



# **NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY**

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**5<sup>th</sup> Session**

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**17<sup>th</sup> Assembly**

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## **HANSARD**

**Tuesday, October 6, 2015**

Pages 6699 – 6756

**The Honourable Jackie Jacobson, Speaker**

# Legislative Assembly of the Northwest Territories

## Members of the Legislative Assembly

### Speaker

**Hon. Jackie Jacobson**  
(Nunakput)

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*Minister responsible for Persons with Disabilities*  
*Minister responsible for Seniors*

**Hon. Tom Beaulieu**

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**Mr. Daryl Dolynny**

(Range Lake)

**Mrs. Jane Groenewegen**

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**Mr. Norman Yakeleya**

(Sahtu)

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## TABLE OF CONTENTS

**PRAYER..... 6699**

**MINISTERS' STATEMENTS..... 6699**

236-17(5) – New Women’s Correctional Facility for Fort Smith (Ramsay)..... 6699

237-17(5) – Northwest Territories Cancer Strategy (Abernethy)..... 6699

238-17(5) – NWT Culture and Heritage (Lafferty)..... 6700

**MEMBERS' STATEMENTS..... 6701**

Barriers to Post-Secondary Education (Blake)..... 6701

NWT Addictions Treatment Services (Groenewegen).....6701

Highway No. 7 Reconstruction (Menicoche).....6702

Fiscal Performance and Accountability – Final Report Card (Dolynny).....6702

New School Construction in Colville Lake (Yakeleya).....6703

Support for Northern Businesses (Bouchard).....6703

Territorial Midwifery Program (Bromley).....6704

Deh Cho Dene Zhatie Graduates (Nadli).....6704

Diabetes in the NWT (Moses).....	6705
Yellowknife Day Care Association (Hawkins).....	6705
Junior Kindergarten Review (Bisaro).....	6706
Comments on Tragic Deaths in Behchoko (Lafferty).....	6706
<b>RECOGNITION OF VISITORS IN THE GALLERY.....</b>	<b>6707</b>
<b>ORAL QUESTIONS.....</b>	<b>6708</b>
<b>TABLING OF DOCUMENTS.....</b>	<b>6719</b>

**NOTICES OF MOTION.....6720**

Motion 51-17(5) – Appointment of Chair to the

Northwest Territories Honours Advisory Council (Bouchard).....6720

Motion 52-17(5) – Appointment of Languages Commissioner (Blake).....6720

Motion 53-17(5) – Language Training for Senior GNWT Managers (Yakeleya).....6720

Motion 54-17(5) – Climate Change Planning (Bromley).....6720

**MOTIONS.....6720**

Motion 49-17(5) – Dissolution of the 17<sup>th</sup> Legislative Assembly (Yakeleya).....6720

**FIRST READING OF BILLS.....6721**

Bill 71 – Supplementary Appropriation Act (Infrastructure Expenditures), No. 3, 2015-2016.....6721

**SECOND READING OF BILLS.....6721**

Bill 71 – Supplementary Appropriation Act (Infrastructure Expenditures), No. 3, 2015-2016.....6721

**CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS.....6721**

**REPORT OF COMMITTEE OF THE WHOLE.....6754**

**THIRD READING OF BILLS.....6755**

Bill 71 – Supplementary Appropriation Act (Infrastructure Expenditures), No. 3, 2015-2016.....6755

**ORDERS OF THE DAY.....6755**

**YELLOWKNIFE, NORTHWEST TERRITORIES**

**Tuesday, October 6, 2015**

**Members Present**

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

The House met at 1:31 p.m.

### Prayer

---Prayer

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

### Ministers' Statements

#### MINISTER'S STATEMENT 236-17(5): NEW WOMEN'S CORRECTIONAL FACILITY FOR FORT SMITH

**HON. DAVID RAMSAY:** Mr. Speaker, Fort Smith has a long history of supporting correctional facilities located within their community. As a result, inmates in these facilities have had the benefit of community acceptance as they work through their rehabilitation process and make plans for release. For the adult female offenders housed in Fort Smith, this community support has been especially beneficial in their rehabilitation process.

The current building housing adult female offenders has been used as a correctional facility since 1991. Prior to this it was a youth group home, originally constructed in the late 1960s. It has clearly outlived its usefulness as a correctional facility. The 17<sup>th</sup> Legislative Assembly has approved the funding necessary to construct a new facility. This is a commitment to territorial adult female inmates and the people of Fort Smith.

In August we were pleased to be able to announce that the tender for the design and construction of the new facility has been awarded to C.A.B. Construction of Fort Smith with a successful proposal of just over \$23.5 million. The new facility will have capacity for 23 women and will be located on MacDougal Road next to the existing facility for male inmates.

While the women's building will be completely separate from the men's unit, using this location will allow the Department of Justice to maximize efficiencies through shared food services, utilities, program and administrative supports. Additionally, the department will be able to retain and build on the skills of the experienced staff members currently employed at the facility. This is an approach that both

meets program requirements and lets us continue pursuing this Assembly's goal of effective and efficient government.

This project is now in the design phase and we anticipate construction to begin in the spring of 2016.

Best practices will be used in this facility supporting a residential style of housing for inmates as well as spirituality and special traditional programming areas. The building will meet all necessary and appropriate security requirements, from construction materials through to the outfitting of interior rooms. As well as meeting current needs, the design will allow for easy expansion of the building should we require more space in the future.

Mr. Speaker, I would like to thank the community of Fort Smith for their continued support. It is important to have women serve their sentences close to their families and support networks, while remaining in the Northwest Territories. It is imperative to the success of the Northwest Territories and its people, socially, culturally, economically and spiritually, that healing of our northern women offenders takes place.

When the current territorial women's facility was opened in Fort Smith, the main goal was to help female inmates address the needs that led to their incarceration in a supportive and culturally appropriate environment. This new facility will continue this legacy in keeping with the department's goal to support the healing and rehabilitation of offenders. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Ramsay. Minister of Health and Social Services, Mr. Abernethy.

#### MINISTER'S STATEMENT 237-17(5): NORTHWEST TERRITORIES CANCER STRATEGY

**HON. GLEN ABERNETHY:** Mr. Speaker, the number of new cancer cases in the Northwest Territories is expected to rise dramatically by 2030. According to Canadian Cancer Statistics 2015, a report released by the Canadian Cancer Society earlier this year, the number of new cancer cases in all of the territories will increase by approximately 60 percent within the next 15 years, largely due to an anticipated increase in the seniors population.

To guide our planning for this increase in cases, the Department of Health and Social Services has developed the NWT's first 10-year Cancer Strategy, Charting Our Course: Northwest Territories Cancer Strategy 2015-2025, which I will be tabling later today.

Charting Our Course outlines the GNWT's commitment to improving the cancer patient experience, including planning and coordination at all levels of prevention, care and support.

Our Cancer Strategy sets out five distinct areas of focus: cancer prevention; early detection and screening; continuity of care; communication and information flow; and the quality of life of cancer patients, their families and caregivers, and cancer survivors.

Cancer care and support services must address the diverse needs of people and our communities. Our

Cancer Strategy is the result of research and consultation with many partners including Aboriginal governments, regional health and social services authorities, elders, and individuals and families whose lives have been affected by this disease. The strategy, which was directly informed by our conversations with these partners, reflects our most urgent priorities over the next 10 years.

The strategy combines clinical evidence with community knowledge, including lessons shared by cancer survivors, to lessen our cancer burden and reduce inequities in cancer care.

Charting Our Course promotes a circle of care model where the patient is at the centre, surrounded by a team of health professionals – physicians, nurses, social workers, counsellors, and dieticians – who work collaboratively toward the patient’s holistic health and wellness.

Mr. Speaker, opening a dialogue among all NWT residents, especially between patients and care providers, is at the very core of this strategy. We can learn from one another, ease fear, reduce stigma and ultimately support healing.

We all have a personal responsibility for maintaining our own health. I cannot emphasize enough the need for each of us and for every resident of the NWT to live a healthy lifestyle. By eating healthy food, getting regular exercise and by reducing alcohol consumption and not smoking, the chances are reduced that we will develop cancer and other chronic diseases as we and the population age.

Knowing your cancer risk and getting regular, early screening is also essential. This ensures that we are able to catch the disease early, should it appear, and have a better chance of treating it successfully.

Implementation of the strategy will have a lasting, better beneficial impact on our residents and will guide our efforts and interventions to ensure that we are providing best health, best care and a better future to cancer patients and their loved ones.

I would like to acknowledge our partnership with the Canadian Cancer Society, which is an important component of our work to reduce cancer in the NWT, and the input provided by the Canadian Partnership against Cancer, the Breast Health/Breast Cancer Action Group, the Stanton Elders Council, community leaders, and the many residents who gave us wisdom and insight into their healing journeys through sharing circles held across the NWT.

Our next step will be to develop a social marketing campaign built around this need for open dialogue and support. By encouraging learning and discussion about cancer prevention, early detection, and supporting one another in making healthy choices, we hope to contribute in a meaningful way to individual and community-level change for healthier living. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Minister of Education, Culture and Employment, Mr. Lafferty.

MINISTER’S STATEMENT 238-17(5):  
NWT CULTURE AND HERITAGE

**HON. JACKSON LAFFERTY:** Mr. Speaker, the North has a long history and a rich heritage with numerous languages and cultures. Our people work to preserve, revitalize and celebrate all aspects of their cultures and languages, which continually grow and evolve.

In 2014 the Department of Education, Culture and Employment began work on a government-wide 10-year Culture and Heritage Strategic Framework. This framework aligns the existing culture and heritage work of the government around a shared vision, goals and priorities. It is a cultural lens and guide for government initiatives until 2025.

We reviewed the work undertaken in other jurisdictions. We also reached out to residents to help develop the framework and received responses from people in 28 communities. We held 31 focus groups, meetings, home visits and workshops across the NWT. A wealth of information was provided by Aboriginal governments; arts, culture, and heritage organizations; cultural groups, including francophone groups, immigrants, foreign-born NWT residents and newcomers to Canada; elders; youth; communities of various sizes and GNWT advisory groups. I will be tabling the framework later today.

Mr. Speaker, languages are a vital part of this framework and are important to our people. For a year we were without the largest broadcaster of Aboriginal languages. CKLB, the broadcasting arm of the Native Communications Society, experienced some operational challenges resulting in discontinued live broadcasts. This government provided an additional \$400,000 to CKLB, enabling them to resume the live broadcasting our community residents enjoy. CKLB is a critical part of preserving and promoting diverse language use across the NWT and we commend them for the excellent job they do.

The primary hub of our history and heritage is the Prince of Wales Northern Heritage Centre. The centre showcases NWT culture through beautiful and informative in-house exhibits. This past Saturday a new three-year collaborative exhibit This Land Is Our Home, Wiilideh Yellowknives Dene, opened to great success. The centre also creates travelling exhibits and educational resources that circulate around the territory. It houses the NWT archives that care for our historical and government records, which are available to the public. The centre also conducts research to identify and preserve our archaeology and cultural places. We are continually striving to learn about, foster and protect our culture and heritage.

Mr. Speaker, earlier yesterday we celebrated the 5<sup>th</sup> Annual Minister’s Culture and Heritage Circle ceremony. This was created in 2011 to recognize

those who have contributed to preserving and promoting the arts, cultures and heritage in our territory. Our recipients this year were the Yellowknife Ukrainian Association for the Group category; the 2015 Pan Am and Parapan Am Games NWT Youth Ambassadors for the Youth category; Berna Beaulieu of Behchoko in the Individual category and Jeanna Graham of the Hay River Reserve for the Elder category. The Minister's Choice Award went to Vivian Edgi-Manuel of Fort Good Hope. Please join me in congratulating these tremendous role models for their work promoting the cultural diversity of the North.

Mr. Speaker, we are all stewards of our culture and heritage. We have the tools, information, technology and, most importantly, the will to ensure our diverse northern heritage is protected, taught and celebrated for generations to come. Mahsi, Mr. Speaker.

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

### Members' Statements

#### MEMBER'S STATEMENT ON BARRIERS TO POST-SECONDARY EDUCATION

**MR. BLAKE:** Thank you, Mr. Speaker. Education is so important. We need to encourage students to graduate and go on to college and university. That is the message we give our Grade 12 graduates when we speak at their high school ceremonies.

It's a huge transition for our young adults to make the big decision to leave home to further their education and to step up in life. They are continuing to grow and shape their future. We give them advice, we wish them well and we encourage them to do their very best, and at the same time, they are afraid. They are scared and feel alone.

One of my constituents went to Aurora College in Inuvik to attend the Access Program. It's my understanding that the Access Program is to prepare students to enter the program of their choice, whether it be nursing, teaching or renewable resources. This student, a high school graduate and ready to venture out on his own, was told on the first day that he was not eligible for the Access Program. Staff told him to withdraw and to let the residence manager know that he will be leaving the residence.

This young adult made every attempt on his own to apply to college, apply to SFA and for any bursaries available to him, and he was successful. He was out on his own and was excited about a new career, a new opportunity, just to be told, basically, to go home.

Our college should have encouraged this student to stay and study. Our college should have given advice, encouragement and prepared him, or even given options of what can be done. Stay here and we will prepare you. Instead, we tell him to go home. This

young man has no desire to go back to school after being told you're not good enough. We need to open doors. We need you as a model. Thank you, Mr. Speaker, and I'll have questions later today.

**MR. SPEAKER:** Thank you, Mr. Blake. Member for Hay River South, Mrs. Groenewegen.

#### MEMBER'S STATEMENT ON NWT ADDICTIONS TREATMENT SERVICES

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. Our days in this House are drawing to a close. I want to speak about something today that's still very, very important in the Northwest Territories and that is the subject of addictions. I don't think anybody who works for this government around this table could say that we have anything less than an epidemic proportion of problems with addictions, and we also know that it affects every aspect of life in the Northwest Territories, whether it's justice, education, health, or just the well-being and safety of our communities.

So, as a government, we look for ways to address addictions, and I do commend the government for things like community counselling programs; the NWT Helpline; the Matrix program, which I just saw an ad in the Fort Smith newspaper for a Matrix program which outlined it all – it looks amazing – withdrawal management; on-the-land healing programs; and then also there are the residential treatment centres. We do not have a residential treatment centre in the Northwest Territories at this time, but we were told that with the money that was saved from the closure of Nats'ejee K'eh that clients who needed residential treatment could be referred to southern institutions and that this process would be streamlined, so we took that as something to be encouraged by, but still today we know that it is not easy for people to find treatment that want treatment.

In my constituency I was approached by a constituent, and I'll make this story short, but this individual was going to the family counselling services and he hit rock bottom. He was faced imminently with the loss of his job – which was a very good job – with the loss of his family, with the loss of his home, and this person took matters into his own hands. They got out their credit card and they got themselves to treatment because they knew they were at that crossroads of absolute loss of everything they valued. So they got themselves to residential treatment in the South, on their credit card, and I want to say, happily, the treatment was fantastic, it helped so much. They returned to their community, to their job, to their family, to their life, and to this day remain sober, and this was many, many months ago that they did this. But the fact is that they had to do that on their own dime and that debt still remains now a cloud hanging over that family.

This is a compassionate government. I have gone to these Ministers before with one-offs and unusual circumstances and they have been compassionate.

Mr. Speaker, I'd like to seek unanimous consent to conclude my statement.

---Unanimous consent granted

**MRS. GROENEWEGEN:** So, although we can say that we have a streamlined process, there are these one-offs and these unusual circumstances which do occur at times. For this particular case, I am asking this government, again appealing to these Ministers for discretionary latitude to help this family out now with this debt that remains for an initiative that they took to get the treatment that they needed and are now living a happy and healthy life. Thank you, Mr. Speaker.

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

#### MEMBER'S STATEMENT ON HIGHWAY NO. 7 RECONSTRUCTION

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. As my colleagues know, two of my favourite words in this Legislature are Highway 7. I cannot let the 17<sup>th</sup> Assembly draw to a close without saying them for the 150<sup>th</sup> time. This time it's a pleasure to say positive things about the work being done on the reconstruction of this highway, which is an important lifeline for the people of the communities I represent.

As I mentioned in March 2014, the renewed funding from the federal government under the new Build Canada Plan and the Department of Transportation's Corridors for Canada III has allowed critical reconstruction work to continue. It was a beautiful summer in Nahendeh and nice, dry weather led to work great work on the highway. People were happy with the rehabilitation work done on Fort Liard Highway No. 7, which included great repairs, surfacing, safety improvements, 20 of the 30 kilometres were chipsealed from the BC border to Fort Liard, and the dip at kilometre 169 was fixed and for the first time in years, the road ban was lifted in June.

I am pleased to see that reconstruction work is scheduled for the next four years in the Department of Transportation's capital plan. I wanted to thank the Minister of Transportation and his department for the great work and look forward to reconstructing the rest in the years to come.

Premier McLeod and Minister Ramsay travelled with me on August 27<sup>th</sup> to Fort Liard. The conditions of the road were very good, but constituents were telling the Premier about it. In fact, he was chiding me and asking me what I was complaining about. All kidding aside, there's much work yet to be done so that the travelling public and businesses can really enjoy the Deh Cho Trail, the road connection from the Alberta border all the way through to the BC border and then on to the Alaska Highway. Mahsi cho, Mr. Speaker.

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

#### MEMBER'S STATEMENT ON FISCAL PERFORMANCE AND ACCOUNTABILITY – FINAL REPORT CARD

**MR. DOLYNNY:** Thank you, Mr. Speaker. Today marks the final leg of my journey to a tabled document brought before the House on September 29, 2015, called Measuring GNWT Fiscal Performance and Accountability.

Public reporting, by all accounts, is the last measure of fiscal performance, because if you can't show your work or report your work properly, then really who cares? So, reporting should be timely, clear and comprehensible to the average person. Although there has been some general improvement over the years, in 2015 the C.D. Howe Institute sums it up best in saying, "On the quality of reporting scale, the Northwest Territories earns a grade of D plus. Although the PSAB-consistent public accounts save the Northwest Territories from getting outright failing grades, its budgets would bewilder our idealized reader with multiple presentations of revenue and spending figures that no non-expert could possibly reconcile with the headline figures in their public accounts."

To that end, I cannot argue with C.D. Howe Institute, and I also give the McLeod government an equal D plus grade when it comes to public reporting.

There you have it, Mr. Speaker. A complete six-day review of the McLeod government as it pertains to measurables of their fiscal performance and accountability. So, to recap the McLeod government report card: operational and capital growth spending, B minus; on taxation management, A; on population growth management, C; on debt and borrowing capacity, C; on workforce growth management, B minus; finally, on public reporting, D plus.

Again, I want to thank all resource staff for their report and fact-checking all my numbers. Bringing this much needed public information in an easier to understand document was a goal for me in my first year of office and I was glad I was able to fulfil that task.

It is my hope this formal evaluation format will be used by future Assemblies as a means to measure our fiscal performance and accountability for the people we serve. Thank you, Mr. Speaker.

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

#### MEMBER'S STATEMENT ON NEW SCHOOL CONSTRUCTION IN COLVILLE LAKE

**MR. YAKELEYA:** Thank you, Mr. Speaker. If I Had a Million Dollars was a song sung by the Barenaked Ladies. However, I'm not going to say anything to that, Mr. Speaker.

Mr. Speaker, if I had a million dollars I would pursue with the people of Colville Lake and this government

to develop a strong partnership with the Department of Education, Culture and Employment to begin planning to build a new school. ...(inaudible)..., says the movie. If you build it, they will come.

This issue is so important that it was raised with the Premier and the Cabinet on September 24<sup>th</sup> in meetings with SSI and our government. The people came, they met, and now they wait to see if this partnership can become a reality.

Colville Lake is a traditional community, and as we know, both sizes of these traditional communities have very limited infrastructure, such as the basic essentials of a health centre without a full-time nurse, or having fly-in RCMP services, and they have one room with multi-grade classrooms together with only partitions separating them. There is no standard-size school gym. In this day and age, it's unbelievable with all the money we spent on other infrastructures that we cannot get a school together for Colville Lake.

Over the years Colville Lake has made great strides to have their students begin and finish and to graduate at home. I have a note that says there were 10 students who dropped out of school this year because there's no high school program in Colville Lake.

It's been noted, for the record, that the people in Colville Lake built their own airport, a gold standard airport. In fact, the Premier's Award of Excellence awarded this community and the people and this government. Partnerships work. It's been proven and there's solid evidence. This award was given because of the partnership between this government and the Colville Lake people.

To establish a partnership that works, partners needs to sit down together, and the Colville Lake people want this...

I seek unanimous consent to conclude my statement.

---Unanimous consent granted

**MR. YAKELEYA:** I urge this government to build upon the partnership that they have with Colville Lake and make this a reality. It's been proven already. I urge this government to continue this initiative and pass it on to the next government. Colville Lake recognizes our goal set out in the 17<sup>th</sup> Legislative Assembly and we must walk our talk and commit ourselves to partnerships that will see a new school in Colville Lake

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

#### MEMBER'S STATEMENT ON SUPPORT FOR NORTHERN BUSINESSES

**MR. BOUCHARD:** Thank you, Mr. Speaker. My statement today will be on business. As you all know, throughout this Assembly I've made a lot of statements on business and some of the issues that we're having with our government and their lack of

support and their difficulty supporting northern business.

Our Business Incentive Policy has got a bunch of flaws in it. Our Public Works and Services shared services has flaws in it. We continue to have issues with the government and the bureaucracy having the thought process of supporting northern businesses as opposed to finding a way to support southern businesses. I equate it to a map that we often see of NTCL where they are actually from the North Pole looking south. South should be down there. We shouldn't be focused on how do we do business, and we should make sure that southern businesses can bid up here. We should be working on how we can get northern companies jobs and business in the Northwest Territories.

I've had numerous occasions where departments give the specs and certifications to a southern company saying we need a fire pit that's power coated. Nobody in the Northwest Territories power coats. We got it from some other southern firm that gave us a quote. We're buying mobile homes throughout the Northwest Territories. We don't build mobile homes in the Northwest Territories. Why aren't we doing that?

Again, we just put out four tenders for plow trucks. Again, Kingland Ford, second in bid, but the low bidder is going to build everything in Quebec and Ontario. Nothing is going to be done in the Northwest Territories. We're selling to a northern company but all the work is being done in the South. We know that in a lot of Kingland's, they're putting 51 percent, over \$100,000 worth of work, thousands of hours of work into these projects.

Our government has been partnering up. We looked at 802 airplanes instead of partnering with businesses that wanted to extend the life of some of the equipment we currently have. We have the electrical business where we didn't even talk to the current electrical provider, NUL. Our Cabinet felt that they didn't need to do that.

We've got to stop looking at the South and saying they're the way to go. We need to support northern businesses in the North.

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

#### MEMBER'S STATEMENT ON TERRITORIAL MIDWIFERY PROGRAM

**MR. BROMLEY:** Thank you, Mr. Speaker. We have been talking about a territory-wide midwife program for a long time now. Originally we had programs in Fort Smith and Yellowknife, but the Yellowknife program was dropped with a plan to beef up the program in the Minister's home community of Fort Smith.

The plan was to expand the Fort Smith program to Hay River, the Beau-Del, Behchoko and Yellowknife. A start was made and we have since seen progress in

Hay River and Fort Smith. However, the Minister reports that the health authorities in the Beau-Del decided that instead of a midwifery program they would maintain general practitioners' obstetrics skills complemented by community health workers and nurse practitioners.

This past July the Minister said that the next goal was to develop a territorial midwifery service based in Yellowknife and to expand the program into the regions, starting with the Deh Cho region and Behchoko. We have not heard about how and when the program will roll out here in Yellowknife.

A local mother-to-be recently asked if she could count on having her next baby with the assistance of a midwife in Yellowknife. She was told, "There is much work to be done, including seeking funding for this proposed program." When did this become a proposed program and when did we lose the money for it? The Minister stated in July that he was still committed to move forward with a territorial model based out of Yellowknife in 2015-16 so that the full rollout could be done in 2016-17. Positions for midwives elsewhere have been funded for some time, though the positions have languished unfulfilled.

We have a midwife coordinator position. In fact we have two now, but it would seem that it would be a good thing to have some midwives to coordinate. There seems to be little commitment by the government to fulfill their promise of a timely territorial Midwifery Program serving all of the regions of the NWT.

With the sporadic and conflicting information out there, there is public concern and confusion about where we are headed with this program. The apparent lack of progress or even that we might be moving backwards with this program has people asking a lot of questions. I urge the Minister to set their minds at ease and reassure the mothers-to-be across the territory who want such services that they will be able to have their babies with the assistance of well-trained midwives who are supported by a comprehensive, stable, well-funded Midwifery Program in any of our regional centres across the NWT.

For the sake of our young families, I hope the Minister will confirm real progress and certainty on moving forward with territorial midwifery.

**MR. SPEAKER:** Mr. Bromley, your time for your Member's statement has expired.

**MR. BROMLEY:** Mr. Speaker, I seek unanimous consent to conclude my Member's statement.

---Unanimous consent granted

**MR. BROMLEY:** For the sake of our young families, I hope the Minister will confirm real progress and certainty on moving forward with territorial midwifery in Yellowknife soon. I will have questions. Mahsi.

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

#### MEMBER'S STATEMENT ON DEH CHO DENE ZHATIE GRADUATES

**MR. NADLI:** Thank you, Mr. Speaker. Today I want to talk about the exciting partnership that is benefitting the people of the Deh Cho. Aboriginal language revitalization is an award-winning and accessible four-year certificate program taught out of the University of Victoria but based here in the NWT. It pairs fluent speakers with adult students interested in learning Dene Zhatie, also known as South Slavey. I wanted to take the opportunity to briefly say something in my language as well.

[English translation not provided.]

This program is innovative because, unlike a traditional classroom setting, students get the opportunity to speak their language frequently, and not just when they are in class. Students must put in 100 hours of conversation with their mentors over the duration of the program with no English allowed. The groundbreaking program was featured earlier this year on CBC, at which time 17 students were participating.

This language program is being hosted by the Deh Gah School in Fort Providence in collaboration with the University of Victoria. I think it is a great program to preserve an Aboriginal language. I want to congratulate this year's graduates and encourage anyone who wishes to learn or improve their Dene Zhatie to consider this exciting program.

Student Dahti Tsetso says...[English translation not provided]...anything is possible, one day I will speak really good Dene. Mahsi cho.

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

#### MEMBER'S STATEMENT ON DIABETES IN THE NWT

**MR. MOSES:** Thank you, Mr. Speaker. The main cause of death, disease and disability in Canada and the Northwest Territories today are chronic diseases and injury. However, a large proportion of chronic diseases, disabilities and injuries can be prevented or their onset can be delayed.

Today I'd like to speak to one particular chronic disease that we have in the Northwest Territories and that's diabetes. Anybody that knows anybody who has diabetes or has suffered from diabetes knows that it can lead to such things as kidney failure, blindness, lower limb amputations as well as risk of heart disease.

Currently, there are about 2,900 NWT residents in the Northwest Territories who are living with diabetes and every year it's expected that 200 new diagnosis will happen. We do have a high prevalence, and with the

increase in childhood obesity as well as obesity throughout our NWT residents, it only puts more people at risk. As well as the personal lifestyle choices that residents of the Northwest Territories have for themselves it also puts them at risk of developing type 2 diabetes.

The Canadian Diabetes Association recommends that diabetes care is patient-centred and is delivered by a multi-disciplinary team with specific training in diabetes, and focuses on such things as prevention, effective screening and management.

The Canadian Diabetes Association also recommends things such as a Pharmacare program so that people living with diabetes can access medications, devices and supplies they need to manage their disease. They also talked about possibly putting a sugar-sweetened beverage tax on such things as sports drinks, pop, diet pop, juices and, something that we see more prevalently, energy drinks. There is a clear connection between the high consumption of these drinks and the development of type 2 diabetes.

As I mentioned earlier, we do have a lot of NWT residents living with the disease. It's very prevalent in the Northwest Territories.

I will be asking questions of our Minister of Health today how we're treating the people with diabetes, but how we're trying to prevent it and promote the education and awareness. Thank you, Mr. Speaker.

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

#### MEMBER'S STATEMENT ON YELLOWKNIFE DAY CARE ASSOCIATION

**MR. HAWKINS:** Thank you, Mr. Speaker. For the past 35 years, the Yellowknife Day Care Association has been providing quality daycare services in a downtown GNWT-owned building, but now they've reached the absolute critical impasse and they need our help more than ever.

ECE has come to the strange decision that it is now time that the daycare has to go, and they've given them their notice. That's right. Minister Jackson Lafferty is telling these kids it's time to go. So, as each kid, as the daycare starts the day by turning on the lights and they get the important services of child care up and running for 55 kids, those kids will now have to find a new home.

The Yellowknife Day Care Association is a treasure to the downtown. They provide quality, reliable, affordable options for parents. But Minister Lafferty has determined as of July 31, 2016, that'll be their last day. That's right, Mr. Speaker. Next summer these kids will be kicked to the streets. Why? Well, I can only speculate as to why, but the truth is we haven't really heard a solid or honest answer why they need to be rushed out the door. To be fair, the YK Day Care

knows and certainly agrees that the building that they're in is coming to the end of its useful life.

So while the smiles and laughter may be singing away in the air of the daycare each and every day, it's true that building may be tired, but there are no, and I repeat there are no health and safety issues with that particular building, even the GNWT's own studies say that that's true. Yes, it has gone along and its useful life may be coming near the end, and the building may be older, true, but by seniors' standards, it barely is a senior. It's not that old. So why now? Why rush the daycare out the door before it's ready to take the plunge in the open market and buy their own building?

They have been saving money for years, but they don't quite have enough yet to do it on their own. So, if Minister Lafferty would support this daycare so they could get set up right, they would be in a position to succeed, but not just that, they could also expand a desperately needed area such as a daycare our community needs.

Let me remind Minister Lafferty that this daycare offers 55 child care spaces each and every day. The Minister personally knows about children and how important they are. He's got a lot of kids, for goodness sakes. He should know. All I can tell you is that we have 12 out of the 24 licenced spaces allotted for children between the ages of one and...

**MR. SPEAKER:** I'm sorry, Mr. Hawkins, your time for Member's statement has expired.

**MR. HAWKINS:** Thank you, Mr. Speaker. I was just trying and squeeze in the last couple of words before I asked. I seek unanimous consent to conclude my Member's statement.

---Unanimous consent granted

**MR. HAWKINS:** What I was trying to say is this daycare has 12 out of the 24 licenced allotted spaces for children in Yellowknife between the ages of one and two years old. Those are precious spaces because they're critical so parents can go back to work, otherwise what would they do? So I'm asking the Minister to stop and think about what they're doing before they kick the kids to the street.

There are solutions. This government has given money to other daycares. A couple years ago, our government gave \$1 million to one that needed it desperately. So the fact is there are solutions out there and we have to stop trying to make them all fit the same mold.

In closing, the solution would be less than half a kilometre of highway, and I choose the kids over the highway. The last thing I'll say is the Minister knows how much he loves his picture in the paper with kids each and every time. Perhaps we should get a picture of the kids from this daycare on the street with their lunch bags and their little suitcases with nowhere to

go and we can shame this Minister into doing something. Thank you, Mr. Speaker.

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

#### MEMBER'S STATEMENT ON JUNIOR KINDERGARTEN REVIEW

**MS. BISARO:** Thank you, Mr. Speaker. About 12 months ago the Minister of Education, Culture and Employment promised, in this House, a review of the Junior Kindergarten program. Oh, that phrase sounds kind of familiar. Promised in this House. I've heard that before.

The Junior Kindergarten review was to be in done in July of 2015, and at the time of the announcement, I thought it was an ambitious timeline. Education, Culture and Employment has had a very full plate the last couple of years with Education Renewal Initiative and all the other reviews that they have been, and are, doing. But I took the Minister at his word and waited for notice of completion of the Junior Kindergarten report.

With all ECE is doing these days, when July came and went and there was no indication to either committee or Regular Members that a report was coming, I wasn't surprised. I heard rumours suggesting the report might be done by the end of August, then the end of September. Well, we're into October now and still no sign that a Junior Kindergarten report is on the horizon.

Obviously, the expected report is not going to have any impact on junior kindergarten operations for this school year. Obviously, there's not going to be an opportunity for this Assembly to see the report and comment on it before the 2015 election, and that's too bad. The 17<sup>th</sup> Assembly Standing Committee on Social Programs and several other Members invested considerable time, effort, thought and advice to government on the subject of junior kindergarten. All that experience will now be lost when it comes time to review the promised Junior Kindergarten review report, if it ever comes.

I know departments are busy. I know this report was intended to be comprehensive and so would take more than a bit of time. But the government should not make promises it cannot keep. I sincerely hope that Minister Lafferty's promise is not as hollow as that made for the Deh Cho Bridge Project review.

I will have questions for the Minister at the appropriate time. Thank you.

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

#### MEMBER'S STATEMENT ON COMMENTS ON TRAGIC DEATHS IN BEHCHOKO

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. [English translation not provided.]

Mr. Speaker, I realize there is no Tlicho interpretation, so I seek unanimous consent to conclude my statement in English.

---Unanimous consent granted

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. As Members are aware, there has been a real tragedy in the Tlicho region; more specifically, in the community of Behchoko. There have been three tragic incidents with three family members involved that also brought us together as a community the last two days. I've been a witness to that. I participated. I supported the family which brought us together as a community to discuss what's been happening in our community.

Not only that, there's been some of the family of the victims and the family of the accused in one building. There has been a lot of emotion and discussion, lots of grieving. At the same time, there has been overwhelming support from family members. They forgave each other, the family members that were most impacted. That provided opportunity for the community to be united once again, and this is the opportunity for communities to move forward.

We've been told by elders; elders made some statements in the cultural centre that this is a time to reflect on what's happening in our Tlicho nation, how can we move forward. We need to have gatherings such as this very important gathering. As we move forward, we need to continue the dialogue, stand united, come up with some solutions to deal with our tragic loss in the communities.

My heart goes out to the family members, and our prayers as well. We just recently, as late as yesterday, lost an elder, Mary Rose Charlo. She was an elder parliamentarian in this House two years ago. It is a huge loss for the community, a very well-respected elder. Our prayers go out to her family. There has been a gathering all this week, as well, and it will continue until Thursday. I just wanted to say that so the Members are aware of what's happening in this House. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Lafferty. Thoughts and prayers go to the community of Behchoko from the House.

Item 4, reports of standing and special committees. Item 5, returns to oral questions. Item 6, recognition of visitors in the gallery. Mr. Beaulieu.

#### Recognition of Visitors in the Gallery

**HON. TOM BEAULIEU:** Thank you very much, Mr. Speaker. Today I would like to take this opportunity to recognize a student action group from Yellowknife's St. Patrick High School called Students Against Drinking and Distracted Driving.

---Applause

Originally, the focus of the student organization was on impaired driving. Now students are also working to prevent destructive decisions, with a focus on making impaired driving and distracted driving socially unacceptable. The students are here in the gallery today to support Bill 60, An Act to Amend the Motor Vehicles Act, No. 2. The bill includes several provisions meant to reduce distracted driving.

I welcome the 30-or-so students and I offer them my best wishes in the coming academic year as they plan events and activities to promote safe and positive choices.

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

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. In the gallery today I would like to recognize Ms. Fernanda Martins, relationship development coordinator; and Nikki Groebbecker, the revenue development coordinator with the Alberta/NWT Division of the Canadian Cancer Society and I'd like to thank them and the society for their ongoing advocacy and support of people with cancer. Thank you so much. Welcome to the gallery.

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

**MR. BROMLEY:** Thank you, Mr. Speaker. I'd like to welcome and recognize a bunch of young constituents and future leaders from the school in Ndilo, the K'alemi Dene School, and I wonder if they could stand up as I mention their names. We have here David Sangris, D.J. Drygeese, Aurora Fraser, Kaiya Goulet, Amy Betsina, Devon Vogel, Justin Lafferty, Cheyenne Lafferty, Stefon Franki, Nick Beaulieu, Kaydens Abel, Dakota Mackeinzo, Donovan Black Quitte, Riel Komrie, and they are accompanied by Tiffany Smith, education assistant; and teacher Anna Hernandez.

I'd like to just mention, when I asked this bunch of young folks if they like to read, just about everyone put their hands up. These are a literate bunch and they're bound for great destinations, so I appreciate them being in the House today.

Thank you very much. I'd also like to recognize the Students Against Drunk Driving, the St. Pat's School and Weledeh School in the Weledeh riding. Thanks very much for all the work that they do. Very good stuff. Mahsi.

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

**MR. HAWKINS:** Thank you, Mr. Speaker. Minister Beaulieu did a good job introducing the SADD group we have here in the gallery and I, too, wish to add my support and accolades to the work they do. MLA Dolynny and I have spent many a cold morning waving with them, bringing in hot chocolate and donuts, and they always have our full support anytime the school needs. As well as with the SADD group is

the ever-amazing Michelle Thoms. She's the teacher/advisor to the group. I know she doesn't do it alone, but she certainly deserves a great pat on the back. She's certainly the driving force of this organization, I'm sure, and I want to thank the school and the school district.

I also want to recognize, forgive me, I'm not going to recognize every student up there, but if the House would allow me to recognize my own son, who is a Member of the SADD group. So, McKinley Hawkins, thanks for coming along, buddy, glad you joined SADD.

Just to finish off the SADD issue before I recognize the other constituents, I just want to say that the Minister mentioned 30 constituents. That's a demonstration of great leadership. Under Mildred Hall we have two Pages here today, Carter Yakeleya and Ryan Lafferty. I want to thank them both for participating here today, and from my hometown of Fort Simpson I want to acknowledge the students who are participating here today. So, thank you very much.

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

**MR. YAKELEYA:** Thank you, Mr. Speaker. I want to recognize all the students here in the gallery from the schools. I want to say something to the students. Never give up on your dreams. One day you could be down here too. So keep up what you're doing, set your goals high and work hard together. Thank you for the good work that you're doing. I'm hoping that we can get a chapter like this in the Sahtu region, also, for the same message.

I also want to recognize my little nephew. He's here, Carter, and I'm very surprised to see him. He's come into his own world, a young man. He's come a long way since he was a little baby when I first picked him up, and I want to recognize him. I'm so proud of him.

Lastly, I want to recognize your family members who are here with you, Mr. Speaker. Thank you.

**MR. SPEAKER:** Thank you, Mr. Yakeleya. I would like to welcome my daughter Kirstin here today. It's always good to have family and to see everybody from across the Territories once they get a chance to come. So, welcome to the House and thank you for taking interest in our proceedings here today.

Item 7, acknowledgements. Item 8, oral questions. Member for Hay River South, Mrs. Groenewegen.

### Oral Questions

QUESTION 931-17(5):  
PERSONAL COSTS ASSOCIATED  
WITH ADDICTIONS TREATMENT

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. I'm not sure who I should direct my question to today, but as I said in my Member's statement, I have a constituent who took the matter of their own well-

being, their own welfare, into their own hands and took the initiative to get themselves to a residential treatment program in the South, was granted the time off from work, works for the government, and the results of that treatment were highly successful, and now, though, looms the debt that was incurred.

So, Mr. Speaker, I don't know who to direct this question to. Okay. Now, Mr. Speaker, I am asking for a discretionary approval on compassionate grounds for this young family to have these costs covered, and I want to say that the cost incurred is no greater than what it would have been had this government referred them out for treatment. So, it's no extra cost. Thank you.

**MR. SPEAKER:** Thank you, Mrs. Groenewegen. Minister of Finance, Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I'm aware of the circumstances that the Member has raised and I will commit that we will make sure that we have the appropriate discussion with HR, the Minister of HR, especially if there are employee benefits that may be accessed. Thank you.

**MRS. GROENEWEGEN:** Thank you, for that commitment. Thank you.

**MR. SPEAKER:** Thank you, Mrs. Groenewegen. Member for Mackenzie Delta, Mr. Blake.

QUESTION 932-17(5):  
BARRIERS TO  
POST-SECONDARY EDUCATION

**MR. BLAKE:** Thank you, Mr. Speaker. In follow-up to my Member's statement, I have questions for the Minister of Education, Culture and Employment. We must find out why this student had already moved to Inuvik before the college advised him he was not eligible for the Access Program of his choice. This is one of our future leaders.

Will the department work with the college to review its administration and advising procedures? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Blake. Minister of Education, Culture and Employment, Mr. Lafferty.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. As you know, there are upwards of 1,600 students in the Northwest Territories who are attending college and universities. This particular case file, I'm not too familiar with. We're already seeking, and I'll also ask some questions of the college, to provide detailed information on this particular case and how we can move forward on it. Mahsi.

**MR. BLAKE:** The access programs are designed to help students transition into college programs, but these won't work if students can't access and use these programs.

What mechanisms are in place to help students transition into and through these access programs?

**HON. JACKSON LAFFERTY:** We honour a certain process that needs to happen once the student applies for a particular program, such as the Access Program and through SFA program and other scholarships that may be available to them, then those are the processes that we've always encouraged our students to apply. If there are challenges or issues in the Member's riding, the college would need to sit down with the student to find out what's really happening and what's missing, what piece of information is missing. Those are the discussions that we are currently having, as we speak, with the college to find out a bit more detailed information, because we want every student to succeed and this is what our goal is with this particular student. Mahsi.

**MR. BLAKE:** What department programs currently exist to help students, especially in our small communities, to transition into post-secondary education and skills training?

**HON. JACKSON LAFFERTY:** We do have a variety of programs. We just expanded and enriched our SFA programming, and on the particular Access Program, there is a variety of funding through the college, through our department, and there's also federal funding as well. So, again, depending on the program the individual is taking, we need to gather more information and have the college sit down with the student before the student quits or walks out of the college. We need to resolve this issue. We are, again, dealing with upwards of 1,600 students, so we have to be mindful of when they applied. If they are late in applying, there are processes in place. Mahsi, Mr. Speaker.

**MR. BLAKE:** How does the department reach out to prospective students, especially in our small communities, Mr. Speaker?

**HON. JACKSON LAFFERTY:** There are processes in place where we have a Board of Governors representing the regions. We have one in the Beaufort-Delta that is accessible by students. They know by names as well. That information, if it's not available to the particular student, the college will be fully aware of it and get as much information to this particular student and other students as well.

We are a public government. The college falls under us and this information should be publicly accessible to them. Thank you, Mr. Speaker.

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

**MR. BLAKE:** Thank you, Mr. Speaker. I think the department should contact this student and apologize for the situation he's been put through. We have to do a better job of encouraging our students to stay in school and we have to find ways to accommodate them. Thank you, Mr. Speaker.

**HON. JACKSON LAFFERTY:** That's why we're trying to find out what truly happened here. There's

always two sides of the story. We need to gather the facts so this student can move forward. Mahsi, Mr. Speaker.

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

QUESTION 933-17(5):  
CONTRACT RELATED TO THE  
DEH CHO BRIDGE CONSTRUCTION

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. It is with dismay and frustration that I stand before you today to say there is unfinished business with the Deh Cho Bridge. Yesterday I tabled, in the House, the Referee Claim Review, the interim and phase two reports of the Deh Cho Bridge between Rowe's, ATCON and DOT. I would like to ask the Minister of Transportation a few questions about the referee report. Most particularly, the unfinished business is Rowe's Construction. An NWT company was the only contractor not paid when this bridge was completed. I would like to ask the Minister about that, Mr. Speaker. Thank you.

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

**HON. TOM BEAULIEU:** Thank you, Mr. Speaker. The company had chosen to use a political process to get the money from the Government of the Northwest Territories in the work that they did for a company that initially went bankrupt and was no longer working on the bridge. The original contract, whether it be verbal or in writing, was between the company that that Member refers to and the former company that was ATCON. Once that company went bankrupt, another company came in to finish the bridge. So, legally their dealings would be with the company.

What happened was that the bankrupt company was supported by the Government of New Brunswick. We needed to prove to the Government of New Brunswick that that money that was held by them or their support for the company that went bankrupt would be money that would be used to finish the bridge and complete all the efficiencies on the bridge. That's what we have the money for. Thank you.

**MR. MENICOCHÉ:** Certainly, the Minister covered some of the details, but he didn't cover all the details like when the bridge failed in 2010, the government came to this House for a further \$15.9 million and once again came to this House for another \$10 million. Yet, we can't pay for unfinished business from our contractors. Once again, I make the case that Rowe's Construction was the only contractor not paid as a result of ATCON failing. I'd like to know why and I'd like to ask the Minister what the department is going to do about it.

**HON. TOM BEAULIEU:** I don't have the list of all of the contractors that were paid. Anybody that was paid from this \$13.6 million that was given to us by the Government of New Brunswick, all of the payments

that were made from that account were something that would be supported by the Government of New Brunswick. We would have to provide the appropriate documentation to indicate that that was a valid payment and there was a contract between two companies, there was a contract that was left over, that where there was documentation, and based on documentation, we made the payment. It was then approved by the Government of New Brunswick. If we made payments that the government does not agree with, then we would be coming back to this House for additional dollars to make those payments. We were hoping that we would make all the payments and we feel that there's enough money in this fund to finish the deficiencies on the bridge at this point, and that's what we're endeavouring to do.

**MR. MENICOCHÉ:** The Minister doesn't address why they weren't paid. He says everybody else has been paid, and that's a well-known fact, but the referees that analyze this situation, look at all the claims – there were, I think, about seven or eight of them – and for the most part there were only two acceptable, and those are the referee's recommendations.

I'd like to ask the Minister to seriously consider these recommendations despite keep going back to the books of a failed company, ATCON. The government took over the project and came to this House for more money. Why can't we pay all the contractors that are due?

**HON. TOM BEAULIEU:** The report looked at five different claims by this company. The referee indicated that two of the five claims had technical merit, meaning that he felt that Rowe's Construction had done the work, so he priced out what he thought had technical merit. Technical merit doesn't mean that the Government of the Northwest Territories has a legal obligation to pay. It just says that he believes that Rowe's did the work.

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

**MR. MENICOCHÉ:** Thank you very much, Mr. Speaker. Yes, Rowe's did the work, and like any other contractor agreement, even if it's verbal, they should be paid. That's what I'm asking the Minister. Why have they not been paid to date?

**HON. TOM BEAULIEU:** As much as I've answered, we are still continuing to work with the company and also with the Government of New Brunswick. As I indicated, Rowe's has a claim. Two of the five claims add up to approximately what's left in the budget, and it also adds up to approximately how much deficiencies will cost to complete all of the deficiencies. We would like to have had enough money to pay everyone. Go to New Brunswick. If they had the documentation that we felt that that government would support, then we would have paid it, filed it with the government and had confidence that the money would have been paid. The problem is we needed to prove to that government and the

government was going to approve the payment after we made it. Had they not made the approved payment and we didn't have the proper documentation to make the payment then we would be paying it from this House.

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

QUESTION 934-17(5):  
DEH CHO BRIDGE REFEREE CLAIM REVIEW

**MR. DOLYNNY:** Thank you, Mr. Speaker. I'm going to chime in here with my colleague Mr. Menicoche. What we're hearing here today is absolutely hogwash. We've got a northern contractor here, the only northern contractor left that has yet to be paid for the work and services they did on the bridge, and we've got a referee program that we've clearly documented and the government has said we agree with the terms, we just don't have the money left.

What kind of message are we telling our contractors out there? Please do the work for the government and we'll pay you when we think or when we feel?

The Minister talks about ATCON and monies left over. Let's talk about the facts. I've got correspondence from June 26<sup>th</sup> sent to my office from the department that clearly says that the terms of the agreement with the Government of New Brunswick, who secured the ATCON letter of credit, that these funds were to be used for deficiencies in the project caused by ATCON. From the Minister's own words to my office, we have an amount of \$690,707. Why isn't the Minister using those funds and putting a little pressure on New Brunswick to pay our bills?

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

**HON. TOM BEAULIEU:** Thank you, Mr. Speaker. The deficiencies, I think that seems to be the key here. The work was done by ATCON. The money given to us from the New Brunswick government was to clean up the deficiencies. There are deficiencies on the work that Rowe's had performed for ATCON, as well, and that's part of the work that we are doing. But the deficiencies to finish the bridge, we have about \$700,000 to \$800,000 worth of deficiencies still on the bridge. We have about \$750,000 in that account. We want to use that money to finish the deficiencies.

**MR. DOLYNNY:** Let's actually speak about all the numbers, shall we, because we're kind of dancing and skirting around the issue. As I said, ATCON has a holdback of \$696,707, plus this government has a holdback with Ruskin and ATCON for over \$958,000. Clearly, we've got two pots of money here that could be used to pay the bills that are outstanding to the project. Will the Minister commit to paying this bill?

**HON. TOM BEAULIEU:** No. Not in this forum.

**MR. DOLYNNY:** Can the Minister indicate why?

**HON. TOM BEAULIEU:** Because we need to provide the documentation to the Government of New Brunswick that will validate the payment. This is not exactly what we got the money for. We got that money to do the deficiencies on the bridge, pay for the deficiencies on the bridge. There is more work to be done on the bridge. There are more deficiencies. This money wasn't given to us so that we could pay companies that didn't get all of the payments for the work that they've done with a company that went bankrupt.

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

**MR. DOLYNNY:** Thank you, Mr. Speaker. It's clear this government expects private industry to pay our financing for projects, and this is unacceptable.

As we said clearly, we went to an arbitrator, we agreed with the arbitration that we owe this contractor money. We've got two pots of money that are clearly in detail to use for such things as a payment back to a contractor. We've got holdbacks. We've got workings with the government. Again, this is a perfect, clear-cut case that we should be paying our bills.

Why is this Minister, why is this Cabinet, why is this government refusing to support local businesses and why aren't they paying this bill?

**HON. TOM BEAULIEU:** This government supports lots of local and northern businesses. This is an issue where we need to have the proper documentation and we need to have the legal grounds to pay out of what is not considered to be exactly the reason that we got money. We weren't given the mandate to just spend the money wherever we felt, wherever we felt pressure, wherever we felt that individuals were coming and trying to present this from a political perspective. We have a referee's report, number one, and number two, the referee's report said two of those had technical merit, that they felt that two of those claims were work that was actually done by Rowe's but they weren't necessarily deficiencies that are left on the bridge.

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

QUESTION 935-17(5):  
DEH CHO BRIDGE REFEREE CLAIM REVIEW

**MR. BOUCHARD:** Thank you. I'll chime in, as well, and I think this is exactly what I was talking about in my Member's statement about us working with businesses in the Northwest Territories.

The Minister indicated we were working with the company, yes, and that's the problem. We were working with the company on a whole bunch of different problems and it's taken four years with me as an MLA to get this to the floor of the House. The company has been very leery to take it to the House because they want to deal with the Department of

Transportation. They have many contracts with them. We have them over a barrel. We paid out Ruskin.

Why did we pay out Ruskin and now are not willing to pay out Rowe's?

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

**HON. TOM BEAULIEU:** Thank you, Mr. Speaker. Ruskin built a bridge for us. We had to pay them. Thank you.

**MR. BOUCHARD:** I am referring to Ruskin was on the job before ATCON started. We paid them out. We paid out several contractors that were doing work for ATCON that they held us accountable for the bridge. Rowe's didn't have that leverage. Why did we pay all those other contractors and we're not paying Rowe's?

**HON. TOM BEAULIEU:** As I indicated in one of the responses, I don't have the list of individuals that were paid out or the circumstances surrounding the payout. What I'm dealing with is the payout of a company, Rowe's Construction, at this point. What we're indicating is that we have the money to finish the bridge, clean up all the deficiencies. If we're going to pay over and above that, if we're going to pay for a deal that somebody made with another company that went bankrupt on the job, then we'd have to come back to the House for more money. It's that simple. We can't take money out of there and then pay somebody and then come back in here and say we need more money for deficiencies.

**MR. BOUCHARD:** We know and the government is willing to say we're using ATCON, a company that's no longer there, using them as leverage. But when the government has inspectors in the project, they inspect the whole process. We had a whole bunch of stuff that was outside of the scope of the project. We hauled a whole bunch more rock from a longer distance. The Department of Transportation knew that. They gave approval to it and Rowe's did that work.

Again, the Minister is indicating that there's a merit there. Why are we not paying the bills based on a merit that we've given?

**HON. TOM BEAULIEU:** We're not paying it because we don't have the proper documentation indicating that there was a contract between Rowe's Construction and we're not paying it because the money that we got was not for this. The money that we got from the New Brunswick government was to pay for the deficiencies of the bridge, not to cover unfinished business by ATCON that wasn't paid out. We don't have any written authorization from ATCON. We don't have any documentation. There is really nothing there other than the discussions that Mr. Rowe has been having with DOT, and based on that we are continuing to work on solutions. Thank you.

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

**MR. BOUCHARD:** Thank you, Mr. Speaker. The Minister keeps talking about we're not done the bridge, and I'm not sure when we're going to get that done. We know we've added stuff to the contract. We know we've added guardrails. We know we've added telephones to the system. Now we're spending more money and the reason that this is on the floor today is because now we're going to spend another 12 to 30 million dollars on the Tuk-Inuvik Highway. We're willing to stroke a cheque for them, but when a contractor that's done the work and has been talking to this government – and not only the Minister, the Premier, Members of the Cabinet all know the situation that's going on here – we are not paying the bill.

The question is why, with all the extras that we're adding on to it, why haven't we paid Rowe's for the stuff that they've already done on the bottom of this bridge, and now we're adding stuff on the top? Thank you.

**HON. TOM BEAULIEU:** There's not a whole bunch of reasons why we're not paying. It's documentation, it's the agreement that we had between another government and ourselves. So I can only answer this in one way, that this money that we got from another government was not there to pay for this work. It was there to cover the deficiencies. We still had deficiencies on the bridge. We have approximately the same amount of money left in the fund that there are deficiencies on the bridge. Thank you.

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

QUESTION 936-17(5):  
NEW SCHOOL FOR COLVILLE LAKE

**MR. YAKELEYA:** Thank you, Mr. Speaker. My questions are for the Minister of Education, Culture and Employment. Currently, in Colville Lake there are 45 to 50 students enrolled this year. About 10 of those students have dropped out for one reason or another. They are citing that the fact that they cannot concentrate in the small building shared by all grades, considering that kindergarten and Grade 1 are housed in a separate building.

So, imagine the size of this room. You have well over 40 students all trying to reach their grade potentials. This is why Colville Lake is asking for partnership with this government so that they can build a new school, a proper school so that we do not see more than 10 students dropping out of school this year. That's a crisis. We should be stepping up, letting the community know that we care, going to that community and stopping the students from dropping out. Unbelievable.

Is the Minister willing to work with the community in a partnership to see how we can stop students from dropping out but, more importantly, to see how they can build a new school in Colville Lake?

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

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. The community of Colville Lake, the leadership have met with my staff as well. The band requested assistance from ECE to provide a class D estimate for a larger school to be completed with a full-size legal gym. So that's an area that we are working on with the community. There's also a request for full O and M costs to run the expanded facility.

As I stated, there's been follow-up from my department on August 17, 2015. The Colville Lake leadership met with my staff to talk about a P3 partnership. We're in support, in principle, of how it's going to look. Whenever a proposal comes in on a P3 project, I would have to present it to my Cabinet colleagues. That is part of the process that we use, and once that happens, then I'll notify the Member that we are moving forward on this. Mahsi.

**MR. YAKELEYA:** The families of the students that have dropped out of school for one reason or another are saying that the small building that is shared by all the grades, they cannot concentrate in that school. Colville Lake is looking for a solution. This should be up there and making the headlines. Ten students or more have dropped out of Colville Lake's school, citing that the building is not adequate. These are the results of the situation in Colville Lake.

How can this Minister, since we have 20 days or so left in our government, move this to the next government citing this as an emergency crisis situation in Colville Lake and that they need to have a new school as soon as possible and start building their partnerships with Colville Lake?

**HON. JACKSON LAFFERTY:** First and foremost, I have to commend Colville Lake leadership exploring options on how they can build the new school. Obviously, we are very interested. There has been a process that we go through with any capital infrastructure here in the Northwest Territories. Part of that is Colville Lake. The Member has been asking questions in the House, as well, and I'm fully aware of that. There are pressing issues, as well, that we are faced with, but this is an area that we are currently exploring with the leadership of Colville on how the P3 can work.

Once a proposal is submitted, then we need to discuss that as Cabinet and how we can push that forward. We are always exploring and encourage business partners to provide some business opportunities such as this particular P3 project that we are currently discussing within my department.

**MR. YAKELEYA:** One of the factors of these 10 or more students who have dropped out for one reason or another in Colville Lake could be because we don't have a proper school to educate them. Because of this situation and working with Colville Lake, the Colville Lake Education Council and the Sahtu Board

of Education have cut this year's budget by cutting out high school teachers. There are no high school teachers in Colville Lake. This is why the community, chief and council are pushing strong that they get a proper school in Colville Lake. This has to stop, Mr. Speaker.

What is the Minister going to do within the life of this government to push this initiative into the next government?

**HON. JACKSON LAFFERTY:** That is information that we are either waiting for or is arriving on my desk on the Colville Lake P3 project. We have met with the Sahtu leadership. The chief of Colville was obviously part of the process, as well, on having a new school identified for Colville Lake. I'm focusing on how we can move forward. Once a proposal is submitted to my attention, then an immediate discussion needs to happen on how we can move forward on that. Mahsi, Mr. Speaker.

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

**MR. YAKELEYA:** Thank you, Mr. Speaker. I want to ask this Minister, given the situation in Colville Lake where 10 or more students have dropped out citing their own reasons, within the life of this government is he seeing this as a crisis in Colville Lake? Can the Minister commit to going to Colville Lake with officials and the Sahtu Education Board to stop the students leaving the school by the time this government is finished? Can the Minister commit to going to Colville Lake to say he's going to do something? Is that something I can look forward to from this Minister?

**HON. JACKSON LAFFERTY:** Obviously, my department needs to work very closely with the Sahtu Education Council as well. We have been working with them and the Colville Lake School. This is not new to us. We are fully aware of it. I will commit to getting back to the Member as soon as we have that information and we have deliberations. The next step, once that occurs, I will immediately follow up with the Member.

Again, the Sahtu leadership and the representatives have been working very closely with Colville Lake along with my department. We are going to push them forward as well. Thank you, Mr. Speaker.

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

QUESTION 937-17(5):  
YELLOWKNIFE DAY CARE ASSOCIATION

**MR. HAWKINS:** Thank you, Mr. Speaker. In my Member's statement today, I raised the issue of the Yellowknife Day Care situation here that's in a GNWT-owned building. I want to ask the Minister of Education, Culture and Employment about why he's forcing them out of that particular building by July 31<sup>st</sup> of next year. Furthermore, what is in there in terms of flexibility considering the circumstance of the single

point that 55 children have nowhere to go? That also means it impacts the parents as well as the more than dozen staff that work there. I want to first start off with why is the department forcing this daycare to find somewhere else to operate?

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

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. This Yellowknife Day Care Association has been given a minimal of two years' notice of the particular building. In mid-2014, ECE indicated to the daycare that they needed to consider alternative accommodation because of the age of the building. Also, in mid-2015, just recently my department also met with the daycare again to get an update of their efforts to find an alternative accommodation. On July 31, 2016, that's when we are giving them a date to find an alternative solution. They are expeditiously looking for options as well. My department has been working very closely with them and we will continue to push that forward.

**MR. HAWKINS:** Well, let's go down that little path about his office diligently working with them. They only received formal notice a couple days ago on this particular initiative. They've been approached even not that long ago to say, well, let's kick them out in March, but I think someone understood that little kids walking with small lunch bags and suitcases and maybe boxes that are probably bigger than them looking for a place to go is probably not the right public image they want.

In short, the daycare says no one from ECE is working with them. They've said, "Hey, July 31, there's the door, be out, find your own place." What is the department really doing when he says they're doing something, because they don't know, nobody there knows. We need real facts, not just platitudes about we care about kids, we'll do stuff about kids. I want to see actions and results.

**HON. JACKSON LAFFERTY:** That's absolutely not true. My department has been meeting with the Yellowknife Day Care Association on numerous occasions. Since mid-2014, we've been meeting with them, giving them options to consider and working with them. We have provided some assistance from my department so they can explore other options as well. We will continue, again, working with the organization to find an alternative solution as well.

**MR. HAWKINS:** I could go on at length how the president of the association had told me how the old DM and the present DM met with them and told them they're out the door and they have to figure it out on their own. But you know what? If all we're going to do here is point fingers, we haven't solved a darn thing about the daycare spaces that will be in serious crisis about it.

Let's go to the next problem, which is what is the department really going to do to help them? Can they

help them in the same way we helped the folks in Inuvik, who deserved and needed good help? This government has been known to provide lease money. It's been known to provide mortgage money. Heck, we could even extend the building lease or we could even give them the building lease. Wait a minute. I'm doing all the job for the Minister here. Somebody on that side of the House needs to provide solutions to the daycare. Please, give me some solutions.

**HON. JACKSON LAFFERTY:** I'm just reiterating that it's been two years in the making. I have stated that July 2016 is the date that has been given to them. Two years in the making. Within that two years there have been several meetings where the Member may not be fully aware of. I have the facts. I have the information here that I can share with the Member if he wishes. These are the dates that I have that my department has met with them. Again, we are working with them. We just met with them last week to try and find some alternative solutions. My department is working with the YK Daycare Association and will continue to do so.

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

**MR. HAWKINS:** Thank you, Mr. Speaker. The Minister has done nothing but cause frustration with me. That is because all he's talked about is, sure, we've met with them and I can provide you the dates and good things like that. I keep wanting to know what are you going to do. The daycare, yesterday, I believe, sent out an e-mail to all their parents. I believe they, as they do in daycare, they put the letter in the bag for the kids to make sure they take it home so the parents aren't surprised. All those parents have been informed. Fifty-five parents have been informed that this daycare's history, life story and journey is coming to an end.

I want to hear what the Minister is going to do, not talk about meeting, meeting, meeting. I think we are all getting tired of that answer.

Is the Minister working to provide a location, money, lease guarantees, mortgage guarantees, to help these kids out? Mr. Speaker, two daycares are the same. We have to make sure this doesn't hit a crisis. Thank you.

**HON. JACKSON LAFFERTY:** I have already answered. We are working with the YK Day Care Association to find an alternative solution. Mahsi.

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

QUESTION 938-17(5):  
TERRITORIAL MIDWIFERY PROGRAM

**MR. BROMLEY:** Thank you, Mr. Speaker. My questions are for the Minister of Health and Social Services following up on my Member's statement. We have been waiting for several years for the long-promised territory-wide midwife program. People are

starting to question whether this government is really serious about implementing one. We get assurances, but so far little action. We do not have any idea what this territorial program is currently looking like. I want to ask the Minister, to start with, what is the status of the program and where are we in the process to implement it? Mahsi.

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

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. For the 2015-16 fiscal year, \$1.97 million in core funding was allocated for midwifery services in the Northwest Territories. Of that \$1.97 million, it funds two midwifery positions in Fort Smith – both of which are now full – and the program costs. It also funds two midwifery positions in Hay River and also the program costs. Those positions are also full.

It also funds an NP position which is providing midwifery-type services for pre-birth throughout the region through community health nurses who is part of the MORE OB program up in the Beaufort-Delta. It was a desire of the region and of the people to move in that particular direction, recognizing the award winning MORE OB program in the Beaufort-Delta. That left some money available to move forward with the territorial Midwifery Program of the \$1.97 million. This fiscal year, we got permission from committee to use \$453,000 of that to move forward with the development of a human tissue and organ donation registry with the Government of Alberta. We are continuing to move on that.

The rest of the money for this fiscal year, 2015-16, was intended to be used to hire some midwifery consultants in the department to actually begin a design. Unfortunately, Mr. Speaker, it took longer than had been hoped to find the midwifery staff who can actually do that work. But I am happy to say we have now filled both of those consultant positions. Now that we have those positions filled, meetings with the NWT Advisory Committee on Midwifery are going to be resuming this month and the design is going to continue to move forward with a territorial program that will be based here in Yellowknife. Thank you, Mr. Speaker.

**MR. BROMLEY:** Thanks to the Minister for providing that clarification. The original midwifery report, NWT report, identified Inuvik as one of the four locations of interest, but Health has now decided to support doctors with obstetric skills instead, plus the one position. I am hearing concern about lack of consultation leading up to this decision in the Beaufort-Delta. It seems prudent to ask the public for their opinion before opting for a very different model that does not include midwives.

I ask the Minister who was consulted in the Beau-Del and what public engagement was conducted before the decision to scrap the midwife program in that region. Mahsi.

**HON. GLEN ABERNETHY:** When that number or that decision to put a midwifery program in the Beaufort-Delta was originally decided or originally included in the report, a number of realities were quite different. We actually didn't have stable physicians in the Beaufort-Delta providing birthing services. They had not implemented the MORE OB program in that particular region and the birth numbers were quite high.

Since that time and prior to this decision, birthing rates in the Beaufort-Delta had stabilized. We had full-time, stable physicians in the community who had actually gone out and put in the MORE OB program in the Beaufort-Delta. It's actually a recognized and award winning program in the Beaufort-Delta.

Based on discussions with the physicians, practitioners in the community and some other stakeholders who had a vested interest, it was determined, given the low number of births and the desire of the physicians to still be involved in birthing that it would be more appropriate to focus on the front end part of the Midwifery Program, which is the education and working with the community health nurses. As a result, the Beaufort-Delta decided to take a slightly different direction, where they brought in a nurse practitioner to work as part of the MORE OB team to provide some of the pre-birth work that a midwife would actually do. Thank you.

**MR. BROMLEY:** Thanks to the Minister. Yellowknife had a midwife before we embarked on a territory-wide program. Now we don't, but we now have two coordinator positions apparently with a goal of developing a territorial Midwifery Program based in Yellowknife and expanding into areas such as the Deh Cho and Behchoko.

I'm wondering: how does this affect the future of having practicing midwives in Yellowknife for Yellowknife, Ndilo, Detah and this region given the need for program delivery staff who support the territorial model. Mahsi.

**HON. GLEN ABERNETHY:** The Member has been around long enough to remember that the midwifery position that was at the Yellowknife Health and Social Services was a completely unfunded position. There were no dollars allocated to that midwifery position. The Member should also remember that the authority chose to put in a Midwifery Program with one NP, which is basically a recipe for failure. There's no way that one incumbent can actually provide midwifery services given that it's a 24/7 operation. As a result, the incumbent did choose to leave.

Moving forward, we have the money that will not be utilized in the Beaufort-Delta for their program. They are still requiring some funds, of course, but we anticipate creating a territorial Midwifery Program based out of Yellowknife and the expectation is although they're providing consultation, advice and support to regions that don't have midwives, they will

also be able to facilitate some midwife-supported births here in Yellowknife. Thank you.

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

**MR. BROMLEY:** Thank you, Mr. Speaker. Thanks to the Minister. So, when will consultations start here? When will we see midwifery here and what the heck is the NWT Advisory Committee on Midwifery? Thank you.

**HON. GLEN ABERNETHY:** Midwifery services, as I indicated in the business planning process and the budget planning process, there will be planning that will take place during the '15-16 fiscal year and into the '16-17 fiscal year. We're hoping by the end of the '16-17 fiscal year we should be in a position to have a real solid plan of how many midwives we need and begin the staffing process. Thank you.

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

QUESTION 939-17(5):

REVIEW OF

JUNIOR KINDERGARTEN PROGRAM

**MS. BISARO:** Thank you, Mr. Speaker. My questions today are addressed to the Minister of Education, Culture and Employment. I'd like to follow up on my statement. In my statement I referenced a review of the Junior Kindergarten Program that was to have been completed in July of this year. There's been no indication that that report is anywhere near completion.

I would first of all like to ask the Minister if he could provide an update to me and to the House with an update on the review of the Junior Kindergarten Program and when we might expect to see it. Thank you.

**MR. SPEAKER:** Thank you, Ms. Bisaro. The Minister of Education, Mr. Lafferty.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. It was agreed upon in this House in October 2014 where GNWT Members agreed to put the JK rollout on hold until such a review was undertaken, which is before us now, and that it will be brought back to the 18<sup>th</sup> Assembly. So that's what we're doing. We're at the final stages of the review and it will be brought forward to the 18<sup>th</sup> Assembly government. Mahsi.

**MS. BISARO:** In October of '14, we were advised that the report would be completed in July of 2015, which gave the current 17<sup>th</sup> Assembly Members, particularly the Standing Committee on Social Programs, an opportunity to review that report.

I'd like to ask the Minister, when was it decided that this would be punted to the 18<sup>th</sup> Assembly? This is news to me. I had fully expected to see this report before the end of this Assembly. Thank you.

**HON. JACKSON LAFFERTY:** Mahsi. The decision that was made in October 2014 by this government and also Assembly Members that we were going to put on hold the JK programming rollout until such a comprehensive review was undertaken, which, again, is happening now. At that time the decision was made that the comprehensive review will be undertaken by the 18<sup>th</sup> Assembly government, which we are doing. We are at the final stages. Mahsi.

**MS. BISARO:** I'm laughing because it's ridiculous that a report generated by the 17<sup>th</sup> Assembly has been delayed almost by three months now, such that anything that's in that report is now being sent off to the next Assembly. In my mind it's ludicrous. That's why I'm laughing. I'm not quite sure where to go from here.

To the Minister: If this is being sent off to the 18<sup>th</sup> Assembly, what does he expect in terms of an impact on the Junior Kindergarten Program? Not the details, but when does he think there's going to be any kind of an impact on the Junior Kindergarten Program? Obviously, not for the school year '15-16, but is he expecting impacts in the school year '16-17? Thank you.

**HON. JACKSON LAFFERTY:** Mahsi. The Member is asking for my opinion. That will be up to the 18<sup>th</sup> Assembly government. Mahsi.

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

**MS. BISARO:** Thank you, Mr. Speaker. I guess I can't go there. When this report comes out, I'd like to ask the Minister, if it's going to go to the 18<sup>th</sup> Assembly, will it be made public? Will it be available to the teachers' union, the NWTTA? Will it be available to Members of this House, or is it simply going to be a report that is going to sit in the department? Thank you.

**HON. JACKSON LAFFERTY:** The final report, we're at the final stages of a comprehensive report that Members of this House, this government agreed to. We are preparing that for the 18<sup>th</sup> Assembly government.

I can't speak for the 18<sup>th</sup> Assembly government. We are the 17<sup>th</sup> Assembly government. We're doing our due diligence. We're providing the document as a recommendation to the 18<sup>th</sup> Assembly government for them to decide. So if they decide it is going to be public information, by all means the 18<sup>th</sup> Assembly government will decide. Mahsi.

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

QUESTION 940-17(5):

CHRONIC DISEASE MANAGEMENT -  
DIABETES

**MR. MOSES:** Thank you, Mr. Speaker. I have questions following up to my Member's statement

earlier dealing with chronic disease management specifically around the diabetes. I had mentioned there is an expected 200 new diagnosis every year of diabetes in the Northwest Territories. So, under our watch for the 17<sup>th</sup> Legislative Assembly, we had about 800 residents, NWT residents who were diagnosed with diabetes that could have been prevented under our watch of this government. Moving forward, when the 18<sup>th</sup> Assembly gets up and running, you've got to give them the tools, the knowledge and everything in order that we don't have 800 more residents or 200, even, in the first year being diagnosed with diabetes.

I'd like to ask the Minister, what's his strategy in terms of diabetes prevention, management and screening going into the 18<sup>th</sup> Assembly? What are we currently doing right now? Thank you.

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

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. Before I get into some of the things that we're doing, I just want to make sure that we understand that the expected 200 per year increase is still just a preliminary number. We're actually working on a prevalence study right now that's going to help us have better numbers and feel more confident in the numbers. It could be higher, it could be lower, but I just wanted to be clear that that's still just a preliminary number.

We are doing a number of different things. With respect to prevention, we're focusing on education in two streams. We're trying to get information out there. We've actually, through the BETTER project, developed a number of videos that we have sent out throughout the Northwest Territories, talking about food, exercise and other issues to encourage people to understand and become aware of healthy eating and healthy living to help prevent diabetes. We have, also, with respect to effective screening, put in the new Diabetes Screening Tool Diagnosis Clinical Practice Guidelines and those have been spread out throughout the Northwest Territories to our practitioners, and our practitioners are using those now. We're getting really positive feedback from the practitioners and the people who have been assessed. That's one of the ways that we're helping to do effective screening.

With respect to management, some of it is still one on one because every case is unique and every case is different, but we are working closely with patients to manage them through their process and ensure that they are getting the treatment that they deserve. Thank you.

**MR. MOSES:** As I recall, we used to have a really effective Diabetes Program here within the department. It did a lot of work, a lot of outreach work, mobile work in prevention, education, did the screening, actually. From what I understand, the program isn't up and running to the full potential that it once was.

I'd like to ask the Minister, what are his plans for this Diabetes Education Program that we used to have at the Department of Health and Social Services that did a lot of good work throughout the Northwest Territories and whether the full support is going to go back into that program. Thank you, Mr. Speaker.

**HON. GLEN ABERNETHY:** As I indicated, through BETTER project we've developed these motivational videos. We've been working with Education, Culture and Employment that has a project called Screen Smart, which is introduced in NWT schools to help children who may be obese to pursue healthy living so they don't develop type 2 diabetes later in life. I'm not 100 percent sure; I can't remember the exact program the Member is referring to with respect to diabetes education, but we are, through our public health unit, getting information out there on diabetes to make sure people are as informed as possible. If the Member wants to tell me what specific program he's referencing, I'd be happy to look into that. Thank you, Mr. Speaker.

**MR. MOSES:** I think it was more of a special diabetes clinic that did a lot of work. I understand the Minister talking about the videos and Screen Smart. As I mentioned, the CDA, Canadian Diabetes Association, recognizes that for diabetes care, it's patient-centred and delivered by a multi-disciplinary team.

What specific training do they have in diabetes? Not videos or the Screen Smart assessment. You need that one on one. You need that interaction between somebody who's trained.

What is the Minister's plan to create a multi-disciplinary team that's going to go to the communities to get this information out to the residents? Thank you, Mr. Speaker.

**HON. GLEN ABERNETHY:** The multi-disciplinary team is more focused on the effective screening and management. The promotion and education can be done through schools, can be done through many different providers out there. We are working with many different groups to get the information out there.

With respect to effective screening and management, we do have the Type 2 Diabetes Screening and Diagnostic Clinical Practice Guidelines. These were developed in conjunction with the CANRISK questionnaire. These were all introduced in the fall of 2014. It is expected that they would be applied at every NWT adult recommended age range, so individuals who may be at risk for diabetes who present to health centres throughout the Northwest Territories, whether it's in a small community or whether it's in one of our larger clinics in Yellowknife, our staff are trained. They can go through the questionnaires and they can work with other practitioners who can help manage diabetes, whether it's dieticians or other services that may be available in different locations within the Northwest Territories. Thank you, Mr. Speaker.

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

**MR. MOSES:** Thank you, Mr. Speaker. As I mentioned earlier, there are complications that arise from diabetes. I mentioned earlier proposing a tax on sugary drinks to offset the costs of more hospital visits, more dental appointments, more medication. To put that into perspective, I would like to ask the Minister if he knows what it costs for an individual in the Northwest Territories to deal with people who have diabetes in the Northwest Territories should they have to go through appointments for blindness, heart disease, kidney failure, lower limb amputations.

What are the overall costs to this government for people living with diabetes? Thank you, Mr. Speaker.

**HON. GLEN ABERNETHY:** That question is kind of impossible to answer standing up here today. Every individual is different and every situation is different. Not all individuals end up having an amputation; not all individuals end up blind. We want to manage diabetes with the patients to avoid having to go down that particular road.

We also know that diabetes is often complicated with other conditions, so how do you determine whether it's strictly diabetes or another condition that has actually resulted in the particular amputation or blindness? It would be very difficult for us to actually quantify what is actually diabetes related and what might be related to other causes or other conditions.

I do know there are 2,900 individuals in the Northwest Territories with diabetes and that number is growing. It takes physicians' time; it takes dieticians' time and community health rep time to deal with all these issues, so the costs can be quite high. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Mrs. Groenewegen.

QUESTION 941-17(5):  
DEH CHO BRIDGE  
REFEREE CLAIM REVIEW

**MRS. GROENEWEGEN:** I'm going to join my colleagues on this side of the House today and also weigh in on this issue of the Deh Cho Bridge. I haven't talked about the Deh Cho Bridge for a long time, and I'm going to direct my questions to the Premier, if I may, today.

We're aware of the situation with the Deh Cho Bridge. It was fraught with challenges and setbacks and change in contractor and all kinds of things. Everybody was out there on the job doing their best to ensure the delivery of this bridge project as close to on schedule and on budget as possible. It is not a perfect science. Construction is not a perfect science, so when it became apparent that some of the scour rock had to be hauled from a further distance. There is such a thing as agreements between contractors and subcontractors. They aren't always signed out

there on the workplace, but the work gets done and it's done in good faith. That's what I want to say.

Now we have a situation here where we have a couple pots of money. We have money for deficiencies, we have money for holdbacks, and we have a northern contractor that was really owed about \$1.3 million and that amount has now been written down to \$373,000. You can see, the Cabinet can see, the Premier can see from the support on this side of the House that Rowe's Construction is a territorial company, a long-standing territorial company that has come to the aid of the GNWT on many projects, because projects run into problems. It's not a perfect science. Rowe's has been, I think, a very good corporate citizen in the contracting that they have done for this government.

Now we have the situation before us today where we're talking about \$373,000. I'd like to ask the Premier: Is there money in any of the pots of money either from holdbacks or deficiencies that could allow us to pay this northern contractor? Everyone else has been paid. The Minister of Transportation has said we had to pay Ruskin, they built us a bridge. They didn't build a bridge without the subcontractors there to help them and support them to get the job done.

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

**HON. BOB MCLEOD:** Thank you, Mr. Speaker. This is a bit of a drawn out story, but as everybody knows, Rowe's was working as a subcontractor to ATCON, who was the contractor to the Deh Cho Bridge Corporation, and when ATCON went into bankruptcy, Rowe's submitted five claims to the receiver and also to the Department of Transportation. The receiver who was looking after ATCON's bankruptcy action did not evaluate Rowe's Construction claims as there was no evidence of a formal contract between ATCON and Rowe's. The legal review by DOT and our legal division concluded that the Government of the Northwest Territories was not liable for any of the claims that were submitted. However, Rowe's Construction is pursuing a political solution, so our government reached an agreement with the principals of Rowe's Construction to hire a referee to independently review the claims and make a recommendation, so I think all our stories are coinciding.

The first report prepared by the referee noted that the GNWT probably has no legal liability to pay the Rowe's claim, but if there is surplus funding available after all deficiency work is paid for, there could be a possibility of paying. Also, they noted that there were deficiencies in work that was done by Rowe's, and if there was any work that had to be done to fix deficiencies, those should be offset against those claims.

There was a second report filed by the referee, who concluded that two out of the five had merit, so that both claims came up to about \$722,000. The

deficiency fund, backed up by the Government of New Brunswick, was to fix deficiencies, and any, the referee concluded again in the second report, that there should be a set off for any deficient work, and a condition that if there is going to be any payment to Rowe's that there be unspent funds in the ATCON deficiency fund. They also recognized that there is at least one other company that is in the same situation. There is approximately \$700,000 to \$800,000 left in the deficiency fund. I am not aware of any other holdbacks for the bridge.

**MRS. GROENEWEGEN:** The Premier and the Minister previously have spoken about legal liabilities. Again, this project is not without its challenges and difficulties, but the government and Rowe's agreed to a referee arbitrator. In the arbitrator's report it says I believe Rowe's is entitled to a part of all of the money still owing to them up to the amount of the funds available under the credit agreement. I mean, these are nonbinding decisions of the arbitrator but the government and Rowe's came together to go choose somebody to look at this whole situation and now here we are today and we're just talking about the absolute legal liability.

I say this government has a moral liability, in the interest of good business and good business practices, to support a northern contractor who in good faith performed work for which they have not been paid. As I said, that amount has been written down substantially to take into account any of those questionable things that the Premier has made reference to. I think, like I said, you're hearing pretty clearly from a number of Members on this side of the House that we are interested in seeing Rowe's paid this \$373,000. I'd like to ask the Premier, how can we get that done?

**HON. BOB MCLEOD:** I should point out that a fair and reasonable resolution process is still underway involving the Department of Transportation and Rowe's Construction. We still don't have any evidence of any formal contracts. We also know that there are deficiencies in some of the work that was done that we have to reach agreement on, so there is still ongoing work to be done. I expect that it will continue into the 18<sup>th</sup> Assembly in order to look for a resolution.

**MRS. GROENEWEGEN:** I would like to ask the Premier if it is within his purview to instruct someone within the Department of Transportation to meet expeditiously with the Rowe's to see this matter brought to a conclusion.

I am led to believe that there may be people in the Department of Transportation who are not as willing as perhaps their political masters or their political bosses would be to see this matter resolved, and I would like to see it resolved. If it takes political intervention, I'm asking for political intervention. Does the Premier have it within his ability to ask someone in the Department of Transportation, in the next short

while, to meet with the Rowe's, representatives of Rowe's to find a solution to this situation?

**HON. BOB MCLEOD:** Between myself and the Minister of Transportation, I'm sure that we can find a way to meet with the principals. The problem is going to be finding a legal way if there is going to have to be some financial restitution because of the fact that we're in an election process. That's why I'm saying it would have to be looked at as part of the 18<sup>th</sup> Assembly. But we are quite prepared to meet with Rowe's Construction. We have said that, and as I said, there is still an ongoing process.

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

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. I'm glad to hear that the matter is not concluded and that the Premier has expressed a willingness today to meet with the principals of Rowe's Construction to see this matter brought to a satisfactory conclusion, understanding the challenges of the election period and so on. But I understand that Ministers will stay in their capacity and in their roles until after new Ministers or a new Cabinet has been elected and appointed, so I would still ask the Premier if this could be done still yet prior to that during the 17<sup>th</sup> Assembly?

**HON. BOB MCLEOD:** After all, we are a responsible, transparent government, so we would be very pleased to do that.

**MR. SPEAKER:** Thank you, Mr. McLeod. Time for oral questions has expired. Item 9, written questions. Item 10, returns to written questions. Item 11, replies to opening address. Item 12, petitions. Item 13, reports of committees on the review of bills. Item 14, tabling of documents. Mr. Abernethy.

### Tabling of Documents

TABLED DOCUMENT 337-17(5):  
CHARTING OUR COURSE:  
NWT CANCER STRATEGY 2015-2025

TABLED DOCUMENT 338-17(5):  
MEASURING SUCCESS AND FOCUSING  
ON RESULTS: NWT HEALTH  
AND SOCIAL SERVICES SYSTEM  
2014-2015 ANNUAL REPORT

**HON. GLEN ABERNETHY:** Mr. Speaker, I wish to table the following two documents, entitled "Charting Our Course: NWT Cancer Strategy 2015-2025," and "Measuring Success and Focusing on Results: NWT Health and Social Services System 2014-2015 Annual Report." Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Mr. Ramsay.

TABLED DOCUMENT 339-17(5):  
2014-2015 GRANTS AND CONTRIBUTIONS  
RESULTS REPORT, OCTOBER 2015

TABLED DOCUMENT 340-17(5):  
NORTHWEST TERRITORIES  
COMMUNITY FUTURES PROGRAM  
2013-2014 ANNUAL REPORT

**HON. DAVID RAMSAY:** Thank you, Mr. Speaker. I wish to table the following two documents, entitled "2014-2015 Grants and Contributions Results Report, October 2015," and "NWT Community Futures Program 2013-2014 Annual Report." Thank you.

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

TABLED DOCUMENT 341-17(5):  
STRONG CULTURES, STRONG TERRITORY:  
GOVERNMENT OF THE NORTHWEST  
TERRITORIES CULTURE AND HERITAGE  
STRATEGIC FRAMEWORK 2015-2025

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. I wish to table the following document, entitled "Strong Cultures, Strong Territory: GNWT Culture and Heritage Strategic Framework 2015-2025." Mahsi, Mr. Speaker.

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

TABLED DOCUMENT 342-17(5):  
EDUCATION, CULTURE AND EMPLOYMENT  
ADVERTISEMENTS

**MR. HAWKINS:** Thank you, Mr. Speaker. In my Member's statement I pointed out that I had a couple documents that I would table, pictures of the Minister smiling with kids. The first document is Northern Journal, dated Tuesday, August 26, 2014, and the second item is from the NWT Literacy Week 2015, September 21-28, and the Minister again is smiling with kids. Thank you.

TABLED DOCUMENT 343-17(5):  
ANNUAL REPORT OF THE EQUAL PAY  
COMMISSIONER FOR THE NORTHWEST  
TERRITORIES FOR THE PERIOD  
JULY 1, 2014, TO JUNE 30, 2015

**MR. SPEAKER:** Thank you, Mr. Hawkins. Colleagues, pursuant to Section 40.23 (2) of the Public Service Act, I wish to table the Annual Report of the Equal Pay Commissioner for the Northwest Territories for the period of July 1, 2014, to June 30, 2015.

Item 15, notices of Motion, Mr. Bouchard.

## Notices of Motion

MOTION 51-17(5):  
APPOINTMENT OF CHAIR TO THE  
NORTHWEST TERRITORIES  
HONOURS ADVISORY COUNCIL

**MR. BOUCHARD:** I give notice that on Thursday, October 8, 2015, I will move the following motion: now therefore I move, seconded by the honourable Member for Mackenzie Delta, that Mr. Paul Delorey of Hay River be appointed as chair of the Northwest Territories Honours Advisory Council.

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

MOTION 52-17(5):  
APPOINTMENT OF  
LANGUAGES COMMISSIONER

**MR. BLAKE:** Mr. Speaker, I give notice that on Thursday, October 8, 2015, I will move the following motion: now therefore I move, seconded by the honourable Member for Hay River North, that pursuant to Section 15 of the Official Languages Act of the Northwest Territories, that Ms. Shannon Gullberg of Yellowknife be appointed as Languages Commissioner for a term of four years;

And further, that the appointment be effective immediately.

Thank you, Mr. Speaker.

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

MOTION 53-17(5):  
LANGUAGE TRAINING FOR  
SENIOR GNWT MANAGERS

**MR. YAKELEYA:** Mr. Speaker, I give notice that on Thursday, October 8, 2015, I will move the following motion: now therefore I move, seconded by the honourable Member for Range Lake, that the Legislative Assembly strongly recommends that the GNWT consider development and coordination of government-wide programs to teach official languages of Northwest Territories to senior managers of the GNWT departments as appropriate to the regions which they are responsible;

And further, that the government provide a comprehensive response to this motion to the 18<sup>th</sup> Legislative Assembly by June 2016.

Thank you, Mr. Speaker.

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

MOTION 54-17(5):  
CLIMATE CHANGE PLANNING

**MR. BROMLEY:** Thank you, Mr. Speaker. I give notice that on Thursday, October 8, 2015, I will move the following motion: now therefore I move, seconded by the honourable Member for Frame Lake, that the Legislative Assembly strongly recommends that the

Government of the Northwest Territories develop a comprehensive and long-term climate change mitigation and adaptation plan in anticipation of the projected effects of climate change;

And further, that this action plan include a strategy for shifting the Northwest Territories from fossil fuels to renewable energy sources, including targets recommended by the Intergovernmental Panel on Climate Change to reduce greenhouse gas emissions by 25 percent to 40 percent from by 2020, and by 80 percent by 2050, each from 1990 levels;

And furthermore, that the government provide a comprehensive response to this motion to the 18<sup>th</sup> Legislative Assembly by June 2016. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Bromley. Item 16, notices of motion for first reading of bills. Item 17, motions. Mr. Yakeleya.

### Motions

MOTION 49-17(5):  
DISSOLUTION OF THE  
17<sup>TH</sup> LEGISLATIVE ASSEMBLY,  
CARRIED

**MR. YAKELEYA:** WHEREAS under Section 11(1) of the Northwest Territories Act (Canada), the Commissioner may dissolve the Legislative Assembly;

AND WHEREAS under Section 11(2) of the Northwest Territories Act (Canada), writs for the election of Members of the Legislative Assembly are to be issued on the Commissioner's instructions;

AND WHEREAS under Section 3 of the 2015 Polling Day Act, the Legislative Assembly may, subject to the power of the Commissioner to dissolve it under subsection 11(1) of the Northwest Territories Act (Canada), continue until October 26, 2015;

NOW THEREFORE I MOVE, seconded by the honourable Member for Thebacha, that this Legislative Assembly request the Commissioner of the Northwest Territories to dissolve the 17<sup>th</sup> Assembly of the Northwest Territories on October 25, 2015, to permit polling day for a general election to be held on November 23, 2015;

AND FURTHER, that the Speaker transmit this resolution to the Commissioner.

Thank you.

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

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called.

---Carried

**MR. SPEAKER:** Item 18, first reading of bills. Mr. Miltenberger.

### First Reading of Bills

BILL 71:  
SUPPLEMENTARY APPROPRIATION ACT  
(INFRASTRUCTURE EXPENDITURES),  
NO. 3, 2015-2016

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Monfwi, that Bill 71, Supplementary Appropriation Act (Infrastructure Expenditures), No. 3, 2015-2016, be read for the first time. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. To the principle of the bill.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. Motion is carried.

---Carried

Bill 71 has had first reading. Item 19, second reading of bills, Mr. Miltenberger.

### Second Reading of Bills

BILL 71:  
SUPPLEMENTARY APPROPRIATION ACT  
(INFRASTRUCTURE EXPENDITURES),  
NO. 3, 2015-2016

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Monfwi, that Bill 71, Supplementary Appropriation Act (Infrastructure Expenditures), No. 3, 2015-2016, be read for the second time.

This bill makes supplementary appropriations for infrastructure expenditures for the Government of the Northwest Territories for the 2015-2016 fiscal year. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. To the principle of the bill.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. Motion is carried.

---Carried

Bill 71 has had second reading. Thank you. Item 20, consideration in Committee of the Whole of bills and other matters: Bill 45, An Act to Amend the Workers' Compensation Act; Bill 49, An Act to Amend the Deh Cho Bridge Act; Bill 54, An Act to Amend the Forest Management Act; Bill 56, Miscellaneous Statute Law Amendment Act, 2015; Bill 59, Estate Administration Law Amendment Act; Bill 60, An Act to Amend the Motor Vehicles Act, No. 2; Bill 61, An Act to Amend the Public Airports Act; Bill 62, An Act to Amend the Coroners Act; Bill 63, An Act to Amend the Victims of Crime Act; Bill 64, An Act to Amend the Co-operative Associations Act; Bill 65, An Act to Amend the Safety Act; Bill 68, An Act to Amend the Child and Family

Services Act, No. 2; Bill 69, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2; Minister's Statement 221-17(5), Sessional Statement; and Tabled Document 324-17(5), Supplementary Estimates (Operations Expenditures), No. 2, 2015-2016; and I will put you in extended hours today. Yes, I will.

---Laughter

I want you working until 10 o'clock tonight, with Mrs. Groenewegen in the chair.

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

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

**MS. BISARO:** Thank you, Madam Chair. We'd like to continue with Tabled Document 324-17(5) and then the bills as listed in the order on the Order Paper: 56, 59, 62, 63, 64, 69, 45, 49, 60, 61, 65, 68.

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

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. We'll commence with that after a brief break. Thank you.

---SHORT RECESS

**CHAIRPERSON (Mrs. Groenewegen):** I would like to call Committee of the Whole back to order. When we adjourned yesterday, we were dealing with Supplementary Estimates (Operations Expenditures), No. 2, 2015-2016. At this time, before we resume with page 6, I would like to ask Minister Miltenberger if he would like to bring witnesses into the Chamber.

**HON. MICHAEL MILTENBERGER:** Yes, I would, Madam Chair. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Miltenberger. Sergeant-at-Arms, please escort the witnesses to the table.

I would like to welcome back Deputy Minister Mike Aumond and Deputy Secretary to Cabinet Sandy Kalgutkar with the Minister here today. As I said, we left off on page 6. I will read it out. Finance, deputy minister's office, not previously authorized, \$22.129 million. Total department, not previously authorized, \$22.129 million. Yesterday I still had on my list Mr. Bouchard and I had Mr. Bromley. On the matter of the \$22 million, if Mr. Bouchard is ready. No? I will go to Mr. Bromley, thank you.

**MR. BROMLEY:** Thank you, Madam Chair. I want to follow up a little bit on Ms. Bisaro's comments. This is primarily motivated by low water which is causing the need for diesel power generation in lieu of not having any other green energy generation capability at this moment in time. I guess I'll start by saying this is shameful to me, given that the same thing happened

last year. I spoke very clearly on this, both in the media and in the House and to the Minister, and yet, exactly the same thing happened again this year.

I am happy that committee is now committed to beginning work on this, albeit belatedly and modestly. But, again, just to follow up with Ms. Bisaro's comments about the need to bring this into our fiscal planning and so on. Just with a couple of minutes of thinking, looking at the costs of climate change, and these are impacts that are consistent with climate change, extreme events that we have not seen before. Last year we had \$60 million for fire suppression costs, through the roof. We had the Inuvik Airport, Hay River Airport, we had Highway No. 3, the Dempster. We had power generating costs of \$20 million, or \$15 million actually. Five million dollars went into this fiscal year and now we're proposing another \$22 million for this fiscal year, so that would \$27 million.

Really, we're talking now about hundreds of millions of dollars, and I know it's affecting our fiscal planning. We can't have those sorts of unplanned for costs without that. It's exacerbated, of course, because of our low net fiscal benefit compared to our predictions during the devolution negotiations.

I'm wondering: has the Minister sat down to try and summarize and collect and do a financial accounting of impacts that are pretty directly related to climate change in the last few years.

**HON. MICHAEL MILTENBERGER:** We had those discussions with Finance. The costs are all there, separating out what we want to attribute directly to weather and climate change versus the more normal occurrence. We're looking at that. But clearly, as I said yesterday, there is a need for us to capture that more accurately so that it doesn't overpower or blur into other areas of normal government operations, and it is, as the Member has pointed out, getting to be a fairly high number.

**MR. BROMLEY:** I'm disappointed that we, as a government, are not on top of that equation, and we should have been for the last several years. We heard just a month or so ago about the storm surges and whatnot in Tuktoyaktuk that left some government buildings hanging over the water, oil tanks suspended or lost into the sea and so on. We're losing, in some areas, 10 metres of coastline per year there. I'd say the writing is on the wall for that community.

We're looking at \$22 million here on top of the \$32 million for the fire suppression this year. Have we estimated the cost? Are we planning on what to do or what it's going to take to move the community of Tuktoyaktuk? The writing is clearly on the wall there. I would think the Minister would recognize that.

**HON. MICHAEL MILTENBERGER:** That work is underway. Senior officials have been up to the community, along with the regional staff, to look at what's necessary. All the efforts to hold back the rising

waters and the storm surges have proven fruitless, the amount of money spent on gravel and big rocks and it just gets washed away.

The issue of relocation is one that is clearly the most viable option that is being looked at and that work is underway.

**MR. BROMLEY:** Just for perspective here, would the Minister agree we'd be talking probably in the tens of millions of dollars for that exercise?

**HON. MICHAEL MILTENBERGER:** It's early days, but absolutely we're going to be spending in the many millions of dollars as we get started, and if it's the whole community, all the low-lying areas, the relocation, the lock, stock, and barrel relocation of the community would be very expensive.

**MR. BROMLEY:** We're spending now \$50 million over the last 12 months and planning for the next eight or ten months so that people that could experience high power rates would be protected from those. The latest information shows that we're talking billions of dollars for public infrastructure and damages over the next 15 years. Then we have private, commercial and institutional infrastructure. Are we planning on bailing out all of those to protect our public from the costs of climate change in this manner?

**HON. MICHAEL MILTENBERGER:** We place a high priority on the cost of living. We will do the things we can, like what's before the House right now in terms of mitigating those high costs. If these extreme weather events continue to drive our costs then there are going to be some significant hard decisions that are going to have to be made on how we manage our way through that.

**MR. BROMLEY:** I agree with the Minister there. Would the Minister agree that comprehensive planning can help mitigate what the costs will be without planning?

**HON. MICHAEL MILTENBERGER:** As we have discussed over the years, we have to do both. The mitigation initiatives that we have to reduce our carbon footprint to get off fossil fuels will help do our part in terms of lessening the pressure on the climate change and warming temperatures, but we also know that those types of activities don't bear fruit for 30 to 40 years. We're also going to be spending more immediately and more greatly on the adaptation that's going to be required with things like erosion, permafrost, the money we've spent in our lifetime here just on replacing failed piles and all those other related costs. We have to do both.

**MR. BROMLEY:** We have to do both and to do it effectively, it takes planning. I think the Minister would agree with that. How, in what modest way, are we planning to use some of this \$22 million to do both?

**HON. MICHAEL MILTENBERGER:** As I laid out in my comments, after a good discussion with

committee, initiated by Member Bouchard, we are going to look at taking 10 percent of that money and putting it in towards efforts that are going to, hopefully, or help, diminish some of the demand through things like speeding up whatever streetlights need to get done to LEDs, and we're going to put some more money into Arctic Energy Alliance and work with them to beef up their rebate programs, their incentive programs for people to switch to more energy efficient equipment or solar and those types of things. But I'd ask the deputy minister if he could walk us through the details.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Miltenberger. Mr. Aumond.

**MR. AUMOND:** As the Minister stated, it would be about \$2.2 million provided to enhance alternative energy uptake. About \$400,000 of that right now is chartered for the Northwest Territories Power Corporation of which about \$300,000 is looking toward switching out streetlights to more efficient LED lights, particularly in Behchoko and Detah.

We're also looking at some solar in Fort Liard and in Wrigley and then about a \$1.8 million enhancement to Arctic Energy Alliance to help beef up some of those programs that are currently oversubscribed so that we can get more people to uptake those programs than presently have the ability to do that today.

We're also looking at some special projects such as community LED swap-outs where we'll provide energy-efficient lights in communities and looking at some partnerships with community governments and NWTAC around some solar projects and around also looking at what AEA can achieve, in partnership with Public Works and Services, around alternative energy such as solar. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Aumond. Anyone else? Mr. Yakeleya.

**MR. YAKELEYA:** Thank you, Madam Chair. The initiatives that Mr. Aumond has just spoken about, I'll get back to them, but I want to ask the Minister in regards to the low water. Are we expecting, in the upcoming years in the next government, that will continue? Is there any type of prediction as to the low water that we're dealing with in the Bluefish Hydro area that this government is going to be expected or asked to forecast a huge amount of dollars to offset the high cost of having that facility operate? The way I guess I understand it is that the whole Northwest Territories is paying for this expenditure. Is there any type of forecast that this is going to continue on, year after year we're going to be baling out the hydro energy use used by people in this area? Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Yakeleya, Minister Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Madam Chair. The hydrological prediction and looking into the future is not an exact science. It's tied to many variables that you don't know from year to year.

What we do know is that over the years the snowpack has diminished, the glaciers are melting, the rainfall patterns are changing and we're now into year four of a drought. Around the world what used to be reliable weather patterns have now disappeared, so we are anticipating this is the second year, which is why we're doing things like putting out the expression on solar and wind and we're working to invest to get off of fuel. Here, the prediction on the water, I am anticipating we're still going to be on low water next year unless we get what they say is going to be a warm winter with lots of snow. But at this point that's a prediction and we don't know if it's going to come to pass.

We have a Fuel Stabilization Fund that's set up to level out the impacts of these types of occurrences across the whole territory so that no one area has to pick up the tab if something goes wrong in their particular region. The Fuel Stabilization Fund doesn't have the resources, so the options are fairly simple: we either just keep raising rates or we, as a government, step in to try to make sure that we don't drive up those rates to make it unaffordable to live here. Thank you.

**MR. YAKELEYA:** The Minister's quite correct in terms of predictions of the future. Maybe down in this area here the water is low, but I know that up in our area the water is quite high. You know there's lots of water in the mountains for the fall hunt, lots of water the people say when they go up to the Keele River to do their fall hunt. There's lots of water up there. So we have to be very specific, not to generalize too much to scare off people here.

Now, the Minister has talked about a very interesting point on the future energy of the Northwest Territories. I sit in a region where there's lots of natural gas and we have a potential for some hydro initiatives. Our studies show that we're not in a good place for any type of wind energy, plus we could do some more work in the solar energy, but we've got a lot of fuels in the woods, in woodstoves and burning wood. I haven't seen any type of creative thought to having wood as a source of energy for people in our small communities, not even to look at the possibility of tapping into Norman Wells natural gas to fuel our communities or even to go forward with the Hay River run-of-the-mill hydro. We see lots of initiatives south of Wrigley in spending dollars but we don't look at the smaller communities, except we're looking at Colville Lake. Actually, the world's looking at Colville Lake at the solar panel and the diesel. Other than that, nothing in Good Hope except Good Hope has made some strong initiatives to bring woodstoves in and put them in the housing, or Tulita or Deline.

I think we're a little frightened to look at the natural gas in Norman Wells. There could be a business case with ITI to look at how we cap in with the natural gas in Norman Wells to link up to our communities. It's clean energy, it's cheap and it could bring down the

energy use and also there's an abundance of that. Oil under the ground, the National Energy Board has estimated over 200 billion barrels of oil. Let's not be afraid of these types of potential in our region.

I wanted to state to the Minister that we have these projects going around the communities but I have not seen much other than to have the solar panels. I've seen them. I drove up to Colville Lake and I saw them. They looked quite impressive. Test that out to see if it's working well and the cost of their energy is going to go down, but other than that I haven't heard anything from this government as to how they're going to work with the community of Deline on their run-of-the-mill hydro plant. Nothing concrete, it's sitting there and there are no dollars going towards that initiative to get it going. Look at the possibilities of a hydro transmission line from Deline to small communities. You can have pretty well one cent a kilowatt if you have that operation going over a long period of time.

So, Madam Chair, our region is sitting on billions and billions of barrels of oil. We've got to do something with that, even having a case built with this government to see if we can tap into the natural gas. Things like that. One of the ones that I think could fly, and I've heard it before, was to use wood as a source of energy in our communities with woodstoves, and that can benefit a lot of people, benefit our communities. So we've got to do something in that area. So, I wanted to remind the Minister, when you look at the additional dollars, to look at the communities that can benefit quite a lot and let's use what we have.

**HON. MICHAEL MILTENBERGER:** The Member raises good points. What was once old is new again. I mean, I've been a homeowner for just about 40 years and I've had a woodstove from the very first time I set up housekeeping with my expectant wife. Now, it's been rediscovered and it's like a technology or a skill that people have lost and have to relearn. Yes, we do sit in the heart of the Boreal Forest.

We're also, in Norman Wells, for example, building up something of a biomass industry where they're bringing in pellets. Businesses and homes are converting. The Power Corporation is still on natural gas. Everybody else has been given their notice and we're making the switch. The thing about natural gas is it's demonstrated to be somewhat cheaper than diesel, about 20 to 25 percent cheaper. When the price of oil was a bit higher, the difference with biomass was about 30 to 40 percent. Plus it's a renewable resource. A lot of it is locally harvested and just about all of it will be once the pellet mill gets put in place.

In terms of the power, we're looking at about \$30 million for one megawatt. Lutselk'e, when the studies were done, and we invested hundreds of thousands of dollars with Deline to prove that out, and if they want to go bigger and put in a transmission line for

two other communities and it's more than one megawatt, then that price of that hydro dam would increase accordingly and it would be a bigger impact.

There are, in my mind, with today's technology some better investments. For example, I've mentioned Lutselk'e where we have a power purchase agreement with the Lutselk'e community and Bulldog Power for a power purchase agreement, and they've put up, I think, 35 kilowatts of power and it's feeding into the grid.

There are some that would say it's just for show, it doesn't really work. But what the solar people have shown us is that you get seven months of good solar here and if you can cut all your other energy requirements for seven months and then only get a marginal solar output and have to use other types of backup, you're better off than just say, ah, it's not worth it and just keep burning diesel. As we know here in Yellowknife, burning diesel is not an option.

We have intentions in the coming years to go across the territory. For example, all the thermal communities, especially the small ones, have all been changed out with LED streetlights to cut the demands. The money that we're putting in that Deputy Minister Aumond talked about is going to be available there to all the communities. We are, in the 18<sup>th</sup> Assembly, those of us who come back, are going to have to look at some significant investments in Yellowknife, up in Inuvik, where you could put in nine megawatts of power that would cut the diesel consumption in the Northwest Territories for generation in half, which would be a cost savings as well as huge impact on our carbon footprint.

We have lots of work to do. We've come a long way in the last four or five years, but clearly, there are a lot of things to do in terms of the energy sources that we use and the affordability.

**MR. YAKELEYA:** I'm certainly looking and being very optimistic as to the solar project in Colville Lake. People up there are looking forward to seeing the benefits. It could certainly reduce the cost of their consumption. There is a lot of money spent on energy, especially with their small co-op store that has a huge power bill every month. We're certainly looking forward to that project and hopefully that will be duplicated in the other communities.

That's the goal. Really, it's the goal for the homeowner either living in public housing or their own private housing is to get a cheap power bill. A lot of complaints from my communities is the amount of money that we spend on good, reliable energy. We want that. When we flick our light, we want to make sure it goes on and stays on. That's what we pay, the cost, and that's where I'm wanting to use some of my comments here is to look at ways that we could have ultimately clean energy.

Hydro is one of the cheapest and cleanest energy other than natural gas or things like that. But we have

a lot of natural gas in our area. The Norman Wells oilfield burns off a lot of natural gas every day. That flare stack is going off a lot, steady and constant since the '30s. I guess that's my point, is that can we tap into the natural gas and to look at those other customers. If not, have we looked enough with the hydro in Deline? Have we explored it aggressively and persistently to see if this is a possibility with the money that we have?

Certainly, the Minister is correct. You and I and other Members had this discussion on the old becoming new. Going out there and harvesting wood for ourselves and making sure that people in the communities through no matter what can have a wood burning option, a wood stove, a good wood stove, and cut wood, that would certainly cut down a lot of other issues. Do we have that type of incentive so if people want to get out and say yes, I'll cut a cord of wood? There's an incentive to go out there to get the wood and to burn it and decrease their use of diesel fuel, because the fuel that we get is coming from outside the Territories, sometimes even outside of Canada, while at the same time we're sitting on huge reservoirs of oil and gas and we're not doing too much about it. That's crazy thinking, I think. Why not use our own resources? Let's look at that. Let's not be scared of it and fear, fear itself. Let's see what we can do for ourselves.

That's where I want to end, with these energy types of discussions. Let's start looking at our own resources and not be dependent on foreign oil or foreign gas here.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Yakeleya. Your 10 minutes was already up, but I looked at the clock and it said 4:43, and I thought you had four minutes and 43 seconds, so that was a bonus, okay? So I'll take that as a comment. Thank you. We'll move on. I'm going to call the page again and people can still put their hand up and speak to it. This is detail remember. This is not general comments anymore.

Finance, deputy minister's office, not previously authorized, \$22.129 million. Total department, not previously authorized, \$22.129 million. Mr. Bromley.

**MR. BROMLEY:** Thank you, Madam Chair. I just had one other set of questions here. I'm wondering when the Minister will be purchasing the \$20 million worth of diesel fuel for this purpose.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Bromley. Mr. Aumond.

**MR. AUMOND:** Thank you, Madam Chair. The fuel services division for the Department of Public Works and Services is the supplier for the Power Corp of the diesel and they are looking at all sorts of avenues, including perhaps even hedging the price to lock it in. But there is only so much storage capacity at the Jackfish facility. The fuel will go in as required, but they are looking at opportunities for the amount of fuel

that they'll need over the coming months and locking that into a price if they and the Power Corp determine that that's an acceptable price to pay for the duration of the time that they'll need it. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Aumond. Mr. Bromley.

**MR. BROMLEY:** Thanks to the deputy minister for that response. I know he's aware that some of the conventional authorities are forecasting \$20 a barrel of oil. Certainly the price is dropping and it's anticipated to continue to drop. I believe we budgeted about \$1 per litre and I'm wondering, if that's so, what are the potential savings on this purchase?

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Bromley. Minister Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Madam Chair. The most immediate one is the 10 percent we've talked about and taking advantage of what was budgeted and what we anticipate or know we are going to be paying here in the foreseeable future, leaving us enough room should there be any kind of subsequent increase. If we budget a dollar and we get it at 80 cents a litre, I'd have to ask Mr. Kalgutkar to do the math for me to give us an idea, or Mr. Aumond, to give us an idea, but this is how we've accommodated putting this money into conservation was on that gap.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Minister. Mr. Aumond.

**MR. AUMOND:** Thank you, Madam Chair. Currently pricing is coming in around 75 or 74 cents per litre as opposed to the dollar that was budgeted. We have \$2.2 million of that in savings, so that will equate to savings of about 6.4 if the price stays steady. As the Member said, the price could go down. There were reports today that the price of fuel is up today and as the price goes down, demand goes up. Again, we are trying to be prudent and cautious about that, but I don't think anybody has been all that accurate lately at predicting about where the price of fuel is going to go. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Aumond. Mr. Bromley.

**MR. BROMLEY:** Thank you, Madam Chair. The deputy minister mentioned 25 percent savings, 75 cents instead of a dollar. Just to help the Minister out with that complex math, with a dollar a litre and it's 80 percent, then that's 20 percent savings and we're putting 10 percent into these other initiatives. I guess I'd like to ask the Minister to commit, should these savings be realized, that he bumps up any savings in this amount committed and allocated to renewable energy and energy efficiency such as we're doing with the 10 percent we are very sure we're going to get, really make that commitment. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Bromley. Minister Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Madam Chair. The potential for possible savings, I know it's 20 percent. I just wasn't quite sure it would be of \$2.2 million. We are going to be putting out expressions of interest to do five and 10 megawatts of power here. To actually put the solar on the ground is probably \$35 million or so. So we are going to be committing to some very serious investments here in Yellowknife in the coming years as we are going to be up and down the valley as we move to make these critical investments managing our debt limit and those types of things. Yes, there is going to be continued commitment to invest major dollars. I would suggest far and above savings we might realize from this particular low water surcharge. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Miltenberger. Mr. Bromley.

**MR. BROMLEY:** Thank you, Madam Chair. I don't want to spend any more time on this, Madam Chair, but we've been interested before and an expression of interest is not a commitment. An expression of interest is curiosity. We need commitment. We have passed over and over again the opportunity to put in renewable energy to avoid these costs. We could do a much more significant effort here had we taken the sufficient funds last year to put in five megawatts that would have handled at least a third to a half of the monthly demands now forecasted in materials the Minister has provided us with from the Power Corporation and reduced the need for those dollars this year, so we cannot keep doing that. That's just a comment. I'm happy to leave it at that.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Bromley. Finance, deputy minister's office, not previously authorized, \$22.129 million. Total department, not previously authorized, \$22.129 million. Agreed?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. Moving on to page 7, Health and Social Services, administrative and support services, not previously authorized, \$302,000. Community health programs, not previously authorized, \$30,000; nursing inpatient services, not previously authorized, \$1.023 million. Total department of Health and Social Services, not previously authorized, \$1.355 million. Mr. Bouchard.

**MR. BOUCHARD:** Thank you, Madam Chair. I had a question about the nursing inpatient services operation for the Hay River Health Centre. Obviously, I'm pleased to see some of the dollars for this new facility, but I know the demand and the request for a substantial amount more. Can the Minister elaborate on why those positions weren't approved that we were asking for?

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Bouchard. Minister Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Madam Chair. There was a hard look taken at this, as there are a lot of our expenses as we look at our fiscal challenges, and it was determined that what is before the House is what the Hay River Hospital could make work with the resources that are available. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Miltenberger. Mr. Bouchard.

**MR. BOUCHARD:** Madam Chair, in the process here we've heard some stories of reports from the Hay River Health Centre or healthy authority that have a request for up to 33 positions. I think that was narrowed down to 21 and now has been approved for about 11.

I'm wondering if the Minister has any of the backup information on those positions and how we dwindled down from 33 to 11.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Bouchard. Minister Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Madam Chair. We were talking about a similar situation the other day with respect to Stanton and new facilities. When it comes to Hay River, when the building began construction the Hay River authority was tasked with figuring out how many positions would be required to properly run that facility. I think, as in most cases, there was the "I would love to have" list, the "absolutely need" list and the "I would like to have" list. The 32 was the dream list of adding programs, enhancing some services and doing some things slightly different. But given the mandate of the project, it wasn't about expanding programs or adding new programs, so we were able to bring the list down a little bit as a result.

Then they provided a secondary list that included 21 positions, and some of these positions are absolutely required, but some of them need more justification and we won't be able to justify that we actually need some of those positions until we actually get into the facility and run it for a while and can then clearly articulate the demand. Those positions were not supported through this process.

The positions that were identified, the 11 and a half additional positions plus and 3.15 relief, are essential to the operations of the new facility, given its size, the modification of how they're providing programs. So, the 11.5 full time and the 3.15 relief are mandatory. The rest would have been nice to have, and given time, we may be able to justify that we actually need them, but we need to get into the facility first.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Abernethy. Mr. Bouchard.

**MR. BOUCHARD:** Thank you, Madam Chair. I understand that explanation; I'm just wondering if there is any report or any kind of a briefing note that I can get from how we got from 32 to 21 down to 11, just so I know what the potential could have been,

what the likes that we would like to have are and then what we actually got as far as positions and stuff like that. I know that's been discussed between the department and the Hay River Health Authority and it's been kind of a confidential document. But now that it's been tabled today so now it's open for discussion and it's open for us to get that information, can I get that commitment? Thank you, Madam Chair.

**HON. GLEN ABERNETHY:** Madam Chair, the wish list of positions was informal; it was never really submitted. As far as the other positions, I can provide the Member with the list of positions that are approved and we could put together some general terms of the types of positions that we need to continue to justify. It might take us a bit of time to be able to justify that. I don't want to leave the impression that the positions that weren't approved will be approved, because every position needs to go through a formal process and we must determine that they're mandatory, that they're needed to operate that facility, and we probably won't be in a position to justify that until at least a year after the opening of the facility, to give us a chance to run it for a while and see what's needed. So I can share the list of the types of positions, but I just want to be clear that it doesn't guarantee that those positions are in fact necessary. It's a "nice to have" list.

**MR. BOUCHARD:** Yes, these are questions that came before our constituency meeting. Obviously, the department and health administrators typically meet and have those discussions without the interference of MLAs. Obviously, we're wanting to get that information so that we can answer to the public the questions of where we went and how we got from a certain number to a different number to even a lesser amount. So, any information like that that the Minister can provide will give us way more ammunition for discussion. Thank you.

**HON. GLEN ABERNETHY:** I'll just repeat the same thing. I mean, we have the list of positions that have been approved, including the full-time and the relief, and those were deemed to be essential for opening the new facility and running the new facility. There were a number of other positions and many of them are, like, point five of a position or point 25 of a position. It was very difficult to provide a sound justification without actually being able to get into the facility to open it.

I'm happy to share some of those numbers with the Members from Hay River, but I do want to be clear that that does not mean that we have been able to justify that those positions are in fact necessary. We likely won't be able to determine whether they're necessary or not until we've been in that facility for up to a year operating to see where some of the pressures truly are. So, I don't want to leave a false impression that those positions are real or are justified in any way, but I'm happy to share the list.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Abernethy. Health and Social Services. Mr. Yakeleya.

**MR. YAKELEYA:** Madam Chair, the question is to the Minister on this supp here. Couldn't this be requested in the operation of this money? Why does it have to come into a supp? Are other facilities in the same situation as the Hay River Hospital in terms of the positions that are required? I know we have a unit, a wellness centre coming up in Norman Wells. Could they be in the same position? Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Yakeleya. Minister Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Madam Chair. The reason we have to do this now is because the health centre is nearing full completion and we anticipate that we're going to be moving in during this fiscal year. In order to ensure that facility can operate properly when it opens, recognizing that it's designed differently, its set up differently, it's going to have a slightly different model of care. Not an expansion of programs but a slightly different model of care. There's going to be an emergency unit, an acute care unit and an ambulatory unit. It does require a slight different make-up of staff. So, we need to do that now and be ready for the opening of that facility.

The same will be true of Norman Wells, depending on what the completion date is and when the opening date is. We're in the process now of looking at what the requirement for positions for Norman Wells will be, and we know it will be a significant increase over what is there today because it will have a long-term care facility in that building, which does not currently exist. So we will be having to have some discussions, or rather, the future government will need to be having some discussions about the number of positions required to safely and effectively operate the Norman Wells Health Centre and long-term care facility.

**MR. YAKELEYA:** Thank you, Minister, for the explanation. This request, in the previous discussions, could not have been foreseen that we're going to be coming back to this Assembly to ask for a supp for the additional support that's going to be needed for the opening of the Hay River health facility. So, hypothetically, the Norman Wells Health Centre could be in the same situation in regards to a supp because the planners didn't sign this. If they would have, they would have put the money and it would have been done, already put in with the plan, the whole design here. But something happened that they said we need a few more dollars here to support the facility that's going to be operated. I'm just trying to look at precedents being set, or has been set already and that the facility in Norman Wells could possibly, theoretically, be in the same type of situation where future government may have to look at a possible supp in regards to supporting that type of facility at the time that it opens. Thank you.

**HON. GLEN ABERNETHY:** I would like to say that we won't have to come forward for a supp for Norman Wells because I'm hoping that the department and FMB and the Department of Finance are able to finalize what is actually required and included in the business planning process so we don't have to come forward for a supp. But, at the same time, I do recognize that some of this stuff is fluid and we are doing the planning but we don't know the exact opening date of the Norman Wells facility so there are still a couple of ifs in the air. But I would like to say that hopefully we won't have to come forward for a supp. Hopefully, we included it in the business planning process, but I am cautious because things may change as we're getting closer.

**MR. YAKELEYA:** Well, certainly I agree with the Minister that we surely hope that the Norman Wells facility would be staffed sufficiently when it opens. You know, we didn't think this back a year ago with the Hay River centre; we didn't know this. Now that we know that they're asking for an extra million dollars to provide the facility with the support that's going to be needed and with the planners that they had in FMBS that you weren't asking for this additional dollars, and the Minister is correct because things do change over time and I just want to make sure that the facility, such as Norman Wells, will also have this type of flexibility when they open up in the 18<sup>th</sup> Assembly, other than to say sorry, missed the boat, can't do it, do without, do with less. You know, have that type of openness in the 18<sup>th</sup> and I would support that operation and not revert to, well, we don't have the money, whatever, whatever. I'll leave it at that, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Yakeleya. Minister Miltenberger.

**HON. MICHAEL MILTENBERGER:** Just very quickly to provide reassurance to the long-time serving Member who knows we have a rigorous process here and we pride ourselves on trying to be fair and even-handed across the North. The requirements for Norman Wells, when those facilities proceed, will be given the same kind of consideration that all facilities are given to make sure that the qualities of service are there. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Miltenberger. Anything further, Mr. Abernethy?

**HON. GLEN ABERNETHY:** Thanks, Madam Chair. I was going to say basically the same thing. When the facility opens in Norman Wells, it will have the staff required to operate that facility. That number is still yet to be determined. Hopefully, it will be done through the business planning process.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Abernethy. Page 7, Health and Social Services, administrative and support services, not previously authorized, \$302,000. Community health programs, not previously authorized, \$30,000. Nursing inpatient services, not previously authorized,

\$1.023 million. Total department, not previously authorized, \$1.355 million. Agreed?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you. Moving on to page 8, Department of Justice, corrections, not previously authorized, \$111,000. Policing services, not previously authorized, \$1.045 million. Total department, not previously authorized, \$1.156 million. Agreed?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you. Does committee agree that we have concluded consideration of Tabled Document 324-17(5)?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. Ms. Bisaro.

COMMITTEE MOTION 142-17(5):  
CONCURRENCE OF TABLED DOCUMENT  
324-17(5): SUPPLEMENTARY ESTIMATES  
(OPERATIONS EXPENDITURES),  
NO. 2, 2015-2016,  
CARRIED

**MS. BISARO:** Thank you, Madam Chair. I move that consideration of Tabled Document 324-17(5), Supplementary Estimates (Operations Expenditures), No. 2, 2015-16, be now concluded and that Tabled Document 324-17(5) be reported and recommended as ready for further consideration in formal session through the form of an appropriation bill. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Ms. Bisaro. The motion is being distributed. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

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

---Carried

We should move on to Bill 56 now, Miscellaneous Statute Law Amendment Act, 2015, and I'll ask Minister Ramsay if he has opening comments.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. I am pleased to be here today to discuss Bill 56, Miscellaneous State Law Amendment Act, 2015.

The purpose of Bill 56 is to amend various statutes of the Northwest Territories for which minor changes are proposed or errors or inconsistencies have been identified.

Each amendment included in the bill had to meet the following criteria:

- a) It must not be controversial.
- b) It must not involve the spending of public funds.
- c) It must not prejudicially affect rights.

d) It must not create a new offence or subject a new class of persons to an existing offence.

Departments responsible for the various statutes being amended have reviewed and approved the changes.

The amendments proposed in Bill 56 are minor or non-substantive, and many consist of technical corrections to a statute. The amendments are of such a nature that the preparation and legislative consideration of individual bills to correct each statute would be time consuming for the Government of the Legislative Assembly.

I would like to thank the Standing Committee on Social Programs for its review of Bill 56 and would be pleased to answer any questions Members may have regarding the bill. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. Does the chair of the standing committee have comments regarding the bill? Mr. Moses.

**MR. MOSES:** Thank you, Madam Chair. The Standing Committee on Social Programs conducted its public review of Bill 56, Miscellaneous Statute Law Amendment Act, on September 15, 2015. A clause-by-clause review was conducted the same day. The committee thanks the Minister and his staff for presenting the bill.

Bill 56 corrects inconsistencies in various statutes of the Northwest Territories and deals with other matters of a minor non-controversial nature. Following the committee's review, a motion was carried to report Bill 56, Miscellaneous Statute Law Amendment Act, to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's opening comments on Bill 56. Individual Members may have additional questions or comments as we proceed. Thank you, Madam Chair.

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

**HON. DAVID RAMSAY:** Thank you, Madam Chair. Yes, I would.

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

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. I'll ask the Sergeant-at-Arms to please escort witnesses to the table.

Minister Ramsay, for the record, could you please introduce your official.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. Yes, to my right is Ms. Kelly McLaughlin, director of legal division.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. At this time I'll ask if there are any general comments by Members with respect to Bill 56. Not seeing any general comments, are we ready to move into detail?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Bill 56, Miscellaneous Statute Law Amendment Act, 2015. Clause 1.

---Clauses 1 through 9 inclusive approved

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, committee. To the bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Does the committee agree that Bill 56 is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. Bill 56 is now ready for third reading and I'd like to thank Minister Ramsay and Ms. McLaughlin for your attendance here today. I'll ask the Sergeant-at-Arms to please escort the witness from the Chamber.

If committee agrees, we'll move on to Bill 59.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. Then we will ask Minister Ramsay if he has opening comments on Bill 59. Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. I am pleased to appear before the committee today to assist in your review of Bill 59, Estate Administration Law Amendment Act.

The Estate Administration Law Amendment Act is an omnibus bill that would amend four separate acts that deal with estate administration: the Children's Law Act, the Guardianship and Trusteeship Act, the Intestate Succession Act and the Public Trustee Act.

A primary focus of the proposed amendments is the changes necessary to ensure that existing legislation is consistent with the new Estate Administration Rules of the Supreme Court of the Northwest Territories. Those rules will replace the current Probate Rules, which have been in place for many years. The rules have been under development by a drafting committee, led by the Supreme Court, since September 2009 and are expected to be completed later this year. Bill 59 will eliminate references to the Probate Rules and add regulation-making authorities to address requirements relating to the filing of accounts by trustees. The bill also includes amendments that will increase the amounts that may be paid on behalf of a child where there is no appointed guardian, increase the entitlement a spouse receives where the deceased has surviving children, and allow the Office of the Public Trustee to

administer an estate having a value less than \$75,000 without obtaining a grant of probate or administration.

The department consulted on the proposed amendments with the Law Society of the Northwest Territories and the Supreme Court of the Northwest Territories. The department also consulted with the public guardian with the Department of Health and Social Services.

I would like to thank the Standing Committee on Social Programs for its careful review of Bill 59, and I am pleased that a motion resulting from that review will be brought forward this afternoon to help improve the bill. I would be happy to respond to any questions Members may have. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. At this time I'll ask the chair of the Standing Committee on Social Programs that reviewed the bill to offer their comments. Mr. Moses.

**MR. MOSES:** Thank you, Madam Chair. The Standing Committee on Social Programs conducted its review of Bill 59, Estate Administration Law Amendment Act, on September 15, 2015. A clause-by-clause review was conducted the same day. The committee would like to thank the Minister and his staff for presenting the bill.

Bill 59 is an omnibus bill that amends four separate statutes related to estate administration: the Children's Law Act, the Guardianship and Trusteeship Act, the Intestate Succession Act and the Public Trustee Act.

A primary intent of the proposed amendments is to coordinate provisions of these acts with the new Estate Administration Rules of the Supreme Court of the Northwest Territories.

During the course of the review, the Minister agreed to consider the committee's request for a motion to be drafted to amend the bill. The intent of the motion is to repeal and replace Section 50 of the Children's Law Act to clarify the intent of this section and to make some modest wording revisions to improve the text.

It was agreed that this motion will be moved later today during our Committee of the Whole consideration of the bill. This was done to exponentially allow the standing committee clause-by-clause review to proceed at the September 15<sup>th</sup> meeting without causing any undue delays.

Following the committee's review, a motion was carried to report Bill 59, Estate Administration Law Amendment Act, to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's opening comments on Bill 59. Additional Members may have additional questions or comments as we proceed. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Moses. Minister Ramsay, would you like to bring witnesses into the Chamber?

**HON. DAVID RAMSAY:** Yes, Madam Chair. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Ramsay. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. I'll ask the Sergeant-at-Arms to please escort the witnesses to the table.

Minister Ramsay, for the record of our proceedings today, could you please introduce your witnesses.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. To my right is Mr. Mark Aitken, assistant deputy minister, Attorney General's office. To my left is Brian Asmundson, public trustee, Northwest Territories.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. Are there any general comments on Bill 59? Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Madam Chair. I'd like to welcome the Minister here today, and the witnesses. Just some points of clarification here so I can understand fully about the ramifications of the changes that we have before us on estate administration.

In the Minister's opening comments, he claims that these will replace current probate rules and then there's much reference to the new probate rules that are in the bill. It's an issue of cost.

Is there going to be a huge cost to the court system to administer these new rules in terms of finding judgment, or person power, investigative powers, use of people and lawyers' times to rectify estates that have no wills? Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Dolynny. Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. We're looking at modernizing the rules that do date back to the 1970s. We're not anticipating any additional costs or court time with this in our efforts to modernize. Thanks.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Ramsay. Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Madam Chair. When committee was first brought forward this bill, committee did write, at that time, to the Government House Leader to indicate in terms of the type of information and consultation that went on behind the scenes in preparation for this. The committee was led to believe that there was very little consultation with the Law Society or the Supreme Court of Canada or the Seniors' Society. Since then, I know there has been some communication back and forth, but maybe the Minister can give us an update to make sure those three entities have had some input and we have a clear conscience that we have the blessing of, again, the Law Society, the Supreme Court and the Seniors' Society. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Dolynny. Mr. Aitken.

**MR. AITKEN:** Thank you very much, Madam Chair. We did undertake consultation with the Law Society. There was consultation on several occasions in different contexts with the Supreme Court of the Northwest Territories. As well, the public guardian was consulted both with respect to the original proposal for the bill and with respect to the bill itself. We did not go out to the seniors' societies. It had not been contemplated at the time.

One thing I would note is that there's nothing in this bill that does not bring the Northwest Territories either up to standards of elsewhere in Canada or that could otherwise have an adverse effect in any way on seniors. So that was part of the reason we kept the consultation to the entities that we did. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Aitken. Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Madam Chair. The reason why I brought up the Seniors' Society is committee has been well versed and has indicated also to the department that we have a number of seniors out there that, for whatever reason, whether it's cost or not understanding, whether it's language barriers, a lot of our seniors and elders do not have wills in place. So, some of these changes could have an impact to them. Again, the more we talk about this when we look at legislation, it brings the overarching question of will preparation and preparation for estate planning. Again, we felt that the Seniors' Society would have been a great opportunity for the department to consult in preparation for this bill and hence my question.

We know that within the confines of this legislation it proposes different actions between two different types of estates, and these estates are put in values. One value, estates under \$35,000 where there is no will, and estates under \$75,000 where there is no will.

How are these two sections, as amended in the act, how are they going to work together and is it going to be difficult to establish evaluation of estates given very small thresholds here between \$75,000 and \$35,000?

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Dolynny. Mr. Asmundson.

**MR. ASMUNDSON:** Thank you, Madam Chair. What we anticipate is with respect to the estates under \$35,000, if the public trustee is handling them, we will not be required to do an accounting to the court, but we will do an accounting to the court for estates between \$35,000 to \$75,000. As well, there will be, in the estate administration rules, a small estate rule that will allow people to simply get a court order for estates under \$35,000, so it should be a little bit easier for somebody to administer an estate under \$35,000 when the new estate administration rules are passed by the judges.

**MR. DOLYNNY:** In the event of a family dispute over an estate, how does this act change the perspective of the public trustee gaining a higher priority in the administration of that said estate?

**MR. ASMUNDSON:** If there is a public dispute or a dispute between the beneficiaries before we start administering, that would be a factor in deciding whether or not we would be in a position to administer an estate. Normally, the public trustee has been quite successful in administering estates where there are family disputes because we are usually dealing with smaller estates and can usually reason with the parties. I don't think things will really change under the new set of rules. It will probably be much the same as normal.

**MR. DOLYNNY:** When we reviewed the state administration rules, within the legislative proposal there was a component where exercise of that power could be subject to court supervision. The question is: How does this act empower the court to exercise that supervisory role where the public trustee has to intervene with their authority?

**MR. ASMUNDSON:** That's a bit of a difficult question to answer in the abstract without knowing what the dispute is, but basically there is provision for the court to intervene and there's also provision in here that the court can revoke the public trustee's appointment if it's requested. Those are both possibilities that the court might do if it's satisfied that somebody else should be eligible to receive the grant.

**MR. DOLYNNY:** Finally, any time we change laws with respect if there's controversy, the issue of dispute resolution is always something I look at. Where are the powers in here for someone who has a problem with a public trustee in terms of their power or the management of an estate? What is the dispute resolution that is being offered to family members who may feel that the estate is not being managed in the appropriate manner?

**MR. ASMUNDSON:** There is a provision that the court, on hearing an application, can revoke a grant, which I've just sort of referred to. Apart from that, if the public trustee, myself, has been doing something inappropriate, a court application could be taken or potentially a political complaint could possibly be made, but there is always the possibility of a court application, which would probably be the most appropriate venue.

**MR. DOLYNNY:** So what we're saying here is if there is a dispute, I have to take my dispute to the courts. I may have to go even as high as the Supreme Court of the NWT to lodge a complaint, which could be very costly to the plaintiff in the event of a dispute.

Does the department consider or will they consider anything that will actually assist a dispute resolution with respect to probate?

Probates become very complicated. They become very emotional and sometimes you have to have

safeguards to protect the estate, family members are usually involved and a public trustee is put in a position of power. Again, has there been thought about putting safeguards as some type of resolution or dispute resolution mechanisms to support this act?

**MR. ASMUNDSON:** Well, we haven't actually had as many estate disputes as you might think. Usually it's fairly easy to identify who the beneficiaries are, and in the case where this is not a will, the Intestate Succession Act is usually fairly clear on who the beneficiaries are, so we haven't had a lot of disputes. But the court is still the mechanism that would have to be satisfied. I mean, we do try and resolve it within our office and within the beneficiaries, but often it's a zero sum game where if somebody's getting less, somebody's getting more, but the estate will be distributed fully in the end.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Asmundson. Are there any other general comments on Bill 59? Detail?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Clause 1. Ms. Bisaro.

COMMITTEE MOTION 143-17(5):  
BILL 59: ESTATE ADMINISTRATION LAW  
AMENDMENT ACT – AMENDMENT TO  
SUBCLAUSES 1(2) AND (3),  
CARRIED

**MS. BISARO:** Thank you, Madam Chair. I move that subclauses 1(2) and (3) of Bill 59 be deleted and the following substituted:

(2) Section 50 is repealed and the following is substituted:

Money and property owed to child

50. (1) If a guardian has not been appointed for a child, a person who is obligated to pay money or to deliver personal property to the child may, in any year, pay not more than \$4,000 or deliver personal property having a value not exceeding \$4,000, to

- (a) the child, where the child has a legal obligation to support another person,
- (b) a parent with whom the child resides, or
- (c) a child who has lawful custody of the child,

and that payment or delivery discharges the obligation to the extent of the amount paid or the value of the personal property delivered.

Responsibility for money or property

(2) A parent or other person who has lawful custody of a child who receives and holds money or personal property under subsection (1), has the responsibility of a guardian for the care and management of the money or personal property.

Nonapplication

- (3) This section does not apply in respect of
- (a) wages and salary owing to a child; or
  - (b) an amount payable or personal property that is to be delivered under a judgment or court order.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Ms. Bisaro. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

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

---Carried

Clause 1 as amended.

---Clauses 1 through 7 inclusive approved

**CHAIRPERSON (Mrs. Groenewegen):** To the bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. Does committee agree that Bill 59 is ready for third reading as amended?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. Bill 59 is now ready for third reading as amended. I'd like to thank Minister Ramsay and his officials for their attendance here today and I'll ask the Sergeant-at-Arms to please escort the witnesses from the Chamber.

Does committee agree to move on to Bill 62, An Act to Amend the Coroners Act?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. I'll ask Minister Ramsay, please, if he would provide his opening remarks on Bill 62. Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. I am pleased to be here today to talk to you about Bill 62, An Act to Amend the Coroners Act. I would like to thank the Standing Committee on Social Programs for its careful review of the bill.

Bill 62 will amend the Coroners Act to create consistency in the powers that are afforded to coroners in the NWT and in other Canadian jurisdictions. The amendments will also:

- expand the investigative powers of coroners;
- expedite the investigative process where possible, in the interest of returning bodies to families in a more timely manner;
- clarify what personal information can be disclosed; and
- make minor improvements to various provisions of the act.

Delays in completing investigations can prove to be a hardship on the family of the deceased. The proposed

amendments will help to strengthen the response times for those who need answers to provide closure.

In developing this bill, the department undertook consultations with the chief coroner, the Department of Health and Social Services and the NWT Information and Privacy Commissioner. The thoughtful input we received is much appreciated, as it helped to improve the bill before you today.

I would be pleased to answer any questions that Members may have regarding this bill. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. I'd now like to call on Mr. Moses, the chair of the Standing Committee on Social Programs, to provide the committee's remarks. Mr. Moses.

**MR. MOSES:** Thank you, Madam Chair. The Standing Committee on Social Programs conducted its public review of Bill 62, An Act to Amend the Coroners Act, on September 15, 2015. A clause-by-clause review was conducted the same day. The committee thanks the Minister and his staff for presenting the bill.

Bill 62 amends the Coroners Act to enhance the powers of the coroners in conducting investigations and inquests and in disclosing information to the public. The bill also clarifies the responsibilities of others with respect to the authority of coroners under the act and makes consequential amendments to the Motor Vehicles Act and the Vital Statistics Act.

Following the committee's review, a motion was carried to report Bill 62, An Act to Amend the Coroners Act, to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's opening comments on Bill 62. Individual Members may have additional questions or comments as we proceed. Thank you, Madam Chair.

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

**HON. DAVID RAMSAY:** Yes, please, Madam Chair.

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

**SOME HON. MEMBERS:** Agreed.

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

Mr. Ramsay, for the record, could you please introduce your witnesses.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. To my right is Mr. Mark Aitken, assistant deputy minister, Office of the Attorney General. To my left is Mr. Ken Chutskoff, legislative counsel, Department of Justice.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. I'll now turn to Members and ask if

there are any general comments on the bill. Ms. Bisaro.

**MS. BISARO:** Thank you, Madam Chair. Just a couple of comments here. The powers of the coroner are increased quite a bit through these amendments. I and a couple of other members on the committee had some fairly serious concerns about whether or not the powers were going a little bit too far. In discussion during the public hearing and in discussion with the Minister and his officials, I certainly was reassured that these powers are necessary for the coroner to do her job, that they are not going over and above and beyond some of the concerns which I initially had when I first read the amendments to the act.

The other concern that was raised was the issue of privacy and transmission of information from one person to another as the coroner and his or her staff did their duty. Again, my concerns there were assuaged. I feel comfortable in passing this bill as it is.

So, I just wanted to point out that we did have some concern. I certainly am okay with the bill as it is now. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Ms. Bisaro. Mr. Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. I want to thank the Member and thank the committee again for their input into the bill. We certainly listened intently to the questions that came up at the committee review and appreciate the Member's input into the bill you see before you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. General comments. Next I have Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Madam Chair. Again, I'd like to welcome the department here today proposing a bill. I want to say, first and foremost, I have utmost respect for the chief coroner's office and all the people who work in the coroners division. I'm glad to see we have some stronger legislation before us to make their jobs much more enriched and much more powerful for the people that they serve.

As we heard earlier here from Madam Bisaro, this new bill expands the coroner's ability to collect information without a warrant, or what we like to call warrantless access. I know that the Information and Privacy Commissioner did have some concern. She wrote to the committee about those concerns. I know we discussed them in committee. I know there's a fine line between when a coroner ceases collecting information and notifies the appropriate authorities. But right now in the current system, in order for a coroner to satisfy a warrant, they need to go to a justice of the peace and have reasonable probable grounds to do so. So this act is going to be speeding up that process and allow a lot more wider powers of enforcement.

Again, I'm comfortable as it's written, but I think a lot of Members were still a little bit concerned that we were giving the coroner and the coroner's office high power or greater powers than that of a peace officer, so I will ask that question today here in the House.

Is this act in any way, shape or form giving the coroner's office any higher power for a warrantless seizure? Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Dolynny. Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. Most of the time the coroner would be invited into the premises. In the case that they're not, that's something that is included in the bill and can be addressed. I'm going to go to Mr. Aitken for some further detail on that.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Ramsay. Mr. Aitken.

**MR. AITKEN:** Thank you. The point Mr. Dolynny made about whether or not the coroner has powers that exceed that of a peace officer, it's important to note that the coroner is not a peace officer. The coroner's service is not a fault-finding body. The coroner's investigation does not result in charges being laid against a party. They're merely trying to get to the circumstance of the death so that in the future, deaths can be prevented in similar circumstances.

We did a lot of research on this particular issue that Mr. Dolynny is concerned about, and one of the things that struck us was that in six coroner jurisdictions in Canada we looked at, five did not require a warrant in the circumstances Mr. Dolynny is concerned about. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Aitken. Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Madam Chair. I appreciate that response. I know we've had that high-level discussion already in committee.

Just for the sake of reminding me, we talked about six jurisdictions that were investigated. If we were to pass this act as is, we would probably be the sixth jurisdiction in Canada to basically appease this warrantless seizure of information.

Where are the other five jurisdictions in Canada? Which ones are they? Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Dolynny. Mr. Aitken.

**MR. AITKEN:** Thank you. Mr. Dolynny asked the same of standing committee and I couldn't find it in my materials then and I've finally found it now after a bit of delay. The coroner jurisdictions that we looked at – and there may be others in Canada – are British Columbia, Yukon, Saskatchewan, Prince Edward Island, Ontario and New Brunswick and, in addition, the territory of Nunavut is also using the Coroners Act,

but they use the same act that we have, so that would make seven. Thank you.

**MR. DOLYNNY:** Not that I want to get into specifics, but if we deal with it in general comments it will make the clause-by-clause here a lot more efficient. In Section 14 it talks about the coroner examining and cross-examining witnesses, which is basically a fairly high judicial capacity. When that occurs, are witnesses able to have, or are they offered any legal counsel? Do we supply that? Is there any type of memorandum of rights given to witnesses to have a legal counsel without delay in a cross-examination? Thank you.

**MR. AITKEN:** This provision is inserted just to permit the presiding coroner at an inquest to qualify matters for the jurors. There are times when, as a result of examination and cross-examinations of witnesses, you may have an obvious question that the jury is curious about but has not been asked and this gives an opportunity for the presiding coroner to ask those questions. There would be no more requirement for legal counsel for the witness in responding to questions of the coroner than there would be for any other questions that are asked during the course of the inquest. Thank you.

**MR. DOLYNNY:** My former question, especially going back to warrantless seizures – I'll have to take a look through my notes here – is when we look at any type of case precedent in this area the term "reasonableness" comes to the forefront each and every time when provisions are talked about in terms of warrantless search and seizures and these fall under the Charter of Rights and Freedoms. So, I guess, from the department's perspective, what legal advice can you give us as Members of the House as to what is that degree of reasonableness that would be passed to the coroner in the event of making that determination of a warrantless seizure? Thank you.

**MR. AITKEN:** The proposed act has restrictions that relate to what kind of material can be seized. In Section C it says that the coroner can seize anything that the coroner believes is material to the investigation. So there is a test, the coroner has to have a reasonable belief that it's material to the investigation. Where it relates to records, the coroner must believe it's material to the investigation. It's not a fishing expedition where the coroner can seize anything that they find in the home that's of interest to them; it has to in some way relate to the death or the circumstances of the death. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Aitken. Any further general comments?

**SOME HON. MEMBERS:** Detail.

**CHAIRPERSON (Mrs. Groenewegen):** Detail. If committee's agreed, we'll group the clauses for Bill 62. Clauses 1 to 5.

---Clauses 1 through 20 inclusive approved

**CHAIRPERSON (Mrs. Groenewegen):** To the bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Does the committee agree that Bill 62 is ready for a third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. Bill 62 is now ready for third reading. I would like to thank Minister Ramsay and his officials for their attendance here and I'll ask the Sergeant-at-Arms to please escort the witnesses from the Chamber.

If committee is agreed, we will proceed with Bill 63, An Act to Amend the Victims of Crime Act, and I will ask Minister Ramsay if he could please provide his opening comments on Bill 63. Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. I am pleased to be here today to talk to you about Bill 63, An Act to Amend the Victims of Crime Act. I would like to thank the Standing Committee on Social Programs for its review of the bill.

In 2013 the federal government gave assent to Bill C-37, Increasing Offenders' Accountability for Victims Act. As a result of those amendments, offenders are now allowed to use fine option programs to work off surcharges. In response, Bill 63 would amend the territorial Victims of Crime Act to allow offenders to resolve their surcharges by means of the NWT Fine Option Program.

These changes are especially important given that Bill C-37 doubled the existing federal surcharge and removed judicial discretion in applying the surcharge for each federal conviction an offender receives. The cumulative total owed could end up being quite significant in some cases, and many offenders have very little money. Without the ability to utilize the Fine Option Program, cumulative surcharges could be a burden.

Bill 63 will also allow the territorial victim surcharge amount or the calculation method for each offence to be set out in the Victims of Crime Regulations, allowing amounts to be updated as necessary in the future, after appropriate consultation prior to implementing any increase or decrease. This bill will also amend the Fine Option Act to permit an offender to use the Fine Option Program to discharge all or any part of the victim of crime surcharge.

I would be pleased to answer any questions that Members may have regarding the bill. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. We will now call on the chair of Standing Committee of Social Programs that reviewed the bill to offer the committee's remarks. Mr. Moses.

**MR. MOSES:** Thank you, Madam Chair. The Standing Committee on Social Programs conducted its public review of Bill 63, An Act to Amend the Victims of Crime Act, on September 15, 2015. A clause-by-clause review was conducted the same day. The committee thanks the Minister and his staff for presenting the bill.

Bill 63 amends the Victims of Crime Act with respect to surcharges imposed and paid into the Victims Assistance Fund. The bill allows the surcharge amounts to be set by regulation and allows an offender to complete a work option program under the Fine Option Act as an alternative to incarceration for failure to pay a surcharge. The bill makes consequential amendments to the Fine Option Act.

Upon the committee's review, a motion was carried to report Bill 63, An Act to Amend the Victims of Crime Act, to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's opening comments on Bill 63. Individual Members may have additional questions or comments as we proceed. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Moses. At this time I would like to ask Minister Ramsay if he has witnesses he'd like to bring into the Chamber.

**HON. DAVID RAMSAY:** I do, Madam Chair. Thank you.

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

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. I'll ask the Sergeant-at-Arms to please escort the witnesses to the table.

Once again, for the record, Minister Ramsay, if you could please introduce your witnesses.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. To my right is Ms. Shirley Kemeys-Jones, assistant deputy minister, Office of the Solicitor General; and to my left, Cherie Jarock, legislative counsel, Department of Justice.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. Are there any general comments on Bill 63? General comments. Mr. Dolyunny.

**MR. DOLYNNY:** Thank you, Madam Chair. I'd like to welcome the Minister and the department here today as we review this act. I guess, first and foremost, after being well schooled on the principles of this act and the mechanism behind this act, I had a concern with the title of this act, called the Victims of Crime Act. When you look at where this money is going and how this money is collected, victims of any crime do not receive a penny of this, this actually goes to rehabilitation of inmates and so I really strongly encourage the department to consider renaming this

act to clearly reflect where this money is going to give nomenclature to these acts. It's a bit of a misnomer that we're misleading the public that victims are receiving this money. So that's more of an observation as we move forward, Madam Chair.

What we have here are changes to the regulations that will follow with respect to increased surcharges, so if the department could give us a better idea and scope as to when this act, if it does pass, when will these changes take effect? Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Dolyunny. Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam. I'll go to Ms. Kemeys-Jones for a more detailed response to the second part of Mr. Dolyunny's question, but I just wanted to say that we're not out to try to fool the public or anything with the bill. The question about where the surcharges collected go, I can list off a few things: training to sensitize and inform community resource workers about the needs and circumstances of victims of crime; direct services that assist victims through crisis response personal support; follow-up assistance information and referrals; public awareness on the rights and responsibilities of victims; available services; the criminal justice system and its procedures or any other issues related to victims of crime; research into the needs and concerns of victims; distribution of victims' service information; and promotion of services for victims so that the surcharges that we do collect go to help victims of crime. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. Ms. Kemeys-Jones.

**MS. KEMEYS-JONES:** Thank you, Madam Chair. With regard to when the program would be in place, the allowing of people receiving fines to work off the surcharge to the Fine Option Act, we anticipate that will be January 2016.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Ms. Kemeys-Jones. Mr. Dolyunny.

**MR. DOLYNNY:** Thank you, Madam Chair. I do respect the Minister's response and I do not want to split hairs with the Minister or department. I just think this nomenclature that we used to define this act is a bit misleading. A true victim here is a person who has had an act against them of violence or anything against them, and in a lot of cases I don't think the victims themselves are recipients to the fines the way it's set up by the courts. So I just want to make that perfectly clear.

There's going to be a significant amount of impact and cost as these fines become higher and people or inmates are being released or being charged will be looking at the Fine Option Program to work off these debts because the fines are going to be substantially higher than the past. Which means that we're going to have a lot more manpower in play to manage and mitigate a lot of this client option program.

What does the department expect to see in terms of costs associated with managing the influx that we may see with the Fine Option Act or a program in full effect with this act? Thank you.

**MS. KEMEYS-JONES:** Actually, the Fine Option Act has been in place for several years in the Northwest Territories and so we have been monitoring it through our probation offices and through our community justice committees and the coordinators that we have in the committees. The amendment to the act allows for, and it's correct, will allow for more people to work off the surcharge through the Fine Option Act. So we will be monitoring through those same processes and we do have resources in place across the Territories in order to do that. Thank you.

**MR. DOLYNNY:** Thank you. I appreciate the response. We heard the term monitor, which I think is of importance to Members of this side of the House. So I guess the question we should be asking is in this monitoring there must be some measurable, there must be information that would be subscribed to in terms of finding efficiencies within this Fine Option Program.

Will the department and will the Minister commit on sharing that information as this act comes on board and be able to share the success or the failures of this program as it relates to this act being passed? Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Dolynny. Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. Yes, we can do that and we will do that. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. Mr. Dolynny.

**MR. DOLYNNY:** Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Next for general comments I have Ms. Bisaro.

**MS. BISARO:** Thank you, Madam Chair. My concern when we discussed this act was similar to Mr. Dolynny and it was that there's an anticipation that there would be a lot more people working off their surcharges through the Fine Option Program. We asked the question and we didn't really... It was sort of the same question that was asked here already, but we didn't really get a definitive answer. The answer to Mr. Dolynny suggested to me that there's no expectation that the number of offenders working off their surcharges through the Fine Option Program is going to increase. I guess I'd like to get that confirmed. It would seem to me if we are making these amendments to the act that there's going to be a lot more offenders who will be able to work off their surcharges through the Fine Option Program.

So I guess I would like to ask the Minister and the department, do you not expect that you're going to get more people working off their surcharges and that

there is going to be an impact on the correctional service? Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Ms. Bisaro. Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. No, it would be more beneficial if we had folks working off their surcharges as opposed to getting nothing. That's why it's the way it is. Thank you.

**MS. BISARO:** Thank you. I'm not suggesting it's not beneficial, but the question is are you not anticipating more offenders will be working off their surcharges through the Fine Option Program and they are going to be monitored and they're going to be supervised by corrections services staff? So do you not see that there's going to be an increase in the work involved by your corrections staff? Thank you.

**HON. DAVID RAMSAY:** Thank you. They're usually working off their fines anyway. So now they'd be having the ability to work off the surcharge as well. So we don't anticipate any further workload. Thank you.

**MS. BISARO:** Okay, thank you. So maybe I'm confused, but it begs the question to me why are we making the amendment? I thought we were making the amendment to make it easier for people to work off their fines and their surcharges and if that's the case, we're opening it up so that more offenders can work off their fines and their surcharges. Am I incorrect in that? If we have more offenders working them off is that not more work for staff? Thank you.

**HON. DAVID RAMSAY:** Thanks, Madam Chair. Prior to the amendments they didn't have the ability to work off the surcharge. That's the difference. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Ramsay. General comments, Mr. Yakeleya.

**MR. YAKELEYA:** Thank you, Madam Chair. Just for clarification on this bill, is it flexible enough that the offenders would be in their home communities working off their surcharge in the Fine Option Program? So a modern chain gang type of a method here.

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Mr. Yakeleya. Ms. Kemeys-Jones.

**MS. KEMEYS-JONES:** Thank you, Madam Chair. Generally if the fine is given in the community then they would be working off the surcharge in their home community. There are times when someone is incarcerated and they have a fine and a surcharge, as well, and in those circumstances people in the facility would assist the inmate to work off the fine and surcharges prior to their release.

**MR. YAKELEYA:** Thank you for the clarification, Ms. Kemeys-Jones. I want to ask about the Fine Option Program specifically in the communities that the offender then would work off their Fine Option Program through... Is it flexible enough that they could work it off through a community type of initiative? Say for example elders, they can go out to

a fish lake; they can set the fishnets and provide fish for some of the elders and some of the older people for that type of initiative. So they would work it off and provide to the community as a whole to pay off their fine.

**MS. KEMEYS-JONES:** Yes. The program is flexible enough to allow communities to make decisions on what they would consider to be work in the community and a lot of times it is volunteer work in the community and much of the time that's for elders.

**MR. YAKELEYA:** Thank you, Madam Chair. No more questions. Let's get this built fast.

**CHAIRPERSON (Mrs. Groenewegen):** That sounds good. Any more general comments?

**SOME HON. MEMBERS:** Detail.

**CHAIRPERSON (Mrs. Groenewegen):** Detail. Okay, thank you. If Members could refer to their clauses, clause 1.

---Clauses 1 through 5 inclusive approved

**CHAIRPERSON (Mrs. Groenewegen):** To the bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Does committee agree that Bill 63 is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mrs. Groenewegen):** Agreed. Thank you. Bill 63 is now ready for third reading. Thank you, Minister Ramsay. I will turn the floor over to Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Madam Chair. I just wanted to mention to the House that it's the last time Ms. Kemeys-Jones is going to be appearing at the witness table at the Legislative Assembly. I want to thank her for all her work and I'm sure Members join me in thanking her very much for all her years of dedicated service to the people of the Northwest Territories. Thanks.

---Applause

**CHAIRPERSON (Mrs. Groenewegen):** Thank you, Minister Ramsay. I will ask the Sergeant-at-Arms if he will please escort the witnesses from the Chamber.

At this time, committee, at the Chair's prerogative, we will have a break. Thank you.

---SHORT RECESS

**CHAIRMAN (Mr. Bouchard):** Thank you, committee. Committee has agreed to consider Bill 64, An Act to Amend the Co-operative Associations Act. I will ask the Minister responsible for the bill for introductions. Minister Ramsay.

**HON. DAVID RAMSAY:** I am pleased to appear before the committee today as you consider Bill 64, An Act to Amend the Co-operative Associations Act.

The main focus of the proposed amendments to the Co-operative Associations Act is to address existing gaps and to clarify and revise outdated provisions. This will include amendments to eliminate overlapping responsibilities of the supervisor within the Department of Industry, Tourism and Investment and the registrar with legal registries, as well as amendments to enact requirements that correspond more closely with the rules governing other businesses operating in the NWT. The bill also includes a number of non-substantive amendments to ensure consistency with current drafting standards.

The Department of Justice and the Department of Industry, Tourism and Investment consulted on the proposed amendments with Arctic Co-operatives Ltd. on several occasions, as it operates as an umbrella organization encompassing many of the retail co-operatives operating in the Northwest Territories. The departments also provided a consultation draft of the bill with an explanation of the proposed amendments to all 19 existing co-operatives.

I would like to thank the Standing Committee on Social Programs for its review of Bill 64, including very constructive feedback and identification of a number of motions that improve the bill, which will be advanced this afternoon. I look forward to responding to any questions Members may have. Thank you.

**CHAIRMAN (Mr. Bouchard):** Thank you, Minister Ramsay. Now I will turn to the chair of the Standing Committee on Social Programs, Mr. Moses.

**MR. MOSES:** Thank you, Mr. Chair. The Standing Committee on Social Programs conducted its public review of Bill 64, An Act to Amend the Co-operatives Association Act, on September 15, 2015. A clause-by-clause review was conducted the same day and the committee thanks the Minister and his staff for presenting the bill.

Bill 64 amends the Co-operatives Associations Act to define the essential characteristics of the co-operative enterprise and improve procedures for incorporation, naming, amalgamation and continuance of co-operative associations. The bill clarifies the responsibilities of directors and members and streamlines the regulatory requirements.

During the course of the review, the Minister agreed to consider the committee's request for motions to be drafted to amend the bill. The intent of the motions amending each of subclause 26(3) and 34(3) is to accomplish the objective of ensuring that co-operative associations can avail themselves of the services of credit unions as well as banks.

The intent of the motion amending clause 13 of the bill provides limitations to the criteria set out in the bill under which it is permissible for directors to delay the redemption and repayment of monies owing to a person whose membership in a co-operative association is terminated. The committee felt, and the department agreed, that the addition of these

limitations improved the bill by better balancing the interests of the co-operative association against those of a terminated member. It was agreed that these three motions will be moved today during our Committee of the Whole considerations of the bill. This was done to exponentially allow the standing committee a clause-by-clause review to proceed at the September 15<sup>th</sup> meeting without causing any undue delays.

Upon the committee's review, a motion was carried to report Bill 64, An Act to Amend the Co-operative Associations Act, to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's opening comments on Bill 64. Individual Members may have questions or comments as we proceed. Thank you.

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Moses. Minister Ramsay, would you like to bring witnesses into the House?

**HON. DAVID RAMSAY:** Yes, Mr. Chairman. Thank you.

**CHAIRMAN (Mr. Bouchard):** Sergeant-at-Arms, would you please escort the witnesses into the Chamber.

Thank you. Minister Ramsay, can I get you to introduce your witnesses, please.

**HON. DAVID RAMSAY:** Thank you, Mr. Chair. To my right is Mark Aitken, assistant deputy minister, Office of the Attorney General; and to my left is Mr. Gary MacDougall with legal registries.

**CHAIRMAN (Mr. Bouchard):** Thank you, Minister Ramsay. Committee, I will open the floor to general comments on Bill 64. General comments. Does committee agree we go to detail?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Thank you. Does committee agree we will consider clauses in groups where applicable?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** I will defer the bill number and title until consideration of clauses. Turn to page 1. Clauses 1 to 10.

---Clauses 1 through 12 inclusive approved

**CHAIRMAN (Mr. Bouchard):** Clause 13. Mr. Dolyunny.

COMMITTEE MOTION 144-17(5):  
BILL 64: AN ACT TO AMEND THE  
CO-OPERATIVE ASSOCIATIONS ACT –  
AMENDMENT TO CLAUSE 13,  
CARRIED

**MR. DOLYUNNY:** Thank you, Mr. Chair. I have a motion. I move that Clause 13 of Bill 64 be amended by renumbering proposed subsections 13(3) and (4) as 13(7) and (8) respectively, and adding the following before those renumbered sections:

Notice of delay

(4) If the directors delay the redemption or payment under subsection (2), the member affected must be notified of the reason for the delay no later than 30 days after the time for redemption where payment has elapsed.

Continuing notice

(5) If the redemption of payment continues to be delayed, the member must be notified each six months of the reason for the continuing delay.

Payment when possible

(6) When the directors determine that the circumstances giving rise to the delay under subsection (2) no longer apply, the amounts owing to the member must be paid within 30 days after that determination.

Thank you.

**CHAIRMAN (Mr. Bouchard):** Committee, the motions are on your desk. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRMAN (Mr. Bouchard):** Question has been called. The motion has been carried.

---Carried

**CHAIRMAN (Mr. Bouchard):** Clause 13 as amended.

---Clause 13 as amended approved

**CHAIRMAN (Mr. Bouchard):** Clauses 14 to 25.

---Clauses 14 through 25 inclusive approved

**CHAIRMAN (Mr. Bouchard):** Clause 26. Ms. Bisaro.

COMMITTEE MOTION 145-17(5):  
BILL 64: AN ACT TO AMEND THE  
CO-OPERATIVE ASSOCIATIONS ACT –  
AMENDMENT TO CLAUSE 26,  
CARRIED

**MS. BISARO:** Thank you, Mr. Chair. I move that subclause 26(3) of Bill 64 be amended by deleting "bank" in proposed subsection 33(4) and substituting "bank or credit union".

**CHAIRMAN (Mr. Bouchard):** Thank you, Ms. Bisaro. Committee, the motions are on your desk. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRMAN (Mr. Bouchard):** Question has been called. The motion has been carried.

---Carried

**CHAIRMAN (Mr. Bouchard):** Clause 26 as amended.

---Clause 26 as amended approved

**CHAIRMAN (Mr. Bouchard):** Clauses 27 to 33.

---Clauses 27 through 33 inclusive approved

**CHAIRMAN (Mr. Bouchard):** Clause 34. Mr. Yakeleya.

COMMITTEE MOTION 146-17(5):  
BILL 64: AN ACT TO AMEND THE  
CO-OPERATIVE ASSOCIATIONS ACT -  
AMENDMENT TO CLAUSE 23,  
CARRIED

**MR. YAKELEYA:** Thank you, Mr. Chair. I move that subclause 34(3) of Bill 64 be deleted and the following substituted:

(3) Subsection 42(6) is amended by striking out "\$100" and substituting "\$500".

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Yakeleya. Committee, the motions are on your desk. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRMAN (Mr. Bouchard):** Question has been called. The motion is carried.

---Carried

**CHAIRMAN (Mr. Bouchard):** Clause 34 as amended.

---Clause 34 as amended approved

**CHAIRMAN (Mr. Bouchard):** Clauses 35 to 43.

---Clauses 35 through 43 inclusive approved

**CHAIRMAN (Mr. Bouchard):** To the bill as a whole as amended.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Does committee agree that Bill 64, An Act to Amend the Co-operatives Associations Act, is now ready for third reading as amended and reprinted?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Bill 64 is now deemed ready for third reading as amended and printed. Does committee agree this is the conclusion of Bill 64?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Minister Ramsay.

**HON. DAVID RAMSAY:** Thank you, Mr. Chair. We are losing employees to retirement at the Department of Justice and I also wanted to wish Mr. MacDougall well on his retirement. He has had a long and dedicated service to the government and to the people of the Northwest Territories. I know he put a lot of work into Bill 64, so I wanted to thank him and wish him well.

---Applause

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. MacDougall, for your years of service, and good luck in the future.

Sergeant-at-Arms, please escort the witnesses out of the Chamber.

**MR. CHAIRMAN (Mr. Dolynny):** Thank you, committee. We are going to carry on with House business. We're going to go to Bill 69. With that, we'll go to the Member responsible to introduce the bill. Mr. Bouchard.

**MR. BOUCHARD:** Thank you, Mr. Chair. The Legislative Assembly and Executive Council Act sets the rules for how we do business as MLAs, Cabinet and committees. At the end of each Assembly, we normally draft a bill to make various changes that are required and came to light during the previous four years.

The most important provision in this bill is a trigger clause that automatically changes the date of the General Election in the Northwest Territories from the first Monday in October to the third Monday in November in years where the campaign period for a federal election will overlap with that in the Northwest Territories.

The act makes several other housecleaning amendments to the bill. Some of these are consistent with recent changes to the NWT Act. Other minor amendments clarify existing practices.

I would be happy to respond to any questions the committee may have.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Bouchard. Do you have witnesses you would like to bring into the House?

**MR. BOUCHARD:** (inaudible)

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Bouchard. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Sergeant-at-Arms, if you could please escort the witnesses in.

Mr. Bouchard, if you'd be kind enough to introduce your witnesses to the House.

**MR. BOUCHARD:** Thank you, Mr. Chair. To my right I have Tim Mercer, Clerk of the Legislative Assembly. To my left I have the director of legislation division, Ms. Kelly McLaughlin.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Bouchard. Ms. McLaughlin, Mr. Mercer, welcome back to the House.

Committee, Bill 69, we're going to open up to general comments. Is committee prepared to go to detail?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. If it's committee's wish, I'd like to do that in groups of five. Is committee okay with that?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. We'll defer bill and the title until we're complete. Clauses 1 to 5.

---Clauses 1 through 19 inclusive approved

**CHAIRMAN (Mr. Dolynny):** The bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Does committee agree that Bill 69, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2, is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. Thank you, Mr. Bouchard, Ms. McLaughlin and Mr. Mercer for joining us.

Sergeant-at-Arms, if you can please escort the witnesses out of the Chamber.

Continuing on with Committee of the Whole business, we're going to turn our attention now to Bill 45. With that, we'll turn it over to the Minister who is responsible for the bill. Mr. Lafferty.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Chair. I'm pleased to introduce Bill 45, An Act to Amend the Workers' Compensation Act.

Bill 45 proposes to amend the Workers' Compensation Act to add five additional forms of cancer that have been identified as occupational diseases for firefighters.

A firefighter is defined in Section 14.1(1) of the act as workers who fight fires full time, part time, or volunteer members of fire departments and do not exclusively fight forest fires are recognized in the act as occupational special risk, occupational diseases, resulting from complex chemical combinations involved in fighting urban fires.

Those diseases are defined in Section 14.1 as listed diseases. The exposure minimums or minimum period of employment for various occupational diseases are then set out in Firefighters' Presumption Regulations in the schedule.

On the passage and coming into force of this bill, we intend to enact amendments to the firefighters presumption regulations to add minimum periods of employment for the proposed additional forms of cancer listed in this bill.

Following up on the comments by some members of the Standing Committee on Economic Development and Infrastructure, I am pleased to report that members of the Workers' Safety and Compensation Commission are in contact with a representative of the Department of Environment and Natural Resources to determine if that department recognizes any special risk to forest firefighters.

I can assure this committee that if this is the case, we will seek a legislation solution to recognize such occupational risk.

I am pleased to report that the proposed legislation is supported by the International Association of Firefighters in Canada and locally by the Yellowknife Firefighters' Association.

I am pleased to answer any questions the Members may have regarding Bill 45.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Lafferty. At this time we'll turn our attention over to the chairman of the standing committee which reviewed the bill for comments. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. The Standing Committee on Economic Development and Infrastructure held its public review of Bill 45, An Act to Amend the Workers' Compensation Act, on September 17, 2015. The committee thanks the Minister and his staff for presenting the bill.

Bill 45 amends the definition of listed diseases specific to firefighters to identify five additional forms of cancer. The committee initiated one amendment of the bill which was adopted during the public hearing with the Minister's concurrence. This amendment changes the coming into force clause of the bill to March 17, 2015, to coordinate with Nunavut's equivalent bill which was enacted in March 2015.

Following the clause-by-clause review, a motion was carried to report Bill 45 to the Assembly as ready for consideration in Committee of the Whole as amended and reprinted.

This concludes the committee's general comments on Bill 45. Individual Members may have additional questions and comments as we proceed.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. We'll turn our attention now to Minister Lafferty to see if he has witnesses he would like to bring in.

**HON. JACKSON LAFFERTY:** Yes, I do, Mr. Chair.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Lafferty. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Sergeant-at-Arms, if you could please escort the witnesses in.

Minister Lafferty, if you'd be kind enough to introduce your witnesses to the House.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Chair. To my left we have Mr. Dave Grundy. He's the president and CEO of the Workers' Safety and Compensation Commission, and Ms. Emerald Murphy, legal counsel, to my right.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Lafferty. Ms. Murphy, Mr. Grundy, welcome back to the House.

Committee, again, we're on Bill 45. We're going to open it up to general comments. Mr. Bromley.

**MR. BROMLEY:** Thank you, Mr. Chair. I want to thank you for bringing this to our attention, and I want to thank the workers' compensation and safety organization plus the Minister and our Justice staff for the quick work on putting this bill together. I'll leave it at that.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Bromley. Mr. Hawkins.

**MR. HAWKINS:** Thanks, Mr. Chair. I just want to use the occasion to ask a similar question I posed to the Minister and certainly the department on the list of diseases that I used in committee. During Committee of the Whole I had asked and I thought it would be important to put it on the official record as well as how comprehensive or updated is this new changing to our listing of diseases for the workers' compensation to cover for full-time firefighters? I do have another couple of quick questions, but we'll start with that particular one. The reason I ask now as I asked then was to ensure that we're fully up to date with the most current sort of knowledge or understanding of the challenges that the organization, the WSCC, may face, as well as the challenges and impacts that firefighters may be facing in the perceived reasonable future.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. Minister Lafferty.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Chair. We want it to be comparable to other provincial and territorial jurisdictions across Canada. We are covering the majority of diseases throughout Canada. We want to be compatible to other jurisdictions and part of the reason why, obviously, we brought forward our discussion with ENR, as I stated in my statement, is due to a fact that committee members want for us to explore further with that department to recognize forest firefighters and why they're excluded or they should be included. So, those are discussions that we've been having and if we need to make changes, we will be making those changes. Mahsi.

**MR. HAWKINS:** I thank the Minister for that answer. Were there any requested issues, such as disease, ailments, asked for by the firefighters that did not make the final cut of the lists of amendments proposed by the department? Thank you.

**HON. JACKSON LAFFERTY:** Those diseases that were identified, five categories, have been highlighted by the firefighters and they have been included into legislation and we haven't excluded any of the diseases otherwise highlighted. Mahsi.

**MR. HAWKINS:** The last question I have is, obviously, it was a collective push, certainly by the Yellowknife firefighters and the Association of Firefighters of Canada and certainly they worked, well, obviously with WSCC in order to get this on the government's agenda in order to make the amendments. My question would be when we were initially approached by this initiative. I'm just trying to get a sense of how well things worked and rolled out in the sense from the original contact we can do this and the amendment we have before us today. I'm just trying to get a sense of how responsive the WSCC had been to the particular issues presented by the firefighters. Thank you.

**HON. JACKSON LAFFERTY:** The first discussion was in March, and as a result, we've been in contact, and also vice versa, with the Manitoba Board, so the discussion took place from there. We wanted to expedite the process, so we involved firefighters to get their perspective as well. If I've missed out on the key topics or detail, I can get Mr. Grundy to elaborate more.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Lafferty. Mr. Grundy.

**MR. GRUNDY:** Thank you, Mr. Chair. We initiated this based on, as the Minister said, the Manitoba board which contacted us and they were supportive of other boards taking the firefighters' cases on. We had initial discussions with them. We then looked at the firefighters' cases. We held a meeting here in Yellowknife with the International Firefighters' Association and the local firefighters' association and were able to agree 100 percent on what needed to be added and we are consistent with the rest of the country and they were very pleased with the cancers that are involved. As the science gets better, if there are other cancers that are identified, certainly then they would be added as well.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Grundy. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. It's unusual to hear a criticism of timing in this regard, but that was pretty fast. It doesn't usually work that fast. Maybe more for me, as opposed to the public, but that said, it would probably help the public as well. Why so fast? It's unusual to have an amendment brought forward so quickly. Was it because it's a trend across Canada or is it because it was something you had been eyeing before or something else that came into play? I mean, to be honest, it's quite remarkable to have something proposed in March, unless it's the gravest emergency that we have to make some quick and swift changes to, so maybe someone can highlight that. Because, like I said, it's extremely unusual for us to move this quickly. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. Mr. Lafferty.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Chair. When we first heard it in March, and obviously there was a request from firefighters that this is an urgent matter that we need to deal with immediately, we listened to the firefighters. Due to the urgency of the situation, we fast-tracked it and here we are today, making those changes, adding five categories of diseases. Mr. Chair, mahsi.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Lafferty. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. I guess the last area was concerned about timing and, again, like I say, I'm not criticizing how fast it is, it's just exceptionally unusual how swiftly it moved. Was there any particular liability issues on why it had to move so

quickly? Was there a legal movement swell elsewhere across Canada or some type of mechanisms of a similar nature? Again, I just find it extremely pleasing but unusual that it moved so quickly. To hear the firefighters route an important issue is not to downplay the importance of the issue or certainly the organization. I hear all the time how things are critical and important, but it's like a millstone wrapped around its neck; it just drags and moves and time goes by. So, I'm just trying to understand now any type of legal pressure or liability pressure, groundswell of some type of organization that change in the paradigm for this. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. We'll go to Mr. Grundy.

**MR. GRUNDY:** Thank you Mr. Chair. There was no pressure put on our board to do this. There was encouragement from the Manitoba board, who actually was the first board to deal with this because the International Firefighters' Association is out of that area. So, they certainly encouraged all the boards of the country to take up that and add those cancers on.

As for liabilities to the organization, we were also, at the same time, looking at our latent occupational disease liabilities which we had to add on to our bottom line from a financial accounting perspective. So, it made total sense that it would all fall in line once we got that, and it did move very quickly and they were very happy with the way it's unfolding.

**MR. HAWKINS:** I am pretty confident this will be my last question, which is the underlying cost of this situation. I've been around for some time and I've yet to hear an employer say how they enjoy paying WSCC premiums and they always say they pay too much. Whether that's true or not is not necessarily for me to say; the actuary folks make those types of decisions. They have a science behind it. Again, I'm not in the right position to say agree or whatnot. I just find it confusing and let them deal with that.

That said, I'm curious on the change and that projected cost. What is the big change right now, because obviously you can't be adding more coverage without adding a financial component to it. So, the main question really is built around how much is changing in a sense of the rates? How does this financially change the industry? Do we foresee – and I'm hopeful, but first knock on wood – that we don't get a call upon this, but what type of liability does WSCC foresee in this particular problem going forward? I think you kind of understand where I'm going so I'll leave it to you, and that's really my last area, is how much this is going to cost those who pay and certainly what does the system expect to be considered normal.

**MR. GRUNDY:** There's a cost. What happened, the change in the accounting procedures, we were advised by the Auditor General that we had to look after, we had to actually book our latent occupational diseases now. That is, like, from 50 to 60 years ago to

the miners that may have come in contact with asbestos and things like that. This was the last year we had to get that done. Fortunately, we are in a healthy position financially, and by adding all the latent occupational diseases on, plus the firefighters, that was a total cost to the system of \$25.8 million. Now, we're confident that that's on the books now and will remain there. The firefighters were actually about a \$3 million addition to the \$25 million. So, our actuaries are confident that we are not going to have to add any more money to it. This did not affect the rates at all and it won't affect the rates unless we become in a compromised position for funding, which I don't anticipate is going to happen. From an employer point of view, it didn't affect the rates and now we have everybody covered.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Grundy. General comments. Is committee prepared to go clause by clause?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. Committee, I would turn your attention to the bill. The bill is only three clauses. We'll defer the bill title until the end. So, clause 1.

---Clauses 1 through 3 inclusive approved

**CHAIRMAN (Mr. Dolynny):** The bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Does committee agree that Bill 45, An Act to Amend the Workers' Compensation Act, is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. I'd like to thank Minister Lafferty, Mr. Grundy and Ms. Murphy. Thank you for joining us this evening. If I can get the Sergeant-at-Arms to please escort the witnesses out of the House, please.

Committee, continuing on with our duties for this evening, we're going to turn our attention to Bill 49, An Act to Amend the Deh Cho Bridge Act. With that, we'll turn it over to the Minister responsible. Mr. Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. I'm pleased to introduce the proposed amendments in this bill, which will help facilitate the daily administration and operation of the bridge near Fort Providence, the Deh Cho Bridge, and improve upon the enforcement of the Deh Cho Bridge Act and the regulations.

After two years of operating the bridge, the department has identified areas to improve and expand upon inspection and investigation authorities held by our highway transport officers. These proposed amendments will give our HTOs the authority to adequately enforce the act, regulations and bridge tolling system. This bill will also clarify circumstances under which drivers and owners of motor vehicles are liable for non-payment of bridge

toll fees. It will allow the admissibility of evidence for official documents for the toll evasion prosecution, such as photographs captured by cameras mounted on the bridge gantry. This will assist our HTOs to pursue toll evasion prosecutions and will reduce court time and costs.

Rather than tabling a special report regarding the collection of bridge tolls, annual reporting requirements are proposed to be included in the department's main estimates. This will eliminate the duplication of effort and make the department's reporting requirements more efficient.

This amendment also reflects that a concession agreement for the Deh Cho Bridge is no longer in place. To improve consistency among the department's acts and regulations, the department is proposing to remove the 90-day consultation process for any significant changes to the Deh Cho Bridge regulations. As a concession agreement is no longer in place, the regulation and bridge tolls will be administered like any other regulation or fees administered by the department.

Finally, many changes will be made to the Deh Cho Bridge Act to promote consistency with the Motor Vehicles Act. Together the amendments advance our continuing goal towards a more efficient and effective government. I look forward to discussing the bill with you in detail today. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. At this time, committee, we'll turn our attention to the chairman of the Standing Committee on Economic Development for comments on the bill. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. The Standing Committee on Economic Development and Infrastructure held its public review on Bill 49, An Act to Amend the Deh Cho Bridge Act, on September 16, 2015. Bill 49 amends the Deh Cho Bridge Act to streamline rules and requirements currently present in the act, clarifying enforcement powers and reducing red tape.

The committee is satisfied that the legal and fiscal responsibilities of the GNWT are satisfied by including toll reporting under the main estimates, in compliance with the Financial Administration Act.

Members were pleased that tolling revenue will continue to be clearly identified within the public accounts. Similarly, Members recognize that toll adjustments, according to the Consumer Price Index, CPI, will be undertaken in keeping with the GNWT-wide direction of the Financial Management Board.

Nevertheless, Members expect that the GNWT will continue to engage residents respecting any and all changes to the management of the Deh Cho Bridge.

Finally, while the committee agrees with the department that tolling enforcement is a matter of fairness, Members also wish to express their concern

respecting individuals crossing the bridge for non-business purposes, but who may be tolled due to their classification of licence plate and or vehicle's weight. Following the clause-by-clause review, a motion was carried to report Bill 49 to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's general comments on Bill 49. Individual Members may have additional questions or comments as we proceed. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. We'll now turn our attention to the Minister if he has witnesses to bring in the House. Minister Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. Yes, I do.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. Sergeant-at-Arms, if you could please escort the witnesses into the House. Minister Beaulieu, if you'll be kind enough to introduce your witnesses to the Chamber.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. To my immediate right is Russell Neudorf, deputy minister of Transportation. To my far right, Steve Loutitt, director of road licensing and safety, Department of Transportation. To my left, Cherie Jarock, legislation division, Department of Justice.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. Ms. Jarock, Mr. Neudorf, Mr. Loutitt, welcome to the House this evening folks. Okay, committee, we're on Bill 49. We're going to open up to general comments. General comments. Is committee prepared to go clause-by-clause?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. Committee, there are only five clauses to this bill, so we're going to do one at a time. Clause 1.

---Clauses 1 through 5 inclusive approved

**CHAIRMAN (Mr. Dolynny):** To the bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Does committee agree that Bill 49, An Act to Amend the Deh Cho Bridge Act, is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Okay, committee. Bill 49 is now ready for third reading. Thank you, committee. I'd like to thank Minister Beaulieu this evening here and I'd like to thank Mr. Loutitt, Mr. Neudorf and Ms. Jarock for joining us this evening. Sergeant-at-Arms, if you could please escort the witnesses out of the Chamber.

Committee, we're going to continue on with our committee business here, Bill 60, An Act to Amend the Motor Vehicles Act, No. 2. With that, I'll turn it over to the Minister responsible. Minister Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. The Department of Transportation has identified a number of required amendments to the Motor Vehicles Act that will increase highway safety and enable the department to implement new initiatives. Bill 60 addresses five general areas of amendment.

Validation stickers are now being completely phased out due to the introduction of online services in 2014. Validation stickers are no longer needed as clients can print their certificates of registration from the Internet. All references to validation stickers will be removed from the Motor Vehicles Act.

Abandoned and worthless vehicles across the Northwest Territories are an eyesore and have the potential to become public hazards. Proposed provisions in Bill 60 will allow the department to develop regulations to address this problem, including the processes and mechanisms to declare and dispose of abandoned vehicles.

In addition, the bill proposes to amend speeding offences such that penalties will be valued according to the driver's actual number of kilometres over the speed limit.

Distracted driving continues to be a problem across Canada, including here in the NWT. Stiffer penalties are needed to deter this dangerous driving behaviour. The department is proposing to introduce administrative licence suspensions for second, third and fourth distracted driving offences in a two-year period. The duration of these suspensions would be 24 hours, 7 days and 30 days respectively. These licence suspensions would be administered in addition to the \$322 fine.

The department is proposing a new offence for distracted driving in high foot traffic areas such as school zones and construction zones. The department would make the penalty for driving distracted in those zones higher than the current penalty for distracted driving. The term used in relation to distracted driving will also be defined.

Other amendments in the proposed bill provide for the clarification of processes in relation to drivers' medicals, such as driver medical reporting requirements. These proposed provisions clarify the registrar's authority and the responsibility of clerks in respect to medical fitness. Ensuring individuals are medically fit to drive is essential to public safety.

Finally, the proposed bill will improve readability and clarity of the Motor Vehicles Act; therefore, these amendments advance continue to improve road safety for all NWT residents and visitors to our territory. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Beaulieu. At this time I will turn it over to the chairman of the Standing Committee on Economic Development for committee's comments on the bill. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chair. The Standing Committee on Economic Development and Infrastructure held its public review on Bill 60, An Act to Amend the Motor Vehicles Act, No. 2, on September 16, 2015.

Bill 60 amends the Motor Vehicles Act to eliminate references to validation stickers which are no longer used and enable the registrar to apply terms and conditions when reinstating a licence and to suspend or cancel a licence if medical examination requirements are not met, strengthen distracted driving legislation, establish unique offences for each kilometre by which a driver exceeds the maximum speed limit, create a new offence respecting parking in interference with the fighting of a fire, address the valuation and disposal of worthless vehicles, and address grammatical translation and reference errors.

One of the amendments proposed in Bill 60 would see speeding fines increase incrementally for each kilometre over the speed limit. During the public hearing, the committee expressed its concern that the proposed provision provided for drivers to be charged with multiple offenses. For example, 15 offenses for driving 15 kilometres above the speed limit; however, Members are confident of the department's assurance that the matter will be clarified in the regulations and look forward to such amendments.

The committee also welcomed amendments to respecting abandoned vehicles, a matter of continuing interest to residents and local businesses as well as the Members.

Finally, the committee wishes to briefly comment on the proposed amendments respecting distracted driving. Despite advances in legislation, enforcement and public awareness, both in the Northwest Territories and across Canada, distracted driving continues to claim lives and to be a cause of injury and damage to property. The committee commends the department's alternatives to this important road safety issue.

Members emphasized the need for consistent enforcement of the new rules also anticipate new educational initiatives. Following a clause-by-clause review, a motion was carried to report Bill 60 to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's comments on Bill 60. Individual Members may have additional questions or comments as we proceed. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. I am going to turn it back to the Minister responsible if he has any witnesses to bring into the House. Mr. Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chair. I do.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. Sergeant-at-Arms, would you please escort the witnesses into the House.

Minister Beaulieu, if you could please introduce your witnesses to the Chamber.

**HON. TOM BEAULIEU:** Thank you, Mr. Chair. To my immediate right, Deputy Minister Russell Neudorf, Department of Transportation; to my far right, director of road licensing and safety, Mr. Steve Loutitt; and to my left, Ken Chutskoff, legislative counsel, Department of Justice.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. Mr. Chutskoff, Mr. Neudorf and Mr. Loutitt, welcome back to the House.

Committee, again we are on Bill 60, An Act to Amend the Motor Vehicles Act. I will open up to general comments. Mr. Bouchard.

**MR. BOUCHARD:** Thank you, Mr. Chair. I would like to discuss some of the distracted driving enforcement and kinds of distracted driving. I know we are talking about increasing the penalties for driving distracted, if the Minister could even maybe just talk a little bit more about that. I think we are talking about even suspending licences for periods of time, how that would work as far as if you got pulled over with distracted driving and you are getting suspended for your licence, how you would basically get that vehicle back home. Some of the practical parts of the enforcement of distracted driving.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Bouchard. Minister Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chair. Within a two-year period, your second offence would be a 24-hour suspension. A third offence in that same period would be a seven-day suspension and a fourth offence would be a 30-day suspension. The individual, because they are not impaired, would be allowed to drive their vehicle home.

**MR. BOUCHARD:** Thank you. So, if you got pulled over with your second offence in two years, you are basically given a 24-hour suspension and the officer would tell you that you have to go home. I guess some of the questions I would have if that was me and I was in Yellowknife, obviously going home is a little shorter distance than someone driving back to Hay River. Would I have a day or two to get back home before I serve my 24-hour suspension or not? How does some of that practicality side of it work?

**HON. TOM BEAULIEU:** The suspension doesn't come into effect until 24 hours after the violation.

**MR. BOUCHARD:** I am just wondering: if it is like a demerit system, after you have done it for so long a

period then it doesn't... If I get one every five years then the second one doesn't affect me after two years. Just like the demerits, it would come off the system, or can the Minister clarify that?

**HON. TOM BEAULIEU:** There are three demerits for each violation. Three demerit points and after two years, within the two-year period, if there are no additional demerits then it would come off the books.

**MR. BOUCHARD:** The Minister indicated in his opening remarks about school zones and construction zones. If it was my second offence and I was doing texting or distracted driving for the second time, would that be more than a 24-hour suspension or would it be bumped up to the three day suspension because I was in a school zone, for example?

**HON. TOM BEAULIEU:** The demerits would be the same; the suspension would be the same; the fine would be doubled from \$322 to \$644.

**MR. BOUCHARD:** I'm not disagreeable to this process. I think we need to take distracted driving out of the hands of the drivers in the Northwest Territories. My question to the department is how do we expect this to roll out and do we have a campaign or an advertising campaign to go with this so that people understand and know that there is more severity to the program than we currently have? I know we rolled it out when we doubled the fines. There was a bit of an advertising campaign and it got a little bit of play. Are we expecting that with this type of increase in the suspension area?

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Bouchard. We'll go to Mr. Neudorf.

**MR. NEUDORF:** Thank you, Mr. Chair. We, of course, will take advantage of this opportunity to promote the dangers of distracted driving with this, assuming this legislation is passed today. We will work with law enforcement agencies to promote the new laws and then we will have a public awareness campaign as part of that as well.

We will continue with our other campaigns that we have as well. Some of those are national campaigns that we are part of and some of them are our own advertising. We'll just continue to generally promote the dangers of distracted driving.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Neudorf. Continuing on with general comments on Bill 60, I have Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. I would encourage the department to investigate certainly the right approach and certainly I would say contact someone who understands good communication when we consider an updated campaign on distracted driving.

One of the issues I notice with people is that they still tend to hold their phone in their hand, and really what I think is a bit of an issue here is people are misinterpreting, in some cases, probably a very small

percentage in all honesty, but misinterpreting what distracted driving really is.

Where people have learnt that using your cell phone is certainly holding it to your ear and talking on it normally while you're driving and you still see people doing that, but occasionally what you do, if not more often, I see people drive around and they're holding their cell phone in front of them while they're talking. I can only assume they have it on speaker phone as they're driving along and having it in front of them is best to describe it as maybe holding it in front of them in a manner that it's just above the steering wheel.

I think, really, what my suggestion would be to the department is to take these types of things into consideration and explaining and maybe through some type of advertisement on saying, well, this is what distracting is, the cell phone in your hand, type of thing, and helping folks understand that this doesn't change the argument that, well, I'm not holding it to your head now, it doesn't apply. There are a fair bit of things they need to consider that folks need to be updated and I think it could be a case of misinterpretation, the fact that they don't appreciate the complexity of it, or they don't appreciate how simple, really, that message is, which is once you have the cell phone in your hand you now fall under the umbrella of distracted driving.

I just wanted to provide some thoughts on that.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. Minister Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. The department is proposing to define use, so use would be holding, operating or touching a restricted electronic device.

**MR. HAWKINS:** Well, I'm glad to hear that. It doesn't surprise me from our earlier discussions, of course, that we had heard that those types of things are issues. I think I remember reading or hearing about the case in the Yukon where you're arguing definition of what distracted driving is and what constitutes on the phone and definition on there, and that's kind of what I'm really getting at, is that it's great that we have a definition on the books but sometimes folks in practical sense don't view it that way. So really what I'm suggesting is I encourage them through a public awareness campaign of some sort to show folks what's right and not right. I'll wait for the Minister's comment and then I'll change subjects.

**HON. TOM BEAULIEU:** Those are good points. I thank the Member. We will take that into consideration when we're rolling out the new act.

**MR. HAWKINS:** Thank you for that, Minister. The other area that I have concern, although I have to admit it didn't necessarily garner committee support, but it still doesn't mean it doesn't matter to me even less, which is the fact that I'm not convinced that the way we are proposing to change the distracted driving

offences is the right direction when it comes to how we suspend.

I think, in my opinion, we should increase the value of the demerits, and once you've reached the limit of your demerits because these offences have now become very steep, that alone by de facto suspends your licence rather than leaving it down to judgment calls and about suspending people within a certain amount of time and telling them to give, well, you can drive home, but we're going to pursue with paperwork.

I think we should let the process decide on its own. If someone is caught, I think the demerit process is you lose three demerits if you're fined under the distracted driving, and I believe, if memory serves, you get a total of 15. If that's not 100 percent correct, it doesn't really matter, because the point I'm making is I suggest we bump it up quite a bit, because a couple fines and all of a sudden you now have to appear before a judge and explain your behaviour and why you cannot comply with the rules of the road. The way it's intended now is that, I think, after your second one all of sudden you've got some explaining to do, as they say. I look forward to how that types out in translation or in the Hansard tomorrow.

The point is that I hate the thought of the subjectivity into it. I really like the cut and dry. I know the department heard my grievance in committee that day we had had the hearing, and I know that the likelihood of that being all of a sudden, miraculously, hey, wait a minute, we should change. That isn't going to happen. I'm probably expecting a unicorn sooner to run through the Assembly any moment now and that ain't gonna happen. I just wish it was different, and in my opinion I think it's become more of an administrative issue, that it's more of a headache as opposed to the way I've suggested that it just be attached to increase.

The other thing is, in my opinion, if distracted driving really matters that much, and it does, as we've seen all the research and we hear more and more about people who can't comply, and we hear about the dangers and the type of behaviours and nightmares that it leads to, then maybe we should have the demerit points that reflects that social change.

**HON. TOM BEAULIEU:** We proposed, in the bill, suspensions because suspension and demerits go well together. In the bill, a specific offence on distracted driving will net you a suspension plus demerit points. If an individual does have a fifth distracted driving charge in a two-year period, they will be suspended indefinitely. I think they would use all their demerit points. What I can do is maybe ask Russell or Steve to add to this.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. We'll go to Mr. Neudorf.

**MR. NEUDORF:** Thank you, Mr. Chair. I appreciate the comments from the Member. There were a

number of different options and ideas that we looked at. We did look at all other Canadian provinces and into the US states and what they're doing to try to combat this problem, which rules are changing and becoming more strict, fines are increasing, suspensions, et cetera, and yet the problem still appears to be growing, so we need to be proactive to make sure that we address it as forcefully as we can.

We looked at all the different options and decided that a suspension would be the way to go for this. Working with law enforcement, we already do provide these types of suspensions related to drinking and driving, so it was appealing to the law enforcement community because they were aware of what's happening. We also like the fact that it's tied directly to the immediate conviction or the immediate problem of distracted driving, and it's not demerit points where you can get demerit points for speeding or for distracted driving or any number of things, and if you get too many then you have to get called in and go through a review. But we liked the fact that the suspension was directly related to the distracted driving offence.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Neudorf. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. It's not my intent to continue this all night, so I'll just be quick. I know there's no willingness on the department to make that change and we have to be very clear, distracted driving at the time is equal if not worse than drunk driving. I'm not a scientist and I'm not going to try to explain which one's worse, I'm just going to say equal, for safety's sake.

At the moment that particular individual stopped, the crime itself has been stopped, they're no longer impaired in the sense of mental impairment of driving has been taken away and I think that's probably some of the reasoning behind why they're allowed to drive home and park their car until their suspension type of thing or philosophy built behind it.

I pointed out the social ill or the nature of it is that there was a time that drunk driving was not, I'm not going to say it was okay, it didn't have the stigma it does have today. Distracted driving is the same way, it's just I'm not convinced the department sort of sees it through the demerit point process that it observes and waiting for someone to have five fines before they have to visit a judge to explain that they're driving in a manner that is just equal if not worse than drunk driving. I think my point is if the demerit points were increased, they'd be visiting them either after the second or third offence. So that's the only other thing.

The last comment I'll make very briefly because I see my time has run down, and it's not necessarily a question, I'm just glad we're giving the registrar some authorities to make some changes in regulations around abandoned vehicles. The only issue I'll raise there is that I've had people here who have had concerns about trying to repurpose, revitalize old

vehicles that have been written off, lost, found in the dump or whatnot, and for them to be able to reissue registration so they can put a little life back into a rebuilt old vehicle. The way I understood it was they would have that ability to do that. So that's the only other area of concern and I assume they'll want to reply, but unless it's earth shattering, I'd probably leave the Minister with the final comment. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. There was a bit of a question in that first part and I'll allow Minister Beaulieu to reply.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. We would look at that. Right now we're moving forward with the three demerit points, a suspension of fines, and the main purpose of the act is to stop distracted driving. It's not to punish people, it's to stop distracted driving. So, if we had no distracted driving, the act would be a good act.

What we're doing is we're putting forward a bill that we think is going to do that at this point. If it doesn't work, then we're prepared to look at other options as well.

For the abandoned vehicles, I'll ask Mr. Loutitt to take that. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. Mr. Loutitt.

**MR. LOUITT:** Thank you, Mr. Chair. We've looked at the abandoned vehicle problem and we've met with our stakeholders, including yourself, and took suggestions and then went to the jurisdictions and looked at what the problems were. We found this to be a fairly unique northern problem. In many jurisdictions you can call a company to come and pick up your vehicle and give you money and take it away. In the North, where these vehicles are being abandoned, we looked at this as an opportunity to not only work with the towing companies to dispose of the vehicles but also the opportunity to change the ownership so that the vehicles can be fixed up, repaired and put back on the road safely. I think it's a good example of us working with stakeholders to come up with a good solution and we're going to build a regulation around it. Thank you, Mr. Chair.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Loutitt, and again I congratulate your folks on doing that. Committee, general comments. I have Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Chair. I just have a brief comment that I want to make. I've been pushing for eight years, not so much lately because we've had a change to the Motor Vehicles Act, but certainly in the 16<sup>th</sup> Assembly I pushed very hard to get some change to the Motor Vehicles Act relative to distracted driving and I'm very pleased to see that we are increasing the fines and adding suspensions. With the change that was originally made, it was almost as if people just totally ignored it and we had almost as many people driving distractedly as we had before we made the original amendment to the Motor Vehicles

Act. So, whatever we can do to bring it down the better, and I'm really pleased to see these amendments in here. Thank you, Mr. Chair.

**CHAIRMAN (Mr. Dolynny):** Thank you, Ms. Bisaro. There was more of a comment there, but I will allow the Minister a formal reply. Minister Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. I would like to thank the Member as well.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. General comments. Is committee prepared to go clause by clause?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Committee, there are 50 clauses to this bill. Is committee prepared to take them in groups of 10?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. I heard concurrence. Thank you, committee. Again, we're going to defer the bill title until we've finished clause-by-clause. We're going to start at clauses 1 to 10. Is committee agreed?

---Clauses 1 through 50 inclusive approved

**CHAIRMAN (Mr. Dolynny):** Does committee agree that Bill 60, An Act to Amend the Motor Vehicles Act, is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Committee, we're going to have to do that over again because your chairman forgot the number. So, Bill 60, An Act to Amend the Motor Vehicles Act, No. 2, as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Does committee agree that Bill 60, An Act to Amend the Motor Vehicles Act, No. 2, is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. Bill 60 is now ready for third reading. Thank you, Minister Beaulieu. Thank you, Mr. Loutitt, Mr. Neudorf and Mr. Chutskoff for joining us this evening. If I could get the Sergeant-at-Arms to please escort the witnesses out of the Chamber. Thank you. Mr. Bromley.

**MR. BROMLEY:** Thank you. I move we report progress.

---Defeated

**CHAIRMAN (Mr. Dolynny):** Order, committee. Committee, we're going to continue on with House business. Bill 61, An Act to Amend the Public Airports Act. With that, we'll turn it over to the Minister responsible, Minister Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. I'm pleased to introduce Bill 61, An Act to Amend the Public Airports Act, which proposes to address six

areas in legislation aimed at improving how we operate airports throughout the NWT and to clarify sections of the Public Airports Act.

The bill proposes to increase the duration of leases on Commissioner's public airports land from 20 years to 30 years so tenants will be able to amortize leasehold improvements over longer periods. Such extensions will provide consistency with maximum amortization periods typically offered by lending agencies.

The bill proposes amendments that prescribe new procedures through which an airport manager would be able to take possession of unclaimed property left at airports for storage, sale or disposal.

The bill also proposes amendments to provide enforcement officers at the airport with authority similar to highway transport officers to enforce the Motor Vehicles Act, the Public Airports Act and other regulations that apply to public airport land. To achieve harmonization with the Motor Vehicles Act, the bill proposes the maximum fine for offences under the Public Airports Act to be increased from \$2,000 to \$5,000. As well, the regulation of traffic and pedestrians on public airport land will be addressed under the Motor Vehicles Act, allowing for several repetitive provisions to be removed from the Public Airports Act.

Finally, the proposed bill will improve the act's clarity and rehabilitate. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. We'll turn our attention to the chairman responsible for the standing committee for reviewing the bill. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. The Standing Committee on Economic Development and Infrastructure certainly worked tirelessly on its review of the public review of Bill 61, An Act to Amend the Public Airports Act. We did that on September 16, 2015.

Bill 61 amends the Public Airports Act to increase the maximum lease duration for Commissioner's public airports land to 30 years, specified disposal procedures for unclaimed property and synchronize the regulations of traffic and pedestrians with the Motor Vehicles Act.

The bill also makes consequential amendments respecting enforcement to the Motor Vehicles Act.

The committee appreciates the amendments that align the language of the various statutes under the Department of Transportation. Members also appreciate the reduction of red tape and clarification of the department's authority. The committee looks forward to the implementation of clear and effective procedures for enforcement and for storage and disposal of unclaimed property. Following the clause-by-clause review, a motion was carried to report that

Bill 61 to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's general comments on Bill 61. Individual Members may have additional questions or comments as we proceed. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. We'll turn it over to the Minister if he has witnesses to bring into the House. Minister Beaulieu.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. I do have witnesses.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. Sergeant-at-Arms, if you could please escort the witnesses into the Chamber.

Minister Beaulieu, if you'd be kind enough to introduce your witnesses to the House this evening.

**HON. TOM BEAULIEU:** Thank you, Mr. Chairman. To my immediate right is deputy minister of Transportation, Russell Neudorf. To my far right is director of airports, Delia Chesworth; and to my left, legislative counsel, Thomas Druyan.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Beaulieu. Mr. Druyan, Mr. Neudorf and Ms. Chesworth, thank you for joining us this evening in the House. Committee, we'll open up Bill 61 to general comments. Is committee prepared to go to detail?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Committee, we've got 13 clauses here, so we'll do them one at a time and then we'll defer the Bill title to the end. Clause 1.

---Clauses 1 through 13 inclusive agreed

**CHAIRMAN (Mr. Dolynny):** To the bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Is committee agreed that Bill 61, An Act to Amend the Public Airports Act, is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. Bill 61 is now ready for third reading. I'd like to thank the Minister this evening here, and Mr. Druyan, Mr. Neudorf and Ms. Chesworth for joining us. Sergeant-at-Arms, if you could please escort the witnesses out.

**CHAIRMAN (Mr. Bouchard):** Thank you, committee. Does committee agree we're starting Bill 65, An Act to Amend the Safety Act? First I'll go to the Minister responsible, Mr. Lafferty.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Chair. I'm pleased to introduce Bill 65, An Act to Amend the Safety Act. Bill 65 proposes several amendments to the Safety Act. The objective of those consultations

and this bill is to improve occupational health and safety.

The reasons for the amendments set out in Bill 65 are generally new occupational health and safety regulations have been developed jointly by the Northwest Territories and Nunavut for recommendation to their respective Commissioners where there are insufficient authority in the Safety Act for a small portion of proposed new regulations.

As well, Canada has enacted new Workplace Hazardous Information System legislation, called WHMIS, and amendments to the Safety Act are needed to allow harmonization with the federal legislation.

The treatment of the subject matter in this bill was the focus of extensive consultation over a period of September 2010 to March 2011 between representatives of industry; labour and public in the Northwest Territories and Nunavut were engaged in consultation aimed at reforming the Occupational Health and Safety Regulations.

Mr. Chair, these regulations apply to workplaces other than mines and some aspects of oil and gas operations. The consultation resulted in a report in excess of 1,000 pages and three volumes.

I'm pleased to answer any questions that Members may have pertaining to Bill 65. Mahsi.

**CHAIRMAN (Mr. Bouchard):** Thank you, Minister Lafferty. I'll ask the chairman responsible for the Standing Committee on Economic Development and Infrastructure, Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. The Standing Committee on Economic Development and Infrastructure held its public review of Bill 65, An Act to Amend the Safety Act, on September 17, 2015. The committee thanks the Minister and his staff for presenting the bill.

Bill 65 amends the Safety Act to harmonize with the new Occupational Health and Safety Regulations, including regulation making power and authority for three sections and with the new federal Workplace Hazardous Information System legislation.

The committee recognizes that extensive consultation informed the draft of the new Occupational Health and Safety Regulations. However, no specific consultation was undertaken in the drafting of Bill 65. The committee encourages the undertaking of specific consultation for any future legislative proposals specifically respecting the Safety Act.

During the public hearing, the committee initiated two amendments of Bill 65 with the Minister's concurrence. The first corrects an inconsistency in the translation in the French version of Clause 4 to align with the remainder of the Safety Act. The second clarifies the language regarding the exemption of privileged information under the Access to Information and Protection of Privacy Act in clause 5.

Following the clause-by-clause review, a motion was carried to report Bill 65 to the Assembly as ready for consideration in Committee of the Whole as amended and reprinted.

This certainly concludes the committee's general comments of Bill 65. Individual Members may have additional questions and comments as they arise. Thank you very much, Mr. Chairman.

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Hawkins. Minister Lafferty, do you have witnesses to bring into the Chamber?

**HON. JACKSON LAFFERTY:** Yes, I do, Mr. Chair.

**CHAIRMAN (Mr. Bouchard):** Sergeant-at-Arms, please escort the witnesses into the Chamber. Is committee agreed?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Thank you. Minister Lafferty, would you please introduce your witnesses.

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Chair. To my left I have Mr. Dave Grundy. He's the CEO of the Workers' Safety and Compensation Commission. To my immediate right is Judy Kainz, director of prevention services and safety officer. To my far right is Ms. Emerald Murphy, legal counsel. Mahsi.

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Lafferty. Committee, general comments to Bill 65. Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Mr. Chair. I'd like to welcome the Minister and the department here this evening for I think a very important bill. One in which that I think drew a little bit of controversy and a little bit of concern when we did the clause-by-clause. I think it came down to the level of consultation that was undertaken to prepare the bill that we see today. As you heard this evening in the Minister's comments, extensive consultations – his words – occurred September 2010 to March 2011, and to our knowledge, very little consultation took place in the drafting of this bill to match current regulations under the occupational health and safety matter.

So, first and foremost, as I indicated back in our clause by clause, I was going to give the Minister and his delegation appropriate time and energy to go and consult after the clause by clause and so at this time I will be asking the Minister or his designate whether or not they did get concurrence and approval from such areas as the Governance Council of the Workers' Compensation Division, the Chamber of Commerce, both territorial and in Yellowknife, the Chamber of Mines and others that we talked about.

So, again, I will ask the Minister or designate, has this been fully consulted with these groups and have they been blessed to support the Safety Act? Thank you.

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Dolynny. Mr. Grundy.

**MR. GRUNDY:** Thank you, Mr. Chair. As I stated before, the Governance Council is fully aware of the changes we are doing. These changes to the Safety Act are not only non-substantive changes to line everything up, we did not go to either chamber or any other consultation. We have on the books right now a rewrite of the Safety Act, which will involve a lot of consultation like we did with the regulations over a long period of time to ensure that everybody is aware of what our plans are and what the plans or suggestions to the government will be in improving the Safety Act.

**MR. DOLYNNY:** I appreciate Mr. Grundy's reply to the question. Why didn't we go and consult our stakeholders in preparation for today's amendments and bill? What was the impetus for not reaching out? Like I say, it has been a number of years since we took it upon ourselves to do this. What was the reason for not consulting these various stakeholders to which it will have an immediate and direct impact to small businesses throughout the Northwest Territories?

**MR. GRUNDY:** The consultation that we did was in direct relation to the regulations and not the act. We felt that the regulations were well represented by the public, by employers of the Northwest Territories, and these changes were only non-substantive to make them line up. Like I said, the big consultation will be when we are actually doing things that will have direct impact. So, all these changes have is to align everything up so that we can move forward with the regulations as they are.

I know that there are still some concerns out there about the regulations, but the regulations can be changed any time. The Minister's Safety Committee looks at that once a year, takes recommendations from business, takes recommendations from employers and discusses them and will be giving that to the Minister for consideration.

**MR. DOLYNNY:** I appreciate the response; however, the department is very aware that regulations on the floor of the House here are something to which we, as legislators, have absolutely zero impact on. We can talk about them in the House; we can make inferences; we can make suggestions; but we have no control over regulations. We do, however, have control over legislation. So, when legislation is brought before the House, it is deemed appropriate that proper consultation pursue. That proper consultation was reached out to all stakeholders.

Clearly, what we are hearing today is still that we are trying to match an act to regulations that are out of our control and we are somehow supposed to understand and agree to these changes to the act in the absence of full consultation, which makes it very problematic in context. So it is very difficult for me to move forward with this act as a Member because we are kind of doing things a little backwards. We are matching legislation to regulations and in the absence

of consultation, in the absence of not having all stakeholders provide input, these changes to the act will affect small businesses. In fact, those businesses of less than 20 are going to be affected greatly in terms of extra costs to maintain certain occupational health and safety standards, and those costs will affect the businesses that affect Northerners that affect their way of life.

What has the department done to evaluate what is the financial impact of this act on small businesses of less than 20 people?

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Dolynny. Ms. Kainz.

**MS. KAINZ:** That was part of the consultation with the regulations because the changes were made, and in fact, we expanded the OH&S Committee. Under the old regulations you had to have a committee if you had fewer than 10 workers. It is now 20 workers, so that, in fact, helps with small businesses in that they don't have to have a committee if they are fewer than 20. That change was made as a direct result of the consultation.

**CHAIRMAN (Mr. Bouchard):** Thank you, Ms. Kainz. Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Mr. Chair. I don't want to continue with questioning too much longer here. I think we have heard loud and clear my concern the way this act has come about. It is unfortunate that I don't have enough support from my colleagues here, otherwise I would have a motion to not pass this bill as written, for the very reasons of lack of consultation. However, since I don't have enough support to do so, I am not going to belittle this process any further. I just hope that this serves as a deep reminder to the department, to Ministers, to make sure that you bring full consultation to this House, otherwise, as Members, we will remind you each and every time. You have to consult. Thank you.

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Dolynny. I will take that as a general comment. Committee, we are on general comments. Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Chair. I just have a couple of questions. I haven't been party to the consideration of this bill, but in listening to the comments in the last few minutes, I heard Mr. Grundy say that there is a comprehensive review of the Safety Act being undertaken.

So, my first question is: Why do we have these amendments before us when the Safety Act is being reviewed, apparently now and in the near future? What is so urgent about these amendments that it couldn't wait until the comprehensive review of the act? Thank you.

**CHAIRMAN (Mr. Bouchard):** Thank you, Ms. Bisaro. Mr. Grundy.

**MR. GRUNDY:** Thank you, Mr. Chair. The urgency on these two amendments is to line up the act with the

regulations. When we do our review and we start our review of the Safety Act and other acts that we regulated, that is a long process of probably about a few years in the making, so we couldn't wait. We needed these regulations that have been enacted already to line up with the Safety Act, hence two amendments.

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Grundy. Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Chair. Thanks to Mr. Grundy for the explanation. My other two questions have to do with Section 4 in the act, but it states or uses the term "work site" and I don't see that defined, certainly in this act. It may be defined elsewhere but it is not defined in these amendments.

To the concern that Mr. Dolynny expressed about small businesses being impacted, could I get a definition of what a work site is? I don't know if it is in regulations already or if the department knows what they intend a work site to be. Thank you.

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Dolynny. Ms. Kainz.

**MS. KAINZ:** Thank you, Mr. Chair. Work site is a defined term in the act. It means a location where a worker is or is likely to be engaged in work or a thing at, in, on, or near which a worker is or is likely to be engaged in work.

**MS. BISARO:** So, I guess that would then mean that any place where anyone is working, no matter what the size. I will take that, then, as a definition.

So the other part, I am looking at Section 4 again, and it says, "an Occupational Health and Safety Program or a work site as required by the regulations," so can I get a confirmation? I heard you say these programs, these officers are required for businesses of more than 20 employees, so is that what is referenced here in number 7, that the regulations will make that statement so any work site that has less than 20 employees is not required to have an occupational health and safety committee, I guess, and a designated safety representative?

**MS. KAINZ:** It's been repealed and replaced. If I'm understanding your question about the committee size of less than 20 workers, they don't have to have a safety program but they still have other obligations, and those are under the regulations. ... (inaudible) ... establish the occupational health and safety committee or a designate, a safety rep. If you have less than 20 workers, you have to have a safety rep. If you have greater than 20 workers, you have to have the committee.

**MS. BISARO:** I think you got my question. What are the duties, I guess, of the safety representative in this small business of less than 20 employees? Mr. Dolynny is suggesting that it's quite onerous. What is expected of this person? What's in regulations that I,

as a safety rep, am going to have to do at my workplace?

**MS. KAINZ:** Those are in the regulations and in the act. A safety representative is part of the investigation into a refusal to work, along with the supervisor. They also participate in any investigations or are made aware of investigations of accidents of a serious nature or accidents of serious bodily injury or dangerous occurrence. The terms are all spelled out clearly in the regulations.

**CHAIRMAN (Mr. Bouchard):** Thank you, Ms. Kainz. Committee, we're on general comments for Bill 65. Does committee agree to go clause by clause?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** We'll defer bill number and title until were completed. Clause 1.

---Clauses 1 through 9 inclusive approved

**CHAIRMAN (Mr. Bouchard):** The bill as a whole.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Does committee agree that Bill 65, An Act to Amend the Safety Act, is ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Bill 65 is now ready for third reading. Thank you, witnesses. Sergeant-at-Arms, please escort the witnesses out of the room. Thank you, Mr. Lafferty.

Thank you, committee. The last bill before us today is Bill 68, An Act to Amend the Child and Family Services Act, No. 2. We'll begin by going to the Minister responsible. Minister Abernethy, do you have opening comments?

**HON. GLEN ABERNETHY:** Thank you, Mr. Chair. I'm pleased to be here to discuss Bill 68, An Act to Amend the Child and Family Services Act, No. 2. Bill 68 proposes to remove the child and family services committees from the act. These amendments were initiated by a recommendation made by the Standing Committee on Social Programs in their Committee Report 18-17(5), Report on the Review of Bill 47, An Act to Amend the Child and Family Services Act, where the Department of Health and Social Services was encouraged to act immediately and introduce a bill to remove all provisions pertaining to the child and family services committees.

Before moving forward with the bill, the department carefully reviewed the legislation to ensure no other provisions would be unduly affected. Important processes and services such as an early intervention, plan of care committees and agreements, and the future inclusion of mediation will continue under the act. Child and family services committees were designed as a way to involve communities in child protection matters; however, despite many efforts, child and family services committees could not be successfully established in the Northwest Territories.

Removing the child and family services committees from the act provides the department with an opportunity to strengthen its focus on involving communities through the use of existing provisions such as through the inclusion of additional members on the plan of care committee or working in partnerships with community government bodies or Aboriginal governments.

I'd like to take this opportunity to thank the Standing Committee on Social Programs for their contribution to this bill, and I would be pleased to answer any questions that committee may have.

**CHAIRMAN (Mr. Bouchard):** Thank you, Minister Abernethy. Mr. Abernethy, do you have witnesses to bring into the Chamber?

**HON. GLEN ABERNETHY:** Yes, I do.

**CHAIRMAN (Mr. Bouchard):** Agreed?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Sergeant-at-Arms, please escort the witnesses into the Chamber.

Mr. Abernethy, could you introduce your witnesses, please.

**HON. GLEN ABERNETHY:** Thank you, Mr. Chair. On my left is Cherie Jarock, who is legislative counsel, and on my right is Debbie DeLancey, deputy minister, Department of Health and Social Services.

**CHAIRMAN (Mr. Bouchard):** Thank you, Minister Abernethy. Committee, we'll open up general comments on Bill 68. Mr. Moses.

**MR. MOSES:** Thank you, Mr. Chair. I just wanted to thank the Minister and the department for working very fast on a recommendation from committee in regards to moving the child and family services committees.

This was a pretty long bill that's been in the Legislative Assembly for many years and many governments, and when committee took it out and heard from the communities, there was concern that we were putting more responsibilities on the CFS committee and the communities. We also heard that there was only one that was actually working and that actually stopped all together, and I know people were concerned in terms of remuneration or compensation for members on the child and family services committees. They thought that there should have been something put forward. But like I said, there was only one community that had a successful working committee at one time but had stopped all together.

Just listening from the communities and listening from some of the front-line staff as well as some of the community leaders, standing committee thought it would be a good recommendation to remove all child and family services committees from this bill and just appreciate the work that the department went to and removed them. Just looking through the bill, there were a lot of areas that it needed to be removed from.

I just wanted to make those comments.

**CHAIRMAN (Mr. Bouchard):** Thank you, Mr. Moses. I'll take that as general comments. I'll go to Ms. Bisaro next.

**MS. BISARO:** Thank you, Mr. Chair. My comments are similar to those of my colleague Mr. Moses.

My experience has been that the child and family services committees have not worked, much as the department tried quite valiantly at the beginning of this Assembly to try and get them going. They are a great idea, but if they're not working, we shouldn't have them. When we were in a hearing with the Minister, the suggestion was made that maybe we shouldn't have child and family services committees, to which the Minister responded and this bill is the result of that.

I think there needs to be some monitoring as we make this change. I think there has to be a watchful eye, I think, kept on things by the department to ensure that something, some kind of I don't want to say program, but that something replaces the child and family services committee or what they were intended to do. We can't just take them out and not replace it with something or other. But certainly the committees weren't working, so I'm pleased to see this has been brought forward.

I guess I'd like to also echo the comments about thanks to the Minister and to the staff for getting this done before the end of this Assembly. Thank you.

**CHAIRMAN (Mr. Bouchard):** Thank you, Ms. Bisaro. I'll take those as general comments as well. Does committee agree we'll go clause by clause?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** There are a number of clauses, 15 clauses in total. We'll go in groups of five.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Clauses 1 to 5.

---Clauses 1 through 15 inclusive approved

**CHAIRMAN (Mr. Bouchard):** Does committee agree we have concluded Bill 68, An Act to Amend the Child and Family Services Act, No. 2?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** The bill as a whole?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Bouchard):** Sergeant-at-Arms, please escort the witnesses out of the Chamber.

Bill 68 is now ready for third reading. I will go to Ms. Bisaro.

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

---Carried

**CHAIRMAN (Mr. Bouchard):** I will rise and report progress.

**MR. SPEAKER:** Item 21, report of Committee of the Whole. Mr. Bouchard

### Report of Committee of the Whole

**MR. BOUCHARD:** Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Tabled Document 324-17(5), Supplementary Estimates (Operations Expenditures), No. 2, 2015-2016; Bill 56, Miscellaneous Statute Law Amendment Act, 2015; Bill 59, Estate Administration Law Amendment Act; Bill 62, An Act to Amend the Coroners Act; Bill 63, An Act to Amend the Victims of Crime Act; Bill 64, An Act to Amend the Co-operative Associations Act; Bill 69, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2; Bill 45, An Act to Amend the Workers' Compensation Act; Bill 49, An Act to Amend the Deh Cho Bridge Act; Bill 60, An Act to Amend the Motor Vehicles Act, No. 2; Bill 61, An Act to Amend the Public Airports Act; Bill 65, An Act to Amend the Safety Act; Bill 68, An Act to Amend the Child and Family Services Act, No. 2, and would like to report progress with five motions being adopted and that Bills 56, 62, 63, 69, 45, 49, 60, 61, 65 and 68 are ready for third reading and that Bill 59 and 64 are now ready for third reading as amended and that consideration of Tabled Document 324-17(5) is concluded and that the House concur in those estimates and that an appropriation bill to be based thereon be introduced without delay. Mr. Speaker, I move that the report of Committee of the Whole be concurred with. Thank you.

**MR. SPEAKER:** Thank you, Mr. Bouchard. Do I have a seconder? Mr. Moses.

---Carried

Item 22, third reading of bills. Minister Miltenberger.

### Third Reading of Bills

BILL 71:  
SUPPLEMENTARY APPROPRIATION ACT  
(INFRASTRUCTURE EXPENDITURES),  
NO. 3, 2015-2016

**HON. MICHAEL MILTENBERGER:** Mr. Speaker, I move, seconded by the honourable Member for Monfwi, that Bill 71, Supplementary Appropriation Act (Infrastructure Expenditures), No. 3, 2015-2016, be read for the third time.

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

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. Motion is carried.

---Carried

Bill 71, Supplementary Appropriation Act (Infrastructure Expenditures), No. 3, 2015-2016, has had third reading. Ms. Clerk, orders of the day.

### Orders of the Day

#### **PRINCIPAL CLERK, CORPORATE AND INTERPARLIAMENTARY AFFAIRS (Ms. Bennett):**

Orders of the day for Wednesday, October 7, 2015, at 1:30 p.m.:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Acknowledgements
7. Oral Questions
8. Written Questions
9. Returns to Written Questions
10. Replies to Opening Address
11. Petitions
12. Reports of Standing and Special Committees
13. Reports of Committees on the Review of Bills
14. Tabling of Documents
15. Notices of Motion
16. Notices of Motion for First Reading of Bills
17. Motions
  - Motion 50-17(5), Medical Travel Policy
18. First Reading of Bills
  - Bill 48, An Act to Amend the Mental Health Act
19. Second Reading of Bills
20. Consideration in Committee of the Whole of Bills and Other Matters
  - Bill 54, An Act to Amend the Forest Management Act
  - Minister's Statement 221-17(5), Sessional Statement
21. Report of Committee of the Whole
22. Third Reading of Bills
  - Bill 45, An Act to Amend the Workers' Compensation Act
  - Bill 49, An Act to Amend the Deh Cho Bridge Act
  - Bill 56, Miscellaneous Statute Law Amendment Act, 2015
  - Bill 59, Estate Administration Law Amendment Act

- Bill 60, An Act to Amend the Motor Vehicles Act, No. 2
- Bill 61, An Act to Amend the Public Airports Act
- Bill 62, An Act to Amend the Coroners Act
- Bill 63, An Act to Amend the Victims of Crime Act
- Bill 64, An Act to Amend the Co-operative Associations Act
- Bill 65, An Act to Amend the Safety Act
- Bill 68, An Act to Amend the Child and Family Services Act, No. 2
- Bill 69, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2

#### 23. Orders of the Day

**MR. SPEAKER:** Thank you, Mr. Clerk. Accordingly, this House stands adjourned until Wednesday, October 7<sup>th</sup>, at 1:30 p.m.

---ADJOURNMENT

The House adjourned at 8:17 p.m.

