



**NORTHWEST TERRITORIES
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The Honourable Tony Whitford, Speaker

Legislative Assembly of the Northwest Territories

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TABLE OF CONTENTS

PRAYER	981
MINISTERS' STATEMENTS	981
67-14(5): ANNOUNCEMENT OF IDAA TRAIL (OOTES)	981
68-14(5): FIRE FIGHTER RECOGNITION (STEEN)	981
MEMBERS' STATEMENTS	982
TENTH ANNUAL DREAM CATCHERS CONFERENCE (MCLEOD)	982
EMPLOYMENT IN THE NON-RENEWABLE RESOURCE SECTOR (BELL)	982
TILCHO FINAL AGREEMENT BOUNDARY DISPUTE (NITAH)	983
REMOVAL OF THE NWT POWER CORPORATION BOARD OF DIRECTORS (BRADEN).....	983
REMOVAL OF NWT POWER CORPORATION BOARD OF DIRECTORS (ROLAND).....	984
ADDICTIONS TREATMENT SERVICES FOR THE DOGRIB REGION (LAFFERTY).....	984
SUBSIDIZATION OF NORTHWEST TERRITORIES POWER RATE (GROENEWEGEN).....	985
REMOVAL OF THE NWT POWER CORPORATION BOARD OF DIRECTORS (LEE).....	985
REMOVAL OF THE NWT POWER CORPORATION BOARD OF DIRECTORS (DELOREY)	986
REMOVAL OF THE NWT POWER CORPORATION BOARD OF DIRECTORS (KRUTKO).....	986
KATE ANN JACOBSON'S LETTER TO THE QUEEN (STEEN)	987
PASSING OF FAYE HANSEN (ALLEN)	987
RECOGNITION OF VISITORS IN THE GALLERY	988
ORAL QUESTIONS	988
329-14(5): GOVERNMENT RESPONSE TO THE ROBERTSON REPORT (DENT).....	988
330-14(5): WITHDRAWAL OF THE SINGLE RATE ZONE APPLICATION FOR POWER RATES (ROLAND).....	989
331-14(5): RESOURCES FOR ADDICTIONS SERVICES (LAFFERTY)	990
332-14(5): HARMONIZATION OF INCOME SUPPORT AND SOCIAL HOUSING (MCLEOD)	991
333-14(5): NORTHWEST TERRITORIES POWER CORPORATION SINGLE RATE ZONE APPLICATION (LEE)	992
334-14(5): NORTHWEST TERRITORIES POWER CORPORATION SINGLE RATE ZONE APPLICATION (GROENEWEGEN)	993
335-14(5): CABINET DIRECTION TO THE POWER CORPORATION (KRUTKO)	995
336-14(5): T'LI CHO LAND CLAIM AGREEMENT-IN-PRINCIPLE (NITAH)	996
337-14(5): CABINET DIRECTION TO THE NORTHWEST TERRITORIES POWER CORPORATION (BELL)	997
338-14(5): MANAGEMENT OF THE NORTHWEST TERRITORIES POWER CORPORATION (DELOREY)	998
REVERT TO ITEM 7: ORAL QUESTIONS	999
339-14(5): NORTHWEST TERRITORIES POWER CORPORATION BOARD REPLACEMENT (BRADEN).....	999
340-14(5): DEVELOPMENT OF POWER RATE STRUCTURES (DENT).....	1000
341-14(5): CABINET DIRECTION TO THE NORTHWEST TERRITORIES POWER CORPORATION (LEE)	1001
342-14(5): CABINET DIRECTION TO THE NORTHWEST TERRITORIES POWER CORPORATION (ROLAND).....	1002
343-14(5): REQUEST FOR CABINET DIRECTIVE TO THE NORTHWEST TERRITORIES POWER CORPORATION (KRUTKO)	1003
344-14(5): MINISTER'S PERSONAL VIEWS ON CABINET POLICY (GROENEWEGEN)	1004
345-14(5): ROLE OF THE NORTHWEST TERRITORIES POWER CORPORATION BOARD OF DIRECTORS (NITAH).....	1005
346-14(5): REQUEST FOR CABINET RECORD OF DECISION (BELL)	1006
347-14(5): COMMUNITY INPUT INTO RATE ZONE APPLICATION (KRUTKO)	1007
348-14(5): COMMUNITY CONSULTATION ON RATE STRUCTURES (GROENEWEGEN)	1008
349-14(5): COST OF THE ROBERTSON REPORT (KRUTKO)	1009
350-14(5): INTRODUCTION OF THE ENERGY STRATEGY (KRUTKO).....	1009
RETURNS TO WRITTEN QUESTIONS	1011
8-14(5): APPLICATION OF NWT PAYROLL TAX TO NON-RESIDENT NORTHWESTEL EMPLOYEES (HANDLEY)...	1011
REPORTS OF COMMITTEES ON THE REVIEW OF BILLS	1011
BILL 1: HUMAN RIGHTS ACT (BELL).....	1011
TABLING OF DOCUMENTS	1011
58-14(5): NWT BUSINESS CREDIT CORPORATION 2002 ANNUAL REPORT (ANTOINE)	1011
59-14(5): BUSINESS DEVELOPMENT FUND ANNUAL REPORT AND RECIPIENTS REPORT, 2002-2002 (ANTOINE).....	1011
60-14(5): STATEMENT BY GWICH'IN CHIEFS REGARDING PRIORITIZING OUR GOALS AND OBJECTIVES (KRUTKO).....	1011

NOTICES OF MOTION FOR FIRST READING OF BILLS.....	1012
BILL 27: AN ACT TO AMEND THE ELECTIONS ACT, NO. 2 (HANDLEY)	1012
 SECOND READING OF BILLS.....	 1012
BILL 23: MISCELLANEOUS STATUTES AMENDMENT ACT, 2002 (ALLEN).....	1012
 CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS.....	 1012
REPORT OF COMMITTEE OF THE WHOLE.....	1016
THIRD READING OF BILLS	1016
BILL 15: AN ACT TO AMEND THE REAL ESTATE AGENTS' LICENSING ACT (STEEN).....	1016
BILL 18: FORGIVENESS OF DEBTS ACT, 2002-2003 (HANDLEY)	1016
BILL 19: WRITE-OFF OF DEBTS ACT, 2002-2003 (HANDLEY)	1016
BILL 21: HEALTH STATUTES AMENDMENT ACT (MILTENBERGER).....	1016
 ORDERS OF THE DAY	 1016

YELLOWKNIFE, NORTHWEST TERRITORIES**Thursday, October 17, 2002****Members Present**

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

ITEM 1: PRAYER

-- Prayer

MR. SPEAKER: Good afternoon. Item 2, Ministers' statements. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Ootes.

ITEM 2: MINISTERS' STATEMENTS**Minister's Statement 67-14(5): Announcement of Idaa Trail**

HON. JAKE OOTES: Thank you, Mr. Speaker. I am pleased to announce today that the Department of Education, Culture and Employment has completed a project that I feel will be of interest not only to Northerners but to people around the world.

Mr. Speaker, through a web site, the Idaa Trail project will allow visitors from around the world to "virtually travel" one of three traditional NWT trails. More importantly, it will serve as an invaluable learning tool for our northern youth. It will lead visitors on a voyage of discovery about the history and culture of the NWT.

The Prince of Wales Northern Heritage Centre, working with Dogrib elders and the Dogrib Educational Council, created the Idaa heritage resource project over a three-year period. Research concentrated on the traditional birch bark canoe trail that linked Great Slave Lake and Great Bear Lake. The result is a web site entitled The Idaa Trail.

As visitors travel along the trail on a map, traditional knowledge items, place names and stories of the elders may be highlighted, heard and visited. Video clips of the people and area as it once existed may be viewed. The visitor may then continue their web site journey to the next point on the trail. This is a significant step in the sharing of our history.

Mr. Speaker, I am pleased to announce that we will be launching this web site, the Idaa Trail, with the Edzo elders and school children from the Chief Jimmy Bruneau School in the next several weeks. We encourage those who can join us to be there as we launch the first virtual trip down this historic trail. Thank you, Mr. Speaker.

-- Applause

MR. SPEAKER: Thank you, Mr. Ootes. Item 2, Ministers' statements. The honourable Minister responsible for the Department of Municipal and Community Affairs, Mr. Steen.

Minister's Statement 68-14(5): Fire Fighter Recognition

HON. VINCE STEEN: Thank you, Mr. Speaker. Mr. Speaker, I would like to take this opportunity to recognize the valuable community service provided by fire fighters across the NWT.

The important and difficult work performed by community fire fighters is not always apparent to members of the public. However, people within the fire service are well aware of the hard work and the amount of time away from family and friends that is required by those individuals who are willing to fulfill this responsibility. Therefore, as Minister of Municipal and Community Affairs, I am pleased that we have established the Fire Service Awards Program to acknowledge the essential role that fire departments and fire fighters play in our communities.

Mr. Speaker, at the fire merit services awards ceremony held on October 10th, I was honoured to present individual merit awards to the following individuals who were nominated and subsequently selected for regional merit awards:

- In the Inuvik region -- Mr. Russell Andre of Tsiigehtchic;
- In the Deh Cho region -- Mr. Kevin McLeod of Fort Providence;
- In the North Slave region -- Mr. Chuck Dewar of Yellowknife; and
- In the South Slave region -- Mr. William Reimer of Fort Smith.

In addition, Mr. Reimer of the Fort Smith Fire Department was selected as the first territorial fire service merit award winner.

At the ceremony, I also invited additional nominations for the merit award for community fire departments up until the end of the calendar year. An announcement on the winners of these awards will be made before the end of March 2003. In addition, long service awards will be presented in NWT communities to fire fighters who have shown their personal commitment to fire safety and public service by working or volunteering for two, five, ten, 15 and 20 or more years. The fire service awards are intended to give much deserved recognition to fire fighters and community fire departments that demonstrate outstanding commitment, innovation or success in the fire service. I would like to commend all nominees in the individual fire service awards and look forward to showing our appreciation for community fire departments in March.

I value the strong support shown by Members of the Legislative Assembly for the fire service awards and for all our efforts to recognize fire fighters. My department will continue its work to

acknowledge the contribution of fire fighters in protecting our families and our communities from fire.

Mr. Speaker, I am sure I speak for all Northerners when I say we are all very proud of the men and women who make up the fire service in the Northwest Territories and we must ensure they realize their commitment is valued and appreciated. Thank you, Mr. Speaker.

-- Applause

MR. SPEAKER: Thank you, Mr. Minister. Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for Deh Cho, Mr. McLeod.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement on Tenth Annual Dream Catchers Conference

MR. MCLEOD: Thank you, Mr. Speaker. Mr. Speaker, this weekend marks the Tenth Annual Dream Catchers Conference in Edmonton and I have been invited by the youth of the Deh Cho to attend this conference along with them. I want to give notice today to my colleagues and to my constituents that I will not be in the House tomorrow.

Mr. Speaker, attending this gathering will be youth from all across this country, including many from the Northwest Territories. I am proud to say that I have 22 students from the Katl'odeeche First Nation, 27 students from Fort Providence attending this conference, along with students from my riding who are attending the Western Arctic Leadership Program. These students were able to finance their travel costs to attend this conference through fundraising efforts, Mr. Speaker, and we have approximately 120 delegates and 28 chaperones from all across the NWT who are attending this conference.

Understandably, the youth are very excited about this gathering. For some, it is the chance of a lifetime. I want to thank all of the volunteers from across the North who are making this dream come true for these youth.

Mr. Speaker, the concept of a dream catcher is believed to be a safeguard for one who dreams. The good dreams flow through and the bad ones are entangled in the web until they disappear with the coming of the morning sun. In the aboriginal belief system, dreams have a significant meaning. It gives the dreamer the opportunity to choose the direction their walk of life will be. This conference is focused on the youth by introducing and rekindling different aspects of tradition, beliefs and methods of healing. The many workshops offered are tools meant to teach the participants to respect themselves, others and their culture.

Mr. Speaker, the Dream Catchers Conference began in 1992 and now has grown to one of the largest aboriginal youth gatherings in the world, with approximately 1600 youth participating. The youth and adult participants are introduced to a variety of learning and healing workshops with aboriginal culture as a key component. Many of the presenters are elders who carry the wisdom of the past and give light to the dreams of the future.

I, much like the youth, look forward to this learning experience and it will certainly give me first-hand opportunity to hear the wishes and dreams of our future leaders.

Mr. Speaker, I would like to thank the Deh Gah School of Fort Providence and the Western Arctic Leadership Program in Fort Smith for...

MR. SPEAKER: Mr. McLeod, your time for your Member's statement is up. Mr. McLeod.

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

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

MR. MCLEOD: Thank you, Mr. Speaker, colleagues. Mr. Speaker, I want to thank the Deh Gah School of Fort Providence and the Western Arctic Leadership Program in Fort Smith for inviting me to participate in this conference with them. I also want to thank Mr. Roger Allen, the Minister of Youth, for his contribution to making this conference a reality. Thank you, Mr. Speaker.

-- Applause

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

Member's Statement on Employment in the Non-Renewable Resource Sector

MR. BELL: Thank you, Mr. Speaker. I wanted to advise the House today, Mr. Speaker, that I have been receiving a number of calls from constituents who are concerned about their inability to get employment in the non-renewable resource sector. Mr. Speaker, by and large, these are Northerners who have training and are finding it difficult to get work at the mines mostly, in the case of my constituents. However, I have also heard the same thing the last couple of times that I have had occasion to travel to Inuvik, Mr. Speaker. We seem to have a number of southerners who are being flown up for jobs in oil fields, and certainly jobs closer to Yellowknife in the diamond mines.

Mr. Speaker, while I recognize that we do not have enough trained Northerners, I think we have to be careful not to be seen to be saying that we have no trained Northerners who could possibly take these jobs. I think at times, I have found myself guilty of talking about our lack of a trained workforce, and I know the Premier has made comments about our need to do more to ensure we have a trained workforce. At times, folks can take these comments and certainly misconstrue them and be upset when they heard them. You can imagine, Mr. Speaker, if you are spending your days pounding the pavement with your resume trying to get the employers to recognize your skills and you have politicians suggesting that there are no trained Northerners, it is frustrating.

We have socio-economic agreements, Mr. Speaker, with a couple of the diamond mines in the Northwest Territories, BHP and Diavik. We understand, and I think our constituents do, that these are on a best efforts basis. What they are saying to me, Mr. Speaker, is that because of this, and because of the fact that we rely on the companies to do the reporting, they end

up essentially not holding any water, Mr. Speaker. I think this is disappointing.

We have tried to do some things. Mr. Ootes introduced a program, Maximizing Northern Employment. I think there are some good initiatives in there, but the criticism that I continue to hear is that as we look at and try to assess the success of Maximizing Northern Employment, we are talking about through-put. We are talking about the numbers of people who have been able to receive training but we do not go far enough to talk about job placements.

I understand, Mr. Speaker, that it is a relatively new program and it will take time to assess, but I still think we need to do more to talk about and look at job placements. I guess, Mr. Speaker, it comes down to finding potential solutions. I seek consent from the House to conclude my statement, Mr. Speaker.

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

MR. BELL: Thank you, Mr. Speaker. I think the GNWT has to ask itself what it can do to address this problem. I think, number one, Mr. Speaker, right off the bat, we have to make it a priority. This side of the House has been talking for the last three years about the fly-in and fly-out reality and the challenges it brings. We have been bringing these issues before committee, before the Premier and before the Minister of Finance. I have to say, Mr. Speaker, in the last three years, I have seen nothing concrete to give me any assurance that this government is serious about dealing with this issue.

We have talked about payroll tax, Mr. Speaker, possibly raising the payroll tax to make it more beneficial to live in the North and to make it a bigger detriment to try to fly in and fly out. We have tried to get the government to address the definition of "Northerner". As you know, Mr. Speaker, it seems to have more to do right now with whether or not you can get a health care card or northern address than whether or not you and your family actually live in the North.

I have recently written the Premier a letter in this regard, Mr. Speaker, and I concluded it by saying that if we do not do something, if we do not change our way of thinking, if we do not indeed think outside the box on this, we are going to end up throwing a lavish employment party for southerners and being left with the clean up. I hope that is not the case, Mr. Speaker.

-- Applause

MR. SPEAKER: Thank you, Mr. Bell. Item 3, Members' statements. The honourable Member for Tu Nedhe, Mr. Nitah.

Member's Statement on Tlicho Final Agreement Boundary Dispute

MR. NITAH: Mahsi cho, Mr. Speaker. Mr. Speaker, I rise today to talk about a great concern for the Akaitcho people, which is the Tlicho Agreement. Mr. Speaker, last week or the week before, I believe the Akaitcho released a full length page document outlining their concerns and specifically suggested ways that they may amend the Tlicho Agreement to address their concerns so that peace is made between the two groups, and an understanding. One of the biggest suggestions that

they made is a concrete border between the two groups, a boundary that clearly distinguishes whose land it is.

As Northerners and as people living in the city of Yellowknife, and as people that do business in this area, there should be a lot of questions that should be asked. What does it mean for the business-owners who operate on the land? What does it mean for the hunters and trappers who operate on that land today who are not Treaty or Treaty 11 Tlicho members? What does it mean for BHP, for Diavik, for De Beers or for any other potential mining companies or investors who want to invest up here? There are rules that they are going to put in place once the final agreement is signed. They are going to create a board that is going to have a management responsibility over that entire north-of-the-Great-Slave-Lake area up to the Nunavut line, even into the Nunavut line. How does Nunavut feel about this, Mr. Speaker?

However, what is of great concern to me and my constituents is what we saw on TV on Northbeat when they initialled the Tlicho Agreement, Mr. Speaker. We saw our Premier witnessing the initials of the federal negotiator. I have to ask myself, as my constituents are asking me and asking themselves, is the Premier witnessing this initialling as an individual, as Stephen Kakfwi, or as the Premier? I will be asking the Premier questions regarding that. Thank you, Mr. Speaker.

MR. SPEAKER: Mahsi, Mr. Nitah. Item 3, Members' statements. The honourable Member for Great Slave, Mr. Braden.

Member's Statement on Removal of the NWT Power Corporation Board of Directors

MR. BRADEN: Thank you, Mr. Speaker. The issue of the Power Corporation is high on the agenda right now and may continue to be for some time, for some days. I believe, Mr. Speaker, that it is time to move on and I want to look forward to what we will be doing to pick up the pieces and move on with this agenda.

This morning on CBC Radio, we heard the Minister responsible for the NWT Power Corporation, Mr. Handley, musing about potentially resigning or at one point thinking about resigning. Unlike some of my colleagues, Mr. Speaker, this is not something that I want to entertain. I do not want to see Mr. Handley resign his portfolio. I do not believe that we have the luxury of changing horses at this time in our mandate.

However, I would like to say, Mr. Speaker, that this is not forgiveness. Mistakes were made. They were, I believe, avoidable mistakes, but I am not going to dwell on that. Rather, Mr. Speaker, I think we should recognize that mistakes should be admitted. We should learn from them and that we should move on.

Mr. Speaker, we cannot take for granted that our boards, agencies, assets and organizations can survive in an atmosphere of ambiguity or uncertainty, and our Power Corporation is certainly one. We have to move on to preserve and renew this very valuable asset. Among its many benefits or attributes, I would like to single out one. In 1988, Mr. Speaker, this government paid a dollar for the shares of that corporation. It is now worth well in excess of \$50 million. I think that is a pretty good performance.

The corporation has the capacity to do much more. Energy is a very large part of the future of this territory. We are going to need corporate assets and platforms like the Power Corporation to help us realize that.

Mr. Speaker, I think that until now, we have done a pretty good job of managing a corporation that was keeping the lights on here, and we need to renew that and continue...

MR. SPEAKER: Mr. Braden, your time for your Member's statement is up. Mr. Braden.

MR. BRADEN: Thank you, Mr. Speaker. My statement is concluded.

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

Member's Statement on Removal of the NWT Power Corporation Board of Directors

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, I am going to take my first opportunity to wade into this Power Corporation issue, as yesterday I spoke on a different issue. Mr. Speaker, a few of the Members in this House still feel that it is an important issue to try to get some clarity to and to let the people of the Northwest Territories understand the process and why things happened.

We heard in this House after a number of questions about dates and times, and why things had changed, and there seemed to be a clear understanding by some members of Cabinet that a clear directive was issued, yet on the other side there seems to be an ambiguous decision that was made that was unclear. In fact, I have spoken with the individual from Inuvik that used to be the representative on the Power Corporation board and know that, in fact, they did not feel that there was a clear decision made. Now that is up for debate here.

Some Members will say that there was and there was not, but what we need to do is get to the bottom of it, Mr. Speaker. Get to the bottom of the issue, an issue where we have seen again coming at the eleventh hour, at the last minute, and pulling the carpet out from under a board that was mandated by this government following its legislation and following the rules of its legislation. It was not operating outside of it. It was operating within.

This is the third occasion that this government has stepped in and saw fit to remove the authority of the board of the time and make a decision that went beyond what was happening.

The board followed direction and followed the Act. In the case of the franchise agreement, they were told to remove from Hay River. They were told to halt procedures of a reorganization that would have seen savings to the Power Corporation. They were told to halt that at the eleventh hour.

Mr. Speaker, it seems that the eleventh hour again, we were told -- and I heard from the news, I was given a call by CBC North to ask my opinion about what happened. I just happened to be reading the transcripts on my computer and had heard nothing of it before that.

We need to get to the bottom of this, why decisions were made and why they were done in such an erratic manner. I will have questions for the Premier at a later time. Thank you.

-- Applause

MR. SPEAKER: Thank you, Mr. Roland. Item 2, Ministers' statements. The honourable Member for North Slave, Mr. Lafferty.

Member's Statement on Addiction Treatment Services for the Dogrib Region

MR. LAFFERTY: Thank you, Mr. Speaker. Mr. Speaker, since I was elected to office in December, 1999, I have spoken continually about the need for addiction services in my region. Unfortunately, in the past three years, little to nothing has happened regarding northern addiction treatment.

Mr. Speaker, recently the Department of Health and Social Services released another final report on addictions. It is called, "A State of Emergency." It calls for an entire revamping of territorial addiction services. This report tells us what we already know; that addiction services are in urgent need of immediate attention, expertise, direction, policy, directives, leadership and rebuilding.

On page 32 of the report, it states: "There is no greater problem facing many people in the Northwest Territories in the year 2002 than addiction to substances such as alcohol, nicotine, marijuana and problem gambling." Mr. Speaker, people within my region have been asking for help in this area for years.

Three years ago they forwarded a petition to the government asking for an addictions centre. Mr. Speaker, the Dogrib Community Services Board has shown a great deal of initiative in creating working strategies to deal with addictions. They cannot do it alone, Mr. Speaker.

As this report outlines, significant funding must be directed into this area in order to create consistent training and treatment standards. Mr. Speaker, as a government, I see millions of dollars allocated to creating jails. I see millions of dollars in cost overruns for these facilities which deal with people who are often in there because of the lack of addictions prevention programs.

Mr. Speaker, we need to focus on prevention. It is my understanding that the return rate to jails is high, in the 90 percent range. The government seems to be successful in returning people to jail, but is this the direction we want to go in and is this the lifestyle we want for all Northerners?

Mr. Speaker, the vision set out by the Dogrib Community Services Board in "For the Sake of our Children," a document addressing addictions, states the goals for the Dogrib communities. Some of these goals include:

- a world where addictions do not rule their lives and trouble their communities...

MR. SPEAKER: Mr. Lafferty, the time for your Member's statement is up. Mr. Lafferty.

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

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

MR. LAFFERTY: Thank you, Mr. Speaker. The vision set out by the Dogrib Community Services Board in, "For the Sake of our Children," a document addressing addictions, states the goals for the Dogrib communities. Some of these goals include:

- a world where addictions do not rule their lives and trouble their communities;
- where families are strong and healthy;
- where people respect and support one another;
- where elders are listened to; and
- where parents are aware of the responsibility to guide their children.

Mr. Speaker, I think these are goals that all Northerners support and I think that as a government, we should make sure that funding and infrastructure are available so that goals can be achieved.

Thank you, Mr. Speaker. I will have questions on this at a later time. Thank you.

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

Member's Statement on Subsidization of Northwest Territories Power Rates

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, yesterday I expressed my concern about the process that was undertaken in making application to the PUB for a territorial-wide flat rate for power. The revenue raising methods of the Power Corporation need to be harmonized with the social considerations which go into the subsidy program, which falls within the mandate of the GNWT.

I believe it is possible for this government to consider economic impacts of higher costs, remote diesel dependent power generation in smaller communities, without necessarily going to a single-rate zone. We have that opportunity through making adjustments to our Power Subsidy Program.

If the commercial power subsidy is not addressing prohibitive costs for small communities, then I am fully in support of finding ways to channel support in that direction. If the 700 kilowatt hours per month which is presently subsidized for communities paying a higher rate than Yellowknife is no longer adequate, then I would support that discussion as well.

Hopefully some of these issues might be reflected in the Energy Strategy, which we are looking forward to seeing. A single-rate zone is not the only way to bring fairness to the way

in which the price of power is set. A PUB opinion expressed in 1985 stated the following:

The board believes it is the responsibility of the GNWT to set policies with respect to matters of social engineering. The board appreciates that it must consider the broad public interest in formulating its decisions. However, the board does not believe it should decide the extent to which one group of ratepayers should or should not subsidize the cost of power consumed by another group of ratepayers.

It is the view of the board that if unaffordable power rates in diesel communities are to be subsidized by ratepayers in hydro communities or lower-cost diesel communities, this can only be achieved by way of policy direction from the GNWT, keeping in mind the existing subsidy program.

Mr. Speaker, I am looking forward to seeing the release of the Energy Strategy and the discussion amongst ourselves as representatives of every region of this Territory as to how we can devise a subsidy that recognizes the needs and economic aspirations of all communities. Until we have had the opportunity to have that discussion, I believe that a multi-million dollar presentation by the Power Corporation combined with the multi-million dollar response that would ensue from affected parties on a single-rate zone is premature.

On behalf of the commercial and residential consumers of power in my community, I thank the government for allowing that discussion to take place and I assure Members who represent higher cost areas that I will be supportive and attentive to the needs of their communities and their residents as well in that discussion. Thank you, Mr. Speaker.

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

Member's Statement on Removal of the NWT Power Corporation Board of Directors

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, this afternoon, I would also like to speak to the issue of the situation surrounding the Power Corporation. Mr. Speaker, this situation is truly disturbing and very confusing. I believe it really speaks badly to the job that we are doing as an Assembly as a whole.

Mr. Speaker, it is most unfortunate that we have lost the valuable experience and the expertise on the board. In the aftermath of all of this, we really have a mess on our hands here, Mr. Speaker.

I believe that regardless of where we stand with respect to a one-rate zone and whatever other options might be available, I think that it is important that we get to the bottom of this and at least figure out what happened here, so we can learn from it and move forward.

I think that it really goes to the issue of accountability. Mr. Speaker, I have been thinking and reflecting and reading everything I can, all the transcripts, media transcripts, I have been talking to the players, and the more you read it the more confusing it gets.

Mr. Speaker, the board so far is saying that they are absolutely clear about what they have gotten from the government. If they

were not clear about it, they would not have gone through with this. Reading the transcript yesterday, the Cabinet is absolutely clear that they were clear about what their position was, and the Minister responsible for the Power Corporation, who was in the middle of all the discussions, says that there is no misunderstanding either, that everything is clear. Someone has to be wrong here, because the stories do not jibe.

Mr. Speaker, in the big scheme of things, I think this really speaks to the vacuum we have on energy policy. As you will recall, we had the Robertson report that came out that was really never implemented or discussed. That report spoke against the one-rate zone. The government created the Energy Secretariat, which spent a lot and we have not seen the work of that yet. Then there was a Hydro Secretariat and we are still not sure about the future of the Northwest Territories Power Corporation.

I am hoping that we will get to the bottom of the issues and what happened, and also that through it all, we will have some kind of a comprehensive picture from the government so that we do not look like we are a bunch of people who are really confused about what is happening in our energy policy. Thank you.

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

Member's Statement on Removal of the NWT Power Corporation Board of Directors

MR. DELOREY: Thank you, Mr. Speaker. Mr. Speaker, the issue I would like to raise today is the government's transparency or lack thereof to the people of the Northwest Territories. Mr. Speaker, Members of this Assembly were elected almost three years ago to work for the better good of the people we represent. I have made every attempt to be very transparent in my dealings with my constituents in all aspects of government.

Recent decisions around the Power Corporation and a one-rate zone make it very difficult for me to promote openness and transparency in this government. I was very shocked, Mr. Speaker, to hear of the government's decision to inform the Power Corporation to withdraw the one-rate zone. I was more alarmed, Mr. Speaker, to learn that Cabinet's decision to fire the entire board of directors of the Northwest Territories Power Corporation, to say nothing as to how I was informed of these decisions, Mr. Speaker.

Mr. Speaker, this raises all sorts of alarm bells to me. It has always been my understanding that boards of any agency are appointed by the government of the day, but that they do enjoy some autonomy and some resemblance of arms-length relationship from government. I have to believe that the board members take the time to educate themselves of their mandate and believe that they have the right to operate within that mandate.

Mr. Speaker, the recent firing of the board of directors at the Northwest Territories Power Corporation does nothing to instill confidence in this government for the people of the Northwest Territories. This sets a dangerous precedent, Mr. Speaker, whereby board members from around the North feel that if they

come out against any government policy or direction, that they will be fired. It is kind of like a big-brother-is-watching scenario.

Let me be very clear, Mr. Speaker, that I was dead-set against the one-rate zone proposed by the Northwest Territories Power Corporation. I cannot say that I ever want to see this resurrected again, Mr. Speaker, nor do the constituents of Hay River North, whom I represent. I did apply to the Public Utilities Board to be an intervenor, to speak against the Power Corporation's one-rate zone. I did this with the understanding that a process was in place and that there was a mechanism in place to protect the public.

Mr. Speaker, I have heard clearly from my constituents that a one-rate zone should not be the answer of the Power Corporation's deficit.

MR. SPEAKER: Mr. Delorey, the time for you Member's statement has ended. Mr. Delorey.

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

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

MR. DELOREY: Thank you, Mr. Speaker, colleagues. I would like to take this opportunity, Mr. Speaker, to thank Gord Stewart and his board members for their time and commitment to the Power Corporation. I think that it will be some time before we regain their level of experience and expertise. Thank you, Mr. Speaker.

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

Member's Statement on Removal of the NWT Power Corporation Board of Directors

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I too would like to continue the debate regarding the firing of the board of directors of the NWT Power Corporation.

Mr. Speaker, we have a protocol in regard to how we deal with staff of this government. We have protocol with regard to how we deal with the unions that take care of the employees of the Government of the Northwest Territories. We have policies, procedures, there are certain steps that we take to ensure that due process is followed before we evict or exclude a person's position from this government.

Mr. Speaker, what I find cumbersome is exactly the time it took from this government, knowing that a decision was made to move on different initiatives, such as the application that was filed with the Public Utilities Board back in August, and then hearing the government say "Well, we informed the board that we wanted them to halt all procedures by way of a letter or a directive that came from this government."

The thing that gets me, Mr. Speaker, is who is telling the truth here? You talk to someone who is a director of the corporation, and they state clearly that a letter was received with no relevance or statement to a one-rate zone in the letter. So on one hand, we heard the Premier, through a statement in the

House, that clear direction was given to the board back in August to withdraw the application on the one-rate zone. So unless we have access to the letter that the Premier is talking about and how the direction decision was made, we cannot violate or get clear direction on exactly what was stated and what was in that letter, unless it means that we can do it through offering the director the ability to table that letter in this House so we can all get a copy of it.

Mr. Speaker, I for one find it awfully hard to understand how we have one Minister supporting the one-rate zone, who still publicly states that he supports it, and a Premier who evicted a board of directors, whose credibility has been tarnished, and whose individual rights as Northerners...we know these individuals personally.

MR. SPEAKER: Mr. Krutko, the time for your Member's statement has ended. Mr. Krutko, you have the floor.

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

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

MR. KRUTKO: Thank you, colleagues, especially Mrs. Groenewegen.

-- Laughter

Mr. Speaker, I think it is important that as individuals and as Northerners, we are a small-knit community where everyone knows everyone else. For myself, I am saddened to hear of people such as Gord Stewart, Rod Hardy...people who have put their careers on the line to assist this government in different areas to sit on boards, agencies and take the directorship of companies and corporations that this government may have an interest in, but for us to take the time to realize what has this government done, not only to a public utilities hearing process, but to the individual rights and privileges and tarnish these individuals' credibility. I for one think that is something that as a government, we never do to other leaders and to other directors of any corporation, regardless of who is right or who is wrong.

With that, Mr. Speaker, I will be asking the Premier more questions regarding what is in the letter.

-- Applause

MR. SPEAKER: Thank you, Mr. Krutko. Item 3, Members' statements. The honourable Member for Nunakput, Mr. Steen.

Member's Statement on Kate Ann Jacobson's Letter to the Queen

HON. VINCE STEEN: Thank you, Mr. Speaker. Mr. Speaker, my Member's statement is on a little lighter note. Today, I wish to honour a student from Mangilaluk School in Tuktoyaktuk who took part in a literacy contest last spring by writing a letter to Her Majesty, Queen Elizabeth II. Not only did she take part but she tied for second place in the grade 4 to 6 category with this letter:

Talking to Queen Elizabeth:

Hi, I am Kate Ann Jacobson. I am 11 years, six months, and 24 days old. My school's name is Mangilaluk School. I am in grade 6. My teacher's name is Robin Hayslip. She is nice.

I live in Tuktoyaktuk, Northwest Territories, Canada. We live in the Arctic. We eat pipsi (dryfish). We make this out of fish we catch in the fishnets. We cut it up and hang it until it is dry.

We also eat mipku. We make it out of caribou meat. We grind it up and spread it across screens. Well, that is how my dad makes it. Other people make it different.

Oh yeah, we eat muktuk too. We catch a whale, cut it up and put it in oil and let it dry. We hunt for caribou, polar bears and geese, ducks and ptarmigan. We eat them after we kill them.

We have three stores, and their names are Corner Store, Northern, and Savilles, and two restaurants. Their names are Tuk Inn and Pingo Park, and they are also our hotels.

I like driving around with friends on ski-doo. I love it when Tuk has Beluga Jamboree. It is a big event. There are ski-doo races, kids games, people selling stuff in their tents, and a lot of people go down to the harbour. In the summer, I love going to summer camp. We go swimming, learn how to talk Inuvialuktun, and slide in the mud.

I like to spend time with family. I am proud to be an Inuvialuit.

By Kate Ann Jacobson
Grade 6
Mangilaluk School
Tuktoyaktuk, NWT, Canada

Mr. Speaker, honourable colleagues, please join me today in honouring the student's efforts in literacy. Thank you.

-- Applause

MR. SPEAKER: Thank you, Mr. Steen. Item 3, Members' statements. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

Member's Statement on Passing of Faye Hansen

HON. ROGER ALLEN: Thank you, Mr. Speaker. On behalf of my constituents, I would like to take this opportunity to make my Member's statement today in memory of Faye Deva Virginia Hansen, who passed away this year at a very young age.

Faye was born on June 22, 1982. Her parents were Roy and Maria Hansen. In 1983, the family moved to Fort Smith, then onto Hay River and then to Cambridge Bay, finally returning home to Inuvik in 1994.

Faye recently graduated from Samuel Hearne Secondary School in June. She met many friends along the way and held them all very dear to her heart. She enjoyed travelling and going out on the land and she enjoyed the opportunity. Her

dear friends said she would often reminisce about those good times.

Faye worked for the Arctic Nature Tours office for the past two summers. Faye greeted the visitors. She made them feel so welcome to the Western Arctic with her beautiful Delta smile. A professional photographer had taken several slide photos of her and was able to hold onto the wonderful memory to share with other visitors.

She was a very confident and helpful employee and because of her excellent work habits, she had developed a lot of potential with the tour company. The loss they had shared with the family was difficult for all of her co-workers as well.

Faye was very approachable. She meant so much to all who knew her. We are all so blessed to have shared memories with Faye. We will forever miss her soft voice, sweet smile and heart of gold, and hold her precious memories close to our hearts. So say her friends. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Allen. Item 3, Members' statements. Item 4, reports of standing and special committees. Item 5, returns to oral questions. Item 6, recognition of visitors in the gallery. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

ITEM 6: RECOGNITION OF VISITORS IN THE GALLERY

HON. ROGER ALLEN: Thank you, Mr. Speaker. On behalf of my colleagues who asked me to recognize the housing managers from across the Northwest Territories, if I may, Stella Bayha-Vallee of Tulita; Angela Grandjambe of Fort Good Hope; Sam Hickling of Norman Wells; Bobby Villeneuve from Fort Simpson; Betty Haogak from Sachs Harbour; Allen Bouvier from Fort Providence; Vicki Boudreau from Inuvik; Phoebe Kenny from Deline; Veryl Gruben from Tuktoyaktuk; Elizabeth-Ann McKay from Fort Resolution; Betty Firth from Fort McPherson; Mary Rose Casaway from Lutselk'e; Gerry Cheezie from N'dilo, and I would like to, on behalf of the Housing Corporation, welcome them to the Assembly. Welcome.

-- Applause

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

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, it gives me great pleasure to recognize Betty Firth from Fort McPherson. Betty has put many, many, many years in with the Housing Association in Fort McPherson and I would like to thank Betty for all of her hard work while she is here. Enjoy your stay. Thank you.

-- Applause

MR. SPEAKER: Item 6, recognition of visitors in the gallery. The honourable Member for Deh Cho, Mr. McLeod.

MR. MCLEOD: Thank you, Mr. Speaker. I would like to welcome all of the housing managers from across the North, especially Mr. Allen Bouvier from Fort Providence Housing Authority, and my CA, Sherry Braun. Thank you, Mr. Speaker.

-- Applause

MR. SPEAKER: Thank you. Item 6, recognition of visitors in the gallery. The honourable Member for Tu Nedhe, Mr. Nitah.

MR. NITAH: Mahsi cho, Mr. Speaker. Mr. Speaker, it gives me great pleasure to recognize two of my constituents who are housing managers as well. Ms. Elizabeth-Ann McKay from Fort Resolution and Mary Rose Casaway from Lutselk'e. They are very hard workers and long time employees of the Housing Corporation. A very tough job in the communities and I would like to express my appreciation. Thank you, Mr. Speaker.

-- Applause

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

HON. JIM ANTOINE: Thank you, Mr. Speaker. Mr. Speaker, housing is a basic need in a human being, especially in the North, I would like to thank the managers from the communities. I would like to recognize and welcome a constituent of mine, Bob Villeneuve, from Fort Simpson. Thank you.

-- Applause

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

HON. JAKE OOTES: Thank you, Mr. Speaker. I would like to recognize someone who is a frequent worker as a page in our Assembly, Vital Manuel.

-- Applause

MR. SPEAKER: Thank you, Mr. Ootes. Item 6, recognition of visitors in the gallery. The honourable Member for Nunakput, Mr. Steen.

HON. VINCE STEEN: Thank you, Mr. Speaker. Mr. Speaker, I would also like to acknowledge the presence of Betty Haogak from Sachs Harbour who represents the Housing Association there and Veryl Gruben from Tuktoyaktuk. Thank you.

-- Applause

MR. SPEAKER: Item 6, recognition of visitors in the gallery. The honourable Member for Weledeh, Mr. Handley.

HON. JOE HANDLEY: Thank you, Mr. Speaker. Mr. Speaker, I too would like to recognize and congratulate the housing managers for the important work they are doing. In particular I want to recognize Gerry Cheezie from N'dilo.

MR. SPEAKER: Formerly from Thebacha. Item 6, recognition of visitors in the gallery. I would like to say on behalf of all Members, welcome to your Legislative Assembly and I thank you for coming. Item 7, oral questions. The honourable Member for Frame Lake, Mr. Dent.

ITEM 7: ORAL QUESTIONS

Question 329-14(5): Government Response to the Robertson Report

MR. DENT: Thank you, Mr. Speaker. Mr. Speaker, my question is for the Premier. In 2001, this government received a report on power that was prepared by Jim Robertson that

included a number of recommendations related to the Power Corporation. Some of those recommendations dealt with franchises, rate zones, et cetera. What is the government doing to respond to the Robertson report recommendations?

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

HON. STEPHEN KAKFWI: Mr. Speaker, the Minister responsible for the Power Corporation, Mr. Handley, will take that question. Thank you.

MR. SPEAKER: Thank you. As the Premier has the prerogative to ask a Minister to do that, Mr. Handley, please.

Return to Question 329-14(5): Government Response to the Robertson Report

HON. JOE HANDLEY: Thank you, Mr. Speaker. Essentially, the Robertson report is on hold until we have the Energy Strategy available. We have moved on it in August the direction... sorry. Yes, I think it was in August that the direction was to keep it on hold for the time being. Thank you.

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

Supplementary to Question 329-14(5): Government Response to the Robertson Report

MR. DENT: Thank you, Mr. Speaker. Mr. Speaker, can I take it from that response that none of the recommendations contained in the Robertson report have been acted upon?

MR. SPEAKER: Thank you, Mr. Dent. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 329-14(5): Government Response to the Robertson Report

HON. JOE HANDLEY: Thank you, Mr. Speaker. Mr. Speaker, the only one that the Cabinet has asked that we continue on is their directive that we bring forward a legislative proposal to take a look at the NTPC Act and consider the possibility of having the Power Corporation incorporated under the CBCA. Thank you.

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

Supplementary to Question 329-14(5): Government Response to the Robertson Report

MR. DENT: Thank you, Mr. Speaker. Mr. Speaker, it was suggested to me that in fact the Corporation had received some direction from Cabinet last October. Can the Minister please advise this House whether or not direction was provided directly from Cabinet to the corporation on four specific recommendations in the Robertson report to the Power Corporation? Were they not told to move towards implementing those four recommendations?

MR. SPEAKER: Thank you, Mr. Dent. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 329-14(5): Government Response to the Robertson Report

HON. JOE HANDLEY: Thank you, Mr. Speaker. Mr. Speaker, I will have to take that as notice because I am not sure which four recommendations the Member is referring to. Thank you.

MR. SPEAKER: Thank you. That question has been taken as notice. Item 7, oral questions. The honourable Member for Inuvik Boot Lake, Mr. Roland.

Question 330-14(5): Withdrawal of the Single-Rate Zone Application for Power Rates

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, my question will be directed to the Premier regarding my Member's statement about the decision around the NWT Power Corporation board.

Mr. Speaker, we heard in this House yesterday in a number of responses to questions that August was the time that was set, a clear decision was made, as the Premier stated, and it was felt that it was stated clearly to the Minister responsible for the Power Corporation that they should cease the one-rate zone discussions.

Why then, Mr. Speaker, was there no action the day or the day after the board had filed with the PUB on the one-rate application? Why did that not occur? If it was such a clear decision...

MR. SPEAKER: Thank you. We have a question. The honourable Premier, Mr. Kakfwi.

Return to Question 330-14(5): Withdrawal of the Single-Rate Zone Application for Power Rates

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. As we have said earlier, Cabinet made a decision in August to defer consultation on a number of issues, including discussions on a one-rate zone. The Minister responsible for the Power Corporation was to initiate the necessary action to implement the decision. The decision was conveyed in some form to the chairman of the Power Corporation. I guess that is where the confusion starts as to how clearly and how succinctly that was conveyed, but it was conveyed in at least one form, which is the copy of the decision that was made.

The Power Corporation filed in early September with the understanding, at least by the chairman, that they had the support of Cabinet and the Minister. As to how they got that is unclear to me at this time, because in reading the Cabinet decision and reviewing it with Members of Cabinet two weeks ago, we thought it was clear. We asked for a review by our staff and by the Department of Justice and they also concurred that the decision and the direction was clear. For whatever reason, the Power Corporation did not clearly understand or receive the decision and instruction, and so filed an application.

The earliest that Cabinet met was two weeks ago, at which time the Ministers raised the concern that this was not in keeping with the Cabinet decision of August. We had a discussion about it, and following that we did seek clarification to make absolutely sure that it was clear. Our staff and our lawyers in the Department of Justice indicated to me that it was clear. Just to make doubly sure, as I said, we revisited the decision and the board was instructed to withdraw the

application and was instructed in the August Cabinet decision. They refused to comply and so Mr. Handley, as the Minister responsible for the board, revoked their appointments and then subsequently appointed a new interim board. Thank you.

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

Supplementary to Question 330-14(5): Withdrawal of the Single-Rate Zone Application for Power Rates

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, the Premier just stated two weeks ago that the Cabinet met to review this again. Was there a directive issued two weeks ago - taking it from today would be October 3rd -- was there a directive issued to the Power Corporation board to withdraw their application at that time?

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

Further Return to Question 330-14(5): Withdrawal of the Single-Rate Zone Application for Power Rates

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. There was communication with the board that they were not complying with the August Cabinet decision and that we expected them to comply with that Cabinet decision of August. As I said, just to make it absolutely clear so that everyone had a chance to review the Cabinet decision, we reviewed it and we made it even more explicit, and direction was given again to the Power Corporation and they refused to comply with the decision. Minister Handley then revoked the appointments of the board and appointed an interim board. Thank you.

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

Supplementary to Question 330-14(5): Withdrawal of the Single-Rate Zone Application for Power Rates

MR. ROLAND: Thank you, Mr. Speaker. Again, as of the October 3rd meeting of Cabinet, was a directive reissued to the board as a result of your discussions in Cabinet? Was it reissued? Was the decision made at that point and a directive given to the board to withdraw that application as of October 3rd? Thank you.

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

Further Return to Question 330-14(5): Withdrawal of the Single-Rate Zone Application for Power Rates

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. I am not clear as to what form of communication took place between the Cabinet and the Minister responsible to the chairman of the board in August, except that the copy of the Cabinet decision was shared with the chair of the Power Corporation. Following the revisit of our Cabinet decision two weeks ago, we followed that up with a Cabinet decision and a directive, I believe, was issued by Minister Handley. The dates and times of it are probably better addressed by Mr. Handley. Thank you.

MR. SPEAKER: Thank you, Mr. Premier. Final supplementary, Mr. Roland.

Supplementary to Question 330-14(5): Withdrawal of the Single-Rate Zone Application for Power Rates

MR. ROLAND: Thank you, Mr. Speaker. The Premier just stated that the dates and times are probably better addressed by the Minister responsible for the Power Corporation, but a directive was issued from the Cabinet table and he is chair of Cabinet. So was it, in fact, October 3rd when a directive was given to the Minister responsible for the Power Corporation to tell the board to withdraw the application? Thank you.

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

Further Return to Question 330-14(5): Withdrawal of the Single-Rate Zone Application for Power Rates

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. The directive was issued I believe the following week. Thank you.

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

Question 331-14(5): Resources for Addictions Services

MR. LAFFERTY: Thank you, Mr. Speaker. My question is for the Minister of Health and Social Services. Mr. Speaker, in past conversations about addiction treatment with the Minister, he has asked me whether I would prefer bricks and mortar or programs in the communities. I see that there is no problem in putting bricks and mortar up at correctional centres, as well as providing inmate programs.

I would like to ask the Minister of Health and Social Services, in dealing with addictions, where does he think putting bricks and mortar would be most effective -- in correctional centres or in treatment facilities? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lafferty. The Chair hesitates for a brief moment here. I just remind Members that they should not ask hypothetical questions or questions that are going to be kind of debatable. However, I will allow the question to go to the Minister responsible for Health and Social Services to use his discretion.

Return to Question 331-14(5): Resources for Addictions Services

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, the issue is that the funding we have for addictions and any funding that we may subsequently acquire, where would it best be placed? It is my opinion, and I think the opinion of the Chalmers report as well, that we have to look at some fundamental issues like the community programming, the qualifications and training of the alcohol and drug workers, the integration of the alcohol and drug workers with mental health services, and those services better integrated at the community level. Mr. Speaker, that is where I would see resources that may come available focused. Thank you.

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

Supplementary to Question 331-14(5): Resources for Addictions Services

MR. LAFFERTY: Thank you, Mr. Speaker. I am glad the Minister stood up to answer the question, but then answered the question whether he had...(inaudible)... I would like to ask him another question. As a government, there always seems to be enough money for expensive studies but no funding for following through on recommendations made in the reports. I would like to ask the Minister, what specific recommendations from this addiction report will he follow up on in the Dogrib region? Thank you, Mr. Speaker.

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

Further Return to Question 331-14(5): Resources for Addictions Services

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, we have come up with a draft integrated service delivery model, which includes a number of components. One of the components is a response of how we would propose to proceed in trying to address some of the issues identified with the addictions and mental health strategy. That particular draft document is currently with the Social Programs Committee and we are awaiting their feedback. Mr. Lafferty is a member of that committee. We would hope that once we get that feedback, we can make adjustments to the draft so that we can at some point in the very near future proceed to have that document prepared for Cabinet consideration. Thank you.

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

Supplementary to Question 331-14(5): Resources for Addictions Services

MR. LAFFERTY: Thank you, Mr. Speaker. I am glad the Minister is thinking like a consensus government. I would like to ask him if his department will implement the recommendations of this report within the life of this Assembly? Thank you, Mr. Speaker.

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

Further Return to Question 331-14(5): Resources for Addictions Services

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, the document that is currently before the Social Programs committee has with it time lines. There are a number of priorities and an extensive list of things we think has to be done. We have also tried to do some very preliminary costing, so it is going to be a question of priorities, but we definitely intend to proceed with all alacrity and dispatch, should we receive positive feedback from the committee and further support for some funding. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Final supplementary, Mr. Lafferty. No supplementary? Item 7, oral questions. The honourable Member for Deh Cho, Mr. McLeod.

Question 332-14(5): Harmonization of Income Support and Social Housing

MR. MCLEOD: Thank you, Mr. Speaker. Mr. Speaker, I want to ask this question to the lead Minister on the harmonization initiative. I believe that is Mr. Roger Allen, the Minister of the Housing Corporation.

This initiative has been in the works for quite some time now. I believe it was initiated in the 13th Assembly. It is a new initiative and we have not seen a lot of it. The document has been quite secretive and we have not seen any presentation to the committees. It has not been tabled. We have not been able to debate it in committee of the whole. I hear one of the Ministers mentioning it in the media that it is still in the works. However, we are not getting any information on it. This thing has been in the works now for over three years. I would like to ask the Minister if he could tell us what is going on with this initiative.

MR. SPEAKER: Thank you. Mr. McLeod, for the Chair's benefit, could you let me know which Minister you are directing it at, please?

MR. MCLEOD: Mr. Speaker, this is a joint initiative between Housing and Education, Culture and Employment. My question was directed to Mr. Roger Allen.

MR. SPEAKER: Thank you. Mr. Allen, the Chair is not quite sure. The Member wants it directed to Mr. Allen, and the Chair will direct it to Mr. Allen. Mr. Allen, the Minister responsible for...Mr. Premier.

HON. STEPHEN KAKFWI: Mr. Speaker, I ask that the question be deferred to Minister Ootes.

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

Return to Question 332-14(5): Harmonization of Income Support and Social Housing

HON. JAKE OOTES: Thank you, Mr. Speaker. Some time was taken to work on this particular project following the February session. There was concern expressed by Members about the impact upon seniors and upon students, the financial impact that they would suffer as a result of the implementation of this policy. Hence, some time was taken to look at possible changes, possible alternatives. What has transpired is a submission to Cabinet. Cabinet has reviewed it and proceeded with it. We are now in the stages of informing Members on it. We sought to seek a briefing position and a briefing time with the Members, and we can certainly continue to do that, if Members are interested. We are preparing some documentation so that we can inform Members on this whole subject as to what we feel is the appropriate procedure now to implement this particular strategy. Thank you.

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

Supplementary to Question 332-14(5): Harmonization of Income Support and Social Housing

MR. MCLEOD: Mr. Speaker, I am glad to hear that the Minister is now prepared, and I am assuming that some of the commitments that they were going to look at, developing a

communication strategy and an action plan, have all been developed and that we are going to see these things shortly, and this presentation to the committee will be done during the life of this session.

I would like to know if he could tell us, what are the new target dates for implementation? We had seen a deferral to October 1st. Other than that, we really do not know, the people of the North do not know, what are the plans for implementing this?

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

Further Return to Question 332-14(5): Harmonization of Income Support and Social Housing

HON. JAKE OOTES: Thank you, Mr. Speaker. Yes, we took into consideration, of course, the issue that arose in the February session, and we took some time to consider it. What happened was that we were behind then, in terms of implementation. Now, our target date is April 1st, Mr. Speaker, so that we do have some time to bring about more communication to inform those who are in housing, those students who may be affected, those seniors who may be affected and, of course, we want to take the time to brief the Members of the House as well. Thank you.

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

Supplementary to Question 332-14(5): Harmonization of Income Support and Social Housing

MR. MCLEOD: Thank you, Mr. Speaker. One final question I would like to ask the Minister, if we can anticipate those plans being tabled during this session, or will we be waiting, should we expect them in the winter session in February?

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

Further Return to Question 332-14(5): Harmonization of Income Support and Social Housing

HON. JAKE OOTES: Thank you, Mr. Speaker. We can certainly table the plans. I would like to brief the Members ahead of time, or by correspondence, whichever is desired by the committees, and we can certainly aim to table the information before we leave this particular session. Thank you.

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

Question 333-14(5): Northwest Territories Power Corporation Single-Rate Zone Application

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, my question is in regard to the situation involving the NWT Power Corporation. My question is to the Minister responsible for the Power Corporation.

Mr. Speaker, I believe that this is an issue that is not just about whether or not one supports a one-rate zone, or what has happened in revoking the appointments of the board. I believe that the situation here is pretty serious and that it affects the

way we are governing and it is really contrary to public interest if we keep seeing Cabinet Members speaking out with different positions on something this important. We have had one Minister against this policy, one for it, and we have had a Premier having to intervene in the most drastic way.

I have a question to Minister Handley, because I believe that he is the one who has been at most of the places where these situations occurred.

Mr. Speaker, we understand that the board had made the decision to go and apply for a one-rate application back in June, and that Cabinet had made a decision in August not to. Did the Minister not see the discrepancies? What effort did he make to bridge the gap between these two parties with a different understanding? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 333-14(5): Northwest Territories Power Corporation Single-Rate Zone Application

HON. JOE HANDLEY: Thank you, Mr. Speaker. In order to try to clarify this, I will not be laconic in my reply. I want to go back a bit. The Power Corporation and the government were working on the recommendations in the Robertson report going right back to October 2001.

In June, yes, the Power Corporation and ourselves were looking at a one-rate zone and we were trying to see how it would work. In August, on August 6th, the Cabinet met and Cabinet agreed on some strategic direction to the Power Corporation. It also agreed that the government would not continue with public consultation on the Robertson report. The Robertson report included a whole bunch of recommendations, including comment on the one-rate zone.

The chairman of the Power Corporation got a copy of the record of decision. He would have gotten that sometime late the following week. Takes about a week or so to get those out. He gets the actual wording of it. He would have seen it. He, for whatever the reasons were in his interpretation, did not read that to mean that the Power Corporation should cease the direction they were going.

Then we went off to T'loondih and I went on the Commonwealth Parliamentary Association meetings, I was not back in Yellowknife until sometime in mid-September. Meanwhile, there were no questions asked of me and I do not make copies of the records of decisions or interpret them for people. They are, in this case, it was sent out just as it was worded. It came back in the middle of September.

We were busy with business plans, nothing was brought to my attention. In the meantime, the chairman of the Power Corporation did advise me that they filed a report or an application on September 6th. I did not read the application. It went ahead.

On October 3rd, there were questions about the interpretation and what they were doing. We had a Cabinet meeting and that was reviewed at that time. I think you have the rest of the picture from there on.

I do not think there was anything mischievous in this or anything negligent or anything else. When you follow through, it

all happened and there was a delay because I was out of the country. No one raised the question with me and that is the whole story to it, Mr. Speaker. Thank you.

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

Supplementary to Question 333-14(5): Northwest Territories Power Corporation Single-Rate Zone Application

MS. LEE: Mr. Speaker, I do not believe that it is that straight. Mr. Speaker, if you read the transcript of yesterday's debate, Minister Handley refers to the August 6th meeting and the directive as a strategic direction. He also stated that it was not until October 6th that specific direction was given. There is some implication there that Minister Handley is saying that the board did not get that direction until October 6th.

Mr. Speaker, I would like to ask the Minister again, in his understanding, the direction coming out of the August 6th meeting, did it say anything about not pursuing, for the board to not pursue a one-rate zone? Or, to him, does it mean simply not to do the consultation on the Robertson report? I think there is a big difference there. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 333-14(5): Northwest Territories Power Corporation Single-Rate Zone Application

HON. JOE HANDLEY: Mr. Speaker, the decision basically was not to continue consultation on the Robertson report. As I said, there are a number of elements to that and one of those elements is the single-rate zone. The chairman had that information. He did not read it to mean that this says stop your application. Thank you.

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

Supplementary to Question 333-14(5): Northwest Territories Power Corporation Single-Rate Zone Application

MS. LEE: Mr. Speaker, the public records show that as far back as June, the Power Corporation has been working on this one-rate zone application for over a year, and I know that the Minister keeps in close touch with these people. I see them walking around all the time. In the whole year, he got the information from somebody that the corporation is spending \$2 million to work on the one-rate zone and then he is in the Cabinet meeting, and I am sure we could assume that some Ministers said that this is a bad idea. Did he not feel that it was his responsibility to be a bridge and be a communicator in-between and say, "Look you guys, the corporation is going to do this. What is my direction?" Did he feel that he could just wait for a month and not do anything about it?

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 333-14(5): Northwest Territories Power Corporation Single-Rate Zone Application

HON. JOE HANDLEY: Mr. Speaker, as the Members well know, and as I have said before, in October, 2001, Cabinet directed myself as Minister for the Power Corporation to work on a one-rate zone in October. So that work was going on in October, 2001. It was going on and that direction was changed on August 6, 2002. Yes, we did work on it for almost a year trying to come up with a proposal on it. There was direction October, 2001. There was new direction provided on August 6, 2002. Thank you.

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

Supplementary to Question 333-14(5): Northwest Territories Power Corporation Single-Rate Zone Application

MS. LEE: Thank you, Mr. Speaker. There is something seriously wrong with this, Mr. Speaker. As Mrs. Groenewegen mentioned in her statement yesterday, I was at the meeting when we were made aware for the very first time that the Power Corporation was pursuing a one-rate application. The Minister was there. This was in late August. This was after Cabinet gave a direction that they were now pursuing this.

Is it not contrary to his role as the Minister to not be dealing with that discrepancy between two organizations that he serves? Does he not see a problem with that, Mr. Speaker?

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 333-14(5): Northwest Territories Power Corporation Single-Rate Zone Application

HON. JOE HANDLEY: Mr. Speaker, yes, and at that time both myself, the secretary to the Financial Management Board and I believe the chairman of the Power Corporation were at the meeting. At the time, we did not have the record of decision in front of us, but we knew from the meeting what the government's position was on the one-rate zone. Mr. Stewart knew, I knew, everybody knew.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Hay River South, Mrs. Groenewegen.

Question 334-14(5): Northwest Territories Power Corporation Single Rate Zone Application

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, I would also like to direct my questions to the Minister responsible for the Power Corporation, along with many of my colleagues here to try to bring some clarity to exactly what did transpire here.

Minister Handley just indicated that it was clear to everyone on August 6th what the intention was of Cabinet. I would like to ask Minister Handley then why it was that on August 13th, it was shared with Members of the Assembly in the presence of the president of the Power Corporation that the corporation was

proceeding to a general rate application for a flat rate zone on August 13th? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 334-14(5): Northwest Territories Power Corporation Single Rate Zone Application

HON. JOE HANDLEY: Mr. Speaker, I think the chairman of the Power Corporation did share that information with the committee. I do not think, though, that the chairman of the Power Corporation board felt that because this is the position of the government with regard to a one-rate zone, that automatically translated in his mind into direction that he pull back the work they were doing on the one-rate application.

I believe that in his mind, he felt that this was the direction to go, that there was a public process in place, that people would have a chance to intervene and he would carry on from there. Thank you.

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

Supplementary to Question 334-14(5): Northwest Territories Power Corporation Single Rate Zone Application

MRS. GROENEWEGEN: Mr. Speaker, this is very confusing. It is little wonder that the Power Corporation was confused and my condolences to its members because I am thoroughly confused by this.

Mr. Speaker, in June, the Minister shared with the Members that there was no way he was going to proceed with a single-rate zone because he knew it was completely un-sellable, that he would never get the communities served by hydro in the South Slave to agree to it. He could never get it past Cabinet, let alone past the Members of this House. That is what was shared with us.

Subsequent to that now, Cabinet met and made a decision to withdraw and defer any further consultation. That information was shared with us by the deputy minister, but the chairman of the Power Corporation, one week after the August 6th meeting, told Members of this House that they were going to proceed with the application for a single-rate zone, and the Minister was sitting right beside the chairman...

MR. SPEAKER: What is the question, Mrs. Groenewegen?

MRS. GROENEWEGEN: The question is, did the Minister, at any time, find it necessary, or think it necessary, to talk to Mr. Stewart, the chairman, and convey to him the decision and the wishes of Cabinet in this matter? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 334-14(5): Northwest Territories Power Corporation Single Rate Zone Application

HON. JOE HANDLEY: Mr. Speaker, I do not recall the exact wording and so on in a June meeting. I recall the one in the meeting in August. Certainly in June, we as a government had come to the conclusion that the numbers just did not work in a way that we could figure it out for a one-rate zone. In August, the Power Corporation was continuing to work along in that direction. They had continued over the summer. They were continuing with it.

I do not think that they felt they were bound to drop their one-rate application. The direction we had from Cabinet was that we would cease consultation on the Robertson report, and one piece of it did mention the one-rate zone. Now, does ceasing consultation by government on one-rate zone translate into "Board for the NTPC, you better change your application and stop with your plans to put this before the Public Utilities Board?" The chairman did not see it that way and I did not particularly see it that way at that time either. Thank you.

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

Supplementary to Question 334-14(5): Northwest Territories Power Corporation Single Rate Zone Application

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, obviously the chairman did think he had the support of the Minister. Mr. Stewart is quoted in the media just in the last couple of days as saying "Minister Handley was, as I said, on board. He had never given us any indication that he was not supporting the corporation in filing for a one-rate zone." Those are the words of the chairman of the board.

Now, I do not want to contradict Mr. Handley here, but Mr. Handley said that the single-rate zone was under development and being put forward by the Power Corporation board in spite of this obviously what sounds like a confusing direction from Cabinet.

However, Mr. Speaker, in June, the same meeting where Mr. Handley said he could never get this by Cabinet or by the Members of the House, the president of the Power Corporation shared with the Members that they were proceeding to the GRA phase two, and clearly stated they were doing it on community-based rate zone. Now, why was the Power Corporation working on a single-rate zone for a whole year and then come and tell the Members in June that they were proceeding to phase two on a community-based rate zone and the Minister says that...Mr. Speaker, the Minister says that in fact, they were planning all along to go with a single-rate zone. Mr. Speaker, it cannot be both ways. Which is it? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 334-14(5): Northwest Territories Power Corporation Single Rate Zone Application

HON. JOE HANDLEY: Mr. Speaker, I cannot speak for the chairman of the Power Corporation board, but as I said, under direction from Cabinet, we were working and trying to come up with a formula that would work since October, 2001. In June, or sometime there, we concluded that this did not seem to be working. It did not seem saleable for us to take it forward, along with the other recommendations in the Robertson report.

At that point, we ceased our work in terms of the recommendations in the Robertson report, including the one-rate zone.

Now, in doing that, I do not know whether Mr. Stewart, the chairman of the board, had really made his decision. He may have, I do not know, in June, of whether to go with community-based zones or a single-rate zone. He had to collect all of the information anyway, and very well may not have, in his own mind, really made a decision.

I know the Power Corporation board met in August for their strategic planning session. I believe, and I would have to confirm it, but I believe that meeting some time in August was when they decided which direction they were going to go. Thank you.

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

Supplementary to Question 334-14(5): Northwest Territories Power Corporation Single Rate Zone Application

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, the answers the Minister is providing are not really giving any clarity to me. Earlier today, Mr. Braden said that this whole thing is a very unfortunate situation, and it is, and that it was unavoidable, and it was. Would the Minister responsible be prepared to accept any of the responsibility for this confusion, given the fact that the Power Corporation was proceeding for a single-rate zone? They thought they had government support, and the Minister was out there in meetings with MLAs, in the print media, on the radio, every time he had a chance, extolling the merits of a single-rate zone. Could this have possibly contributed to the confusion that was being experienced by the Power Corporation? There is documented evidence of that being the case.

The question is, would the Minister take some of the responsibility for this very unfortunate situation that has been created? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 334-14(5): Northwest Territories Power Corporation Single Rate Zone Application

HON. JOE HANDLEY: Thank you, Mr. Speaker. Hindsight is always great. Certainly, you know, if I had realized that there was that lack of clarity, then I would have probably said to Mr. Stewart, here is what the record of decision says, here is what

it means, let's talk about what your role is as a board, what my role is as a Minister, what the Public Utilities Board process is, the extent to which you should be adhering to specific direction of Cabinet. I could have done things a lot differently. That is in hindsight.

At the time, though, I do not think my personal views got in the way at all. I have to say that I believe that we as citizens and as residents of the Northwest Territories are all equal owners of the Power Corporation. I believe that we should all have equal benefit from it and equal risk in its doings. That is my position. I have no other position on this issue. Thank you.

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

Question 335-14(5): Cabinet Direction to the Power Corporation

MR. KRUTKO: Mr. Speaker, the concern I have is the quickness of Cabinet to interfere in a board process, and overseeing the Power Corporation of the Northwest Territories.

Mr. Speaker, there are three circumstances where Cabinet has directives. One was dealing with the Hay River franchise issue, which we heard a lot about. That was where the Robertson report idea came from. The second was regarding the idea of trying to look at saving dollars for the people of the Northwest Territories who are the shareholders of this corporation by consideration of layoffs in the corporation to save us a million dollars. There again, Cabinet intervened. The third time is dealing with the issue that is at hand today, regarding the application that was put forth in regard to the one-rate zone.

Mr. Speaker, in those three incidents, Cabinet directives were given. I would like to ask Mr. Handley, as the Minister responsible for the Power Corporation, were those directives given to you as the Minister to carry them out, and how did you carry that out?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 335-14(5): Cabinet Direction to the Power Corporation

HON. JOE HANDLEY: Mr. Speaker, I cannot speak to the previous times when Cabinet gave the Power Corporation very specific directives, whether that is in regard to an application they filed, another one with regard to not laying off staff. That was before I was responsible.

With regard to this particular case, as I said, we had a Cabinet meeting on October 3rd. We reviewed this. We debated what the direction was. On October 8th, the Premier, as Chair of Cabinet, told me that this was his interpretation after reviewing it with staff and with legal advice, and that I should direct the Power Corporation to withdraw their application. Following that, we had a Cabinet meeting and there was further direction provided to the Power Corporation on October 11th. Thank you.

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

Supplementary to Question 335-14(5): Cabinet Direction to the Power Corporation

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, the Minister stated that he had a verbal direction from the Premier to pass on the directive. Was the directive ever put in writing or was it just a verbal direction that was given to yourself from the Premier?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 335-14(5): Cabinet Direction to the Power Corporation

HON. JOE HANDLEY: Thank you, Mr. Speaker. It was a verbal discussion and then I received a note from the Premier to that effect. Thank you.

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

Supplementary to Question 335-14(5): Cabinet Direction to the Power Corporation

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I would like to ask the Minister if there is a possibility of accessing the note that you received from the Premier which clearly spells out exactly the direction you were supposed to follow?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 335-14(5): Cabinet Direction to the Power Corporation

HON. JOE HANDLEY: Mr. Speaker, since the letter is from the Premier to me, I would like to refer the question to him. Thank you.

MR. SPEAKER: Sorry, the rules do not allow the Minister to pass it back to the Premier. The Premier can pass it down. You have the responsibility to either answer the question, take it as notice or not answer the question. Which are you choosing?

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

MR. SPEAKER: The question has been taken as notice. Item 7, oral questions. The honourable Member for Tu Nedhe, Mr. Nitah.

Question 336-14(5): Tlicho Land Claim Agreement-in-Principle

MR. NITAH: Mahsi cho, Mr. Speaker. Mr. Speaker, my question is for the Premier. Mr. Speaker, as we all know, there is a dispute between the Akaitcho and the Tlicho over ownership of land. We all know that the Akaitcho ascertained that there have been agreements between the Akaitcho and the Tlicho with a clear boundary that has been understood -- we know it as Boundary Creek. We all know that the Dogribs use lands east of here as traditional hunting grounds. We have seen a newspaper article last week that attests to that with the

assistant director general who was there at Indian Hill Lake, where there were caribou carcasses and garbage left.

If that is going to be an example of future management, then we have to ask that question. The reason I demonstrate that is because there is clearly a relationship between the federal government and the Dogribs that the Akaitcho is concerned about. As a government, we have to demonstrate that we are impartial and that we represent the best interests of the Northwest Territories.

I ask the Premier when he was in Wha Ti, did he witness the initialling of the federal negotiator as the Premier of the Northwest Territories representing the people of the Northwest Territories, or as Stephen Kakfwi, an individual? Thank you, Mr. Speaker.

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

Return to Question 336-14(5): Tlicho Land Claim Agreement-in-Principle

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker, I addressed that question yesterday. I was there for the initialling. Cabinet had supported our negotiators to be present to initial that agreement. The federal government also went ahead with the initialling. I was asked at the last minute if I wanted to be involved in it by the federal negotiator, to witness his initialling. Discussing it with the Minister, Mr. Antoine, we indicated that no, it would not be the thing to do to involve myself in it since the Minister was not involved in any of the ceremony itself.

I passed that on, I thought, to the federal negotiator, but he apparently did not indicate that. At the signing ceremony, which was completely packed with all the Tlicho beneficiaries as well as visitors, we were seated there and when the federal negotiator was going to initial, he asked me to come up publicly to do him the honour of witnessing his initials. Rather than create a scene, as I said yesterday, I decided to indicate that our government was in support of the initialling and that I had no difficulties in being a witness. It was not something I asked to do, but it was done at the last minute.

I did not want to indicate to the Tlicho people, the negotiators or their leaders that this government was in any way indicating lack of support for the initialling because Cabinet had made that decision. This was the issue at the time. Minister Antoine and myself had both met with the Akaitcho leaders and had indicated that we believed their concerns and their issues must be addressed. We expect that the parties, with the assistance of the federal government, will see some process initiated. I think they are meeting today as we speak. We expect that these issues will be addressed appropriately by the parties concerned. Thank you.

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

Supplementary to Question 336-14(5): Tlicho Land Claim Agreement-in-Principle

MR. NITAH: Thank you, Mr. Speaker. Mr. Speaker, I am not sure if the Premier answered my question -- if he signed and witnessed as the Premier or as Stephen Kakfwi. I know that

there have been discussions, but there is no guarantee that those discussions are going to come to acceptable results. There have been attempts at past meetings, and those attempts never came to fruition. I would like to ask, did he witness as an individual or as the Premier? A yes or no answer would be nice, Mr. Speaker.

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

Further Return to Question 336-14(5): Tlicho Land Claim Agreement-in-Principle

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. If you look at the document, it simply says "witness", so there was no capacity for me to sign anything as the Premier. I was asked to come forward as a private citizen. I witnessed it. I was there. I witnessed the initialling. This government is on record as being in support of the initialling, so I did not see any difficulty. The witness box that I signed did not indicate that I was signing as the Premier, so only my signature is there. Thank you.

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

Supplementary to Question 336-14(5): Tlicho Land Claim Agreement-in-Principle

MR. NITAH: Thank you, Mr. Speaker. Mr. Speaker, I wonder if that is an indication of the Premier's position as an individual in support of the Dogrib, never mind the concerns of other people. I would like to ask the Premier how he got up to Wha Ti. He must have flown. Was it a charter or schedule?

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

Further Return to Question 336-14(5): Tlicho Land Claim Agreement-in-Principle

HON. STEPHEN KAKFWI: Mr. Speaker, the Cabinet met and indicated support for our negotiators to go ahead with the initialling of that agreement. I attended as invited. Half the summer I was on a plane, so I cannot tell you off-hand, but I believe I shared a charter with other staff that traveled to Wha Ti on that day. Thank you.

MR. SPEAKER: Thank you, Mr. Premier. Final supplementary, Mr. Nitah.

Supplementary to Question 336-14(5): Tlicho Land Claim Agreement-in-Principle

MR. NITAH: Thank you, Mr. Speaker, and I thank the Premier for his answer. Mr. Speaker, it gives me grave concern when the Premier of a territory or a province can just take off his Premier's hat and go as individual Joe Blow and witness such an agreement, especially when the people that he represents depend on him to be impartial. What does it look like to me and my constituents when I see our Premier witnessing a Dogrib agreement that my people and I are opposed to because of the boundary issue?

The question I have for the Premier is, by doing so, by taking off his Premier's hat and doing it as an individual and using government funds to get to that location and back, would that not be considered a conflict, Mr. Speaker?

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

Further Return to Question 336-14(5): Tlicho Land Claim Agreement-in-Principle

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. Mr. Speaker, the government supports the conclusion and the work on all issues regarding aboriginal rights of people. It also stands on its record of defending and making sure that the rights of other people, aboriginal and non-aboriginal, are not infringed upon in the course of completing these agreements. There should be nothing read into the fact that I attended. I was invited. I attended that. This was supported by a Cabinet decision that we would go there to initial and support the Tlicho Agreement to be initialled. It went public. The Akaitcho people now have copies. The public has copies. We expect them to critique it as they have and to try to find a process to engage in that would see their issues and concerns with this particular agreement addressed. They have some time to do that.

They are also in the courts trying to resolve it. It is their choice on how they choose to address these issues. We believe there have been precedents in many, many cases. There are other groups who have taken the same position and found a way to sit down and resolve these issues. I believe it is possible. Unfortunately, it is not going to be resolved in this room. Thank you.

MR. SPEAKER: Thank you, Mr. Premier. Item 7, oral questions. The honourable Member for Yellowknife South, Mr. Bell.

Question 337-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MR. BELL: Thank you, Mr. Speaker. Mr. Speaker, my question today is for the Minister responsible for the Power Corporation. I think in all of this confusion about the directive and whether there was clarity or not, my main concern is that in my opinion, a very good board is now no longer doing the good work of the Northwest Territories people.

I would like to ask the Minister how the internal Cabinet directive was transmitted to the Power Corporation. The Premier has indicated that it was conveyed in some form. I would like some clarity about how the internal directive was transmitted to the Power Corporation, the August 6th directive.

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 337-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. JOE HANDLEY: Thank you, Mr. Speaker. The chairman of the Power Corporation receives a copy of any record of decision from Cabinet that implies directly, or in part, or in whole, to the Power Corporation, so he would have received a copy of the record of decision, probably by mail, I am not sure. Thank you.

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

Supplementary to Question 337-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MR. BELL: Thank you. So the chairman of the Power Corporation receives this directive because it is either directly related or indirectly related. Is this standard protocol for chairman of any boards, Mr. Speaker? Thank you.

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 337-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, I am not sure if it applies to every board, but it has been standard practice with the Power Corporation board. As I say, it is not where it is indirect, but where it is direct, in whole or in part; the record of decision is directly related to the Power Corporation board's mandate. They receive a copy of the record of decision. Thank you.

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

Supplementary to Question 337-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MR. BELL: Thank you, Mr. Speaker. I guess, given that we know the Premier and Cabinet had to get a legal interpretation of this directive, and we know, I think from media reports, that the Power Corporation had to get a legal interpretation of this directive, I am wondering if anybody is amazed that there might have been some confusion if we needed lawyers to sort this out. Is the Minister surprised that the Power Corporation either did not get the gist of the directive, or misinterpreted the gist of the directive? Is he surprised by the confusion?

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 337-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, no, I am not surprised, because the wording, as I said, was generally that there would not be further consultation on the elements of the Robertson report. The chairman did not take that to mean that was direction for him to cease the application he was preparing. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Final supplementary, Mr. Bell.

Supplementary to Question 337-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MR. BELL: Thank you, Mr. Speaker. I think indeed the chairman of the Power Corporation did not take it to mean stop your application. I do not think the Minister took it to mean stop your application, and I still do not think that the Minister at this point in time, looking back at the event, thinks that the chairman should have interpreted that as stop your application. Am I correct?

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 337-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, as I said, in hindsight, the record of decision could certainly have been written with a lot more clarity, if that was the intention. Thank you.

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

Question 338-14(5): Management of the Northwest Territories Power Corporation

MR. DELOREY: Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister responsible for the Power Corporation. Mr. Speaker, I do not think there is any question that there is a lot of confusion around the whole issue of the release of the Power Corporation board. However, be that as it may, we are now stuck with that in front of us. I think that we are all best served to get out of the situation that we are in right now, with the secretary to Cabinet and deputy minister serving as an interim board. I am wondering if the Minister could inform the House as to what process he is going to use, and when will he be looking at getting a new board in place? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Delorey. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 338-14(5): Management of the Northwest Territories Power Corporation

HON. JOE HANDLEY: Thank you, Mr. Speaker. As I said yesterday, I am disappointed that we have six very competent, capable, proven businessmen from the Northwest Territories who we had to send a letter to saying sorry, we do not need your services anymore. I have tremendous respect for all of those individuals. I intend to hopefully replace them, hopefully with people who have the same dedication, the same expertise and commitment to government and to the people of the Territories. I have drafted letters to go to each of the MLAs, asking for recommendations for board members. Those should go out, if not this afternoon, they will go out first thing tomorrow morning. My intention is to get on with the task of putting together a new board. I have in the letter asked that MLAs give me their suggestions by the end of October. Thank you.

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

Supplementary to Question 338-14(5): Management of the Northwest Territories Power Corporation

MR. DELOREY: Thank you, Mr. Speaker. I was wondering if the Minister could inform me as to how the members of the board that was just revoked, if any of those members were revoked because of a certain situation, if those names came forward again -- and I doubt that they will, but if they did, how would the government look upon these names now for a position on the board?

MR. SPEAKER: Thank you, Mr. Delorey. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 338-14(5): Management of the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, the responsibility to select a board and a chair, a vice-chair, is my responsibility as Minister responsible for the Power Corporation. I have tremendous respect for all of those individuals on the board. If their names came forward, I would consider them. I do not know if they will, but most of them have indicated that they probably would not. I have no concern with them individually at all.

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

Supplementary to Question 338-14(5): Management of the Northwest Territories Power Corporation

MR. DELOREY: Thank you, Mr. Speaker. I guess with the confusion that is surrounding this, I would like to ask the Minister to state, is he definitely clear on his responsibilities to informing the board as to who the chair will be and what the mandate of the board will be?

MR. SPEAKER: Thank you, Mr. Delorey. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 338-14(5): Management of the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, selection of the chair, the vice-chair and the members is my responsibility in the act as Minister for the Power Corporation. The mandate and direction to the board is the responsibility of the Executive Council, so any direction to them, strategic direction or otherwise, will come from the Executive Council. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. The final supplementary question for question period, Mr. Delorey.

Supplementary to Question 338-14(5): Management of the Northwest Territories Power Corporation

MR. DELOREY: Thank you, Mr. Speaker. I think it is obvious, Mr. Speaker, that there is a mandate that surrounds the chairman and the board that have prevented them from doing business as they see fit within their mandate. I think that it is incumbent upon this government to make it very clear to the board what their mandate is and what they will be able to do, because I think we have a huge corporation there that has the potential of generating revenues for this government, but as long as we keep stepping in and pulling them back, we will never get anywhere with this corporation.

Also, Mr. Speaker, it has been stated that a lot of this is hinging on the energy strategy. Could the Minister inform us as to when we are going to see this energy strategy and when are we going to be able to act on the recommendations?

MR. SPEAKER: Again, according to the rules, the questions must follow along the same pattern. The Chair recognizes that as kind of a different question from the board of the Power Corporation, so I will ask Mr. Delorey if he wishes to rephrase that question, perhaps to fit into the context of the original question. Mr. Delorey, one more chance.

MR. DELOREY: Thank you, Mr. Speaker. Mr. Speaker, simply speaking, the whole board was let go, the whole rate zone has been all tied in with the energy strategy. How long are we going to be stuck with this situation?

MR. SPEAKER: Thank you, Mr. Delorey. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 338-14(5): Management of the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, the old board was provided with strategic direction on August 6th. That was laid out very clearly. That strategic direction will remain in effect. It is in effect with the interim board and I assume will be with the future one.

The interim board has been given direction to prepare an application based on the status quo plus the directions that the PUB would have issued them on the last application that was filed.

Mr. Speaker, we as a government want to have both the strategic direction of the Power Corporation and the energy strategy moving in the same direction. It does not do any of us any good to have them going off in different directions. The energy strategy is the responsibility of the Minister of Resources, Wildlife and Economic Development. It was a two-year assignment when it was contemplated and that carries us through to next June or so. It is possible that it would be done earlier and we hope that it would be done earlier. I cannot give any specific date on it. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. The normal time for question period has ended. The Chair recognizes the honourable Member for Mackenzie Delta, Mr. Krutko.

MR. KRUTKO: Mr. Speaker, I seek unanimous consent to revert to item 7, oral questions.

MR. SPEAKER: Thank you. The honourable Member is seeking unanimous consent to return to item 7, oral questions. Are there any nays? There are no nays. We shall return to question period and reset the clock. Left on my list, the honourable Member for Great Slave, Mr. Braden.

REVERT TO ITEM 7: ORAL QUESTIONS

Question 339-14(5): Northwest Territories Power Corporation Board Replacement

MR. BRADEN: Thank you, Mr. Speaker. Mr. Speaker, in my Member's statement, I indicated that I wanted to see us move on with the Power Corporation and with energy matters and I will try to do that. I am sort of paddling upstream, I can see the hydro stations way upstream and I will keep going against the turbulent waters.

Mr. Speaker, I would like to ask the Minister, what other avenues is he taking to assemble a new board, other than asking MLAs? Thank you.

MR. SPEAKER: Thank you, Mr. Braden. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 339-14(5): Northwest Territories Power Corporation Board Replacement

HON. JOE HANDLEY: Mr. Speaker, this is all happening very quickly. We had the letters drafted and they are ready to go to the MLAs. I certainly am considering doing broader public advertising to let people know that this opportunity exists. I have not gotten any specific plans on that yet. Thank you.

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

Supplementary to Question 339-14(5): Northwest Territories Power Corporation Board Replacement

MR. BRADEN: Mr. Speaker, I would like to probe this a bit more. Once a new board of directors is in place, what would the first instruction be from the Minister to that new board? Thank you.

MR. SPEAKER: Thank you, Mr. Braden. That borders on the hypothetical, but I will allow the Minister as he is indicating...the honourable Minister responsible for the Power Corporation, Mr. Handley.

Further Return to Question 339-14(5): Northwest Territories Power Corporation Board Replacement

HON. JOE HANDLEY: Mr. Speaker, I suppose at the first meeting when I meet with the new board, then I would want to review the strategic direction with them to make sure that is understood by the members. Second, there is certainly a necessity to review this whole current situation so it is fully understood as well as the government's position that has been relayed to them and the progress that is made on the energy strategy and so on.

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

MR. BRADEN: Mr. Speaker, my colleague, Mr. Delorey, asked about the status of the energy strategy. I would like to see if I could get a bit more clarity on just how that will be distributed to the general public. Will there be a broad opportunity for input and response to the energy strategy, Mr. Speaker? Thank you.

MR. SPEAKER: Thank you, Mr. Braden. Again, following on my previous instructions, it appears that this is a different question from the first part. You are talking about a board to begin with and it seems to have drifted away from that. Perhaps you would like to rephrase that. Mr. Braden.

Supplementary to Question 339-14(5): Northwest Territories Power Corporation Board Replacement

MR. BRADEN: Thank you, Mr. Speaker. I appreciate the direction. Both the Minister and the Premier have signalled the significance and importance of the energy strategy to the future of the Power Corporation and the point of my question, Mr. Speaker, was to see to what extent we will all be able to participate in offering that advice. Thank you.

MR. SPEAKER: Thank you, Mr. Braden. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 339-14(5): Northwest Territories Power Corporation Board Replacement

HON. JOE HANDLEY: Mr. Speaker, as I said before, the energy strategy is within the responsibility of the Minister of Resources, Wildlife and Economic Development. I do not want to speak for him, but I am sure there is going to be a lot of opportunity to debate the energy strategy before it is finalized. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. No further supplementaries. Item 7, oral questions. The honourable Member for Frame Lake, Mr. Dent.

Question 340-14(5): Development of Power Rate Structures

MR. DENT: Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of the Power Corporation. It has to do with communications again, Mr. Speaker. This time I am concerned with communications with Members. Earlier today, the Minister took as notice a question I asked about advice given to the Power Corporation a year ago, and then later on today, he confirmed that advice was given, that the Power Corporation a year ago was told to pursue the one-rate zone.

Members were never told about this. In June, Members were told that the Power Corporation was going to file community-based rates. The Minister was present and did not counter that. In fact, at the meeting, he said he was going to have to work with Cabinet and Members to get such a proposal approved to go forward.

When was the Minister going to stop treating the Members like mushrooms and actually tell us this was something the government was working on?

MR. SPEAKER: Thank you, Mr. Dent. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 340-14(5): Development of Power Rate Structures

HON. JOE HANDLEY: Mr. Speaker, as I said earlier, going back to October 2002, there was direction to the Power Corporation and direction to me to work on the recommendations in the Robertson report and take that to public consultation. Included in those recommendations was the recommendation with regard to a single-rate zone.

Mr. Speaker, I do not know what the lack of clarity is. It was in October 2002 that Cabinet gave that direction. Thank you.

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

Supplementary to Question 340-14(5): Development of Power Rate Structures

MR. DENT: Mr. Speaker, the Minister said 2002, but I am assuming that he meant October 2001 in his response. Why were Members never told in October that this was the process that Cabinet had adopted, and why in June did he allow Members to be told that the application was going to be going forward based on community-based rates?

MR. SPEAKER: Thank you, Mr. Dent. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 340-14(5): Development of Power Rate Structures

HON. JOE HANDLEY: Mr. Speaker, yes, I stand corrected. It was October 2001, not this current year. Mr. Speaker, as I said earlier in answer to another Member's questions, the Power Corporation and the government looked at the recommendations in the Robertson report. They did a lot of work. A lot of work was done on the one-rate zone.

By June, the government had concluded that we just could not come up with a formula that would work. There was no decision at that point of, was it going to be a community-based rate application, a two-rate zone application, was it going to be one, what was it going to be? That decision is not my decision to make. That is the Power Corporation's decision to make out what application they are going to put forward. Were they going to put forward a community-based zone in June? If that is what they said, then I assume that is what their intention was at that time. Thank you.

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

Supplementary to Question 340-14(5): Development of Power Rate Structures

MR. DENT: Thank you, Mr. Speaker. Mr. Speaker, my question has to do with communications between the Minister and Regular Members. The Minister in June told Regular Members that it would be necessary to get approval from Cabinet and Regular Members before a one-rate zone application could be advanced. We were led to believe that a certain process would take place and then we found out in August that it was not happening that way. Why was the Minister not telling us the process that was going to be followed?

MR. SPEAKER: Thank you, Mr. Dent. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 340-14(5): Development of Power Rate Structures

HON. JOE HANDLEY: Thank you. Mr. Speaker, at the meeting in June, and I do not have the record here with me, but as I recall, there was discussion on the progress that was being made on the Robertson report and all the recommendations on it and where we were.

In order to include a recommendation that was going to carry through for the government on a one-rate zone or a community zone or two zones or whatever it may be, yes, I would have to have Cabinet approval to do that. That is a different matter. The response to the Robertson report is a different matter to what the Power Corporation does in filing an application before the PUB.

In spite of what our recommendations are, that does not tie the hands entirely of the Power Corporation board. They have the authority under the act to file an application. Thank you.

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

Supplementary to Question 340-14(5): Development of Power Rate Structures

MR. DENT: Thank you, Mr. Speaker. Mr. Speaker, at the meeting in June, if the Minister would care to check the transcript, he will find that it was he, and not the president of the Power Corporation, that was talking about the need to get approval from Cabinet for a single-rate zone application and that he would have to come back and get approval from the Members as well.

Members were led to believe that we were going to be part of the process. Instead we found out in August that we were not. Why was that, Mr. Speaker?

MR. SPEAKER: Thank you, Mr. Dent. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 340-14(5): Development of Power Rate Structures

HON. JOE HANDLEY: Mr. Speaker, certainly I will check Hansard for the June meeting. If I misled the committee somehow in believing that you were going to be part of the application process by the Power Corporation, I apologize for that.

The authority to file an application and have it appear before the PUB is clearly within the Power Corporation's responsibility under that act. We cannot change that process unless we change the act. Thank you.

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

Question 341-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I would like to pursue my questioning on the topic of the Power Corporation with the Minister responsible for this. Mr. Speaker, I have been listening to the questions and answers in this area and the lack of humility and sense of responsibility on the part of the Minister is truly alarming, Mr. Speaker.

Mr. Speaker, I understand that we have a consensus system and we do not have a party system. Cabinet Ministers are given more freedom than in any other system, but at the same time, Mr. Speaker, if we are going to have a government, we need to have a Minister that understands the Cabinet direction and follows the direction.

Mr. Speaker, so far what we have is the former chairman of the board who says that he had informed the Minister and had been working on this application for a whole year. That was back in June. Then he got a direction from the Cabinet saying that Cabinet does not approve a one-rate zone and the Minister did not understand this. Cabinet had to rewrite this, reiterate this, and Mr. Kakfwi yesterday stated that. The advice, the direction that he gave is on page 2185:

We thought it was clear in August. Our staff thought that it was clear. Just to be doubly sure we revisited the decision and made it explicitly clear. The direction was given, the staff looked at the August

decision and legal people looked at it and they said the direction was clear.

So unless the Cabinet is totally stupid, or unless Mr. Stewart is totally stupid, someone is not doing his job. Would the Minister not be accountable for that, Mr. Speaker?

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 341-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. JOE HANDLEY: Certainly, Mr. Speaker, I would not call Mr. Stewart totally stupid or Cabinet totally stupid. I have respect for Mr. Stewart. Mr. Stewart had the same record of decision as I had and as everyone else in Cabinet had. He had his interpretation of what that meant and that is what he was working on.

When that was clarified finally on October 8th, then I have followed through on the direction from Cabinet. There was no question at that point, Mr. Speaker.

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

Supplementary to Question 341-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I agree that Mr. Stewart and all the other distinguished members on that board are well-established business people. They have their expertise in this field. The Minister indicated earlier that somehow Mr. Stewart did not understand this directive. He cannot have it both ways. It was his job to inform the Cabinet that Mr. Stewart had indicated that they were going to go with a one-rate application when they were discussing it.

If the Cabinet did not understand it was his job to go to Mr. Stewart and say that Cabinet's direction is this, moreover, it was his job to consult with the Members, he failed on all three accounts. Does he have any confidence from anybody to do his job anymore, Mr. Speaker?

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 341-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, I cannot judge whether I have people's confidence to do the job. People have to let me know that, I am not going to guess at it.

I do not think that I ever, at any time, said that Mr. Stewart did not understand the Cabinet directive. What I said is he had his own understanding of it. I had my understanding of it. I think all of Cabinet did. That is different from saying that he did not understand it. I did not say that. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. I just want to take this time here to remind Members of your rules about questions and I am going to ask that you limit your preamble. The Speaker will start to exercise that a little bit more. This is the second time around and I have a lot on the list here so please

shorten your preambles, get right to the question. Supplementary, Ms. Lee.

Supplementary to Question 341-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MS. LEE: Thank you, Mr. Speaker. If he does not want to speak about his own confidence, I would suggest that he does not have the confidence of Cabinet or the Power Corporation or the new board that would come into the board, that what he says is what Cabinet says. Would he not consider relieving himself of this position as Minister?

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 341-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, no, I would not. Thank you.

MR. SPEAKER: Thank you. Final supplementary, Ms. Lee.

Supplementary to Question 341-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MS. LEE: Mr. Speaker, on the basis of what is going on where the board had totally relied on the Minister's direction and undertook such a major initiative as to apply for a one-rate zone at a cost upwards of \$2 million, and then they find out that the Minister actually did not have the direction, how would he have the confidence of the new board that he means what he says and that he has the support of the Cabinet? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 341-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. JOE HANDLEY: Mr. Speaker, as I said before, the chairman of the board did not have my interpretation of the Cabinet direction, he had the actual Cabinet direction. It was not my interpretation. He had the document and that is what he based his actions on, not my interpretation. Thank you.

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

Question 342-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, there have been many, many responses to many questions about this issue. It continues to become muddier with every response. We now have Members saying, is there confidence in this Minister? At the same time, Mr. Speaker, the chairman and the board of directors had an understanding. My understanding from an earlier response is that they saw a record of decision from Cabinet.

The Premier stated in this House that it was a clear decision, it was clear to everybody that they were not to proceed. My

question is, and was earlier and I did not get the response, so I am going to go about it in a little different tact here: was the Premier notified by his staff after the filing by the Power Corporation that in fact they were contravening a directive of Cabinet?

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

Return to Question 342-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. STEPHEN KAKFWI: Mr. Speaker, as the Minister responsible for the NWT Power Corporation has indicated, the decision of Cabinet was clear. It was conveyed in at least one form to the chair. Apparently he got a copy of the decision. I am not clear what other form of communication there was with the Minister and the chair. The Cabinet decision was clear and the Minister responsible for the Power Corporation was expected to implement the necessary action, or initiate the necessary action as we often phrase it, to implement the decision. It was at the discretion of the Minister to communicate that decision to the Power Corporation in whatever fashion he felt necessary. He has indicated that he was comfortable with simply sharing a copy of the Cabinet report.

When the application was made, I am not certain as to exactly what date and when I was informed of this decision. We, as usual, need to check with the Minister responsible and because it was a Cabinet decision, wait for Cabinet to convene to visit the decision. As I have said before, the decision was clear. We revisited it recently. The Ministers have indicated that they knew exactly what they were discussing and what the decision was made in August. Just to be, as I said, doubly sure and very explicit, we revisited the decision and made it explicit. Thank you.

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

Supplementary to Question 342-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MR. ROLAND: Thank you, Mr. Speaker. According to news articles, the Premier addressed this in a public way at least a month after the filing was done by the Power Corporation and he still did not respond. Did his staff tell him that the Power Corporation was going against a directive of Cabinet after the filing was done, and how soon after the filing? Thank you.

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

Further Return to Question 342-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. I will check with my staff and my office to see when I was first informed of it, by whom, and share that with the Members. Thank you. As I have said, this was a Cabinet decision in August. We had a Minister designated to initiate action to implement a decision. It was left with the Minister responsible for the Power Corporation. A rate application was made in early September. The Minister was traveling at the time, and I think the first Cabinet meeting that was held following his return was the meeting two weeks ago. Thank you.

MR. SPEAKER: Thank you, Mr. Premier. Final supplementary, Mr. Roland.

Supplementary to Question 342-14(5): Cabinet Direction to the Northwest Territories Power Corporation

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, we keep going back to the Minister responsible for the Power Corporation, but the Premier is the head of this government and heads the table of Cabinet. This was a Cabinet record of decision and obviously, by the sounds of it here, it was contravened. Did not the Premier, when at least he saw the ads in the papers and heard of this concern, did he not act on this? Thank you.

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

Further Return to Question 342-14(5): Cabinet Direction to the Northwest Territories Power Corporation

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. As I have said, this was a Cabinet decision and every Cabinet decision designates a Minister that is given responsibility for initiating action to implement that particular decision. I accept my responsibility to ensure that Ministers carry out their duties and to see that Cabinet direction is followed. It is something that I take seriously, as Members know, and it is my prerogative I think to follow up the best way I can. In this case, I elected to wait for Cabinet to meet.

We had a very thorough discussion about it, and following that I waited a couple of days just to ensure that the decision that was made in August was clear by the staff, that the staff shared the view of Cabinet that the decision was clear. I also wanted to know from the legal advisors, the Department of Justice, if in their view the Cabinet decision of August 6th was clear. They came back to me early last week and once I received them, I had a meeting with Mr. Handley and we agreed on a course of action. Thank you.

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

Question 343-14(5): Request for Cabinet Directive to the Northwest Territories Power Corporation

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, my question is for the Premier. We have heard a lot of directives being passed on, Cabinet decisions being given to different people so, Mr. Speaker, for ourselves as Members of this House, I believe it is now in the public domain. I would like to ask the Premier, can we receive a copy of the Cabinet directive which was given to Gord Stewart, president of the Power Corporation, so that we can see exactly what the context of that directive is, since it is already a public document which has been given or found its way outside of Cabinet?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the Power Corporation, Mr. Handley. My apologies, I misdirected that. It should have gone to the Premier.

Return to Question 343-14(5): Request for Cabinet Directive to the Northwest Territories Power Corporation

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. Mr. Speaker, it is not our practice to share Cabinet decisions with the public. The Member should be comforted with the fact that we have said politically that Cabinet was clear about the decision they made. We revisited the decision two weeks ago. I went beyond that by asking the staff and the Department of Justice if the political understanding that we had as Ministers of our decision of August was clear. The response was that the decision and the direction was clear.

The chairman of the Power Corporation, I believe, says that it was not clear and that created difficulty. I believe that if it had been addressed, that could have avoided the filing of an application for a single-rate zone and the resignation of the entire board of the Power Corporation. These things have happened. The problem was that the direction and the decision of Cabinet was not conveyed as thoroughly as it could have been and as it should have been, and for that we each have responsibility. It was unfortunate, but this is what happened. As the Premier, for my part in it, I take responsibility. Thank you.

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

Supplementary to Question 343-14(5): Request for Cabinet Directive to the Northwest Territories Power Corporation

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, it does not look like it is too clear here exactly who is responsible for giving direction to the Power Corporation. Is it the Executive Council or is it the Minister responsible? I think from what we are hearing on both ends, it seems like you are tripping over each other's feet here. I would like to ask the Premier, is there a possibility of getting a chronology of events that have taken place, where directives have been given to the Power Corporation to carry out a directive of Cabinet?

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

Further Return to Question 343-14(5): Request for Cabinet Directive to the Northwest Territories Power Corporation

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. I believe the Member is asking for us to prepare a document that would show a chronology of events surrounding this issue. I think we can prepare such a document. Thank you.

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

Supplementary to Question 343-14(5): Request for Cabinet Directive to the Northwest Territories Power Corporation

MR. KRUTKO: Thank you, Mr. Speaker. I would like to thank the Premier for that. I think it will help to hopefully try to clear the air here. I would like to ask the Premier, can we receive it within a quick time frame, knowing that we will be sitting for at least three weeks? Could we get it before the prorogue of this House?

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

Further Return to Question 343-14(5): Request for Cabinet Directive to the Northwest Territories Power Corporation

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. The Minister responsible for the Power Corporation and I believe we can have a document for the Members hopefully sometime early or mid-next week. Thank you.

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

Supplementary to Question 343-14(5): Request for Cabinet Directive to the Northwest Territories Power Corporation

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, just on that, I would like to also ask the Premier if he can also give us something to spell out the process that is used in regard to directing the Power Corporation to carry out the wishes of Cabinet.

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

Further Return to Question 343-14(5): Request for Cabinet Directive to the Northwest Territories Power Corporation

HON. STEPHEN KAKFWI: Mr. Speaker, we can describe how the Cabinet, through its Minister, provides direction and directives to the Power Corporation. Thank you.

MR. SPEAKER: Thank you, Mr. Premier. Item 7, oral questions. The honourable Member for Hay River South, Mrs. Groenewegen.

Question 344-14(5): Minister's Personal Views on Cabinet Policy

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, just going back to the questions I had asked previously in follow-up to some of the other questions that have been asked subsequently, my questions are for the Premier. Mr. Handley indicated that he had a clear understanding of Cabinet's direction on August the 6th. I think we have established that. Subsequent to that, he met with Regular Members in the presence of the chairman, the president of the Power Corporation, and his deputy minister, and allowed them to tell us that they were going ahead with something that we had not been consulted on, which he knew, now he says he understood clearly it was in contravention of Cabinet direction. Subsequently, he also spoke numerous times in the media about his feelings about the single-rate zone. He has indicated in the House today that those were his personal views. The Premier has said that he takes very seriously his responsibility for the statements and the conduct of his Ministers. I would like to ask the Premier today, what is he prepared to do about Mr. Handley's expounding on his personal view of the single-rate zone in contravention and at odds with Cabinet's position, and I think thoroughly confusing the board of directors at the Power Corporation? What is the Premier prepared to do about it? Thank you.

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

Return to Question 344-14(5): Minister's Personal Views on Cabinet Policy

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. Mr. Speaker, all of us make statements in the public. Some of them are reported accurately and some of them are twisted sadly out of shape and out of context. This is what we face as politicians every day. What I know is that I have met with Mr. Handley and discussed this with other Ministers as well, that we need to be very careful about the comments we make. I know that probably better than anybody else. Some of the comments can sometimes prejudice the objectivity, I guess, with which we carry out our office and our jobs, and all Ministers have been cautioned about it. However, we are also politicians and some of us enjoy very much to be in the public limelight all the time, to be in the papers and have our pictures out there, to be on the radio.

It is difficult to govern. You elected all of us. We try to do the best job possible, outshine each other once in a while, when we can. It also has some difficulties with it.

We did have a discussion about it, is my point. We try to be careful about what we say. Thank you.

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

Supplementary to Question 344-14(5): Minister's Personal Views on Cabinet Policy

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, the Premier is white...is right.

-- Laughter

I would like to have that not...

-- Laughter

MR. SPEAKER: Order, please. Mrs. Groenewegen, do you have a supplementary question? You are composing yourself, are you, instead of the question?

MRS. GROENEWEGEN: Thank you, Mr. Speaker. I would like not to have that reported in the media. Mr. Speaker, the Premier has correctly said that we elected the Cabinet, and we did. We also elected him the Premier because we expected that he would take a leadership role in these kinds of matters. These personal views of Mr. Handley's that he has put out there are not just in regard to this particular instance with the direction of the Power Corporation. In media subsequent, I mean, just today on the front page of the Hub, Mr. Handley goes on to say that he is at odds with Mr. Miltenberger, another Cabinet Minister, on this particular subject. I mean, why do we not just broadcast the Cabinet meetings? What is the Premier going to do about these comments that are being made publicly, which I think are in complete contravention of Cabinet protocol? Thank you.

MR. SPEAKER: Thank you. I would...could we have some order, please? The question is asking something I think that is outside the responsibility. I do not think the Premier should be called to respond to what is in the newspaper. If you wish to rephrase that, Mrs. Groenewegen, I will allow that, but I am not sending the question to the Premier. Rephrase your question, if you wish. Compose it properly. Mrs. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Speaker. I am having a difficult time composing myself, never mind composing a question, so I think I will just let...go on to the next Member. Thank you.

MR. SPEAKER: Thank you. The honourable Member has declined the supplementary. Item 7, oral questions. The honourable Member for Tu Nedhe, Mr. Nitah.

Question 345-14(5): Role of the Northwest Territories Power Corporation Board of Directors

MR. NITAH: Mahsi cho, Mr. Speaker. Mr. Speaker, I was going to direct my questions to the Premier, asking him to answer my final question, which he did not, but I will ask the Minister responsible for the Power Corporation a few questions.

The objectivity of politicians should always be something we should be aware of. I would like to ask the Minister, why was the board of directors for the Power Corporation set up in the first place?

MR. SPEAKER: Thank you, Mr. Nitah. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 345-14(5): Role of the Northwest Territories Power Corporation Board of Directors

HON. JOE HANDLEY: Mr. Speaker, the legislation setting up the Power Corporation goes long before my time, but I have to say that in all cases, or at least practically all cases, boards are set up and legislation is provided to give them some guidance in their responsibilities and their mandate. It is set up in order to distance that operation from political influences. So in the case of a Power Corporation board, that is the objective. Now, as a Crown corporation, 100 percent owned by the government, then certainly we will provide it with direction, and hopefully that direction will be strategic direction and hopefully the board recognizes its responsibility to operate consistent with the direction of the government, that they are not an entity on their own.

Clearly that board is set up in order to distance the operation of that Crown corporation from the day-to-day politics that we all live in. Thank you.

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

Supplementary to Question 345-14(5): Role of the Northwest Territories Power Corporation Board of Directors

MR. NITAH: Mahsi cho, Mr. Speaker. Mr. Speaker, the board of directors that were fired, which is very unfortunate. They were very good people, very dedicated people working on behalf of the people of the Northwest Territories in an area that is considered an essential service. What were they hoping to achieve by pursuing this application? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Nitah. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley, if you wish.

Further Return to Question 345-14(5): Role of the Northwest Territories Power Corporation Board of Directors

HON. JOE HANDLEY: Mr. Speaker, I do not go to the board meetings except on occasion to speak with them on specific things so I do not know exactly what their thinking is, but clearly they are given a mandate by the government to provide safe, secure, reliable, affordable power to all the citizens, commercial and residential in the Territories. I assume that in any thinking they have about their rate application, they want to be able to do that and meet the targets that we set for them. As a government, we do set targets that we expect them to meet in regard to the amount of the dividend they will pay back to us as a government. They are trying to live within that framework and that responsibility. Thank you, Mr. Speaker.

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

Supplementary to Question 345-14(5): Role of the Northwest Territories Power Corporation Board of Directors

MR. NITAH: Mahsi cho, Mr. Speaker. Mr. Speaker, as Members and as Northerners, we heard rumblings that the Power Corporation, after separation from Nunavut, was losing money on an annual basis. My understanding to that is there were no dividends going to the shareholders of the Northwest Territories, which is all people living here.

Is there money being lost on an annual basis by the Power Corporation under the existing rates, Mr. Speaker? Thank you.

MR. SPEAKER: Thank you, Mr. Nitah. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 345-14(5): Role of the Northwest Territories Power Corporation Board of Directors

HON. JOE HANDLEY: Mr. Speaker, no, the Power Corporation is not losing money on existing rates. They are operating on interim rates for the time being until their phase 2 application is through the PUB process. If they were to continue at the present rates as at the interim rates, they would not meet the targets that we have set for them. I believe that target is to pay us a dividend of roughly \$4 million. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Final supplementary, Mr. Nitah.

Supplementary to Question 345-14(5): Role of the Northwest Territories Power Corporation Board of Directors

MR. NITAH: Thank you, Mr. Speaker. Mr. Speaker, as an independent arm representing the people of the Northwest Territories, the board of directors were trying to achieve that as directed by the government. Was this one-rate application, or one-rate zone, or one-rate policy throughout the Territories, would that have achieved the goals set by government for them to achieve? Thank you, Mr. Speaker

MR. SPEAKER: Thank you, Mr. Nitah. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 345-14(5): Role of the Northwest Territories Power Corporation Board of Directors

HON. JOE HANDLEY: Mr. Speaker, certainly since division, our Power Corporation has had a smaller customer base and that has provided them with new challenges. They have to meet the target that we set for them in terms of dividends they will pay back to us. I am assuming that going to the one-rate zone as they were proposing was their way of being able to do that in a way that would live up to their mandate.

In discussions I have had with the chairman of the board, I also pointed out to him that we as a government cannot continue to see the power subsidy program increase as dramatically as it has in the last while. We are well over \$7 million now and it is going up each year. So he knows that is a concern that we cannot just keep subsidizing higher and higher rates or eventually, we will not be able to afford to do it. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Yellowknife South, Mr. Bell.

Question 346-14(5): Request for Cabinet Record of Decision

MR. BELL: Thank you, Mr. Speaker. My question is also for the Minister responsible for the Power Corporation. It is in relation to the August 6th directive, the record of decision from the Cabinet meeting. There seems to be a lack of clarity. I cannot imagine otherwise. Cabinet required lawyers to interpret it, to ensure that they knew what it meant or that they thought they knew what it meant. I think the Power Corporation, I understand, also required lawyers to interpret this supposedly clear record of decision.

My question, Mr. Speaker, is the Minister shared the actual ROD with the Power Corporation, would he be prepared to share that same ROD with Regular Members? Thank you.

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 346-14(5): Request for Cabinet Record of Decision

HON. JOE HANDLEY: Mr. Speaker, no. I do not have the authority to share it beyond the Executive Council and the staff and agencies who are directly impacted by it. In this case, it was shared with the Power Corporation. That appears to have been a longstanding practice, not one that I introduced. It was shared with them because it applied directly to the Power Corporation. Thank you.

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

Supplementary to Question 346-14(5): Request for Cabinet Record of Decision

MR. BELL: Thank you. I think Members are trying to get some indication of what the ROD really said. Maybe I can ask the Minister this; he has indicated that the ROD suggested the government should cease consultation on the Robertson report and specifically the one-rate zone. I think the Premier said that the ROD indicates the Power Corporation should cease consultation on the one-rate zone. Can the Minister be crystal clear as to which it is? Thank you.

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 346-14(5): Request for Cabinet Record of Decision

HON. JOE HANDLEY: Mr. Speaker, my recollection of it is that it is directed to me as Minister responsible for the Power Corporation. Thank you.

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

Supplementary to Question 346-14(5): Request for Cabinet Record of Decision

MR. BELL: Thank you, Mr. Speaker. I am concerned about our ability going forward to get board members to put their names forward. I think the sense that people in the public are going to get is that something must be wrong with this board, the government fired them.

Does the Minister have some sort of idea that he is going to get a better board? Thank you.

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 346-14(5): Request for Cabinet Record of Decision

HON. JOE HANDLEY: Mr. Speaker, certainly I will work to get the best board I possibly can. I do not know if it will be better or not, but it will be the best one I can put together. One thing, Mr. Speaker, that is certain and hopefully we all learn from this one, that there has to be a good working relationship with the board and there has to be clarity on any direction that is given to them. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Final supplementary, Mr. Bell.

Supplementary to Question 346-14(5): Request for Cabinet Record of Decision

MR. BELL: Thank you, Mr. Speaker. In response to Mr. Nitah's questions, Mr. Handley indicated that the board of directors needs to be arm's length, or at least indicated free from political interference. Three times in the last two years I believe, Mr. Speaker, this government parachuted in and told the Power Corporation to cease and desist.

Mr. Speaker, I think they would imagine that we have a trigger-happy Cabinet and I do not see members putting their names forward. In light of the three times of us having to step in, does

the Minister believe we actually had an arms' length and free-from-interference relationship with this board?

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 346-14(5): Request for Cabinet Record of Decision

HON. JOE HANDLEY: Mr. Speaker, as I said earlier, it is a board, a Crown corporation that is owned 100 percent by government. It is true that we have a board in order to have them manage it as a corporation, not as a piece of government.

When we get the new board in place, I want to sit down and talk with them about the relationship with government. They have to understand that they are not an entity on their own, that they report to government. If they have any lack of clarity or any doubt about any direction that is given, that we should talk about that so we do not get into these kinds of situations. Thank you.

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

Question 347-14(5): Community Input into Rate Zone Application

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, at this time, I would like to thank the Minister for the Power Corporation for having the vision of seeing what is best for all Northerners, and not have the scenario where we have the small against the big, the rich against the poor scenario where the large communities get larger and our smaller communities get poorer.

I think this initiative in regard to the one-rate zone was something that was discussed in committee. As far as was my understanding, the process was moving along quite clearly. There were workshops held in our regions. Yet, Mr. Speaker, everyone here seems to be under the impression nothing was happening.

I for one would like to ask the Minister, where do we go from here to assure our communities that they will have an opportunity to realistically see what is the best approach for all northern communities, regardless of if they are on hydro or diesel?

Will the new submission allow for community input to seriously allow for the one-rate zone idea to be left on the table, so at least it can be discussed by those communities that did show an interest in discussing it?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 347-14(5): Community Input into Rate Zone Application

HON. JOE HANDLEY: Mr. Speaker, the direction from Cabinet is that the Power Corporation file their application for a community-by-community based zone rate system. Any application that is before the Public Utilities Board is open for intervention or public interest. When the PUB is looking at the

application put forward by the Power Corporation, those who are in support of the community rate zone are certainly encouraged to intervene or to ask questions. Those who would prefer to see an alternative are certainly encouraged to intervene or to make their points known.

I think the Public Utilities Board process will allow those communities to have the say that they want to have about what kind of rate application zone would best work for them. It is then up to the Public Utilities Board, after hearing from everyone, to make the determination on the rate structure. I would certainly encourage communities with all views to intervene if they choose to. Thank you.

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

Supplementary to Question 347-14(5): Community Input into Rate Zone Application

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I think it is great to do reports such as the Robinson report with regard to energy initiatives, but at the end of the day, it is not us that determines the power rates in the Northwest Territories. It is the Public Utilities Board. I would like to ask the Minister, will he be submitting another submission to the NWT Power Corporation to submit to the Public Utilities Board to allow for broad consultation on all aspects dealing with energy initiatives, regardless if it is a one-rate zone or with respect to community based rates, so that we can at least have a chance to have a public debate? Because of the situation we find ourselves in right now, will the Minister allow that to take place?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 347-14(5): Community Input into Rate Zone Application

HON. JOE HANDLEY: Thank you, Mr. Speaker. I will certainly ask the Power Corporation to make available to anyone who wants information any information that they have on any kind of rate structure that communities may be interested in. If communities are interested in meeting about the application the Power Corporation is putting forward, then I certainly encourage the Power Corporation to continue the thorough discussion and consultation that they have practised since I have been the Minister responsible. I think everyone has a right to be heard and to have their input into the application process. Thank you.

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

Supplementary to Question 347-14(5): Community Input into Rate Zone Application

MR. KRUTKO: Thank you, Mr. Speaker. I would like to ask the Minister exactly, will he be allowing for community workshops and what not to take place with regard to the new submission that has been put forth, and also to continue with allowing communities to consider the options that are out there, knowing that we have had one with regard to one-rate zone? I think there was a lot of take on that. I would like to ask the Minister,

will you continue to ensure public input through workshops through the NWT Power Corporation?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 347-14(5): Community Input into Rate Zone Application

HON. JOE HANDLEY: Yes, Mr. Speaker, my direction to the Power Corporation has been to conduct thorough consultation in the communities. Those are the people that pay the power bills. If they want to ask questions about any particular rate structure -- and I am sure there are not just two, there are all sorts of options -- that they go to the communities, they hold the discussions and be as thorough as they can, given the time limits that the Public Utilities Board will probably place on them. Thank you.

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

Supplementary to Question 347-14(5): Community Input into Rate Zone Application

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, can the Minister tell me exactly what his understanding is of what is meant by the public interest of the Executive to interfere with a process that is possibly in the best interest of the residents of the Northwest Territories instead of the interests of the government? Does he have a definition of what is meant by Cabinet's right to interfere in a process that is not in the eyes of the government the right thing to do, but in the eyes of the public was the right thing to do?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 347-14(5): Community Input into Rate Zone Application

HON. JOE HANDLEY: Mr. Speaker, as a government, we have an obligation to deliver as good, effective and coordinated programs as possible. In this case, we have the energy strategy that will be coming along some time in the future. We have the need for the Power Corporation to go forward with their rate application to set new rates for power. We need to have these coordinated as much as possible. When we talk about public interest, then we are talking about being a good and efficient government that has policies and programs that are coordinated and they are not going off in different directions. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Hay River South, Mrs. Groenewegen.

Question 348-14(5): Community Consultation on Rate Structures

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, I hope I heard this correctly. I have a question for the Minister responsible for the Power Corporation. Did I understand him to tell Mr. Krutko that he was instructing the

Power Corporation to proceed with community consultation on rate structures? Is that what I heard him say? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 348-14(5): Community Consultation on Rate Structures

HON. JOE HANDLEY: Mr. Speaker, the Power Corporation will be filing an application based on the community by community rate structure, as well as any directives that were not issued when the Public Utilities Board last decided on an application. I think there were several of them. Then the Public Utilities Board process is one that is open to the public by nature. There is opportunity for intervenors. People, when they prepare to intervene or are considering intervening, will want to know more about what does this application really mean. What does it mean to our community? They may have other options that they want to look at. The Power Corporation has the information, and what information they have available will be open to communities to help them to better understand the impact of the community-by-community rate application they put forward. That may mean someone will say, what is the advantage of this over this? I do not know what the question could be, but we have an obligation to do what we can to help the public understand it. Thank you.

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

Supplementary to Question 348-14(5): Community Consultation on Rate Structures

MRS. GROENEWEGEN: Thank you, Mr. Speaker. So then I am to understand that that consultation might include speaking to the communities about the single-rate zone? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 348-14(5): Community Consultation on Rate Structures

HON. JOE HANDLEY: Mr. Speaker, no, they will not go out there and try to sell communities on a single-rate zone. I will make sure that is clear. If people ask the question, they will provide information, but they are not to go out and file one application and try to sell something else. Thank you.

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

Supplementary to Question 348-14(5): Community Consultation on Rate Structures

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, would that then, in the Minister's view, be consistent with the Cabinet decision to defer consultation on the general rate application until such time as the energy strategy has been tabled and considered by this House? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Further Return to Question 348-14(5): Community Consultation on Rate Structures

HON. JOE HANDLEY: Mr. Speaker, if communities ask for information, we have an obligation to provide it. I do not know what form they might ask it in, but they are not, I do not think, just going to accept the application on its own merit. They are going to ask other questions and we have to answer those questions, but we will not go out and try to sell the one-rate zone as a government and I will make it clear to the board of the Power Corporation that they are not to do that either. That clearly would be a contravention of Cabinet direction.

MR. SPEAKER: Thank you, Mr. Minister. Final supplementary, Mrs. Groenewegen. No supplementary? Item 7, oral questions. The honourable Member for Mackenzie Delta, Mr. Krutko.

Question 349-14(5): Cost of the Robertson Report

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, could the Minister responsible for the Power Corporation give us an idea of the cost of the Robertson report to date, and are there other associated costs? We hear about the energy strategy. Exactly what is the cost to this government by way of the Robertson report to date?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the NWT Power Corporation, Mr. Handley.

Return to Question 349-14(5): Cost of the Robertson Report

HON. JOE HANDLEY: Mr. Speaker, I will have to take that as notice because I would have to total up what the cost has been, particularly if we are going to include the cost of any consultation that has been done up to now. Thank you.

MR. SPEAKER: Thank you. That question has been taken as notice. Item 7, oral questions. The honourable Member for Mackenzie Delta, again.

Question 350-14(5): Introduction of the Energy Strategy

MR. KRUTKO: I would just like to ask the Premier, in regard to the energy strategy, it has been some 15 months since it has been implemented. A lot of money has been spent in that area, but we have not even seen a copy of the report or where the report is. It seems like there is a real rush on now to get it dusted up to try to get it into this House. I would like to ask the Minister, how soon will that report be ready for this House? Will you be holding off on all initiatives regarding energy or power reviews until that report is tabled?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi -- two questions there.

Return to Question 350-14(5): Introduction of the Energy Strategy

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. It is our expectation that a draft energy paper, whether it is called a strategy or a consultation paper, will be brought to Cabinet in the next few weeks. Once there is discussion and acceptance of it, it will go to Members of the Legislature with a discussion on how to proceed, to have also public consultation, if any,

around that particular document. That is the expectation we have. Thank you.

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

Supplementary to Question 350-14(5): Introduction of the Energy Strategy

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I think the Premier may be shaking the magic wand, praying that this will be the thing that gives us all the tools we are going to need to deal with energy and what not, but my understanding of the draft report to date, it is nothing more than a verbal wastage of wording. I think that if he is thinking that this report is going to salvage what is happening here today, I believe he is wrong.

I would like to ask the Premier, exactly how crucial a report would this interim report be to salvage our energy initiatives or requirements in the Northwest Territories? How intense a report are we looking at, since he has mentioned that it is only an interim report?

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

Further Return to Question 350-14(5): Introduction of the Energy Strategy

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. The intent of the paper is to facilitate discussion and give some overall context to the direction that Cabinet and this Legislature hopefully will take in regard to energy conservation, the transmission, all the different aspects of energy, both supply and market, and give some overall contexts to the discussions and the decisions we need to have in the next few months.

I think some people will benefit from the broadening of the scope with which they view individual issues. Some people may not benefit from it, but it is our hope that through the development of this paper, that all Members of the Legislature, the Cabinet and the public will see energy in an overall, global context, international context, national, in all its various forms with all the relevant issues clarified so that we can make decisions on an individual basis about how we should view energy, how we use it and how it should be provided to us. Thank you.

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

Supplementary to Question 350-14(5): Introduction of the Energy Strategy

MR. KRUTKO: Mr. Speaker, regarding the costs associated with all of these reports, we mentioned the Robertson report. We have had different energy initiatives. We have non-renewable resource strategies. We have strategies coming out of our ears, but yet, Mr. Speaker, a lot of times we find these strategies sitting on the shelf collecting dust. A good example is the Robertson report.

I would like to ask the Minister, do we have a count of all of the expenditures to date of all strategies that have been put in place by this government, and exactly what is the cost to the public?

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi -- two questions there.

Further Return to Question 350-14(5): Introduction of the Energy Strategy

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. I am not certain that we have a cost identified in detail attached to each strategy that we have prepared in the last few years, but if they are available, we will certainly share it with the Member. Thank you.

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

Supplementary to Question 350-14(5): Introduction of the Energy Strategy

MR. KRUTKO: Mr. Speaker, I would like to ask the Premier, knowing that the group that probably would have benefited most from the one-rate zone in regard to all of the strategies and initiatives we put in place, but I think a lot of times this government loses sight of small communities, and those communities who are on diesel dependency. In his comments, he kept referring to hydro and those types of initiatives, but in most cases, a lot of communities we represent do not have hydro.

I would like to ask the Minister, exactly what comfort is he going to give to those communities who are diesel dependent in regard to having the high cost of power, the high cost of energy? What is he as a government going to do to bring down those costs in our small communities so that we have a fair distribution of power in communities in the Northwest Territories?

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

Further Return to Question 350-14(5): Introduction of the Energy Strategy

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. Mr. Speaker, I believe all of the communities want to be engaged in a discussion about how power should be supplied to them and the policies under which this government will facilitate that. Communities also want to talk about conservation, the impact on the environment, strategies like the Kyoto Protocol, the agreement and the impact that will have, as well as the benefits. Communities want to learn more about conservation, so that the high cost of power in the communities can be minimized through conservation measures, and the kinds of policies that we shall adopt that will minimize the environmental impact of the initiative we will undertake. Hydro is one that is being considered in some areas in the Northwest Territories, and people need a broad base of information and framework under which to engage in the discussion.

We know that at the end of the day, everyone in the small communities is saying to us "We want a way in which to reduce the cost of our power bills on a monthly basis. We want to pay less for our businesses, for our hamlets, for our band councils. That is what we want." If people are convinced that a one-rate zone system is the answer, of course they will flock to that.

Our business is to provide as many options as we can to the public and to make sure the information is there, so people can make wise choices, including ourselves. Thank you.

MR. SPEAKER: Thank you, Mr. Premier. The time for the extended question period has ended. Item 8, written questions. Item 9, returns to written questions. Mr. Clerk.

ITEM 9: RETURNS TO WRITTEN QUESTIONS

Return to Written Question 4-14(5): Initialling of the Final Dogrib Claim

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, I have a Return to Written Question asked by Mr. Nitah on June 18, 2002. Mr. Nitah asked whether the Dogrib Final Agreement would be initialled before certain issues and questions surrounding the Dogrib claim were resolved.

After the question was asked, the Dogrib Agreement was officially renamed the Tlicho Land Claim and Self-government Agreement.

On August 2, 2002, I wrote to Mr. Nitah explaining that an internal review was underway, that the review included the issues he had identified and that it would be completed before Cabinet authorized the GNWT chief negotiator to initial the agreement. That review was completed in August and Cabinet authorized the chief negotiator to initial. The initialling took place in Wha Ti on September 4, 2002.

The first initialling of the Tlicho Agreement was an important step in the process to allow the full contents of the Tlicho Agreement to be made public. The parties are now in the process of undertaking a comprehensive public information and review process that allows all individuals, aboriginal governments and other organizations that may be interested in or affected by the agreement to provide comment and to seek further information or clarification. This process and the comments received will form the basis for changes the parties may agree to make in finalizing the agreement.

Following the information and review process, the GNWT's chief negotiator will return to Cabinet to report on the results and on any changes made by the negotiators. At that time Cabinet's authorization will be sought to initial the final Tlicho Agreement and to formally recommend it for approval and ratification.

Return to Written Question 8-14(5): Application of NWT Payroll Tax to Non-Resident NorthwesTel Employees

Mr. Speaker, I have a Return to Written Question asked by Ms. Lee on June 19, 2002, regarding the application of NWT Payroll Tax to non-resident NorthwesTel employees.

All employees of NorthwesTel, whether resident or non-resident, are subject to the Payroll Tax Act. During the NorthwesTel strike, the Department of Finance did contact the payroll department of NorthwesTel to ensure continued compliance with the Payroll Tax Act. NorthwesTel was aware that the payroll tax is an employee tax that applies to remuneration earned in the Northwest Territories, regardless of the employee's place of residence. Employees of NorthwesTel who normally work outside the NWT, but who are temporarily assigned to duties in the NWT, are subject to the tax on the

remuneration earned in the NWT, if the income earned here exceeds \$5,000.

Temporary workers hired by NorthwesTel to be employed in the NWT for the duration of the strike and who, on conclusion of the strike, terminated this employment, would have been deemed to be "normally working in the Northwest Territories" and therefore liable to the tax on all remuneration earned while employed with NorthwesTel.

MR. SPEAKER: Thank you, Mr. Clerk. Item 9, returns to written questions. Item 10, replies to opening address. Item 11, petitions. Item 12, reports of committees on the review of bills. The honourable Member for Yellowknife South, Mr. Bell.

ITEM 12: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS

Bill 1: Human Rights Act

MR. BELL: Thank you, Mr. Speaker. Mr. Speaker, I wish to report that the Standing Committee on Social Programs has reviewed Bill 1, Human Rights Act, and wishes to report that Bill 1 is ready for consideration in committee of the whole as amended and reprinted.

Mr. Speaker, at this time, I would like to request unanimous consent to waive Rule 93(4) and have Bill 16, which I reported to the House yesterday, moved into the committee of the whole for today. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Bell. The honourable Member is seeking unanimous consent to waive Rule 93(4). Are there any nays? There are no nays. Bill 16 is moved into committee of the whole for today. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. The honourable Minister responsible for Resources, Wildlife and Economic Development, Mr. Antoine.

ITEM 13: TABLING OF DOCUMENTS

Tabled Document 58-14(5): NWT Business Credit Corporation 2002 Annual Report

HON. JIM ANTOINE: Thank you, Mr. Speaker. Mr. Speaker, I wish to table the following document entitled, Northwest Territories Business Credit Corporation 2002 Annual Report. Thank you, Mr. Speaker.

Tabled Document 59-14(5): Business Development Fund Annual Report and Recipients Report, 2001-2002

Mr. Speaker I also have a second document I would like to table. Mr. Speaker, I wish to table the following document entitled, Business Development Fund 2001-2002 Annual Report and Recipients Report. Thank you, Mr. Speaker.

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

Tabled Document 60-14(5): Statement by Gwich'in Chiefs Regarding Prioritizing our Goals and Objectives

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I would like to table a statement by the Gwich'in chiefs in regard to prioritizing our goals and objectives instructing the Government of the Northwest Territories to take on more initiatives to

developing our economy and working with aboriginal groups in developing the pipeline.

MR. SPEAKER: Thank you, Mr. Krutko. Item 13, tabling of documents. Item 14, notices of motion. Item 15, notices of motion for the first reading of bills. The honourable Member for Weledeh, Mr. Handley.

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

Bill 27: An Act to Amend the Elections Act, No. 2

HON. JOE HANDLEY: Mr. Speaker, I give notice that on Monday, October 21, 2002 I will move that Bill 27, An Act to Amend the Elections Act, No. 2, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Item 15, notices of motion for the first reading of bills. Item 16, motions. Item 17, first reading of bills. Item 18, second reading of bills. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

ITEM 18: SECOND READING OF BILLS

Bill 23: Miscellaneous Statutes Amendment Act, 2002

HON. ROGER ALLEN: Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Weledeh, that Bill 23, Miscellaneous Statutes Amendment Act, 2002, be read for the second time.

Mr. Speaker, this bill corrects inconsistencies and errors in the statutes of the Northwest Territories. The bill also deals with other matters that are of a minor, non-controversial and uncomplicated nature in the statutes and repeals statutory provisions that have ceased to have effect. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. We have a motion. The motion is in order. To the principle of the bill. Question has been called. All those in favour, please signify. All those opposed? Thank you. The motion is carried. Bill 23 has had second reading. Accordingly, the bill stands referred to a committee.

Item 18, second reading of bills. Item 19, consideration in committee of the whole of bills and other matters; Tabled Document 35-14(5) and Bill 16, with Mr. Delorey in the chair.

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

CHAIRMAN (Mr. Delorey): I call committee of the whole to order. We have a number of issues to discuss. What is the wish of the committee? Mr. Dent.

MR. DENT: Mr. Chairman, I would like to recommend that we consider Bill 16.

CHAIRMAN (Mr. Delorey): Thank you, Mr. Dent. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): We will go to Bill 16 in the red binders. Bill 16, Interjurisdictional Support Orders Act. Would the Minister responsible have any opening remarks? Mr. Allen.

HON. ROGER ALLEN: Yes, I do, Mr. Chairman.

CHAIRMAN (Mr. Delorey): Proceed, Mr. Allen.

HON. ROGER ALLEN: Thank you, Mr. Chairman. I am pleased to have the opportunity today to speak with the members of the committee about Bill 16, the Interjurisdictional Support Orders Act. I would also like to thank the members of the standing committee for their consideration of the bill.

For many years, people needing to obtain or vary a support order made under territorial legislation faced a lengthy and somewhat complicated procedure if the other party lived in another jurisdiction. That process involved making an application to the court in the Northwest Territories, appearing and giving evidence and then having the resulting provisional order sent to the other jurisdiction where another court hearing was conducted at which the respondent attended and gave his or her evidence. This process could be lengthy and awkward for the parties involved. The specific requirements of the courts in each jurisdiction could vary which further complicated the process and could lead to delays.

As a result of concerns about the existing process, uniform legislation was developed by a Federal-Provincial-Territorial Family Law Committee. That legislation provided for a uniform approach to applications for spousal and child support when the parties live in different jurisdictions. In 2001 the Premiers of all Canadian provinces and territories committed to the introduction of similar legislation in their jurisdictions by 2002. The Northwest Territories is the ninth jurisdiction to introduce interjurisdictional support orders legislation.

The legislation provides for a new process for obtaining and varying spousal and child support orders when the parties involved live in different jurisdictions. This process will be the same across Canada and will also apply between Canadian jurisdictions and some other countries.

Additionally, the legislation provides for a uniform process for the registration of orders made in and received from other jurisdictions or countries. This assists in the enforcement of orders by maintenance enforcement programs.

Not only can we achieve consistency across the country in dealing with these particular applications, but the time required should be significantly decreased. In addition, the new process will ensure that both parties have the opportunity to present their full case to a court and that one court has as much information as possible before an order is made. If the court does require further information from the original applicant it can request and receive that information before making its order. That will result in orders which are appropriate not only for the child or spouse receiving the support but also for the person required to pay support.

The legislation improves the existing process and is aimed to ensure that children and spouses who require and are entitled to support will obtain those orders even if the respondent lives elsewhere.

Mr. Chairman, I would be pleased to answer any questions the committee may have with respect to this bill. Thank you.

CHAIRMAN (Mr. Delorey): Thank you, Mr. Allen. Does the chairman of the standing committee have any comments? Mr. Bell.

MR. BELL: Thank you, Mr. Chairman. The Standing Committee on Social Programs met on Wednesday, August 28, 2002 to review Bill 16, Interjurisdictional Support Orders Act. This act provides for a new process for obtaining and varying spousal and child support orders when the parties involved live in different jurisdictions.

In 2001 the federal, provincial and territorial Justice Ministers agreed to introduce uniform legislation and standardize the process for support orders. Under the new legislation one court hearing will be eliminated, which coupled with standardization, should speed up the process.

The committee understands that once all Canadian jurisdictions pass similar legislation the act will come into force. Individual members of the committee may have questions or comments as we proceed. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Delorey): Thank you, Mr. Bell. Does the Minister wish to bring in any witnesses?

HON. ROGER ALLEN: Mr. Chairman, I seek the concurrence of the committee, if we could wait a few minutes. Our witnesses are on their way over to the building at the moment. Thank you.

CHAIRMAN (Mr. Delorey): We will take a short ten-minute break and wait for the witnesses to get here and reconvene.

-- Break

CHAIRMAN (Mr. Delorey): I will call committee of the whole back to order. We are here to deal with Bill 16, Interjurisdictional Support Orders Act. Would the Minister like to bring in any witnesses? Mr. Allen.

HON. ROGER ALLEN: Yes, Mr. Chairman, I would.

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Sergeant-at-Arms, would you escort the witnesses in please? Minister Allen, for the record, would you please introduce your witnesses?

HON. ROGER ALLEN: Thank you, Mr. Chairman. Yes, to my left is Lucy Austin, senior advisor, family law, Department of Justice. To my right is Patricia Gall-Smith, legislative counsel with the legal division.

CHAIRMAN (Mr. Delorey): Thank you, Mr. Allen. Any general comments?

SOME HON. MEMBERS: Detail.

CHAIRMAN (Mr. Delorey): We will move on to detail. Mr. Roland.

MR. ROLAND: Thank you, Mr. Chairman. Mr. Chairman, just under this, I support the intention of this bill and to proceed with this when it comes to having parents and children having the

support orders supported in other jurisdictions. One area I would just have concern with is to ensure that, when residents of our territory, I guess an application being applied for in another jurisdiction that residents of our territory are given due notice to respond to that. My understanding is that this bill accepts the fact that an application can be made through a court and that application will be heard in the jurisdiction that it is made. I just want to be sure from the Minister that in fact, if an application made in Ontario or B.C. or wherever, an application made against a parent who is residing in the Northwest Territories, that that parent will have due notice that they may respond to that without being caught short and having to travel to another jurisdiction sort of thing and being unprepared. Thank you.

CHAIRMAN (Mr. Delorey): Thank you, Mr. Roland. Mr. Allen.

HON. ROGER ALLEN: Thank you, Mr. Chairman. Perhaps I will ask Ms. Austin to provide more of a procedural answer to that question.

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

MS. AUSTIN: Thank you, Mr. Chairman. Actually, that is exactly the situation that this act is intended to deal with, so the application in court is actually heard in the jurisdiction in which the respondent resides. So the respondent does not have to travel and does not have to get to another jurisdiction to have his or her time in court. The application is heard where the respondent lives.

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

MR. ROLAND: Thank you, Mr. Chairman. That is good to hear. As a Member of the Governance and Economic Development committee, I have not had a chance to review the detail of this bill, and had an understanding that in fact it was the other way, so thank you for that clarification, that in fact it is filed for residents of the territory, it will happen in this jurisdiction. That is good to hear. Thank you.

CHAIRMAN (Mr. Delorey): Thank you, Mr. Roland. General comments. Are we ready for detail?

SOME HON. MEMBERS: Detail.

CHAIRMAN (Mr. Delorey): Interjurisdictional Support Orders Act, page 1, clause 1.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 2, clause 2.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Part 1, clause 3.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 4.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 5.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 4, clause 6.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 5, clause 7.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 8.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 9.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 7, clause 10.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 8, clause 11.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 12.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 13.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 9, clause 14.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 15.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Part 2, clause 16.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 10, clause 17.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 18.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 11, clause 19.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 20.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 12, clause 21.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 12, part 3, clause 22.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 23.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 24.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 14, clause 25.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 15, clause 26.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 16, clause 27.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 17, clause 28.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 29.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 19, clause 30.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 31.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 20, clause 32.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 33.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 21, clause 34.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 35.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 22, part 4, clause 36.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Part 5, clause 37.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 23, clause 38.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 39.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 24, clause 40.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 41.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 42.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 25, clause 43.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 44.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 45.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 26, clause 46. Mr. Roland.

MR. ROLAND: Thank you, Mr. Chairman. Mr. Chairman, under the transitional section, 46(5) talks about a provisional variation order that was received under the former act and notice of proceedings to consider the order had not been given to the respondent before coming in to force of the act. I just want some clarification here. If an order exists already, and quickly looking at this as we have gone through it here, with this coming into effect, a variation...there can be no variation unless it has been federally enacted. Is that correct? I am thinking variation of an order already existing.

CHAIRMAN (Mr. Delorey): Thank you, Mr. Roland. Minister Allen.

HON. ROGER ALLEN: Mr. Chairman, Ms. Austin will reply to that question.

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

MS. AUSTIN: Thank you, Mr. Chairman. This provision does not prevent the court from dealing with an order that has already been made. It is just right now, the process is that there are provisional orders that are made in one jurisdiction that come into, for instance, our jurisdiction and the court then confirms them. This just means that if the court here has already received a provisional order, for instance, from Alberta, made before this act came into force, then it will actually be dealt with under this act as long as the respondent has not been served. If he has been served with it already, it will be dealt with under the old act as a provisional order.

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

MR. ROLAND: Thank you, Mr. Chairman. So in fact, an existing order already made and gone through the system that is being enforced through maintenance enforcement of whatever is already in place, then those are not touched from this point on?

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

MS. AUSTIN: Thank you, Mr. Chairman. No, I was not clear, sorry. Any order can be varied. If an order exists and someone wants to vary it they can -- this does not prevent anyone from bringing in an application to vary an order.

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

MR. ROLAND: Thank you, Mr. Chairman. Okay. At any point previous, something that has just been filed, something in the future, can all be varied; but that would take an application by one or the other parent. Correct?

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

MS. AUSTIN: Thank you, Mr. Chairman. Yes, one of the parents would have to apply to vary the order and that process is also governed by this act if they are in different jurisdictions.

CHAIRMAN (Mr. Delorey): Thank you, Ms. Austin. Page 26, clause 46.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 27, clause 47.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 48.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Clause 49.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Page 28, clause 50.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Bill as a whole? Mr. Roland.

MR. ROLAND: Thank you, Mr. Chairman. Just for further clarification on this bill as it is to be passed here, that no one but the parents -- once an order is in place and has gone through the courts, no one can change that unless it has been reapplied back to the courts?

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

MS. AUSTIN: Thank you, Mr. Chairman. Yes. Generally, court orders are changed by courts. They can expire, for instance, when children are no longer eligible for support, but court orders should be changed by courts. Parents could agree to no longer comply with the terms of an order but orders are varied by courts.

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

MR. ROLAND: Thank you, Mr. Chairman. So the department itself, the staff, those that take care of maintenance enforcement as we today call it, which I believe might have a couple of wording changes here, cannot -- basically, their job is to enforce the order as it sits and they would have copies of those orders. Correct?

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

MS. AUSTIN: Thank you, Mr. Chairman. Yes, the maintenance enforcement office has copies of the orders and they enforce those orders.

CHAIRMAN (Mr. Delorey): Thank you, Ms. Austin. Bill 16, Interjurisdictional Support Orders Act. Bill as a whole?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Does the committee agree that Bill 16 is ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Delorey): Bill 16 is now ready for third reading. I would like to thank the Minister and his witnesses for appearing. What is the wish of the committee? Mr. Roland.

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

CHAIRMAN (Mr. Delorey): There is a motion on the floor. The motion is in order. All those in favour? All those opposed? The motion is carried. The Chair will rise and report progress.

MR. SPEAKER: The House will now come back to order. May I have the report of the committee of the whole, Mr. Delorey?

ITEM 20: REPORT OF THE COMMITTEE OF THE WHOLE

MR. DELOREY: Mr. Speaker, your committee has been considering Bill 16, Interjurisdictional Support Orders Act, and would like to report that Bill 16 is ready for third reading. Mr. Speaker, I move that the report of the committee of the whole be concurred with.

MR. SPEAKER: Thank you. We have a motion on the floor. Do we have a seconder for the motion? Yes, we do, the honourable Member for Yellowknife Centre. The motion is in order. All those in favour, please signify. All those opposed? The motion is carried. Third reading of bills. The honourable Member for Nunakput, Mr. Steen.

ITEM 21: THIRD READING OF BILLS

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

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

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

MR. SPEAKER: Thank you, Mr. Minister. We have a motion on the floor. The motion is in order. To the motion. Question has been called. All those in favour, please signify. Thank you. All those opposed? The motion is carried. Bill 15 has had third reading. Item 21, third reading of bills. The honourable Member for Weledeh, Mr. Handley.

Bill 18: Forgiveness of Debts Act, 2002-2003

HON. JOE HANDLEY: Mr. Speaker,

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

MR. SPEAKER: Thank you. We have a motion on the floor. The motion is in order. All those in favour? Thank you. All those opposed? Thank you. The motion is carried. Bill 18 has had third reading. Item 21, third reading of bills. The honourable Member for Weledeh, Mr. Handley.

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

HON. JOE HANDLEY: Mr. Speaker,

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

MR. SPEAKER: Thank you, Mr. Minister. We have a motion on the floor. The motion is in order. Is the House ready for the question? Question has been called. All those in favour, please signify. Thank you. All those opposed? Thank you. The motion is carried. Bill 19 has had third reading. Item 21, third reading of bills. One last call for third reading of bills. The honourable Member for Thebacha, Mr. Miltenberger.

Bill 21: Health Statutes Amendment Act

HON. MICHAEL MILTENBERGER: Mr. Speaker,

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

MR. SPEAKER: Thank you, Mr. Minister. We have a motion on the floor. The motion is in order. To the motion. Question has been called. All those in favour, please signify. Thank you. All those opposed? The motion is carried. Bill 21 has had third reading. Item 21, third reading of bills. Item 22, orders of the day. Mr. Clerk.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, meeting of the Special Committee on Self-Government and the Sunset Clause at adjournment; tomorrow morning at 9:00 a.m. of the Standing Committee on Accountability and Oversight.

Orders of the Day for Friday, October 18, 2002:

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

14. Notices of Motion
15. Notices of Motion for First Reading of Bills
16. Motions
17. First Reading of Bills
 - Bill 20, Legal Registries Statutes Amendment Act
 - Bill 24, An Act to Amend the Workers' Compensation Act
 - Bill 25, Supplementary Appropriation Act, No. 4, 2001-2002
 - Bill 26, Supplementary Appropriation Act, No. 2, 2002-2003
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
 - Tabled Document 35-14(5), Social Agenda: A Draft for People of the NWT
20. Report of Committee of the Whole
21. Third Reading of Bills
 - Bill 16, Interjurisdictional Support Orders Act
22. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. Accordingly, this House stands adjourned until Friday, October 18, at 10:00 a.m.

-- ADJOURNMENT

The House adjourned at 5:30 p.m.

