Nation, North Slave Metis Alliance, Yellowknife Dene First Nation, Nahanni Butte Dene Band, and Deh Cho First Nation.

The bill is the result of hard work of many people and organizations and reflects consensus of the party under the Intergovernmental Council Protocol.

Bill 74 combines and modernizes the Forest Management Act and Forest Protection Act. It will allow the GNWT and its partners to use the most current tools to effectively manage forest resources in the NWT.

Bill 74 is designed to provide for flexibility, to account for variations between regions of local needs. Special needs for many parts of the bill will be further defined in regulation development. New tools established under Bill 74 include

- Forest ecosystem management plan;
- Provisions required to allow the GNWT to effectively manage wildfires;
- The ability to take immediate actions against invasive species and diseases that could seriously harm to the forest;
- Removing the requirements for a permit for anyone with an Aboriginal treaty right to harvest forest resources in an applicable area;
- Modernize the appeal process; and,
- Update enforcement and investigation authorities.

I would like to thank the Standing Committee on Economic Development and Environment for its review of this bill. 22 motions of the bill were approved and integrated. This shows the great collaboration between the committee and Intergovernmental Council technical working group. That concludes my opening remarks, and I look forward to answering any questions that Members may have. Thank you, Madam Chair.

MR. SPEAKER: Thank you, Minister. Would you like to bring witnesses into the Chamber?

HON. SHANE THOMPSON: Yes, I would.

CHAIRPERSON (Ms. Semmler): Thank you. Sergeant-at-arms, please escort the witnesses into the Chamber.

Welcome. Minister, would you please introduce your witnesses for the record.

HON. SHANE THOMPSON: Thank you, Madam Chair. On my right is Dr. Erin Kelly, deputy minister of environment and climate change. And Brett Wheler, a representative of the Intergovernmental Council invited under the Legislative Assembly process convention on bills drafted pursuant to the Intergovernmental Council Legislative Development Protocol. Behind me, on my left, is Laura Jeffrey, legislative counsel with the Department of Justice. And on my right is Melissa Bard, manager of legislation from the Department of Environment and Climate Change. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Can you just repeat the last name of the -- the last name that you just said; I couldn't hear.

HON. SHANE THOMPSON: Bard. B-a-r-d.

CHAIRPERSON (Ms. Semmler): Thank you. I will now turn to the chair of the Standing Committee on Economic Development and Environment, the committee that reviewed the bill, for any opening comments on Bill 74. Member for Nunakput.

MR. JACOBSON: Thank you, Madam Chair. Bill 74, Forest Act, received second reading in the Legislative Assembly on March 2nd, 2023, and was referred to the Standing Committee on Economic Development and Environment for a review.

The review period for Bill 74 was extended to 180 days rather than the 120 so the committee could proceed with a thorough review of the first co-drafted legislation of the Northwest Territories. Indigenous governments co-management bodies. The Government of the Northwest Territories worked together to create Bill 74. The bill was the first piece of legislation to be reviewed under the process convention of the introduction, consideration, and enactment of bills drafted pursuant to the Intergovernmental Council Legislative Development Protocol.

Bill 74 is a second attempt at this legislation that did not pass in the 18th Assembly. It was important for this committee to be thorough in its review to ensure people had their voices heard when they weighed in on this bill. The committee held public hearings in Yellowknife, Whati, Fort Simpson, Enterprise. The committee also received six written submissions. This enabled the committee to get a solid understanding on how the intricacies of the proposed forest management legislation would impact communities, individuals, businesses, and non-governmental organizations.

The committee developed 37 motions to amend the bill and brought them forward for the consideration of the technical working group comprised of the Government of the Northwest Territories and representatives from the Indigenous governments.

The committee held many negotiation sessions with the purpose of seeing where the technical working group stood on the issues and why, and to have the opportunity to do the same.

On August 11th, 2023, the committee held a historic clause-by-clause review of Bill 74 with the Minister of Environment and Climate Change and representatives of the technical working group. The committee moved 28 motions to amend Bill 74. The Minister of Environment and Climate Change concurred with 22 of those motions. It is committee's belief that Bill 74, as amended, is an even stronger and even more representative piece of our legislation.

I would like to thank the committee -- the best committee in the whole Legislative Assembly -- of economic development and environment, for its hard work and my co-chair Mr. Ron Bonnetrouge for all the hard work he's done with me. And I thank him and the rest of the committee.

The review of Bill 74, as well as the work of the legal experts and the committee staff to comply with the tight deadlines outlined in the process convention and guided the review of this bill.

Individual Members may have additional comments or questions, Madam Chair. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. I will now open the floor to general comment the on Bill 74. Does committee agree -- Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. I don't want to repeat my opening remarks on the committee report other than to thank the environment and climate change staff and the members of the technical working group for getting us a bill that was much, much better than Bill 44 in the last Assembly and working collaboratively with us.

But one area that I want to explore a bit here, and this was an area that the committee spent -- I guess a significant amount of time, at least in the early stages of our review, was the application of the bill as drafted. It seems to be a law of general application, and it wasn't clear to us how it would apply to private lands, Indigenous owned lands, surface leases, and so on. So can I get the Minister to talk a little bit

about where this act would apply. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Minister.

HON. SHANE THOMPSON: Thank you. The Forest Act is a law of joint application which means that it applies throughout the NWT unless its application is narrowed in regulations. Some regulations on the first act may be designed to make more -- or some powers, such as harvesting and forest resources in applicable on private lands. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks. Yeah, one of the concerns that we had raised to us in a written submission was how the Act would apply to, say, titled property and say areas where people have surface leases for various purposes. This legislation would seem to enable the department to issue forest licenses and permits on what might be privately owned or area owned lands or areas where the surface rights have been leased out. Is that the case? And if not -- yeah, I'll start with that. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: For that detail, I'll turn to Dr. Kelly.

CHAIRPERSON (Ms. Semmler): Thank you. Dr. Kelly.

DR. ERIN KELLY: Thank you, Madam Chair. As the Minister mentioned, we will need to develop some of the regulations and they may be designed to make some powers, such as harvesting of forest resources inapplicable on private lands. Permits and licenses won't be issued unless there's permission on private land, which is the current process. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Yeah, okay, thanks. Well, we've got it on the public record, then, that it's not the intention of the department to issue licenses or permits on privately owned lands or lands where there might be surface leases. And, yeah, I think that would really be incompatible with -- and some of these may be compatible activities. I don't know. But if somebody has surface interests, I think it would only be reasonable that, somehow, they get engaged before licenses and permits would be

issued. So I'm glad to get that assurance on the record. And I will have some more detailed questions about some other areas of the bill as we go through it. But thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Committee, do we agree that there are no further general comments?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Can we proceed to a clause-by-clause review of the bill?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Committee, we will defer the bill number and title until after consideration of the clauses. Please turn to page 1 of the bill.

Clauses 1 through 10, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clauses 11 through 13, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 14. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. So through the work of the committee, with the departmental staff and the technical working group, we did make some progress on the issue of what information should be made public because the bill was totally silent on this which was, really, I guess kind of surprising given that this issue was raised in the last Assembly with regard to Bill 44. It was also raised during the public engagement by the department earlier in this year. It was raised in written submissions to the committee as well. So we did make some progress. What we have here is a relatively short list. And one of the motions that committee had originally proposed, there was quite an exhaustive list of key documents, key decisions, that would be made -- or could be made under the new legislation. And that was provided to the department, and I guess discussed with the technical working group. And through some negotiation, we came up with a much shorter list and some commitment to examine a longer list through regulations. So I just want to get the commitment on the record from the Minister that that much longer list that was provided by committee is going to form the basis for some further work to be done on a regulation about what information can and should be made public. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: Yes.

CHAIRPERSON (Ms. Semmler): Member for Frame Lake.

MR. O'REILLY: Sorry, I got caught short there for a second. I'm trying to gulp down some water. I want to thank the Minister for that because there was a much longer list than what would have been -- what appears now in the bill.

But with that, Madam Chair, I do want to move a motion to amend clause 14.1, and I'd like to move it as follows: That clause 14.1 of Bill 74 be amended by

(a) renumbering that clause as subclause 14.1(1);

(b) deleting paragraph (d) and (e) of that renumbered subclause and substituting the following:

(d) any forest harvesting agreement entered into under subsection 25(1);

(e) any extension or variation of the wildfire season declared under subsection 28(2);

(f) all wildfire prevention and preparedness plans submitted to the forest superintendent under subsection 45(2), any such plans resubmitted under subsection 45(3), and any hazard assessments conducted under subsection 45(5);

(g) all permits and licenses issued under subsection 48(2), other than those that authorize the holder to undertake activities set out in that subsection solely for personal purposes;

(h) any prescribed information.

(C) adding the following after that renumbered subclause:

(2) Before publishing a forest harvesting agreement under subsection 1(d), the Minister may remove from the agreement any of the following information, the disclosure of which would be prohibited pursuant to the Access to Information and Protection of Privacy Act;

(a) any ecologically or culturally sensitive information;

(b) any information harmful to the financial or economic interests of a party to the agreement.

(3) Information is not required to be published under subsection (1) if the information

(a) is prohibited from disclosure under an Act of Canada or an Act of the Northwest Territories; or

(b) is provided, implicitly or explicitly, in confidence to a person or body exercising powers or performing duty or functions under this Act, and is consistently treated as confidential information by the party providing the information.

Mahsi, Madam Chair.

CHAIRPERSON (Ms. Semmler): All right. Members, because 14 -- clause 14 is its own and then 14.1 is a new one, we have to go back to clause 14. If Members agree with that one, then we're going to go to 14.1. I'll go back to you, Member for Frame Lake, and you can read your motion. So clause 14, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 14.1, Member for Frame Lake.

COMMITTEE MOTION 486-19(2):
BILL 74: FOREST ACT – AMEND CLAUSE
14.1,
DEFEATED

MR. O'REILLY: Sorry, Madam Chair, about all of that, I'm confused as much as anybody else.

I move that clause 14.1 of Bill 74 be amended by

(a) renumbering that clause as subclause 14.1(1);

(b) deleting -- sorry, deleting paragraph (d) and (e) of that renumbered subclause and substituting the following:

(d) any forest harvesting agreement entered into under subsection 25(1);

(e) any extension or variation of the wildfire season declared under subsection 28(2);

(f) all wildfire prevention and preparedness plans submitted to the forest superintendent under subsection 45(2), any such plans resubmitted under subsection 45(3), and any hazard assessments conducted under subsection 45(5);

(g) all permits and licenses issued under subsection 48(2), other than those that authorize the holder to undertake activities set out in that subsection solely for personal purposes;

(h) any prescribed information.

(C) adding the following after that renumbered subclause:

(2) Before publishing a forest harvesting agreement under subsection 1(d), the Minister may remove from the agreement any of the following information, the disclosure of which would be prohibited pursuant to the Access to Information and Protection of Privacy Act;

(a) any ecologically or culturally sensitive information;

(b) any information harmful to the financial or economic interests of a party to the agreement.

(3) Information is not required to be published under subsection (1) if the information

(a) is prohibited from disclosure under an Act of Canada or an Act of the Northwest Territories; or

(b) is provided, implicitly or explicitly, in confidence to a person or body exercising powers or performing duty or functions under this Act, and is consistently treated as confidential information by the party providing the information.

Mahsi, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Thanks, Madam Chair. Yeah, this is a motion that was moved in committee. The Minister at the time said that he was not able to concur with it because we had basically run out of time. If people have views about this, I would appreciate hearing them, but it was supported by committee in -- during the clause-by-clause review.

What this essentially does is add a few items to the list of information that is to be made public, and those are the forest harvesting agreements, and permits and licenses that would be issued for nonpersonal use.

We heard from the department that they didn't want all the permits and licenses issued because there was a lot for personal use, so we came back and said well, let's just -- we won't ask for those to be made public. We'll just ask for other kinds of permits and licenses to be made public. So that's the purpose for adding that one.

And on the forest harvesting agreements, I think the rationale from committee -- and I certainly supported this -- was that these are important agreements where we're giving rights to harvest lumber or timber to private interests, maybe even Indigenous economic development corporations, whatever, and because this is, you know, an agreement for

harvesting that the public should probably know what is in that agreement because the government's negotiating isn't giving away those rights to some extent. At the same time, we recognize that there might be some information in those agreements that needs to be kept confidential, and that's the purposes of clause -- the second and third parts of the amendment I'm bringing forward here today. So it's really to expand that list of information that would be required to be made public.

And I think these are reasonable additions, and I think they're consistent with the kind of approach that was used in the last Assembly to create, in some cases very extensive public registries under the Mineral Resources Act, under the Public Land Act a lot more information is being made public. The public -- or sorry, the Protected Areas Act as well also has an extensive list of items that are being included on a public registry. So that's the purpose in bringing this forward, is to expand that list in the interest of transparency and accountability. And the argument might be made that this could happen later through regulations but I'm of the view that it should actually appear in the act because there's no certainty that it will actually happen in the regulations. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Yellowknife North.

MR. JOHNSON: Thank you, Madam Chair. As the Member said, this is essentially the motion that was moved by committee. I supported it then, and I understand the Member's going to move to a couple motions that were already essentially moved by committee. I don't want to speak to the details of them. We spoke to them at committee, and the Minister responded. I guess I want to talk a bit larger about the process we're in now.

All of these motions and the motions we move, I don't think affect Aboriginal rights in any ways. I don't believe they go to the heart of what the technical working group tried to accomplish in the Forest Act. I do view them as kind of minor amendments putting obligations on a public government to be more public.

That being said, I can't find myself supporting them because I think it kind of undermines this entire process. We were fortunate to have a technical working group and a Minister work with us on committee to respond to a number of motions and make a number of amendments to the bills. And then I think now if the legislature essentially vetoes that process and says thanks for the negotiation, we're going to do it anyway, it kind of undermines everything we tried to accomplish here. And I think it puts the Minister

in a tough spot where then at third reading, he has a bill that was not the bill negotiated at the technical working group and may, in fact, if, you know, these were substantive enough, just withdraw the whole thing and say I can't vote in favour of a different piece of legislation that I didn't concur with and I got instructions not to concur with.

Now, I know that in some way is kind of limiting the powers of this House, but to me it becomes a political calculation of when we should move motions that fail that committee again at third reading or Committee of the Whole. And to me, that is in very rare circumstances should we, as Regular Members who hold the majority, kind of usurp the negotiation process in committee. If that's what we're planning on doing, I think we're better off just reporting the bill not ready instead of kind of going around. And so that's my concern with passing all of these, is it then puts kind of an emergency meeting has to happen with the Minister and technical working group and say hey, you know those things you didn't concur with are now in the bill; where did you stand? Should I still be doing this? And god forbid, we then don't pass the Forest Act for the third Assembly in a row.

So I am very hesitant to move motions that did not get concurred with at the committee stage if the Minister was cooperative and if the department worked with us, and that is exactly what happened today. We had a lot of back and forth. We heard the reasons they didn't concur with them. I didn't always agree, but they were rational enough that it didn't cause me to think that we had to bring this motion and potentially undermine the entire process and all future negotiations on bills like this. So I can't be supporting these. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Great Slave.

MS. NOKLEBY: Thank you, Madam Chair. I just want to echo what my colleague from Yellowknife North said. I want to respect the process of the intergovernmental working group in this. I think this is the exact example of where we did run out of the time at the end. I know that the Minister was open to having it go back, but we were just not able to have that fulsome conversation. It does speak to some of the motions we made -- or recommendations we made to have the conversations start sooner with the standing committee and having that be a lot more sort of fluid in that conversation back and forth between the three groups. And I think in the next one, we'll see that be even smoother and, as such, I won't be supporting this motion either. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Tu Nedhe-Wiilideh.

MR. EDJERICON: Thank you, Madam Chair. As well, I agree with my colleagues as well that, you know, we -- if we can't have an emergency meeting on this, then -- to iron out the last details of this, I'm aware of what was being discussed on this bill. So as well, I will not be supporting this motion. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Thebacha.

MS. MARTSELOS: Well, this is a first process convention that we're doing with the working group of these various organizations and, at the 11th hour, we get this amendment. And for clarity, too, I'd like to know if the amendments were discussed with the working group? They were?

CHAIRPERSON (Ms. Semmler): You just need to speak to the motion. So Member for Thebacha.

MS. MARTSELOS: I don't have any comments on it.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. Oh, Minister.

HON. SHANE THOMPSON: Thank you, Madam Chair. I do not support this motion. The GNWT previously agreed to a standing committee amendment that enhanced Bill 74 by including mandatory provisions to make forest management information publicly available on a website. This motion proposed to add more details, or more items, but further analysis and engagement with stakeholders is needed to ensure that appropriate information is posted publicly. I recognize it's maybe appropriate to post more information publicly, which is why the bill allows for additional items to be prescribed in regulations. With the Chair's permission, I would refer to Mr. Brett Wheler to provide IGC's technical working group's perspective on this motion. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Mr. Wheler.

MR. BRETT WHELER: Mahsi, Madam Chair. First, I just want to say that on behalf of the technical working group and Intergovernmental Council's secretariat, mahsi, and give some appreciation to all the Members of the Legislative Assembly for the process

convention and for working through that together with us.

The collaborative process is set up through the Intergovernmental Council. They're extremely, extremely important, and they're extremely important tools for reconciliation, for recognition of the essential role that Indigenous governments have in land and resource management, and for respecting the rights of Indigenous peoples across the various regions of the Northwest Territories.

From our perspective, the current draft of the act, Bill 74, is a carefully considered and thoroughly considered process, including intensive collaboration with the standing committee. And while fully respecting the authority of the Assembly, it is fair to say that the technical working group of the Intergovernmental Council hopes that the act moves through this final legislative step intact and as is given the considerable and, we think, groundbreaking collaborative effort that has gone into it.

More work is needed to fine tune the details, but the technical working group believes that that will appropriately be done through the regulations. So, overall, the technical working group feels that Bill 74 properly and accurately reflects the goals and the objectives of the Intergovernmental Council, and we fully support the bill in its current form, and we believe no further amendments are needed.

We do fully expect and trust that this motion, and the topics raised under this motion, and all the other motions, will be carefully considered during the regulation making process. Mahsi

CHAIRPERSON (Ms. Semmler): Thank you. I'm going to have to -- this is a new process for all of us. And so because it's a motion to amend a clause, the Members that can speak and so I didn't want to cut anybody off. But we're going to go call the motion again, and then we're going to have to go from there. Just because -- so to the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. I'll return -- sorry. There's a lot going on here. I'm going to pass it back to the mover of the motion to close the debate on this. Member for Frame Lake.

MR. O'REILLY: No, thank you -- or thank you, Madam Chair. Yeah, we're kind of constrained to some extent by our procedures here, and we don't have the ability to have the kind of back and forth that we had in the technical -- sorry, with the committee meeting and in the clause-by-clause review so I appreciate the

difficulty of trying to do this sometimes in Committee of the Whole.

But I just wanted to have an opportunity to respond to some of the things that I heard, and I respect all the viewpoints that I hear in this House even if I disagree with them sometimes. It's certainly not my intention to try to delay this bill. I want this bill passed in this sitting as much as probably anybody else because I had to try to deal with it in the last Assembly.

So that's not my intention here. I think -- well, I don't think; my intention here was to bring forward the motions that we had in -- from the committee to actually get a full response because we ran out of time, as several Members have indicated. So now that I've got the response, that's better; I have a better understanding of where folks have landed. But I haven't really heard any specific response as to why we can't release forest harvesting agreements as a public document. I haven't heard why we can't make permits and licenses that are not for personal use available for public disclosure as we do with all kind of other permits and licenses, because I think that's only in the interest of making more transparent and accountable decisions. So, you know, in no way am I trying to undermine the process convention that was set up, the Legislative Development Protocol.

I had to live through all of this in the last Assembly and made some very strong recommendations in the last Assembly supporting where we're at. So I'm not trying to undermine any of this stuff. We simply ran out of time as a committee. And I believe it is in the public interest to have the kind of debate and discussion we're having right now on the floor of the House about whether some additional information should be made public in the bill itself. That's what this is about.

And I guess in my view -- believe me, I'm not going to speak for another ten minutes so, because I'm the only thing that stands between people and dinner. So in my view, though, a lot of this can and should have been fixed before the bill ended up with committee.

The issue of a public registry, more public information being made public, that was raised in the last Assembly with Bill 44. It was raised again during the public engagement by the Northwest Territories Association of Communities and the NGOs. I made the same comments at second reading on the bill, so this shouldn't come as a surprise to anybody. And I think those -- that issue of public information, of public registry, should have been fixed before the bill got here. But it wasn't. So we negotiated to a point where we've got a pretty short list,

much shorter than I would like, and I think it's in the public interest to add these additional items. Clearly, it's not going to get support here, and that's fine. But I think it was worthwhile to have this discussion and debate on the floor of this House. And, Madam Chair, I think that's all I have to say.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour, please raise your hand. All those opposed, please raise your hand. All those abstaining, please raise your hand. The motion is defeated.

---Defeated

Clause 14.1, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you, committee. Committee, I just wanted to explain -- sorry, because when we're speaking to a motion, we can't ask questions. But we can ask questions -- that's why we have the witnesses here. When there's a clause to that clause, you can ask questions. So if we -- that's the difference and the Minister and the witnesses can respond to questions from Members but once we go to the motion, only the Members can speak to the motion. Sorry, that was -- and that's what happened. So with that, we are going to take a recess, and we'll come back with the remainder of this bill.

---SHORT RECESS

CHAIRPERSON (Ms. Semmler): Members, we're going to continue on with the clauses from Bill 74, Forest Act, and we're continuing on with clause 15. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you. Clause 15.1. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. So this is an addition to the bill that standing committee worked with the departmental staff and the technical working group on, and there's now a new requirement for an annual report from the forest superintendent.

Part of the reason for this was during committee's review of the bill -- and it was actually in submissions as well -- that there was some concern that this forest superintendent has really broad powers to help create or develop forest ecosystem management plans that needs to be done collaboratively with

Indigenous governments and co-management bodies, monitoring, research, a whole bunch of things. But all of that was kind of qualified by the word "may". And there was concerns raised about how much discretion this position seemed to have without any accountability. So committee thought about this a lot, and we came up with the wording that now appears in section 15.1, which is a relatively short list of things that the forest superintendent is now going to be required to report on. There's a lot of other things the forest superintendent will actually do. And I guess I'd like to get an explanation from the Minister as to how this list was arrived at. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: For that detail, I'll turn to Dr. Kelly. Thank you.

CHAIRPERSON (Ms. Semmler): Dr. Kelly.

DR. ERIN KELLY: Thank you, Madam Chair. The technical working group worked through this very carefully and determined what they felt was appropriate to include in the Act. I would definitely say that there are concerns about the use of the -- of broadening to any research activities because some of -- there's a question about what that could ultimately mean and it could be -- it's quite broad. It could be unclear in the Act that it doesn't include, for example, the forest supervisor Googling things on the internet. So the IGC, as technical working group came up with what they feel should be in the Act itself. And we can always look at putting some of these things in at a later date. We already have reporting that is done annually on forest science and research that are done, and it's a commitment that we've made to continue that work. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: Yes, thank you. With your permission, I'd ask Mr. Wheler to provide something from the technical working committee too. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Mr. Wheler.

MR. WHELER: Mahsi, Madam Chair. The technical working group for the Intergovernmental Council does share the concerns that were just expressed by Dr. Kelly, including the need for -- well, including the vagueness of any research activities. In general, the technical working group has been and continues to be open to improving the bill or improving on these factors, these considerations. But on things like this, we do

think there's a need to carefully consider the details as part of the regulations to make sure we get things like the definition of "research activities" and get that right. And, you know, going forward in development of regulations, the Intergovernmental Council partners expect to be fully involved under the Legislative Development Protocol in that. Mahsi.

CHAIRPERSON (Ms. Semmler): Member for Frame Lake.

MR. O'REILLY: Yeah, thanks for that. I guess I want to point out that the wording, you know, about research activities is actually not contained in here. We're going to get to that in a minute with a potential motion. But the other list of items here in 15.1, they're all kind of preceded with this language about it's a summary of. And then it's any activities, any forest ecosystem management plans, any monitoring. So, you know, this word "any" and the kind of activity, that's the way that it's presented in the list here. So I just want that clarified, but -- or I just think it's important to look at the way this was drafted as well.

I guess the other concern with this list from committee's perspective, and my perspective, is that there's nothing in here about inspection and enforcement. So where would the public have any sense of whether there's inspections being carried out, whether there's any enforcement activities being carried out? You know, people want to have some reassurance that if we're going to pass legislation that departments actually follow up and actually do the work and that they have the resources to do the work as well, because we don't want people doing things that they're not supposed to be doing. So where would the public find out anything about inspection and enforcement activities if the forest superintendent doesn't have to report on it? Where would they find that information and where is it in the bill itself? Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: For that detail, I'll ask Ms. Bard to -- with your permission, I'll get Ms. Bard to answer that question. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Ms. Bard.

MS. BARD: Thank you, Madam Chair. I know that for some ECC programs that some of that information is available in performance measures, and ECC can look at that under the forest program. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Yeah, I hear that and that's -- sometimes those things are found in business plans that are public, but they're kind of buried in the detail of it. And I would have thought that we'd want to make that kind of information a little more public. And why, you know, wouldn't it be contained in the annual report from the forest superintendent who's actually largely responsible for doing inspection and enforcement. Why can't it be found in the annual report? Or at least be prescribed as one of the things that should appear in the annual report? Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: Thank you, Madam Chair. Annual reports will provide summary data; i.e., inspections and that. So it is being provided in the annual report. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Okay, well that's interesting because it's not required in the legislation. But if they want to continue to do that, that's great. Is that what actually happens now; is there an annual report from the forest superintendent? Is it public? Does it contain data on, say, the number of inspections, the number of enforcement actions? Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: Thank you. We've heard the Member's concern, and we'll make sure it's added in the reports moving forward. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Okay, thanks. So we don't get an annual report now from the forest superintendent. I got a commitment that it'll probably occur in future reports; that's great. I just would like to have it in the bill itself. So, Madam Chair, I'd like to move a motion to amend 15.1 if I could.

CHAIRPERSON (Ms. Semmler): Go ahead, Member for Frame Lake.

COMMITTEE MOTION 487-19(2):
BILL 74: FOREST ACT – AMEND
SUBCLAUSE 15.1(1),
DEFEATED

MR. O'REILLY: Thank you, Madam Chair. I move that subclause 15.1(1) of Bill 74 be amended by.

(a) adding the following immediately preceding subparagraph (a)(i):

(0.i) any research activities of the Forest Superintendent under paragraph 15(3)(b),

(b) deleting "; and" at the end of the English version of subparagraph (a)(iv) and substituting a semicolon; and.

(c) deleting paragraph (b) and substituting the following:

(b) the total number of inspections and investigations conducted under Part 7;

(c) the total number and total amount of fines and other penalties imposed under Part 8; and

(d) any prescribed information.

Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. First off, I just need to get it clearly on the record I'm not raising any of this to delay or derail this bill in any way. I want this bill to pass, and I want it to pass in this sitting. I support the Legislative Development Protocol. I support the process convention. These are minor tweaks to the bill to improve transparency and accountability. This is about the public aspects of this bill. This is not about anything else. And I think it's a debate that we can and should have on the floor of this House. That's always been my objective as an MLA throughout my year -- eight years in this place, is to increase openness, transparency, and accountability and that's what I'm trying to do here. This is not ability trying to usurp the co-development process of this legislation. This is not about usurping the process convention where we co-draft or co-review this bill with the departmental staff, with the Indigenous governments, and Minister. That's not what this is about. This is about trying to increase transparency and accountability.

So I want this bill done and I just want it done right, and I want a few minor tweaks. That's what I'm here to talk about tonight.

So the things that this bill -- there's a lot of wording in here. What this really does is add two -- three things to the annual report that the forest superintendent would do. We've actually just heard the Minister say they're okay with that. So I don't know -- I'm hoping that the Minister and Cabinet will actually support this addition. This Minister just said that he was okay with it. So (a) -- or the first thing to be added is any research activities of the forest

superintendent under paragraph 15(3)(b). So remember this: We're talking about a summary. We're not talking about all research activity. This is a summary of the research that the forest superintendent intends to undertake under 15(3)(b) of the Act. This is not about any other research that the forest superintendent may do. This is about the -- what the forest superintendent is explicitly allowed to do under the legislation. So why not get a summary of the research that the forest superintendent does? I think it's a good thing.

Secondly, the other addition here is about adding into the report the total number of inspections and investigations conducted under Part 7. We're not talking about individual case information. This is just to provide some information to the public that -- and some confidence to the public that, wow, there is actually inspections and investigations taking place under the Act. So they know, wow, it's good; they're actually doing their job. And that's a good thing.

The other thing to be added would be total number and total amount of fines and other penalties imposed in terms of enforcement actions. That's what I find in Part 8. That's probably another good thing for the public to know that if somebody does something contrary to what -- the legislation, action is taken. It's a good thing. Why wouldn't we want the public not to know about those things? So that's what this is about is adding three small items to the list of things that the forest superintendent would put into an annual report. The Minister's already said he's fine with it. Let's just incorporate it into the bill. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. To the motion. Member for Yellowknife North.

MR. JOHNSON: Yeah, thank you, Madam Chair. We've had this discussion lots in committee on a number of bills. I guess if it was up to me, I don't think I would legislate any annual report in any piece of legislation. We see that they are moving. We see that often you want different things. Sometimes reporting changes over time. I just don't view what the content of a report is as something that's really the purview of the legislature. Government is pretty committed to publishing more and reporting on far more. We just have added a lot of these clauses, it will cost a lot of government, and I just think there's a better way to tackle it. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Member. To the motion. Sorry, Member for Thebacha.

MS. MARTSELOS: Thank you, Madam Chair. It's not very often I agree with Rylund. That's a first time in -- after four years, it's one time. So, you know, I feel the same way. I'm not going to be writing a forest superintendent's criteria of his job description in a bill. That's up to -- that's up to the deputy minister and that's up to the people that supervise his department. And I refuse to do that. I think that the bill has been put before us, and it was done by the Indigenous groups and our people. And I refuse to go there. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Thebacha. To the motion. Minister of ECC.

HON. SHANE THOMPSON: Thank you, Madam Chair. I do not support this motion. The GNWT has already agreed to previous standing committee amendments that add mandatory provision to report annually on forest management activities. The amendment adds any research activity to the annual report requirements. This addition is vague and considerable effort would be needed to track everything that the forest superintendent may research over the period of the year. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Frame Lake, the Member who --

MR. O'REILLY: Yeah, thanks, Madam Chair. I just want to respond to a couple items I heard there. I believe this is within the purview of the legislature. Part of our job -- part of why I got elected was to make sure that this government is more transparent and more accountable moving forward, and that's what I tried to do over eight years.

Plus, I think this is simply responding to some of the concerns and issues we heard as a standing committee about the forest superintendent having some new authority but no duty to do any of it. So how do we know if the forest superintendent's actually doing these things? Well, we have -- you know, an annual report is one way to find out. So that's why this was added in.

As to the details of this, about it being vague, well, it's no more vague than, you know, roman numeral three under (a) here, any monitoring under section -- subsection 26(1). How is that any more vague than -- or sorry, how's that -- you know, how's that any clearer than adding research activities? I just don't get it. So this is not vague. This is saying that the forest superintendent has to report on the research that's conducted pursuant to 15(3)(b). Not any other research. And it's to be a summary, that's

all. So this response to what we heard increases transparency, accountability. The Minister, a few minutes ago, when the Minister was in the witness table, said that he was okay with this. Now he's saying he's not. I don't know what's going on here, but I believe this is in the public interest to increase transparency and accountability about what the forest superintendent does. And I think it's a good thing in the public interest to add these three items, so I will support it. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour, raise your hand. All those opposed, raise your hand. All those abstaining, raise your hand. The motion is defeated.

---Defeated.

Clause 15.1, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you.

SOME HON. MEMBERS: Agreed.

---Clauses 16 through 47 inclusive approved

CHAIRPERSON (Ms. Semmler): Clause 48, does committee agree? Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. So this is a -- 2.1 here is a new part of the bill that was added as a result of the collaborative review we undertook. And I think one of the issues that we found -- and this was raised in the last version of the bill in the last Assembly. It was raised again during the public engagement on this bill. I said this in the House at second reading. You know, what is the relationship of forest management as established under this bill, what's the relationship with land use planning?

We have forest ecosystem management plans. We have monitoring and research that's being carried out. And then research -- sorry, licenses and permits that could be issued for different kind of forest activities. How does land use planning relate to forest permits and licenses, the activities that would be -- could be authorized under this? And that could include cutting, timber mills, all kinds of stuff. So, you know, we added this in to make it clearer to some extent that permits and licenses issued under the Forest Act really need to be consistent with land use plans that have already

been developed and put in place. And that's what this section says.

The one area that's a little bit uncertain still is zoning bylaws. And zoning bylaws are the tool or instrument that local governments use to implement their community plans. Community plans usually set out in kind of a high level what the community's trying to do and achieve in the next 5, 10, 20 years, whatever they decide, you know, goals, objectives, what they're trying to do, how they could reach economic development objectives or socioeconomic objectives, you know, what they want their community to look like. They do that at a fairly high level. The next -- but the most meaningful way in which they tend to implement those is through zoning bylaws. And those are pretty prescriptive. They divide up the community into different zones and say what things are allowed to happen here, what things are not allowed to happen, when sometimes they have to go back to council to check things. So zoning bylaws are the ways in which land use plans are actually implemented at the community level. And, you know, some of the regional plans that have been developed under the Mackenzie Valley Resource Management Act have zoning as well and permitted, not permitted uses. So that's how they do it even at the regional level. But for community governments, they implement their plans through zoning bylaws.

The problem is zoning bylaws are not mentioned in this section. So I want to ask the Minister, is GNWT going to interpret this part of the legislation in a way that includes zoning bylaws made by community governments, which they prepare these things under GNWT legislation. There's a requirement that they have zoning bylaws. So will GNWT interpret this in a way that they will include zoning bylaws in legally approved land use plans? Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Minister.

HON. SHANE THOMPSON: Thank you. For detail I'll turn to Mr. Wheler, and then, with your permission, Dr. Kelly. Thank you.

CHAIRPERSON (Ms. Semmler): Mr. Wheler.

MR. BRETT WHELER: Mahsi, Madam Chair. At the standing committee stage, we did work together as a technical working group and the department and the Standing Committee on the amendment to include the mandatory provision to make sure that licenses and permits issued under the bill will be in compliance with land use plans. That was one of the examples of -- one example of the 22 amendments that we worked through that really met a mutual goal and was

very important. And the technical working group was fully behind that.

In terms of the municipal bylaws and how to consider that, the Forest Act technical working group did carefully consider whether or not and how to look at local bylaws. And we did feel that instead of imposing a solution on municipalities at this time, the technical working group, our understanding is that GNWT and the department will carefully consider and engage municipalities and community partners on possible approaches to deal with municipal level matters. And we know that under the collaboration protocol, the Indigenous governments would be involved in that as well. So the technical working group agrees with the department on that approach.

And also in our discussions, we emphasized that land use plans are critically important, and they're critically important for land and resource management, especially under the modern treaties. And we want to make sure that municipal bylaws are not conflated at all with the land use plans that arise from Indigenous governments' constitutional rights and authorities to manage or, in some cases, to co-manage land and resources. Mahsi.

CHAIRPERSON (Ms. Semmler): Dr. Kelly.

DR. ERIN KELLY: Thank you, Madam Chair. I think it's important to note that the department and the technical working group collectively -- there are things that the Member has brought forward that we see as being very important to look at during the regulation development process but not for the statute itself. Elevating the bylaws to the statute removes the opportunity to work with the municipalities on a process that meets everyone's need while developing those regulations. And adding zoning bylaws to this provision creates a legislative problem as the GNWT would be bound to comply with bylaws that are only created by the power that the GNWT delegates. So there's more work that needs to be done on this through the regulation development process. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. I guess I'm just having a bit of difficulty understanding some of the things that I just heard. But, you know, I guess I'm pushing this because the Northwest Territories Association of Communities in their written submission said the following: There should be some sort of acknowledgement of complying with various types of community bylaws including, but not

limited to, general plans and zoning bylaws, fire prevention bylaws, tree harvesting bylaws, soil protection bylaws, open air burning bylaws, among others.

So we're only talking about land use planning at this point so -- but they've specifically asked for zoning bylaws to be recognized in here, and that's what their -- a legitimate order of government, community governments, and I'm not sure why we would accord them any less status than federal -- the federal government, which has enacted the MVRMA, but the -- you know, community governments through the -- I better get the name of the legislation properly here, Madam Chair.

It's the Community Planning and Development Act, section 18(1), says the following: A zoning bylaw may include provisions respecting one or more of the following matters either generally or with respect to any zone or part of a zone, (o) cutting of trees, (p) preservation of habitat. They can also regulate land use by having permitted/not permitted uses. So I don't know why, if we've recognized land use plans that are enacted through federal legislation, we can't accord the same sort of consideration to zoning bylaws which enable -- currently enable community governments to do much the same thing. But we just -- I guess I've heard from the witnesses that they don't want to go there right now. This is not about imposing anything on community governments. This is in response to what NWTAC said to committee. So with all of that, Madam Chair, I do want to move a motion if I can.

CHAIRPERSON (Ms. Semmler): Thank you. Go ahead, Member for Frame Lake.

COMMITTEE MOTION 488-19(2):
BILL 74: FOREST ACT – AMEND
SUBCLAUSE 48(2.1),
DEFEATED

MR. O'REILLY: Madam Chair, I move that subclause 48(2.1) of Bill 74 be amended

(a) in paragraph (a), by striking out "in respect of the" and substituting "in respect of an"; and

(b) in paragraph (b), by striking out "that is applicable in respect of the" and substituting "or zoning bylaw that is applicable in respect of an".

Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. The motion is in order. To the motion. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. So a lot of fancy words to say that zoning bylaws, this addition would include zoning

bylaws within the scope of legally binding land use plans or any legally binding land use plan and zoning -- or zoning bylaw that is applicable. So it's expanding that scope of what a legally binding land use plan is to include zoning bylaws. So I think it recognizes that -- and it's in response to what community governments have asked committee to do and recognizes their jurisdiction and authority. This is not imposing anything on anybody. This is just recognizing that community governments actually do already have the ability to legislate through bylaws, through community plans, land use activities, which could include forest activities, that are covered through licenses and permits, just making sure that those things are consistent with zoning bylaws. That's all this is about, is making sure that community governments, that we recognize their authority and jurisdiction in doing this -- in doing their work that the department is not going to issue permits and licenses that go against zoning bylaws. So that's the purpose. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Yellowknife North.

MR. JOHNSON: Yeah, thank you, Madam Chair. So we did initially amend this as has been discussed to include land use plans. And it's one of these clauses that as far as I can tell doesn't accomplish anything. Land use plans, if they are legally enforceable are legally enforceable, and they're under the MVRMA federal statute or another applicable land claim group. You know, we sometimes put these clauses in that just to remind everyone that other pieces of law exist. And I think that's exactly what the Member's trying to do now with zoning bylaws.

This one, I -- as far as I'm aware, we don't do this anywhere else in any GNWT statutes. It's not as clean cut to me as, you know, perhaps we issue a timber license and then the municipality has some sort of noise bylaw and you're running your chain saw. Are we now not in compliance? Is a violation of this act something we have to enforce because it didn't comply with a municipal bylaw? Municipalities have their own bylaws. They have their area of authority. Sometimes it overlaps, you know, with potential forestry activities. But if you're violating that, then they have their mechanism to find you and enforce it. It doesn't really make sense to me for the GNWT to go look through every single community bylaw and say well, before we issue this timber permit, we're going to make sure that we're in compliance with that. That's up to the municipality to enforce their own bylaws. Just, it's not really how it works in my understanding. I'm a little confused. I get the larger community plan issue and that we have

to comply with community plans. To me, that's already done under other legislation that enables all of the legislative -- or all of the powers that municipalities have in the first place. I just -- I don't like adding clauses that confuse things more than they already need to. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Minister of ECC.

HON. SHANE THOMPSON: Thank you, Madam Chair. I do not support this motion. We already talked about, you know, land use plans. In addition to bylaws to this section, it attempts to fix a problem that doesn't exist presently. And we reduce the opportunity of input at the community municipal level. Forest management regulations currently outline process to work with municipalities before licenses are issued. These processes do not strictly use or rely on bylaws but the direct input of municipalities. The Member just talking about, you know, zoning bylaws, we feel that this can be looked in at regulations but, most importantly, working with the municipalities with it. So we would have the regulations, but we would work with the municipalities to do this. So therefore, Madam Chair, I will not be supporting this motion. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. I will go back to the mover for any closing remarks. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks for that, Madam Chair. I appreciate the comments that folks have brought forward. But I think one of the reasons I'm bringing this forward is because the department doesn't appear to have done any public engagement with NWTAC because they asked the committee to do this. So it's one of the reasons why I'm here, is trying to ensure that zoning bylaws are properly recognized and incorporated into forest management decisions. So I think some of that work can and should have been done before we got here.

This is not about having to review every single bylaw that a community government has when you issue forest licenses or permits. It's about making sure that whoever -- the forest superintendent, when these things are issued, you know, if it's within a municipal boundary, might as well check the zoning bylaw to make sure that what you're doing is consistent with the zoning bylaw. So I don't think this adds any confusion whatsoever. In fact, it adds clarity because right now it's not clear whether the department's going to consider zoning bylaws which they issue licenses and permits. Maybe that could come in the regulations; I don't know. But I think if we're going to talk about land use plans and providing some clarity for those,

providing some direction for issuance of licenses or permits, it should include zoning bylaws as well because that's the instrument that community governments use. So it doesn't add confusion. This is about adding clarity. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour, raise your hand. All those opposed, raise your hand. All those abstaining, raise your hand. The motion is defeated.

---Defeated

Clause 48, does committee agree?

SOME HON. MEMBERS: Agreed.

---clauses 49 through 126 inclusive approved

CHAIRPERSON (Ms. Semmler): Clause 127. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. This is a huge long list of regulation making authority. In fact, I think it's probably longer than any other bill I've ever seen. Maybe I'm wrong but this is pretty close.

One of them here, z.01.1 talks about wildlife prevention and preparedness plans, making regulations around those and how those plans might get provided to affected governments. And I'm just wondering if this authority really covers in any way the situation where a plan -- a wildlife prevention and preparedness plan might change during the course of a year. Can I get an answer from the -- sorry, I'll just back that up.

This is a new -- I think it already exists in the existing legislation and regulations, but this is contained now in the legislation itself if and when this passes. And it will, I'm convinced. These wildfire prevention and preparedness plans, they will cover certain kinds of activities where operators, industries, go out and do stuff. You want to make sure that they're prepared for a fire and that they actually do their best to prevent a fire in the first place. So they're going to have an onus to prepare a plan if it meets certain criteria. And that plan is going to get submitted to the forest superintendent. And the way the bill's drafted now, it looks like the party preparing the plan might have to provide it to a community government if it's within municipal boundaries or adjacent to it. It's -- I think that's how this is supposed to work. I'd rather have it that it goes to the forest superintendent. But is

there any provision in the regulation making authority here to actually change that plan partway through a season? Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Minister.

HON. SHANE THOMPSON: Thank you. With your permission, I'll ask Ms. Bard to come in and answer that question. Thank you.

CHAIRPERSON (Ms. Semmler): Ms. Bard.

MS. BARD: Thank you, Madam Chair. The current regulation making authority provides sufficient authority for amendments to wildlife prevention and preparedness plans to be made and for engagement to occur on those plans. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Thanks, Madam Chair. So can someone point out to me where that's found in the -- can they give me a specific section? Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Go ahead, Ms. Bard.

MS. BARD: Sorry, Madam Chair, could the question be repeated, please.

CHAIRPERSON (Ms. Semmler): Member for Frame Lake, can you repeat.

MR. O'REILLY: Yeah. Thanks, Madam Chair. So where -- what specific section of the regulation making authority where -- what section am I going to find this authority to deal with what happens if someone wants to change their wildfire prevention and preparedness plans, and what happens with any change to plans with regard to how communities might be involved in reviewing or offering comments on them? Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Ms. Bard.

MS. MELISSA BARD: Thank you. So in the substance of the bill, section 45(3) covers the ability for a plan that is not satisfactory to be resubmitted. And then further, the regulation making authority that exists in section 127(z.01) covers the broad ability to regulate requirements for wildfire prevention and preparedness plan. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Ms. Bard. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. Look, I don't want to prolong this. Where is the

provision found in the bill for an industrial operator to make changes to a plan once it's approved? Because I think it's going to happen. You know, they're supposed to submit the plans at the beginning of the season. Sometimes people don't -- if they want to change their activities out there, they may want to move somewhere else or do something differently. Where is that found in the bill if someone wants to make a change to the plan? And how is it going to be reviewed and who gets engaged and so on? Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: For that detail, I'll turn to Mr. Wheler, please. Thank you.

CHAIRPERSON (Ms. Semmler): Mr. Wheler.

MR. BRETT WHELER: Mahsi, Madam Chair. The Indigenous government representatives on the technical working group did review this motion and discuss it, this issue, at the standing committee stage. It is the position of the technical working group that this detailed process requirement -- like, this should be dealt with in the regulations under the umbrella regulation making authority that Melissa just mentioned. And we understand that when developing the regulations, the department and the technical working group intend to work with partners and the public to carefully consider how processes can best meet the needs of all parties in conjunction with their requirements. Mahsi.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. So, okay, I've tried to ask the question I think three times already. I got answers from staff, from the Minister, from the technical working group representative. Nobody can point to a section in the act that provides regulation making authority for when a wildfire prevention and preparedness plan is going to get changed. I haven't heard that. Nobody can point to a section, because it doesn't exist. There is no provision in the bill for that to happen. That's why I'm trying to bring this -- well, that's why I'm raising this issue. There is no provision in the bill for this to happen. There's no specific regulation making authority for this to happen. So that's why I'm raising this because I think it's going to happen. And I think I want to make sure that the Minister has the right tools in place to make sure that regulations can consider that. So, Madam Chair, I'm going to move a motion if I could.

CHAIRPERSON (Ms. Semmler): I'm just going to let the Minister if he wants to respond before you move a motion. Minister.

HON. SHANE THOMPSON: Thank you. For clarity of what the Member's asking for, I'll go to the deputy minister. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Deputy minister Kelly.

DR. ERIN KELLY: What we've already discussed is where that occurs. The authority to amend the plan is the same as the authority for requiring it. An industrial operator can propose an amended plan at any time under the same regulation making authorities. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Dr. Kelly. Member for Frame Lake.

MR. O'REILLY: Thanks. Yeah, that's not what the bill says. But if that's what the department wants to do, I'm okay with that.

What I want to do, Madam Chair, if I can move the motion is to change that so that the department -- the Minister actually has explicit authority to do that, to set up regulations that deal with changing one of these plans once it's already in place. So with that, Madam Chair, can I move a motion?

CHAIRPERSON (Ms. Semmler): Member for Frame Lake.

COMMITTEE MOTION 489-19(2):
BILL 74: FOREST ACT – AMEND
PARAGRAH 127(Z.01),
DEFEATED

MR. O'REILLY: Thanks, Madam Chair. I move that paragraph 127(z.01) of Bill 74 be deleted and the following substituted:

(z.01) respecting requirements for wildlife prevention and preparedness plans under subsection 45(2) and the amendment of such plans.

Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? All those abstaining? The motion is defeated.

---Defeated

Clause 127, does committee agree? Member for Kam Lake.

MS. CLEVELAND: That's Frame Lake.

MR. O'REILLY: Yeah, I'm kind of tired too. Thanks, Madam Chair.

So I guess there's one other matter that I think could be clarified here. And the current wording of the section we just discussed, z.01.1 of the regulation making authority really doesn't provide any specific authority for what the timelines might be for this review. And part of that is important because industry wants certainty. You want to know if I submit a plan, how long is it going to take to get it approved before I can go do my stuff. You want to know that. That's a reasonable expectation. So there's no specific authority here to set timelines. So where's that specific authority found? I wanted to ask that of our witnesses today. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. SHANE THOMPSON: For that detail, I'll turn to deputy minister Kelly. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Dr. Kelly.

DR. ERIN KELLY: Thank you, Madam Chair. Specific authority is not required. There is sufficient authority in the bill to regulate time periods for these plans without this addition. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Thanks. Can someone, then, point me to which specific section of the bill provides that authority? Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Minister.

HON. SHANE THOMPSON: Thank you, Madam Chair. For that sort of detail, I'll turn to Ms. Bard, please.

CHAIRPERSON (Ms. Semmler): Ms. Bard.

MS. MELISSA BARD: Thank you, Madam Chair. Section 127(z.01.1) includes the authority to make regulations respecting the provision of, which is broad wording to allow for all aspects related to the provision of wildfire prevention and preparedness plans to be regulated, including time periods.

I'll also mention that the details of the processes to engage on industry plans and how those

processes work are intended for regulations and the collaborative development with the technical working group.

I'll further note that because these are industry plans, that engagement with industry is an important aspect of regulating this space which is why it's on the regulations work plan. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. So I don't want to prolong this. I just haven't had any specific identification -- or identification of a specific authority within here for making regulations about time periods. So I'd like to move the following motion if I may.

CHAIRPERSON (Ms. Semmler): Go ahead, Member for Frame Lake.

COMMITTEE MOTION 490-19(2):
BILL 74: FOREST ACT – AMEND
PARAGRAH 127(Z.01.1),
DEFEATED

MR. O'REILLY: Thank you. I move that paragraph 127(z.01.1) of Bill 74 be amended by

(a) striking out ",and" at the end of the English version of subparagraph (i) and substituting a comma;

(b) striking out the semicolon at the end of subparagraph (ii) and substituting ",and"; and

(c) adding the following after subparagraph (ii):

(iii) respecting time periods within which plans must be provided.

Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. The motion is in order. To the motion. Member for Yellowknife North.

MR. JOHNSON: Yeah, Madam Chair, I mean, I'm opposed to this, and I also just think it's very problematic what the Member's doing here. He keeps finding kind of weird hypothetical situations and saying there's no specific regulation making authority in an act that has one of the largest regulation making authority sections I've ever seen and, as the Member said, he's ever seen. And if this is how we're going to interpret legislation, it's highly problematic because most acts don't say oh, and you can make regulations in relation to this plan for the timelines of it, the ability to amend it, where it's submitted. Sometimes it just says, you know, there's a plan and then there's a general regulation making authority. And to think you have to add every single specific

section into an act just leads us down this path where we are here for two and a half hours passing motions that, frankly, no one cares about. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. To the motion. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. Well, I guess -- yeah, I think a lot of this can and should have been fixed before the bill got here. This issue was raised to us in the NGO submission. And I guess I take my job seriously. When people bring forward concerns and issues, I think we really, as MLAs, as committees, have a duty to try to find solutions. So the issue was brought forward to us. I'm trying to do my job. And, you know, I regret that we have to spend this amount of time but I still think that this is an important public debate, and that's one of the reasons why I got elected and came here to serve. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Member for Thebacha.

MS. MARTSELOS: Thank you, Madam Chair. I, too, take my job very seriously. You know, I've been -- I work very, very hard for the constituents of Thebacha. And I also ensure -- and I'm sure every one of my colleagues do too. We take our jobs very seriously. When you put your name forward on a ballot, you take things seriously. And you do everything in the best interests of your constituents and the people of the Northwest Territories. I do not take things seriously when we have to start putting things in the bill to start telling people how they have to do the operations of a bill, okay. That's a no. If I start getting involved in all the operations, I mean I'll never be able to get anything done here. I try to be, you know -- and like I said, I think Rylund said it eloquently. Four years, it took me to say that for him. So I mean, that's a big plus and, you know what, I will not be going into this kind of discussion like this because I think that we have people -- we have people that work on our behalf, and we expect them to do the best job they possibly can. And I'm sure that's what they're trying to do. And as a Member from Thebacha and an Indigenous person who was in leadership 14 years on that frontline, okay, making these kinds of decisions with IGC -- I was sitting on the IGC, because this is the part with the -- with the devolution agreement. You know, it's hard to get things done and when you have something in front of you that has been worked on by that group, I respect that. And I respect everybody who put the time in because I'm sure that they made sure that both sides were protected, including our side which is the government who

represents all the people, and also respecting the rights of Indigenous people. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? All those abstaining? The motion is defeated.

---Defeated.

Clause 127, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 128? Member for Frame Lake. Sorry, 128.1. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. There's nothing in the bill about any form of public engagement on regulations. So earlier in my remarks, and I think in the committee report as well, at least a couple of the submissions said that the public engagement undertaken by the department was inadequate, that it was delayed, and it was for a very short period of time. And I'm just wondering what the department's learned from the public engagement on the bill and how they intend to apply that in the regulations? Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Minister.

HON. SHANE THOMPSON: Thank you, Madam Chair. For that detail, I'll turn to the deputy minister. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Dr. Kelly.

DR. ERIN KELLY: Thank you, Madam Chair. Public engagement took place from November 22nd, 2022 to January of 2023. And the public engagement input was considered by the technical working group. Much of the input that is being discussed here today, it was deemed valuable and to be looked at while regulation development was occurring. So I just want to be clear that we welcome public engagement and much of the public engagement was more geared towards regulations, which makes sense, because it's from people who are actively going to be dealing with some of the things that come from this Act.

I think it's really important to communicate here that the GNWT has a broad policy based approach on determining how and to what

degree the public is engaged on regulations. And this approach includes a commitment to conduct public engagement as part of the normal course of their development. Potential exceptions could include emergency orders, minor corrections to existing regulations, names or title changes, and consequential amendments required by changes to other legislation. Even with an exception to public engagement for emergency orders, there could be unacceptable delays from a process to apply the exception. This could occur, for example, if the Minister's role to waive the requirement -- if it is the Minister's role to waive the requirement for public engagement. The bill delegates the exercise of emergency powers related to wildfires to the forest superintendent and any changes to that, or reassigning that, would cause delays.

Further, adding separate requirements for engagement into individual Acts runs the risk that public engagement requirements will differ for different Acts, fail to evolve with technology, and lead to different approaches and potential confusion across different acts.

The Forest Act cannot come into force without the regulations. The regulations will be developed with the Intergovernmental Council secretariat, and there will be various stages where the public and other stakeholders may provide input. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. I appreciate that explanation. But I don't think I heard anything about what lessons were learned as a result of the public engagement on the bill and how those will be applied on the regulations making forward. So would someone like to respond to that, please. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Minister.

HON. SHANE THOMPSON: Thank you, Madam Chair. With your permission, I'll turn to the deputy minister Kelly and then to Mr. Wheler. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Dr. Kelly.

DR. ERIN KELLY: Thank you, Madam Chair. As I previously mentioned, there were a number of things that were learned from the public engagement. It was a very valuable experience. And some of them are the things that are coming up in the discussions today, which the technical working group took very seriously, and has agreed that those things will be coming forward as part of the regulation

development process. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Mr. Wheeler.

MR. BRETT WHEELER: Mahsi, Madam Chair. From a technical working group perspective, public engagement is, of course, very important on operations and on matters that are to be considered in the Forest Act regulations. The technical working group understands that GNWT has a broad policy that covers all aspects of government operations across multiple departments in terms of public engagement. And we also understand, and had some discussion, I think with standing committee in the clause-by-clause review, about many of the important details that will be dealt with through the regulation making process and the accompanying complementary public engagement that will be needed to deal with those important details during the making of the regulation and, in some cases, and policy. Mahsi.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks. I appreciate those comments. I guess what I was hoping to hear is probably a little bit more in line with what the standing committee report talks about in terms of things like don't wait until the very end before you carry out your public engagement; find ways to share information while you're working through different parts of a bill or issues. I don't think there's anything that would, you know, prevent I hope, ways of sharing more information as the bill's being developed and starting some of the public engagement earlier on it to get input on specific areas or issues moving forward. The committee report also speaks to the need to make sure that departments are resourced for this activity. So I guess I really haven't heard any of that. So I'm not sure what lessons were learned as a result of this bill in terms of public engagement.

In any event, I know that there's a government-wide policy that this Cabinet put in place, and it's buried in a document -- if I can find the name of it here. Oh yes, here it is. Cabinet Operational Guidelines, appendix 4.11 of the Executive Council Submissions Handbook. And basically, that policy, if I -- or guidelines as they're called, basically gives Ministers total discretion as to when and where and how they would engage the public on policy publication and comment periods for regulations. So I'm not sure that that is a great model, quite frankly. And, you know, people have heard me on the floor of the House criticizing this or suggesting improvements

already to it. So this is not the time and place to do that, Madam Chair, but I don't think that that works in all circumstances.

So I guess a couple of other features of this bill, and we've talked about this before, this is not a normal bill. This is a bill that is co-developed with Indigenous governments. And that's a great thing. It's developed pursuant to the Legislative Development Protocol. It's also the first bill through the process convention that we -- where we agreed to collaboratively review a bill, and not just with Ministers and departments but with Indigenous governments. That's a good thing. I support that. But we also got to learn lessons from this, and I think one of the lessons I learned, and we heard in submissions, was that the public engagement wasn't great and that we need to find ways to improve this. And, you know, the deputy minister even said that we got to make sure that the Minister has the ability to make regulations quickly in the case of an emergency. That's not in the bill. It doesn't even appear in the bill. So in any event, Madam Chair, I do want to move a motion to amend and add a new clause about public engagement on regulations. May I do that?

CHAIRPERSON (Ms. Semmler): Yes, thank you. Go ahead, Member for Frame Lake.

COMMITTEE MOTION 491-19(2):
BILL 74: FOREST ACT – AMEND NEW
CLAUSE 128.1,
DEFEATED

MR. O'REILLY: Thank you, Madam Chair. I move that Bill 74 be amended by adding the following after clause 128:

128.1. (1) Subject to subsection (2), before making regulations under this Act, the Minister shall

(a) ensure that there is an opportunity for public engagement by

(i) publishing a copy of the proposed regulations on a website maintained by the Government of the Northwest Territories, and

(ii) ensuring that a reasonable period of time has been allotted for receiving feedback on the proposed regulations; and

(b) consider any feedback provided on the proposed regulations under paragraph (a).

(2) Subsection (1) does not apply if the Minister is satisfied that the proposed regulations have been prepared in response to an emergency.

Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. This is one of the hills I guess I wanted to die on in this Assembly. Maybe it seems like I'm trying to die on every single administrative trivia. That's not the case, but this is one that Members on this side of the House have continually raised, is the need for better public engagement and communications from our Cabinet colleagues. And I think this is really extended to the issue of regulations in particular.

In this Assembly, we did amend -- and I did get concurrence from the Minister. The Child Daycare Act was amended to require the Minister in that case to provide draft regulations to child care providers. And that was because of their interest in trying to move forward with the significant changes to that area. So there's a case where a Cabinet Minister went above and beyond the Cabinet operational guidelines, and we incorporated that into the bill. The Minister concurred with it. The Minister's smiling because he knows he did it. So we've done it before. And, you know, I -- this, as I said before, this is another -- this is an example of a -- this is not normal legislation. People have asked for this ability to look at the regulations. The NGOs asked that. NWTAC has asked that. This is in response to legitimate requests that we got as a committee. So, I'm not making this stuff up. This is the way that it should happen.

In response to the concerns from -- that we heard from the department and -- department, that's why they added subsection (2) here to this so that the Minister doesn't have to go through a public engagement process if the Minister satisfied, in the Minister's own opinion, that an emergency situation exists. So don't have to do public engagement if there's an emergency. So covered that one with this as well.

So I'm hoping that -- although I haven't had a lot of support so far with a number of the motions I've moved, that Members on this side who are Regular Members, we've pushed for this before in other bills; I don't know why we wouldn't do it on this bill as well. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. To the motion. Member for Yellowknife North.

MR. JOHNSON: Yeah, I'm sorry, everyone. I get where the Member's coming from. I know

the government now has a standard kind of period for reviewing regulations. But I view this as no different than annual reports or mandatory legislative reviews. What happens is you get -- as a bill comes through the Assembly, you get sometimes these clauses are added, they have different wording, and then you find yourself where the government just has different obligations across a number of Acts. And when you look at them all, there's no rhyme or reason to it. It's just that one Member happened to get agreement from the Minister on, you know, child daycare and didn't get it on, you know, something like Financial Administration Act or another very important piece of legislation. So we just -- it doesn't actually lead to the consistency that the government should improve its public engagement on regulation process. They should do that as it applies to everything. They should improve their public reporting. They should do that everywhere. They should improve the way we review statutory reviews. But I don't see to do it one off on each piece of legislation that come up every 20 to 30 years. It just leads to inconsistencies. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Member. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour? All those opposed? Abstentions? The motion is defeated.

---Defeated

Clauses 129 to 139, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Committee, to the bill as a whole, does committee agree that Bill 74, Forest Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you, committee. Does committee agree that this concludes our consideration of Bill 74, the Forest Act?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you. And I want to thank our witnesses for being here before us. This is the first co-drafted bill under -- of the new process convention on bills drafted pursuant to the Intergovernmental Council Legislative Development Protocol. And it's been an honour to chair Committee of the Whole as this is kind of a historical moment that

we've had this. And so, again, thank you for being here and, you know, we had lots of little learning curves there and we'll, hopefully, in the future we'll be able to straighten those out. Thank you for appearing before us. Sergeant-at-arms, you may escort the witnesses from the Chamber.

Committee, we've agreed to consider Bill 78, Waste Reduction and Resource Recovery Act. I will ask the Minister of Environment and Climate Change to introduce the bill. Minister of ECC.

HON. SHANE THOMPSON: Thank you, Madam Chair. Madam Chair, I'm here to present Bill 78, Waste Reduction and Resource Recovery Act.

I would like to thank the Standing Committee on Economic Development and Environment for review of this bill. Based on the feedback from committee, several amendments were made to the bill before us today.

Bill 78 presents a significant step forward in modernizing the Waste Reduction and Recovery Act. This legislation will allow the GNWT to use the most current tools to effectively manage recycling and waste reduction in the NWT. New tools include

- an expanded scope for advisory committees;
- enabling extended producers responsibility program;
- the ability to declare waste disposable bans for specific materials;
- expand authority to delegate administrative functions and enter into agreements;
- provisions enabling the GNWT to select waste facility operators based on competitive process, clarify requirements on environment funded contribution and distribution; and
- update enforcement inspection provisions.

These changes were identified through the development of the NWT Waste Management Strategy, which includes input from individuals, organizations, businesses, and governments across the NWT. Targeted engagement on the proposed changes occurred throughout 2022, and the public engagement on the legislation was conducted December 2022 through January 2023.

That concludes my opening remarks. I look forward to answering any questions Members may have. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Minister. Minister, would you like to bring witnesses into the Chamber?

HON. SHANE THOMPSON: Yes, I do.

CHAIRPERSON (Ms. Semmler): Sergeant-at-arms, please escort the witness into the Chamber.

Minister, please introduce your witnesses for the record.

HON. SHANE THOMPSON: Thank you, Madam Chair. With me today is Dr. Erin Kelly, deputy minister of environment and climate change. On my right, Julian Kanigan, assistant deputy minister of environment management monitoring and climate change. On my left, and behind me, is Laura Jeffrey, legislation counsel. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Minister. I'll now turn to the chair of the Standing Committee on Economic Development and Environment, the committee that reviewed the bill, for any opening comments on Bill 78. Member for Nunakput.

MR. JACOBSON: Thank you, Madam Chair. Bill 78, Waste Reduction and Resource Recovery Act, received second reading in the Legislative Assembly on March 29th, 2023, and was referred to the Standing Committee on Economic Development and Environment for review. Bill 78 is intended to enable programs that support the goals of preventing waste at the source, diverting waste from disposal, and improving waste disposal practices.

In the committee's review period, the committee heard from the Minister of Environment and Climate Change and his staff on June 1st, 2023. The committee was able to have a thorough discussion with the Minister and officials about concerns regarding the Minister's authorities when it comes to waste reduction and resource recovery. The committee negotiated language for five motions to amend Bill 78 with the government.

On July 5th, 2023, the committee held its clause-by-clause review where five amendments were concurred with by the Minister of Environment and Climate Change.

I would like to thank the committee for its hard work on the review of Bill 78. Individual Members of my committee might have comments. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. I will now open the floor to general comments on Bill 78. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. So despite the previous discussion, I support this bill. I support it as well. I did serve as the chair of the waste reduction and recovery advisory committee for 11 years. The staff do great work on this area within the department, and that's why we have beverage container deposits now is because of the work that the department and the committee did. And it's now, of course, been extended to electronics recycling and I understand some other waste streams are being considered, which is all good stuff. And this does create jobs in local communities because they have depots. The regional centres have some processing centres as well. You know, this is good -- good things all around.

I do want to ask, though, I've had concerns to me raised about the need for a second depot in Yellowknife. And is there anything in this bill that's going to make setting up these depots easier in the future? I'll start with that. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Minister.

HON. SHANE THOMPSON: Thank you, Madam Chair. It's going to be a little bit of a longwinded answer, and I apologize for that.

The Department of Environment and Climate Change has conducted research on the different technologies to provide further services in the downtown core. Yellowknife does not have enough population and beverage containers to make two additional -- or two traditional deposit locations feasible. ECC looked at reverse vending machines as a potential solution but our research has shown that we would not be a good fit for the NWT beverage container program. While reverse vending machines have worked in some other jurisdictions programs, their limits include limited type of containers accepted, limited size of containers accepted criteria, containers conditions requirements, small number of containers that can be processed less than 40 per minute, and they can -- and they need to be fed one at a time, the need for large retail space and staff time to empty the process bins.

ECC is exploring options for a pilot unstaffed drop and go deposit downtown that will provide a second recycling option in Yellowknife.

We've heard standing committee during the review -- public review of Bill 78 in July 2023 and are working on addressing gaps that may impact vulnerable people. This includes potential partnering with a local organization in the downtown core to provide accountable

payouts without needing to go to the current Yellowknife depot on Old Airport Road. This would still come with a drop and go limitation of five business days needed for the contractor to retrieve the containers, count them, and credit the account. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. I think the Minister might have got ahead of himself a little bit. What in this bill is going to improve the chances or the ability of the department to open up a second depot in Yellowknife? Thanks.

CHAIRPERSON (Ms. Semmler): Thank you, Minister.

HON. SHANE THOMPSON: For that detail, I'll turn to the deputy minister. I can get back on the schedule here.

CHAIRPERSON (Ms. Semmler): Thank you, Dr. Kelly.

DR. ERIN KELLY: Thank you, Madam Chair. There's nothing needed in the bill to do this. We can do it and are planning to and have committed to doing it. Nothing in the bill prevents a satellite depot. So we're able to do that work. We are looking at a new competitive process to be developed for recycling centres, and it will help to ensure recycling centres are economically viable across the territory. But there's no issue from a legislative perspective with a satellite depot. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Frame Lake.

MR. O'REILLY: Yeah, okay, thanks. I'm just going to tell one short story.

I had an opportunity to go on holiday into Nuuk, Greenland. It's a community of about 15,000 people. They have machines there. You push a pop bottle into it and cash comes out. They can do it in Nuuk, Greenland. You think we can be able to do it here. I know, yeah, we got harsh climate. So do those guys. So I'm glad the department's doing some work on this. And I've had lots of complaints. I know that the depot that is operating does its best to try to serve people. But they just can't keep staff. I don't know what's going on there. After the evacuation, the line-ups were unbelievable. I had to go back five times before I could even get into a line-up where I thought I'd have any chance of actually getting my stuff in and processed or cashed, whatever. So anyways, we need a second depot in Yellowknife. Technology's out there. I just want you guys to go and get it done. And if there's ways of

supporting the existing operations so that they can better serve Yellowknifers, let's get that done too. Thanks. That's all I have to say. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Great Slave.

MS. NOKLEBY: Thank you, Madam Chair. And first of all, I just want to say I appreciate there's a lot of nuances to this bill, and there's been a lot of things that are needed and a long time coming, but I am going to belabour a little bit of a point on the bottle depot as well with my colleague. And I do recognize that it is not the sole intent of what we are here today to do.

But that being said, the entire reason to create a second bottle depot in the downtown area was to serve the vulnerable population that is using this as a source of income. And so for it to have a five-day delay -- and, really, the reason we've been told in the past was due to security and such. I just can't find that to be an acceptable answer. I second what my colleague said about looking for more of an automated way now that we're passed pandemics and evacuations and are finding staffing to be an issue for a lot of lower paying jobs in the city and territory. I'm excited that this potentially could go to other communities besides Yellowknife. But I just don't see how we could put in a second depot without having them be able to pay cash out. It just then makes things easier for someone like myself, and it's kind of defeating or not really hitting the purpose, which was to create a space downtown where people could get this money quickly.

I understand, yeah, the department's reasons for that. But, anyway, I just wanted to throw my support behind trying to find out some other solution to this besides what is being currently proposed.

That being said, I'm very happy to hear that we're moving towards more of a streamlined and sustainable waste industry sector, however you want to call it. I don't really have a lot of questions about this, other than I support this bill and just hope that maybe we could be innovative and creative here and come up with something different so that people aren't trekking across town to get \$5 and change. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Are there any other general comments on Bill 78? Is committee agreed that there are no further general comments; we can proceed to a clause by clause review of the bill?

Can we proceed to a clause by clause review of the bill?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Committee, we will defer the bill number and title until after consideration of the clauses. We will consider the clauses in groups. Please turn to page 1 of the bill.

Clauses 1 through 10, does committee agree?

SOME HON. MEMBERS: Agreed.

---clauses 1 through 74 inclusive approved

CHAIRPERSON (Ms. Semmler): Committee, to the bill as a whole, does committee agree that Bill 78, Waste Reduction and Resource Recovery Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you, committee. Does committee agree that this concludes our consideration of Bill 78, Waste Reduction and Resource Recovery Act?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you, Minister, and thank you to your witnesses for appearing before us. Sergeant-at-arms, you may escort the witnesses from the Chamber.

Committee has agreed to consider Bill 83, Liquor Act. I will ask the Minister of Finance to introduce the bill.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. Madam Chair, I am here this evening to present Bill 83, Liquor Act.

The bill addresses the recommendations resulting from the review of the Northwest Territories liquor legislation completed by the Department of Finance in 2022. The liquor legislation review resulted in several recommendations. 20 percent of those recommendations were directly related to the Liquor Act, and the remaining 80 percent of recommendations related to the liquor regulations or the operations that support those regulations.

Bill 83 was drafted to directly address the 20 percent of recommendations related to the Liquor Act and to achieve four main objectives:

1. Streamline how industry is regulated by introducing a new licensing and compliance approach;
2. Ensure safe public access to liquor by allowing different types of retail outlets;
3. Enhanced community control, including greater control over the introduction of

liquor sales as well as the cessation of liquor sales in a community; and

4. Modernize liquor enforcement by updating inspection and investigation powers.

These changes will modernize and streamline the Liquor Act.

This concludes my opening remarks. I am prepared to answer any questions that Members may have.

CHAIRPERSON (Ms. Semmler): Thank you, Minister. Would you like to bring witnesses into the Chamber?

HON. CAROLINE WAWZONEK: Yes, please, Madam Chair.

CHAIRPERSON (Ms. Semmler): Okay. Sergeant-at-arms, please escort the witness into the Chamber.

Minister, can you please introduce your witnesses.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. On my left, I have Kelly Mahoney, the director of policy, legislation, and communications. And on my right, Victoria Carmichael, legislative drafter.

HON. DIANE ARCHIE: Thank you. And welcome. I will now turn to the chair of Standing Committee on Government Operations for any opening comments on Bill 83. Member for Yellowknife North.

MR. JOHNSON: Thank you, Madam Chair. Bill 83, Liquor Act, received second reading in the Legislative Assembly on March 30th, 2023, and was referred to the Standing Committee on Government Operations for review.

The standing committee held a public hearing with the Minister of Finance in Yellowknife on May 29th, 2023. The committee then hosted three public meetings in Inuvik, Norman Wells, and Yellowknife. The committee also received one written submission.

The committee heard a range of views from the public engagement not limited to alcohol addictions, bootlegging, community control of liquor, consumption in public places, and server training. The committee recognizes many concerns will be addressed through regulations.

On July 28th, 2023, the standing committee held a clause-by-clause review of bill and moved two minor motions advanced by the department.

I would like to thank the public for their time to meet with committee and for the committee's work on the review of this bill. Individual Members may have additional comments or questions. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Yellowknife North. I will now open the floor to general comments on Bill 83. Are there any general comments? Does committee agree to a clause-by-clause review of the bill; can we proceed to a clause-by-clause review of the bill?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Committee, we will defer the bill number and title until after consideration of the clauses. We will consider the clauses in groups. Please turn to page 1 of the bill.

Clauses 1 through 10, does committee agree?

SOME HON. MEMBERS: Agreed.

---clauses 1 through 149 inclusive approved

CHAIRPERSON (Ms. Semmler): Committee, to the bill as a whole, does committee agree that Bill 83, Liquor Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you, committee. Committee has agreed that Bill 83, Liquor Act, is now ready for third reading. Does committee agree that this concludes our consideration of Bill 83, Liquor Act?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you, Minister. Thank you to your witnesses. Sergeant-at-arms, please escort the witnesses from the Chamber.

Committee has agreed to consider Bill 92, An Act to Amend the Petroleum Products and Carbon Tax Act, No. 3. I will ask the Minister of Finance to introduce the bill.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. I am here this evening to present Bill 92, An Act to Amend the Petroleum Products and Carbon Tax Act, No. 3. The purpose of Bill 92 is to add carbon tax revenues sharing grants -- sharing community grants and annual reporting requirements to the carbon tax legislation. This bill represents our final collaborative effort to revise the territorial carbon tax regime to meet federal 2023 to 2030 carbon pricing benchmarks.

As part of March 23rd discussions concerning Bill 60, An Act to Amend the Petroleum Products and Carbon Tax Act, we worked together to better mitigate the additional carbon tax burden required for the Northwest Territories to continue to administer its own carbon tax regime. This collaboration led to my commitments to do the following:

- Implement a regional cost of living offset;
- Provide annual revenue sharing grants to community governments totaling 10 percent of net carbon tax revenues;
- Introduce legislation establishing community government revenue sharing;
- Strengthen annual reporting requirements; and
- Follow up with the federal government to ensure federal departments meet directly with Northwest Territories communities to discuss developing energy alternatives.

The cost of living offset benefit based on the region of residents was made effective July 1st, 2023. For the July 1st, 2023 to June 30th, 2024 interim benefit payments, those are made to residents until the Canada Revenue Agency completes its system change in the fall. At that time, residents will receive any applicable additional payments retroactive to July 1st of 2023.

Bill 92 represents my commitment to reduce the carbon tax burden on community governments through revenue sharing grants totaling 10 percent of net carbon tax revenues. These grants will provide flexible funding that may assist local governments to reduce greenhouse gas emissions. The allocation formula will be described in regulations and the intention is to provide each community government with a base funding amount plus a per capita allocation. This will provide appropriate support to community governments in larger communities while also recognizing that smaller communities are often in more remote locations where costs are higher.

Bill 92 is a good example of consensus government's style of getting things done. The 19th Legislative Assembly's approval for keeping territorial control of the carbon tax has meant that the GNWT retains the flexibility to design a made-in-the North solution that reflects northern priorities and circumstances.

I would like to thank the Standing Committee of Government Operations and the Member for Frame Lake for their tenacity and willingness to collaborate on this bill to demonstrate our commitment to making carbon prices work in

the Northwest Territories. That concludes my opening remarks. I would be happy to answer any questions the Members may have.

CHAIRPERSON (Ms. Semmler): Thank you, Minister. Before we bring witnesses in, we have to get -- we have to take a short, probably about a five-minute break. Yeah, five-minute break. We got to get the right motion. Seven-minute break. Go.

---SHORT RECESS

CHAIRPERSON (Ms. Semmler): I now call Committee of the Whole back to order. Sorry about that, committee; we just had to get some documents printed.

Minister, would you like to bring witnesses into the Chamber?

HON. CAROLINE WAWZONEK: Yes, please, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Sergeant-at-arms, please escort the witnesses to the Chamber.

Minister, would you please introduce your witnesses.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. Madam Chair, on my left I have Kelly Bluck, the director of fiscal policy for the Department of Finance. And Laura Jeffrey on my right, legislative drafter in the Department of Justice.

CHAIRPERSON (Ms. Semmler): Welcome. I will now turn to the chair of Standing Committee on Government Operations for any opening comments on Bill 92. Member for Yellowknife North.

MR. JOHNSON: Thank you, Madam Chair. Bill 92, An Act to Amend the Petroleum Products and Carbon Tax Act, No. 3, received second reading in the Legislative Assembly on June 1st, 2023, and was referred to the Standing Committee on Government Operations for review. The standing committee held a public hearing with the Minister of Finance on June 27th, 2023, and held the clause-by-clause review on July 28th, 2023.

I thank the committee for their work in reviewing this legislation. Individual Members may have additional comments or questions. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. I will now open the floor to general comments on Bill 92. Member for Nunakput.

MR. JACOBSON: Thank you, Madam Chair. No, just in regards to carbon tax, what

are -- where the carbon tax revenue sharing in regards with the communities that they're going through a tough time right now because of fuel costs, the gasoline costs, to run the hamlet -- to run our hamlets, for heavy equipment and just general labour for the community for watching the roads and the -- you know, the water/sewer companies having to buy increased costs in fuel when, again, you know, our carbon tax -- or carbon that -- is only 0.05 but -- across our territory. I mean, like I said before, they should be paying us in regards to cleaning their air for them.

The biggest thing that I have -- the issue that I have with this is why is it taking so long to give the carbon sharing to the communities in regards to the cost offset for the fuel, gasoline, and the high cost of trying to do businesses in the local hamlet? Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Minister.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. Madam Chair, the numbers are only just beginning to -- I mean, the change only happened just this past July. So I don't yet necessarily know how much carbon tax revenue there will be. As soon as the calculation can be made, then the payments can be made.

CHAIRPERSON (Ms. Semmler): Member for Nunakput.

MR. JACOBSON: Thank you, Madam Chair. No, I'll just give her a little -- a little briefing here.

From \$2.30 and it went, jumped up at the pump for diesel to \$2.60 in Tuk. From \$2.10, it jumped to \$2.30 in Tuk for gasoline at the pump. And it's affecting the community, Madam Chair. So that date she just said is the worst day this territory ever did to us across the territory for the people, taking on carbon tax when we're at 0.05. So why is it taking so long? I don't care about the time in regards to when it happened. I mean, it happened. People are going without. This carbon tax is affecting the trucking, the community -- local community stores, and it's -- people are waiting. And is there an update from the federal government on when they're going to start giving people this so-called carbon tax rebate; is that happening yet? Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Minister of Finance.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. Madam Chair, again, the federal government changed the tax rates on April 1st of this year and when there's the ability to make the calculation of the amounts for the year, then

we will do that and be able to do that. The federal government does provide the rebates on a quarterly basis. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Nunakput.

MR. JACOBSON: Thank you. Thank you, Madam Chair. Right now, you know -- you know my thoughts in regards to carbon tax. We are hit so hard in the small communities for cost. The people want to blame the local stores, the trucking companies for the cost. But they should be blaming us in regards to taking on that carbon tax. And like I said before, we're doing the federal government's dirty work in regards to doing this to a territory; we should have never took it on because people are going without in the communities. I got families that -- for carbon tax that are, like, income support should be increased because of that, because the cost of food. Like I said, safety of hunters. Today I had two boat crews going out, hunting this late in the year, fall, going to get caribou meat because, you know, to subsidize -- food subsidies for their families. So it's just -- for myself, I -- how I look at this is we should have killed the bill that time when we did it because all -- everybody who's going without right now and the federal government not supporting them, they should be ashamed of themselves in regards to this. Right now we have -- like, I could go on and on but you're going to hear more tomorrow, so this is just a start.

So can the Minister, I guess, ask her federal counterpart in Ottawa when -- when is it going to be -- like, give exact dates on payouts for the hamlets of Tuk, for the people that are individuals in the communities. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Minister of Finance.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. Madam Chair, the carbon tax was happening whether we did it ourselves or not. I can say with respect to the communities, again just a reminder that, you know, income assistance certainly is currently to cover the costs as it would for their clients' housing, Northwest Territories covers costs for their clients. But as to a calculation for the amount that would go to communities under the current amendments that are before the House, again, right now, there's a calculation, it's in subsection (5) describing what needs to be calculated. It requires knowing the total amounts of rebates provided, total amounts of grants provided. I'm going to need to do that at the end of the fiscal year. I simply do not have the numbers to do the calculations before that. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Minister. Member for Nunakput.

MR. JACOBSON: Thank you, Madam Chair. No, just in regards to the communities that we represent and the cost of living with the carbon tax, I think that, you know, sooner rather than later in regards to getting the funding flowing from Ottawa and if it's possible -- like, we have -- like, for instance from Tuk, you're 1,140 kilometers away. Cost of living over there, it skyrocketed. So can the Minister try to reach out to her federal counterpart to ask if we could get this rushed because of the carbon tax and carbon tax three -- or 2.0's coming out. Is there going to be an increase in that too for us, to charge on to our -- to the people that we represent and the people that voted us in? Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Minister of Finance.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. Madam Chair, I certainly have asked that the idea put forward that there be some further effort from one of our counterparts in the federal government responsible for this that they be in a position to provide more funding, that they recognize the burden they've put on small communities, and recognize the burden they've put on small Indigenous and remote communities. So let me see certainly if I can provide some further information on their behalf. It's certainly -- my efforts to distinguish the Government of the Northwest Territories from the choices made in Ottawa, I would stress again that they are different levels of government, but if there is something I can do to help facilitate some further information about funding from federal sources, I will certainly undertake that. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Nunakput.

MR. JACOBSON: Madam Chair, just because Ottawa tells us to do something doesn't mean we have to do it. We're a local community government and legislators of the Northwest Territories. Our made-in-the North tiered system, where's the Minister at with that in the communities and like what we talked about when this was coming forward? Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Minister of Finance.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. So Madam Chair, if what is being referenced here is the -- again, the regulations are contemplating having a base amount for everyone community and then a per capita amount for every community to address the fact that there will be needs in every small

community but then also needs associated to greater populations. That is part of what's before the House today. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Nunakput.

MR. JACOBSON: Thank you, Madam Chair. No, clarity, I need clarity in regards to the tiered system. You have higher North communities. You have the Sahtu. And then you have the South Slave. The tiered system, they agreed upon it. Where they're at with the tiered system in regards to the funding that the communities are going to get, and do they have that sorted talking with the federal counterparts in Ottawa? Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Minister of Finance.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. Madam Chair, that's the regional COLO payments. Madam Chair, I didn't bring those details. That has been already before the House. So I certainly can provide an update to Members, but I don't know that we have that here in front of us. Thank you.

CHAIRPERSON (Ms. Semmler): Member for Nunakput.

MR. JACOBSON: Thank you, Madam Chair. No, I'd like to see that before our last sitting day on Friday, brought forward to share with Members, just to see where we're at because we're the ones that have to wear this in the communities in regards to carbon tax. And if I could get an update for my local leadership and the communities I represent, for the hamlets on a timeline on payment in letter form in regards to -- or can the department do that themselves in regards to letting the public know across the territory in regards to all these payments? And the biggest thing for me and the kicker is that the tiered system. That tiered system has to happen. They said -- they agreed to it, and I want to know where they're at with it and does Ottawa know for that? Thank you.

CHAIRPERSON (Ms. Semmler): Thank you. Minister.

HON. CAROLINE WAWZONEK: Madam Chair, if I could turn to to Kelly Bluck, please.

MS. BLUCK: Thank you, Madam Chair. The regional COLO, which is what the Member is speaking of, is a tier system already. It's in regulations that it will be that way. Unfortunately, for the Canada Revenue Agency they could not get it in place to start this fiscal year, which for them, the benefit year starts July 1st. So on July 1st, you're receiving the COLO as if you're in small -- they're in the southern

region where it's the low rate. But come this fall, so the next -- so that's the July payment. There is going to be the next quarterly payment will also be on that regional one, then the CRA will have got the regional ones in place and everybody that is in the larger regions will get a lump sum retroactive payment for those first two quarters. And going forward, they will receive the tiered system.

CHAIRPERSON (Ms. Semmler): Thank you for that. Are there any further general comments to Bill 92? Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. First off, I want to thank the Minister for her kind words about me earlier, but she doesn't get off the hook completely.

You know, I do and will vote in favour of this bill. And I think it's -- the Minister's kept true to her word. After hearing what happened with the last changes to the carbon tax, the Minister said she was going to come back and try to fix the revenue sharing arrangement with community governments. That's in this bill. She even stretched it to include annual reporting. Thanks to the work of the standing committee, there's now some detail to that annual reporting. There's still one missing piece, that I'm going to get to at some point, about the need for a deadline for the annual reporting. But there's still some unfinished pieces of business with regard to the carbon tax, okay. I get to scratch maybe a couple of things off my list, but there's still unfinished business. I don't want to review the whole debate, Madam Chair, but I'm just going to highlight some of them because I think it's important to continue to raise these issues.

The first one is the unfair treatment of different kinds of businesses. The large emitters are getting 72 percent of their carbon tax back. That's not fair because small businesses, NGOs get nothing. That's just patently unfair. And the large emitters actually were consulted on this, development of the carbon tax, nobody else was. That's privileged access, and our government has to stop that. Everybody should have equal access and an equal say when policies, legislation, comes forward and the opportunity to have input. So we got to make this fairer and find ways to help smaller businesses, NGOs.

One other concern is the lack of transparency. This is going to be partially addressed by annual reporting thanks to the standing committee and the Minister. But, in my view, this should actually be set up as a revolving fund so there's completely separate accounting and greater transparency around this fund. And I know my friends in the Department of Finance really do not like targeted revenues, but if there

was ever a case for targeted revenues, this is it.

Carbon tax should be used by our government to help mitigate the impacts of it, but it should also be used to help the environment and stop greenhouse gas emissions. Right now the money goes into the consolidated revenue fund, not good. Just not much accountability there. Yukon sets theirs up as a revolving fund and so should we. And those monies can only be used for greenhouse gas emission reductions and trying to mitigate the impacts of carbon tax as well. And I think we need and should be doing the same thing.

The last thing, Madam Chair, is methane. Methane should be a regulated greenhouse gas emission, and it is in many other jurisdictions. Our government lobbied for its removal. I just don't get it. Methane is 80 times more damaging to the environment than carbon dioxide. It's one of the greenhouse gases that we could actually make some significant progress towards our overall target if we actually worked on methane alone. And, really, there's only one operation where this happens, and that's Norman Wells. So I don't understand why Norman Wells was given a pass on this. There's flaring. There's fugitive emissions in the industry. They have voluntarily agreed to start to work towards reducing these. And our government should have included methane as one of the gases that is regulated under the -- and taxed, and we should not have given a pass to Imperial Oil at Norman Wells. And I really regret that, Madam Chair. And that's not good public policy, quite frankly, so. So anyways, I will support this bill. We're making progress. We're now sharing some of the revenues with community governments. We're going to have annual reporting. But I do have one question for the Minister. Can the Minister tell me why there's no report deadline in the bill? Thanks, Madam Chair

CHAIRPERSON (Ms. Semmler): Thank you, Member. Minister.

HON. CAROLINE WAWZONEK: Thank you, Madam Chair. Madam Chair, the language around what the deadline and the reporting would be was crafted jointly. I'm not sure if perhaps legislative counsel wants to speak more to that.

CHAIRPERSON (Ms. Semmler): Thank you. Ms. Jeffrey.

MS. LAURA JEFFREY: Thank you, Madam Chair. Yes, so in the bill, amending clause 4 adds section 20.2, and this was added during the standing review process. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake.

MR. O'REILLY: Yeah, thanks, Madam Chair. I think we're just getting ahead a bit of ourselves on this one. So I don't think the bill actually contains a deadline for annual reporting other than it has to happen. And that's good. When we get to the clause-by-clause review, I'll be making a specific motion that I understand the Minister's prepared to support, and Cabinet's prepared to support, just to have a deadline for that reporting. But I'll move that at the appropriate time in the clause-by-clause review. Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member for Frame Lake. Committee, can we proceed to a clause-by-clause review of the bill?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Committee, we will defer the bill number and title until after consideration of the clauses. Please turn to page 1 of the bill.

Clause 1, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 2, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 3, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 4. Member for Frame Lake.

MR. O'REILLY: Mahsi, Madam Chair. I spoke a little earlier about I think the bill. It's good that there's now annual reporting -- well, there was annual reporting. Now it's a little more detailed. But the missing piece here, I think is an actual deadline by which the annual report would have to be filed. And, you know, I have no doubt that the department and the staff are going to do that, but having a deadline sometimes makes sure it actually gets done. And I've been in this -- in my eight years, there's been at least a couple of instances where there was a requirement for annual reporting and the annual reports weren't actually done. The Environmental Rights Act being one and the Superintendent for Insurance, there was a bunch of years that annual reports were never done. So having a deadline just, I think, helps people focus, get the work done by a certain date, and I have picked a date for this motion that I am going to move, and it fits within the

broad scope of the three reports that have already been voluntarily done by the department. So, Madam Chair, I'd like to proceed with a motion to amend if I could.

CHAIRPERSON (Ms. Semmler): Thank you. Member for Frame Lake, go ahead.

COMMITTEE MOTION 492-19(2):
BILL 92: AN ACT TO AMEND THE
PETROLEUM PRODUCTS AND CARBON
TAX ACT, NO. 3 – AMEND CLAUSE 4,
CARRIED

MR. O'REILLY: Thanks, Madam Chair. I move that that clause 4 of Bill 92 be amended by deleting proposed subsection 20.2(2) and substituting the following:

(2) The Minister shall, not later than eight months after the end of a fiscal year, prepare an annual report with respect to the collection and administration of carbon tax under this Act during that year.

Mahsi, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. The motion is in order. To the motion?

SOME HON. MEMBERS: Question.

CHAIRPERSON (Ms. Semmler): Question has been called. All those in favour, please raise your hand. All those opposed? All those abstaining? The motion is carried.

---Carried

Clause 4 as amended, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 5, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 6, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Clause 7, does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Committee, to the bill as a whole, does committee agree that Bill 92, An Act to Amend the Petroleum Products and Carbon Tax Act, No. 3, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you, committee.

The committee has agreed that Bill 92, An Act to Amend the Petroleum Products and Carbon Tax Act, No. 3, is now ready for third reading. Does committee agree that this concludes our consideration of Bill 92, An Act to Amend the Petroleum Products and Carbon Tax Act, No. 3?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Ms. Semmler): Thank you. Thank you, Minister. Thank you to your witnesses. Sergeant-at-arms, please escort the witnesses from the Chamber.

Member for Frame Lake.

MR. O'REILLY: Thank you, Madam Chair. I move that the chair rise and report progress.

CHAIRPERSON (Ms. Semmler): There's a motion on the floor to report progress. The motion is in order and non-debatable. All those in favour? All those opposed? The motion is carried.

---Carried

I will now rise and report progress.

MR. SPEAKER: May I please have the report of Committee of the Whole. Member for Inuvik Twin Lakes.

Report of Committee of the Whole

MS. SEMMLER: Mr. Speaker, your committee has been considering Committee Report 62-1(2), Bill 74, Bill 78, Bill 83, Bill 92, and would like to report progress. And that Committee Report 62-19(2) is concluded and that Bill 74, 78, 83 are ready for third reading and that Bill -- sorry, and Bill 92 is ready -- oh sorry, Bill 74, 78, and 83 are ready for third reading and that Bill 92 is ready for third reading as amended. And, Mr. Speaker, I move that the report of the Committee of the Whole be concurred with. Thank you.

MR. SPEAKER: Thank you, Member for Inuvik Twin Lakes. Do we have a seconder? Member for Hay River North. All those in favour? All those opposed? Any abstentions? The motion is carried.

---Carried

Third reading of bills. Minister responsible for Education, Culture and Employment.

Third Reading of Bills

BILL 81:
AN ACT TO AMEND THE EDUCATION ACT,
NO. 2,
CARRIED

HON. R.J. SIMPSON: Mr. Speaker, I move, seconded by the Honourable Member for Range Lake, that Bill 81, An Act to Amend the Education Act, No. 2, be read for a third time. And, Mr. Speaker, I request a recorded vote.

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

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. The Minister's requested a recorded vote. All those in favour, please rise.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Rutland): The Member for Hay River North. The Member for Inuvik Twin Lakes. The Member for Deh Cho. The Member for Hay River South. The Member for Kam Lake. The Member for Frame Lake. The Member for Nunakput. The Member for Yellowknife North. The Member for Tu Nedhe-Wiilideh. The Member for Monfwi. The Member for Great Slave. The Member for Nahendeh. The Member for Yellowknife South. The Member for Sahtu. The Member for Range Lake. The Member for Inuvik Boot Lake. And the Member for Yellowknife Centre.

MR. SPEAKER: All those opposed, please rise. All those abstaining, please rise.

The results of the recorded vote: 17 in favour, zero opposed, zero abstentions. The motion is carried. Bill 81 has had third reading.

---Carried

Third reading of bills. Minister responsible for Infrastructure.

BILL 93:
PRACTICE OF ENGINEERING,
GEOSCIENCE AND APPLIED SCIENCE
TECHNOLOGY ACT,
CARRIED

HON. DIANE ARCHIE: Thank you, Mr. Speaker. I move, second by the honourable Member for Hay River North, that Bill 93, Practice of Engineering, Geoscience and Applied Science Technology Act, be read for the third time. And, Mr. Speaker, I request a recorded vote as well. Quyananni.

MR. SPEAKER: Thank you, Minister. The motion is in order. To the motion. Member for Great Slave.

MS. NOKLEBY: Thank you, Mr. Speaker. Mr. Speaker, and my colleagues, indulge me for a few minutes here. I did have to speak to this bill as I have been contacted by a couple constituents, as well as an association, to express their concerns.

So the Association of Technologists out of Alberta are concerned with this bill going forward and the lack of -- I'm not going to say this word right -- autonomy. That's not the right word. But the separation for the technicians themselves from the technologists under the act.

While at this point, Mr. Speaker, it is too late to -- and even when we were in Committee of the Whole to change this act, I did want to speak a little bit to some of the concerns that they have and maybe perhaps give them a little bit of reassurance that this is not going to be an issue.

So, first of all, Mr. Speaker, the Northwest Territories population in this area cannot support two organizations. We already struggle from a volunteer perspective and to have people employed and engaged in this type of work, the industry cannot support having two separate distinct organizations.

Within the proposal or within this law, the technicians and technologists would actually be full NAPEG members. So they would be no different within the organization than any other engineer or geoscientist, geophysicist, and they would have the same voting rights. They would be able to sit on council. They could be the president. And they would be able to act and participate in any manner that any engineer or any geoscientist would be able to do so.

Unfortunately, the concerns were raised with us at the very last minute, the 11th hour, and it was too late for us to do anything with respect to the bill. However, a lot of the concerns that have been raised by my constituents and others will be fleshed out in the regulations. And the good thing about this bill, Mr. Speaker, is that nothing can go ahead without the say so of the technicians and the technologists. So they will be involved with creating the regulations for themselves. And if they don't agree to it, then it doesn't happen. So I think that should give some reassurance to those in the territory, and I believe there's 37 of them registered currently under ASET in Alberta that, you know, they are going to have a say. This isn't a matter of engineers regulating them and directing and controlling them. Really, there are too many

public safety and modernization items in this act to lose it now, things like limited licenses as well as the mandatory continuing professional development.

So I just felt that it was necessary that we speak to that, that those concerns were heard. However, at this point, the good of this bill needs to happen, and I want to say that as one of the last weeks of this sitting and, as an engineer, I'm proud to be part of having this bill be modernized and brought in. So thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Great Slave. The motion is in order. To the motion. Member for Hay River South.

MR. ROCKY SIMPSON: Mr. Speaker -- oh, sorry, thank you, Mr. Speaker. Here I was wondering what the Member was doing standing. Anyways, yeah, I'm -- you know, I'm in support of this motion. And I guess as an engineering technologist, now I can belong to an organization actually in the Northwest Territories. And it's good to see that there's a number of other people in the same boat as well. And we can participate in the organization that -- with like minds and hopefully do some good. Thank you.

MR. SPEAKER: Thank you, Member for Hay River South. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. The Minister's requested a recorded vote. All those in favour, please rise.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Rutland): The Member for Inuvik Boot Lake. The Member for Yellowknife Centre. The Member for Hay River North. The Member for Inuvik Twin Lakes. The Member for Deh Cho. The Member for Hay River South. The Member for Kam Lake. The Member for Frame Lake. The Member for Nunakput. The Member for Yellowknife North. The Member for Tu Nedhe-Willideh. The Member for Monfwi. The Member for Great Slave. The Member for Nahendeh. The Member for Yellowknife South. The Member for Sahtu. The Member for Range Lake.

MR. SPEAKER: All those opposed, please rise. All those abstaining, please rise.

The results of the recorded vote: 17 in favour, zero opposed, zero abstentions. The motion is carried. Bill 93 has had third reading.

---Carried

Third reading of bills. Minister responsible for Justice.

BILL 94:
MISCELLANEOUS STATUTE LAW
AMENDMENT ACT,
CARRIED

HON. R.J. SIMPSON: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife Centre, that Bill 94, Miscellaneous Statute Law Amendment Act, be read for the third time. Thank you, Mr. Speaker.

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

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. According to the rules, we do have to do a recorded vote. All those in favour to the motion, please rise.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Rutland): The Member for Hay River North. The Member for Inuvik Twin Lakes. The Member for Deh Cho. The Member for Hay River South. The Member for Kam Lake. The Member for Frame Lake. The Member for Nunakput. The Member for Yellowknife North. The Member for Tu Nedhe-Wiilideh. The Member for Monfwi. The Member for Great Slave. The Member for Nahendeh. The Member for Yellowknife South. The Member for Sahtu. The Member for Range Lake. The Member for Inuvik Boot Lake. The Member for Yellowknife Centre.

MR. SPEAKER: All those opposed, please rise. All those abstaining, please rise.

The results of the recorded vote: 17 in favour, zero opposed, zero abstentions. The motion is carried. Bill 94 has had third reading.

---Carried

Third reading of bills. Mr. Clerk, orders of the day.

Orders of the Day

CLERK OF THE HOUSE (Mr. Rutland): Thank you, Mr. Speaker. Orders of the day for Wednesday, October 4th, 2023 at 1:30 p.m.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions

- Oral Question 1578-19(2), Fire Management Policy Effect on Indigenous Culture

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 Address
11. Petitions
12. Reports of Committees on the Review of Bills
13. Reports of Standing and Special Committees
14. Tabling of Documents
15. Notices of Motions
16. Motions
17. Notices of Motion for First Reading of Bills
18. First Reading of Bills
19. Second Reading of Bills
 - Bill 64, An Act to Amend the Legislative Assembly and Executive Council Act, No. 3
20. Consideration in Committee of the Whole of Bills and Other Matters
 - Bill 23, An Act to Amend the Public Utilities Act
 - Bill 65, Builder's Lien Act
 - Bill 75, Council of Women and Gender Diversity Act
 - Bill 80, Dental Hygienists Profession Statutes Amendment Act
 - Bill 84, An Act to Amend the Northwest Territories Business Development and Investment Corporation Act
 - Bill 85, United Nations Declaration on the Rights of Indigenous Peoples Implementation Act
 - Committee Report 52-19(2), Standing Committee on Rules and Procedures Report on the Review of the Rules of the Northwest Territories Legislative Assembly

- Committee Report 53-19(2), Standing Committee on Economic Development and Environment Report on Supporting Northern Businesses
- ” - Committee Report 55-19(2), Standing Committee on Government Operations Report on Bill 55: United Nations Declaration on the Rights of Indigenous Peoples Implementation Act
- Committee Report 74-19(2), Standing Committee on Social Development Report on Bill 75: Council for Women and Gender Diversity Act
- Minister's Statement 264-19(2), Response to the NWT Chief Coroner's Report on Suicide
- Tabled Document 681-19(2), Government of the Northwest Territories Response to Committee Report 26-19(2): Report on the Child and Family Services Act – Lifting Children, Youth and Families: An All of Territory Approach to Keeping Families Together
- Tabled Document 973-19(2), 2024-2025 Capital Estimates
- Tabled Document 974-19(2), Supplementary Estimates Operations Expenditures, No. 3, 2023-2024

21. Report of Committee of the Whole

22. Third Reading of Bills

- Bill 74, Forest Act
- Bill 78, Waste Reduction and Resource Recovery Act
- Bill 83, Liquor Act
- Bill 92, An Act to Amend the Petroleum Products and Carbon Tax, No. 3

23. Orders of the Day

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Wednesday, October 4th, 2023, at 1:30 p.m.

---ADJOURNMENT

The House adjourned at 8:59 p.m.

