



NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY

5th Session

Day 27

16th Assembly

HANSARD

Monday, November 1, 2010

Pages 5399 - 5430

The Honourable Paul Delorey, Speaker

Legislative Assembly of the Northwest Territories

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Published under the authority of the Speaker of the Legislative Assembly of the Northwest Territories

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YELLOWKNIFE, NORTHWEST TERRITORIES**Monday, November 1, 2010****Members Present**

Mr. Abernethy, Mr. Bromley, Hon. Paul Delorey, Mr. Hawkins, Mr. Jacobson, Mr. Krutko, Hon. Jackson Lafferty, Hon. Sandy Lee, Hon. Bob McLeod, Hon. Michael McLeod, Hon. Robert McLeod, Mr. Menicoche, Hon. Michael Miltenberger, Mr. Ramsay, Hon. Floyd Roland, Mr. Yakeleya

The House met at 1:41 p.m.

Prayer

---Prayer

SPEAKER (Hon. Paul Delorey): Good afternoon, colleagues. Welcome back to the Chamber. Orders of the day. Item 2, Ministers' statements. The honourable Minister of Environment and Natural Resources, Mr. Miltenberger.

Ministers' Statements

MINISTER'S STATEMENT 77-16(5):
DEVOLUTION OF LANDS AND RESOURCES -
ENVIRONMENT AND LEGISLATION

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Gaining northern control over the resource management decision-making process is one of the main reasons the Government of the Northwest Territories is pursuing devolution.

Until Northerners have this control, we are not in the position to determine the pace of development in our Territory.

The residents of the Northwest Territories, especially aboriginal people, have a special relationship with the land and water. We all have a strong interest in making sure our land and water is protected and our resources are developed in a wise and sustainable manner.

A devolution agreement will give Northerners the ability to make sure development proceeds in accordance with the principles of environmental protection and sustainability that are so important to all of us.

The draft agreement-in-principle for devolution of the authority over land and resources from Canada to this government includes a number of key elements which support the vision and priorities of the Legislative Assembly.

Mr. Speaker, all Members believe, and agree, our natural resources are a fundamental element of our identity and our capacity to generate wealth and a sustainable future. This is the reason we established a Managing This Land Strategic Initiative, managed by a Ministers' committee.

Through this strategic initiative, we have worked closely with aboriginal governments to develop the Northwest Territories Water Stewardship Strategy, which outlines our vision, values, goals and objectives for the protection and use of our water resources. This is an example of what can be done when northern governments, organizations and residents work together.

We have developed a collaborative process with aboriginal governments and other stakeholders to develop important legislation such as the Species at Risk Act and the proposed new Wildlife Act. This uniquely northern approach brings all parties to the table, shows mutual respect and creates a stronger finished product.

Mr. Speaker, we recognize the mirror federal legislation required to transfer the jurisdiction from Canada to our government will not immediately reflect the values of NWT residents. We know amendments to legislation will be needed. However, mirroring the federal legislation is a requirement that will provide for a smoother transition of responsibility and administration between our two governments. It will also provide certainty to existing right holders, residents and industry that the rules will not be immediately and drastically changed. It will give us the time needed to lay the foundation for policy change using the expertise of transferring federal employees.

Mr. Speaker, our commitment to work with NWT aboriginal governments will not be lessened by devolution. Not only does the draft agreement-in-principle respect and protect aboriginal interests, it also contains a commitment, with associated funding, to negotiating a government-to-government relationship on post-devolution resource management. These provisions commit GNWT and aboriginal parties to a review of land and resource systems and, where appropriate, recommending changes to these systems and the legislation governing them. This work is expected to be completed within a specified period of time after the effective date of an agreement.

Mr. Speaker, this process will provide the Northwest Territories with a made-in-the-NWT land and resource management and regulatory regime.

More importantly, the draft agreement-in-principle provides the federal funding to achieve this.

Aboriginal parties would receive up to \$4 million to support their participation in the transitional stage and a further \$3 million annually after an agreement has been reached for ongoing participation in the post-devolution resource management regime.

It also provides many challenges and opportunities. Much of the current federal legislation is old and needs to be modernized. However, if we do not proceed with devolution, the current process will continue to reflect Canada's national interests first and the Northwest Territories' second. The latest regulatory review process is a prime example of this. NWT residents and their governments are represented as stakeholders.

We need to bring the management and administration of our resources home to the Northwest Territories where management of these resources can be directly accountable to our residents in accord with their values and needs. The proposed agreement-in-principle provides a possible basis for a deal on devolution that could see real authority and control transferred to the people of the Northwest Territories, to the benefit of all NWT residents.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Minister responsible for Health and Social Services, Ms. Lee.

MINISTER'S STATEMENT 78-16(5):
UPDATES TO EXTENDED HEALTH BENEFITS

HON. SANDY LEE: Thank you, Mr. Speaker. I'd like to provide further details on the process that we are taking to implement the recommendations from the Supplementary Health Benefits Joint Working Group surrounding updates to the existing Extended Health Benefits Program.

The recommendations that were made by the Joint Working Group require varying levels of additional research and planning before implementation. We plan to move forward as quickly as we can while ensuring we have done our homework.

We will immediately begin working with the Department of Human Resources, and later on, other employers in the NWT to ensure third-party insurance coverage is maximized both by current employees and retirees.

We will also initiate contact in November with existing program clients who have been grandfathered additional benefits from 2004, to inform them that this grandfathering is being discontinued effective April 1, 2011. This will allow time for them to work with their health professionals to ensure we have a seamless transition to generic medication.

Health and Social Services will begin work to reform the prescription drug system to provide better access to lower-cost generic drugs for patients, as part of an NWT pharmaceutical

strategy. We will begin work in December with pharmacists, doctors and nurse practitioners regarding this reform and continue to keep them informed. We expect to announce the new program this spring.

Revisions to the Extended Health Benefits Policy to accomplish the Joint Working Group's recommendations surrounding third-party insurance, extended residency requirements and the implementation plan for parity with NIHB will also be introduced in the spring.

During the same time period we will do a thorough analysis of the cost of enrolling those who are excluded from parts of the Extended Health Benefits Program, also known as "working poor." It is expected that the savings from the changes we make to the program that I have mentioned will allow for the inclusion of this group of our residents who need the assistance of the government.

We will also plan for a new appeals process for extended health benefits that will be implemented by March 1, 2011. This will allow time for those affected by the change in their status to appeal decisions based on medical necessity.

This will be a busy time for the Department of Health and Social Services as we continue to finalize details and policy. I will continue to work with the Members of the Standing Committee on Social Programs and keep the public informed of our progress.

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister responsible for Transportation, Mr. Michael McLeod.

MINISTER'S STATEMENT 79-16(5):
DRIVE ALIVE

HON. MICHAEL MCLEOD: Mr. Speaker, it's my pleasure to rise today to give Members an update on the Drive Alive travel safety program.

Drive Alive is a partnership-based initiative that promotes safety on the roads, trails and waterways of the Northwest Territories. By promoting action that will reduce the number of collisions, serious injuries and fatalities in the Northwest Territories, we are helping to deliver on the government's commitment to building our future as well as this Assembly's priority to build sustainable, vibrant and safer communities.

Over the next few weeks we will be unveiling initiatives under Drive Alive to promote pedestrian safety, improve seat belt and child restraint usage, and reduce distracted driving. These are all measures we expect will help reduce avoidable collisions, injuries and deaths on our highways.

Mr. Speaker, this morning many of us had the pleasure of witnessing Commissioner George Tuccaro as he was inducted into the Lifesaving

Society of Canada as a vice-patron of the society. I was also pleased to be joined by my colleagues, the Minister of Health and Social Services and the Minister of Municipal and Community Affairs, in an announcement committing the Government of the Northwest Territories to make the Lifesaving Society's Water Smart program available in each of our communities across the Northwest Territories. Mr. Speaker, this initiative is expected to reduce the number of avoidable drowning deaths each year due to boating and recreation.

As winter continues its journey across our land, I am mindful that there is a great deal that we can do to improve travel safety. I will close with some examples:

- Equip your vehicles with snow tires. They grip the road better and provide better traction on snow and ice.
- Drive at a speed appropriate to road conditions.
- When weather and road conditions are poor, slow down to get to your destination safely.
- Prepare for the unexpected by packing supplies you may need if your vehicle breaks down.
- Let someone know when you expect to arrive at your destination, whether you're driving or sledding.
- As this holiday season approaches, Mr. Speaker, be the life of your party, be a designated driver.

Thank you. Mahsi cho.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Minister responsible for Human Resources, Mr. Bob McLeod.

**MINISTER'S STATEMENT 80-16(5):
EMPLOYEE SATISFACTION
AND ENGAGEMENT SURVEY**

HON. BOB MCLEOD: Mr. Speaker, I am pleased to announce the results of the 2010 Employee Satisfaction and Engagement Survey. As I have often stated, Mr. Speaker, our employees are this government's most important asset. Though difficult to quantify, employee engagement and satisfaction is of vital importance to the effectiveness of our public service.

The Employee Satisfaction and Engagement Survey is part of a national initiative started in 2004. At that time, several governments from across Canada agreed to conduct employee surveys every two years using a common set of questions. These shared questions allow us to compare results across jurisdictions and track changes over time. This is the third satisfaction and engagement survey conducted. The full survey results are

available on the Department of Human Resources website.

Mr. Speaker, I am very happy with this year's results. Approximately 43 percent of Government of the Northwest Territories employees responded to this survey. Those who responded continue to show a high degree of satisfaction and engagement, as more than half agreed or strongly agreed with the majority of statements provided. Nearly 77 percent of respondents were satisfied with their work as Government of the Northwest Territories employees. Over 70 percent feel inspired to give their very best. I am especially pleased that over 70 percent of those surveyed would recommend the Government of the Northwest Territories as a great place to work. This is a significant improvement over the 2008 survey, where only 53 percent agreed with that statement.

In addition, Mr. Speaker, survey respondents communicated an increased level of satisfaction with the services provided by the Department of Human Resources. Benefits and payroll staff achieved a high level of client satisfaction, over 70 percent on most questions. The majority of Government of the Northwest Territories managers expressed satisfaction with the services provided by our staffing officers and client service personnel. Overall, nearly 78 percent of those surveyed were satisfied or very satisfied with the services provided by Human Resources.

Mr. Speaker, we should all be proud that the Government of the Northwest Territories scored higher than the national averages on 18 of the 19 shared questions.

The survey also highlights some areas of employee concern. Survey respondents communicated the importance of career growth within the Government of the Northwest Territories. Training in particular was highlighted as an important aspect of employee engagement. In addition, those surveyed indicated a desire for an increasingly inclusive workplace where all staff are treated equitably, along with the need to further raise the profile of people with disabilities in the Government of the Northwest Territories. Managers identified recruitment strategies as an area that needs continued attention.

Mr. Speaker, these issues are at the forefront of our human resource planning today. Under 20/20, A Brilliant North, the Northwest Territories Public Service Strategic Plan, new recruitment and marketing strategies are currently in development, including aboriginal recruitment initiatives, a Talent Acquisition Strategy and partnerships between various departments to align marketing plans and the recruitment of specific occupations. Investment in employee development is being addressed through new and innovative training programs, such as the Leadership Development Program, the

Associate Director/Superintendent Program and the development of a Performance Management System and Learning Policy. Diversity initiatives include a Cross-Cultural Awareness Program and the creation of our diversity officer position within the Department of Human Resources.

Over the past several years, human resource management in the public service has gone through a period of considerable change and transition. One of the priorities of the 16th Legislative Assembly has been effective and efficient government through improved human resource management. The Northwest Territories Public Service Strategic Plan, 20/20, A Brilliant North, has put greater focus on human resources strategies and practices. Mr. Speaker, I believe that the survey results demonstrate that our efforts have been successful and that human resource management in the Northwest Territories public service is on the right track.

Mr. Speaker, I am very proud of the work done by our public service employees. They also deserve our recognition for making the Government of the Northwest Territories such a great organization and such a great place to work. Their hard work and dedication today have laid the foundation for a very bright future for the Northwest Territories public service. Thank you, Mr. Speaker.

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

Members' Statements

MEMBER'S STATEMENT ON TUKTOYAKTUK SHORELINE EROSION

MR. JACOBSON: Thank you, Mr. Speaker. Today I am speaking on the community of Tuktoyaktuk and the shoreline erosion problems that we are having in the community. The shoreline has been in the national news, Mr. Speaker. This government has to help the community deal with the problem which is going to take a lot of work and resources over a period of time.

In my lifetime, I have seen a lot of coastline disappear. Areas where there used to be cabins are now under water. A couple of times a year with high west winds the sea floods the roads on one end of town where the swimming pool and the youth centre is. One of the reasons erosion happens so fast in Tuk is that it is built on a very thick layer of permafrost. The warming climate change, rising sea waters and bigger storms are doing a lot of damage. We are lucky we didn't have one this past summer, otherwise the breach in the shoreline that we are having, it would have breached.

The town's policy is to build the structure further inland but we have to...these important buildings at

risk including the RCMP station and their six units, our fire hall, the Glad Tidings Church, our former old folk's home, 31 units in total and the house of one former MLA, Mr. Vince Steen's unit, the breach is right in front of his house.

Mr. Speaker, we need a long-term plan for the community of Tuk before it is too late. Right now we have to protect the shoreline. But sometime years ago the community placed concrete slabs on the outer peninsula, which helped a bit, but we need to extend the deficiencies about three-quarters of a mile, Mr. Speaker. The rock has to be done this year and I'll be asking for extraordinary funding at the appropriate time. We started this job years ago, but funding was cut off and the job remains unfinished, Mr. Speaker. If we don't do this soon, Tuktoyaktuk, its very foundation will wash away. Fortifying the peninsula would give this government and the community time to come up with a long-term plan.

Mr. Speaker, I will be asking the Minister of Community Affairs questions later today. Thank you.

MR. SPEAKER: Thank you, Mr. Jacobson. The honourable Member for Kam Lake, Mr. Ramsay.

MEMBER'S STATEMENT ON RESPITE CARE PROGRAM FUNDING REDUCTIONS

MR. RAMSAY: Thank you, Mr. Speaker. I want to follow up with a statement I made earlier this session on the continuance of the respite program for the 29 families that currently utilize the service from the Yellowknife Association for Community Living.

Mr. Speaker, first off, the mere suggestion that this government is cutting this critical service is unconscionable. The Minister could not even tell me the other day where the \$250,000 was going. Mr. Speaker, the federal funding through THAF would have enabled the program to be funded until 2012. Someone has made the decision to move the money and the Minister just doesn't know where it went.

Just like the \$1.7 million announced by the federal government to fund anti-drug programs. The Minister is quoted in the news story, but the reality, Mr. Speaker, is she has no idea where the money is going and what it will be spent on, just like the respite money.

I'd like to refresh the Minister's memory when it comes to her support for the respite program. As a Regular Member, February 1, 2006, Hansard, "for many months and number of years I've been here, there has been a call for the need or speaking about the need for the respite care program. There is a huge need for this and I think the Members on this side of the floor have been getting lots of calls

from those parents or caregivers who are able to get some relief, which is what the program is meant to do."

Then, Mr. Speaker, Minister Lee was responding to my colleague Mr. Yakeleya on February 16, 2009, as Minister of Health and Social Services, and I quote from that Hansard. "I was simply pointing out that the pilot program in Yellowknife started three or four years ago and I think that just showed the need and the value of giving families who are spending every day, 24/7, taking care of their children in need." The program, according to Minister Lee, was so successful that the department decided to expand it to smaller communities. So, Mr. Speaker, I'm left completely and utterly confused by a decision to cut the funding for the respite care program here in Yellowknife.

Mr. Speaker, it defies any logic and the Minister can't even blame the federal government for it. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Ramsay. The honourable Member for Sahtu, Mr. Yakeleya.

MEMBER'S STATEMENT ON
CONDOLENCES TO THE FAMILIES OF
ARCHIBALD LENNIE SR.

MR. YAKELEYA: Thank you, Mr. Speaker. The chapter of a strong Metis life was closed last week in Tulita, Mr. Speaker. A Metis man of the land, a gentle man with a loud voice, you knew when he was in the house. Also, Mr. Speaker, there are many honourable elders who have passed away in the Sahtu this year too. Mr. Speaker, with them we lay to rest their experience, their knowledge and their wisdom that make us proud to be Dene or Metis in the Sahtu region and in the North.

Mr. Speaker, in keeping with the passing of the elders, the ones who hold the sacred knowledge to speak with wisdom and live life as life should be lived, mostly they were happy, always smiling, Mr. Speaker. These elders lived the old way of life in these modern times today. They live with strong principles, walk with the old laws in hand and practice traditions that sustain them many times over. They have a spiritual connection to the land, Mr. Speaker. Only now we're recognizing that special relationship that they had.

Mr. Speaker, I mentioned earlier, closing the chapter of a strong Metis life last week. Mr. Archie Lennie Sr. was laid to rest in Tulita last week, Mr. Speaker. Mr. Lennie was born on January 17, 1927, to Mr. Dan Lennie and Adele Lennie, on White Fish Lake. He was my mother's oldest brother. He came from a family of 12. Mr. Archie Lennie Sr. was married to Jean Lennie, nee McLeod, and they had 10 children and numerous nieces, nephews, grandchildren and great-grandchildren and many foster children.

Mr. Speaker, Mr. Lennie worked on many projects in the North. For example, the construction of roads on the highways, maintainer operator -- on especially Highway No. 8 -- he helped build Inuvik, and he was also a long-time DPW worker. Our elders knew the value of hard work, good work, and Mr. Lenny was such a man in the North here.

I offer, in closing, our prayers and thoughts to the family in their sorrow and loss and know that their losses are comforted by the prayers of many people in the Northwest Territories.

MR. SPEAKER: Thank you, Mr. Yakeleya. The honourable Member for Nahendeh, Mr. Menicoche.

MEMBER'S STATEMENT ON
RELOCATION OF SAWMILL OPERATION
IN JEAN MARIE RIVER

MR. MENICOCHÉ: Thank you, Mr. Speaker. [English translation not provided.]

The sawmill operations in Jean Marie River have always been a large part of their lives for about 50 years. Last spring the community was provided support by the federal government through the First Nations Forestry Program to relocate the operations closer to the community. Needless to say, the community was quite excited about this as the current site is not very good due to soft ground conditions. To date they have cleared and prepared the new site and built an access road to it. Regretfully, the funds from the federal program were not enough to complete the move.

I would like to request the support of the Minister of Environment and Natural Resources to review the request from Jean Marie River to assist with determining how much more resources are needed to complete the move.

During my most recent visit, I can say that the community does need some gravel for the new site and finances to complete the move. They are also very interested in implementing their business plan to start operations again. There is a market out there for them and I know with support from our government we can get the sawmill operations running again and provide the much needed jobs and business income for the community of Jean Marie River.

MR. SPEAKER: Thank you, Mr. Menicoche. The honourable Member for Weledeh, Mr. Bromley.

MEMBER'S STATEMENT ON
BATHURST CARIBOU HERD MANAGEMENT
AND PRESERVATION AGREEMENT

MR. BROMLEY: Thank you, Mr. Speaker. The agreement reached between the Yellowknives Dene First Nation and the GNWT for the management and preservation of the Bathurst caribou herd is momentous. We've come a long

way since last year when confrontation, emergency, shock, and perhaps even fear were the words most associated with the Bathurst caribou management. Today the words are partnership, commitment and respect between government and aboriginal partners like the YKDFN.

The agreement provides a two-year interim management regime featuring joint harvesting monitoring, shared population monitoring that blends scientific and traditional knowledge and steps to reduce harvest of females. These measures reflect the hard work and commitment of both parties towards the recovery of the herd and its contribution to the health of the people.

There's still a long way to go. The costs of the crash to all people who rely on caribou are huge. For people with low incomes, access to caribou is the difference between meat and macaroni.

Restrictions affect the cultural fabric woven by the hunt, the passing of traditions between generations, the community bonds and strong connections of harvesting from the land. Outfitters have suffered great losses to businesses established from years of hard work and investment.

I'm on record saying that I don't support bans and I don't support hunts. I support caribou. I and others who stopped hunting five years ago realized caribou were in trouble. Self-regulation, however, wasn't matched by the casual and permissive approach of ENR. ENR seemed to sleepwalk into this catastrophe, not even knowing how many animals were being harvested by all users. Belatedly, bag limits were reduced, cows-only education programs were conceived, harvest was broadly estimated, and finally an emergency closure demonstrated the extreme long-term breakdown in responsible management.

Important lessons are captured in this new agreement. Cooperative management, accompanied by basic and objective knowledge of population size and harvest, is the only approach that will work. Greater attention and the courage to act early, all within the context of accelerating climate change, must be the basis of our management of all animal and plant species.

I salute the government and the Yellowknives Dene for finding the way to go forward. I will look for the application of these lessons in our future approach to resource management.

MR. SPEAKER: Thank you, Mr. Bromley. The honourable Member for Mackenzie Delta, Mr. Krutko.

MEMBER'S STATEMENT ON
PROTECTION OF THE
PEEL RIVER WATERSHED

MR. KRUTKO: Thank you, Mr. Speaker. One of the important aspects of water protection and

protecting our land, air, and resources is the protection of the watersheds, as we hear on the news what's happening in Fort McMurray and what effects it is having on the Athabasca and Mackenzie rivers systems.

An area of controversy in my riding is dealing with the Peel River watershed and the planning commission report that is presently before public hearings. There were some 60 people at a public meeting in Fort McPherson where they made their voices heard loud and clear that they don't want 80 percent protection of the Peel River watershed; they want 100 percent protection.

We may ask why. Anyone downstream from major resource developments should be worried, in consideration of what's happening in Fort McMurray. There are some 8,000 mineral claims in the Peel River watershed that have potential to have long-term effects downstream, especially for those communities on the Peel River, such as Fort McPherson and Aklavik.

I think it's important that we consider this as a jewel to protect for the national interests of all people in Canada and the world. This region has not only cultural value to the indigenous people but also important significance to protecting a watershed that still flows freely and has an abundance of wildlife and plant species that have been there for thousands of years.

I think it's important as a government that we take positions when we talk about water bodies that affect jurisdictions downstream, such as the Northwest Territories by way of the Peel River watershed, which flows from the Yukon into the Northwest Territories and through to the Arctic Ocean. I think it's more important that as a government we make our position known.

At the appropriate time I will be having questions for the Minister of Environment on this important issue to the people I represent.

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Member for Great Slave, Mr. Athernethy.

MEMBER'S STATEMENT ON
SUPPORT FOR SMALL AND
MEDIUM-SIZED BUSINESSES

MR. ABERNETHY: Thank you, Mr. Speaker. In early October I attended the Prospects North Conference organized by the NWT Chamber of Commerce here in Yellowknife. It was a great opportunity to meet with and talk to businesses in the North and organizations interested in doing business here in the North. There was a lot of talk during the conference about resource extraction projects in the Northwest Territories.

Big projects are important, as they bring new money into the Northwest Territories, and I

welcome them on the right environmental and social terms. These opportunities continue to be important and must be pursued by this government. However, my focus today is not on the large resource extracted opportunities in the North. Today I want to talk a little bit about small and medium businesses throughout the Northwest Territories.

As we all know, injecting new money into the Northwest Territories is critical for our future, but our ability as Northerners to circulate those dollars throughout our local communities and economies is just as critical. Currently, a lot of money being spent in our communities flows straight south. It doesn't circulate in our northern communities for very long, or at all. This does not help us support local sustainable communities.

I applaud local businesses, the local chambers of commerce, as well as organizations such as the NWT Chamber of Commerce and the Northern Aboriginal Business Association -- NABA -- which are committed to small and medium businesses owned and operated in the Northwest Territories. These organizations will continue to play an important role in the future of the Northwest Territories, but they can't do everything. The Government of the Northwest Territories must play a role as well. We must be supportive of our small and medium local businesses in all communities throughout the Northwest Territories.

I know the GNWT is doing much to support these types of businesses. We have SEED, we offer training to small entrepreneurs, we have the ITI supporting the Community Futures Development Corporation, and we have BIP. Unfortunately, small and medium business growth is still moderate and existing businesses continue to struggle. Money continues to flow south. Last year the Canadian Federation of Independent Business -- CFIB -- reported that the NWT is one of the worst jurisdictions in Canada when it comes to the trappings of red tape. Small and medium businesses are overwhelmed by the sheer quantity of forms and applications that must be completed during start-up and ongoing operations.

Let's be business friendly in our Territory.

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

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

---Unanimous consent granted

MR. ABERNETHY: I have a suggestion for the Minister responsible for Industry, Tourism and Investment. I recognize that red tape is not the creation of the Northwest Territories and that local, community and city governments, as well as the federal government, also contribute to the load.

However, as the territorial government, we have the ability to contribute to solutions to help reduce the overall red-tape load. During question period today I will be asking the Minister to consider working with organizations such as the NWT Chamber of Commerce and NABA to conduct research on red-tape burdens on our local businesses, have them help us identify the overall burden and make recommendations which the GNWT can action to begin the process of reducing the burden.

MR. SPEAKER: Thank you, Mr. Abernethy. The honourable Member for Yellowknife Centre, Mr. Hawkins.

MEMBER'S STATEMENT ON LEGISLATIVE FRAMEWORK TO SUPPORT NORTHERN ARTISTS

MR. HAWKINS: Thank you, Mr. Speaker. Today I want to talk about the government and how they can support a very important part of our northern business economy, that being our NWT artists. By way of fact, approximately 18 percent of the NWT population considers themselves an artist in one form or another. That's almost one in five, which is an amazing population in our Territory. That could be your friends, your neighbours or whoever, but when you look around, one in five is a lot of people who consider themselves in a special area.

These artists are involved in carving, sewing, needlecraft, drawing, painting, creation of jewellery, visual arts, literary arts and publishing, performing arts, photography, film and video production. It's a big list not to be considered as important.

Sadly, there are not very many of these people that we call artists that can make a full-time living through their skills and talents. Of all these people, they certainly make a serious and considerable contribution to the richness of the North and certainly our economy.

Last summer the Government of Saskatchewan enacted a law called the Arts Professions Act, which protects the intellectual property of artists and supports the development of properly prepared contracts. That law includes a definition of a professional artist and commits the Saskatchewan government to develop a cultural policy framework and action plan.

With Northerners and Southerners alike always raving about northern arts and culture, be it traditional or even modern art as I've made note of earlier, it is time that this government trade its lip service by providing a backstop by protecting and enshrining what artists mean in the Northwest Territories by recognizing them, supporting them, and protecting their works.

I believe with legislation similar to the Saskatchewan Arts Professions Act it is something that the GNWT in partnership with our northern

artists should consider. If the artist community thinks it's important enough and similarly needed in the NWT, a lot could be benefitted here. I believe this is something that the government should take seriously and work towards.

As I've often said, business may be known as the engine of our economy, however, arts and culture will definitely always be known as the soul of our economy. Let's tap in to our one-in-five artists in our Territory who definitely make a considerable difference in our day-to-day lives.

MR. SPEAKER: Thank you, Mr. Hawkins. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. The honourable Member for Sahtu, Mr. Yakeleya.

Recognition of Visitors in the Gallery

MR. YAKELEYA: Thank you, Mr. Speaker. It gives me great pleasure to recognize an elder from the Sahtu and advisor to me, Mr. Andrew John Kenny.

MR. SPEAKER: Thank you, Mr. Yakeleya. Item 6, acknowledgements. Item 7, oral questions. The honourable Member for Nahendeh, Mr. Menicoche.

Oral Questions

QUESTION 301-16(5): RELOCATION OF SAWMILL OPERATION IN JEAN MARIE RIVER

MR. MENICOCHE: Thank you very much, Mr. Speaker. In my Member's statement I spoke about the sawmill operations being relocated in Jean Marie River. I would like to ask, I believe it's the Minister of Environment and Natural Resources some questions on it. In the springtime they had First Nations funding from the federal government to relocate the sawmill. They've only completed half the job. I'd like to ask the Minister, at what stage has their department been assisting the community in relocating the sawmill.

MR. SPEAKER: Thank you, Mr. Menicoche. The honourable Minister responsible for Environment and Natural Resources, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Environment and Natural Resources has been working with the community. As the Member knows, Jean Marie River has indicated interest in biomass and we are hoping it would be the site of a pilot project that would take advantage of their location in the boreal forest and the work that they've done. They've been involved on this project, but I am not aware of the specific information that the Member has mentioned about the shortfall of the funding. Thank you.

MR. MENICOCHE: The Minister may not have seen the proposal yet from the community, but what

type of programming would be available from Environment and Natural Resources to assist the sawmill operation like this and relocating them? Thank you.

HON. MICHAEL MILTENBERGER: Mr. Speaker, Environment and Natural Resources has the lead with the file as it pertains to the development of the Biomass Strategy and implementation across the North. We, as the government, have put \$60 million over four years for alternative energy. One significant piece of that is dedicated towards biomass. There is funding available for different projects.

Once again, I'd have to check with the department and maybe talk to the Member and get some more detail, but there is a biomass plan, there is funding in place to assist with biomass projects. The question would have to be to see what flexibility is there. Thank you.

MR. MENICOCHE: I'm pleased to see that there is some programming. Hopefully, what they would like to do will fit in the guidelines.

My next logical question is: Have all the programming dollars been taken up for this fiscal year? Is this an opportunity for the community of Jean Marie to relocate the rest of the equipment this coming winter? Thank you.

HON. MICHAEL MILTENBERGER: We're breaking trail in a lot of different areas and as we've discovered with this whole initiative, we're moving ahead in many places but there is often some slippage.

Once again, I will commit to the Member that I will look at what the proposal is -- I have yet to see it -- and then I'll talk to the deputy minister and we'll see what's possible. Thank you.

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

QUESTION 302-16(5): PALLIATIVE CARE SERVICES IN SAHTU COMMUNITIES

MR. YAKELEYA: Thank you, Mr. Speaker. I spoke earlier about the elders and the passing of them. Mr. Speaker, I want to ask the Minister of Health and Social Services, I know it's been a wish of the elders prior to them passing, that a lot of them want to stay in their own communities and be laid to rest there. However, sometimes that's not possible. I want to ask the Minister, in terms of helping with the families with the elders' wishes, what type of palliative care do they have in the Sahtu region in terms of helping with the elders and their last days in their communities.

MR. SPEAKER: Thank you, Mr. Yakeleya. The honourable Minister responsible for Health and Social Services, Ms. Lee.

HON. SANDY LEE: Thank you, Mr. Speaker. Currently, the palliative care or support for elders or those who are suffering from other medical conditions in small communities are supported by local health staff and home care staff. Thank you.

MR. YAKELEYA: Mr. Speaker, the support that is there, sometimes it is not meeting the needs of these elders and their families. What can be done to increase the support so that families do have time to rest and take a break to take care of their families?

Right now we have six families, possibly, in Deline who are going to need support for the families. What can the Minister do and what can this government do in terms of supporting these families, in terms of the needs for these elders?

HON. SANDY LEE: Enhancing home care service and community support is one of the goals of the department. We appreciate that extra resources are needed to expand those services, but for now we deliver those services with the staff and resources we have in the communities. Thank you.

MR. YAKELEYA: Certainly we want to enhance the resources and the support in the communities and certainly that is one of our goals. However, I want to ask the Minister: When can we reach that goal? What is it that she needs us to do in terms of going into the communities in the Sahtu, going into Deline and saying we have these dollars, here, we are going to help these families in need?

Right now there are six families that do need palliative care support. Right now we are not meeting them and soon we're going to have these families make some tough decisions as to sending their families into Inuvik or Yellowknife and that's where they're going to die. I want to ask the Minister what is she going to do to help these families in the Sahtu region.

HON. SANDY LEE: That's the first time that I've heard of the six clients that the Member is mentioning. I will be happy to undertake to get those names and get information from the authority as to what work we are providing for them. Thank you.

MR. SPEAKER: Thank you, Ms. Lee. Your final supplementary, Mr. Yakeleya.

MR. YAKELEYA: Mr. Speaker, I will certainly be happy to give those six names to the Minister. Also, there are other elders in the Sahtu who have already passed away and should have had support by this department to know that they can die an honourable death in their communities rather than come to Yellowknife and...(inaudible)...other facilities that passed away. This has put a lot of stress on the people in the Sahtu. I want to ask the Minister what is it that she needs to do to put extra support within her department, extra support within the communities to have palliative care support in

the communities right now. Right now, it's not adequate. What does she need to do?

HON. SANDY LEE: For the immediate future, right now I need to get more information on the situation with the families and to talk with the authority to make sure that the resources needed are supported for those families. In the long-term and mid-term, the MLA knows that this is what we want to do more of. It's part of our Foundation for Change action plan. We want to be able to change our system so that we strengthen our local and community delivery and find more resources so that we can support our elders, and chronically ill, and persons with disabilities in our local communities. Thank you.

MR. SPEAKER: Thank you, Ms. Lee. The honourable Member for Kam Lake, Mr. Ramsay.

QUESTION 303-16(5):
RESPITE CARE PROGRAM
FUNDING REDUCTIONS

MR. RAMSAY: Thank you, Mr. Speaker. I've got questions today for the Minister of Health and Social Services getting back to my Member's statement from earlier today and the one I had previously during this sitting of the House. It gets back to the respite care program and the decision to cut \$250,000 out of that program.

Now, the Minister, and I find it really hard to believe, who was so supportive of this program coming into existence... I worked alongside of her here with other Members in this House on getting this program established. It's been running now for four years, and somebody made a decision to cut the \$250,000 from the program. I'd like to begin by asking the Minister whose decision it was to cut the \$250,000. Thank you.

MR. SPEAKER: Thank you, Mr. Ramsay. The honourable Minister responsible for Health and Social Services, Ms. Lee.

HON. SANDY LEE: Thank you, Mr. Speaker. The Member knows he's asked me lots of questions about the deficit of our department. I've indicated many a time that we have a health and social services deficit. It's in the multi-millions. We are not able to expand any programs. The respite care program was a pilot project and it was time limited. Thank you.

MR. RAMSAY: The Minister didn't really answer my questions. She can stand up in the House, but, obviously, I'm talking about some responsibility and accountability. Somebody made the decision to cut the \$250,000. I want to know who it was so we can direct our questions to them. If it's not the Minister, can the Minister please tell me who it was? Thank you.

HON. SANDY LEE: We can speak about responsibility and accountability, and the Member,

on the same discussion, speaks about lack of accountability in balancing the budget, dealing with the deficit, how are we going to deal with it, and in the same breath he brings me all kinds of additional program money that I need to approve.

Mr. Speaker, everybody here knows the Department of Health and Social Services has a multi-million dollar system deficit. I have to work with the budget we have. We are making foundational changes to deal with the system, and the respite program was time specific. It was a three-year pilot project. We have no money to enhance that program.

Mr. Speaker, I understand this is a program that is near and dear to everybody. We are doing everything we can to see how we could assist YACL. But, Mr. Speaker, the Members here have to...they are speaking about accountability and responsibility. We get the money from the same pot. We cannot keep increasing spending when at the same time they criticize for not dealing with the deficit. Thank you.

MR. RAMSAY: Mr. Speaker, the fact of the matter is that funding was supposed to extend until 2012. There was funding. This government had the funding to see the respite program continue to 2012, Mr. Speaker. That is the bottom line. We shouldn't have been talking about this program and in the next year we should have been coming up with a plan to fund that program. However, Mr. Speaker, the Minister and this government has decided to cut the program, take the \$250,000 and put it somewhere else. Mr. Speaker, what I would like to know is where is that \$250,000 going. The Minister didn't know it the other day. Does she know it today, Mr. Speaker? Thank you.

HON. SANDY LEE: Mr. Speaker, the Member is quite incorrect in saying \$250,000 is there for 2011-12. The budget for THSSI for 2011-12 has not been decided, so I don't understand where he is getting that information from. The supplementary appropriation we approved yesterday is for 2010-11, because even though we have the funding from the federal government, as a government we are dealing with it as a supplementary appropriation. We have a budget in the books for respite care, but that is not, and \$250,000 that we approved is for 2010-11. We don't have a budget for 2011-12. Thank you, Mr. Speaker.

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

MR. RAMSAY: Thank you, Mr. Speaker. I thank the Minister for the lesson in semantics. Listen. The bottom line is the money was there. It is not there. The Minister didn't answer my question again, Mr. Speaker. Where is the \$250,000? If it is not being spent in respite care, where is the Minister proposing that that \$250,000 be spent? Thank you.

HON. SANDY LEE: Mr. Speaker, it is not semantics. It is not semantics. I am not changing the wording there. Mr. Speaker, I hear the Member and I tell the Member now, there is no money for respite care for 2011-12. The money we approved yesterday for \$250,000 is for 2010-11. Yellowknife Health and Social Services Authority was proactive in approaching YACL to say that there is no money there up to March 2011 and can we work together to come up with a plan.

Mr. Speaker, having said that, I am willing to work with YACL to see how we can transition. They were given six months' notice to tell them that we do not have money to fund additionally. The money we received from the federal government is to change the way we deliver our programming and to fund our nurses in small communities, nurse practitioners and midwives in Fort Smith, and physicians. Mr. Speaker, we are dealing with limited resources. We need to work together on how we spend our money. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Lee. The honourable Member for Great Slave, Mr. Abernethy.

QUESTION 304-16(5):
SUPPORT FOR SMALL AND
MEDIUM-SIZED BUSINESSES

MR. ABERNETHY: Thank you, Mr. Speaker. My questions today are for the Minister of Industry, Tourism and Investment and follow along with my Member's statement today. I talked about red tape and the existence of red tape. We know we can't eliminate red tape and I'm not talking about the red tape as a result of legislative requirements, but there is lots of extra red tape that comes out of policies and procedures. It is not all GNWT, but I think we have an opportunity here to work with NABA and the NWT Chamber of Commerce to identify what the real burden is. I am asking the Minister today if he can work with NABA and the NWT Chamber of Commerce or possibly some other organization -- maybe not them -- to help us identify what the true burden is. Once we know the burden, we might be able to find some solutions to reduce some of that red tape. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Abernethy. The honourable Minister of Industry, Tourism and Investment, Mr. Bob McLeod.

HON. BOB MCLEOD: Thank you, Mr. Speaker. I certainly agree with the Member that small businesses in the Northwest Territories are the backbone of the Northwest Territories economy. Not only do they provide a value-added, they also provide employment and growth.

Two of the things that we have to guard against in the Northwest Territories are the high cost of doing

business and leakages. One of the best ways to reduce the high cost of doing business is to reduce red tape. The Member quoted CFIB, and CFIB also said that 60 percent of the Members felt that we could reduce red tape by 10 to 15 percent without sacrificing any personal safety requirements. I would be quite pleased to work with all of the organizations that you mentioned. I do have a ministerial advisory panel in which NABA and the Chamber of Commerce are members of. Some of the things that we have done as a government, for example, under the SEED program, our application form we reviewed and reduced it to one page. We also have BizPaL, which will help us identify the permitting and licensing requirements. Thank you, Mr. Speaker.

MR. ABERNETHY: Mr. Speaker, it is awfully nice when we are in agreement so easily. The Minister mentioned BizPaL. I think BizPaL is a great program, but I understand that the City of Yellowknife isn't partnering with us on that. Right now, the City of Yellowknife has a lot of requirements for permits and whatnot. Has there been any work done with the City of Yellowknife to see if we can get them on side with us to help the businesses overall and reduce the amount of red tape? Thank you, Mr. Speaker.

HON. BOB MCLEOD: Mr. Speaker, as part of our Business Incentive Policy review, we identified that there are currently 1,350 businesses that are BIP under the Business Incentive Policy, and 75 percent of those businesses are in Yellowknife and the five larger regional centres. Currently, we have BizPaL in Hay River and Fort Smith. We are working with the City of Yellowknife and the City of Yellowknife is in the process of developing BizPaL as well. I think that they will bring us a long ways forward if we can concentrate on the other regional centres. Thank you, Mr. Speaker.

MR. ABERNETHY: Mr. Speaker, I am really happy to hear that. I would like to go back to the Minister's first response, where he was talking about reducing some of the red tape. I appreciate everything he was saying, but we are in that reality today. The red tape exists today and every day that it continues to exist, businesses continue to struggle. Frankly, I want small and medium-sized businesses to succeed in Yellowknife. I want them in small communities. I want them to offer employment in small communities. Every second counts. When can we expect to see some progress on this? When can the Minister commit to having his department maybe go out with an RFP or something to help have somebody help us identify the burden so we can eliminate the burden? Thank you, Mr. Speaker.

HON. BOB MCLEOD: Mr. Speaker, I think we are fortunate. We also have the Canadian Federation of Independent Business that does regular surveys of all the businesses in the Northwest Territories. We

can undertake to work on this so that we can have something by the end of this 16th Legislative Assembly. Also, I think it is very important for us to also look at reducing leakages. We have a number of government programs that go a long ways to doing so, so we will be focusing on those as well. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. Final supplementary, Mr. Abernethy.

MR. ABERNETHY: Thank you, Mr. Speaker. There is one thing I haven't touched on but it is related. Right now, that federal legislation, we have federal permits. We have federal forms that people have to fill out. We have territorial, we have city, we have everything. In looking at some of the forms, I often see what appears to be some level of duplication. In the review, if I can get the Minister to commit that they will look at where all the requirements for business are coming from and hopefully by working with our partners, the federal government communities and other organizations, we can identify some of that overlap. Can I get the Minister to commit that they will try to identify that overlap and work with those partners to eliminate it as well? Thank you, Mr. Speaker.

HON. BOB MCLEOD: Thank you. We do recognize that red tape exists at all levels of government. It exists at the federal, territorial and local level, and through our different partnerships we will work to reduce it at all three levels. We'll have to rely on businesses to tell us what some of the more significant red tape is at the federal level, but certainly we can work within the Government of the Northwest Territories, and also with the municipal governments to find ways to reduce this red tape. Thank you.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Member for Nunakput, Mr. Jacobson.

QUESTION 305-16(5):
TUKTOYAKTUK SHORELINE EROSION

MR. JACOBSON: Thank you, Mr. Speaker. Today my Member's statement was on shoreline erosion in the community of Tuktoyaktuk. Over the past summer when I was home I was picked up by my uncle, John Steen, and then we went down and I looked at the shoreline embankment. It's probably about 75 feet total, but the total from top of the soil to the lake, to the Pokiak Lake, is almost 50 feet. So one bad west wind, Mr. Speaker, where the rock ends, it's going to open up that whole backend of the community where we have 31 units, including the RCMP, and all the units are going to be opened up to the ocean.

So, Mr. Speaker, where do we start with the Minister on getting extraordinary funding for the community of Tuk and making sure they're not going to come at me and say use your gas tax

money? I want extraordinary funding for the community to see where we start in getting this project for this upcoming season. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Jacobson. The honourable Minister responsible for Municipal and Community Affairs, Mr. Robert McLeod.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. I won't tell him to use their gas tax money, but I will say you can use your capital infrastructure money that we provide to the community each year and they identify projects as a priority. I do know for a fact that in the latest capital plan from the community, they have identified some funds to put towards shoreline erosion. There's no scope of work that's been determined yet, nor have we had any requests for technical assistance, which we would be more than happy to provide to them. Thank you.

MR. JACOBSON: That was on my list, I just didn't read it on capital infrastructure. It's not enough, we don't get enough. But with that being said, I'm asking the Minister now for his assistance in the Department of MACA in Inuvik to go into the community and to meet with the mayor and myself sooner rather than later, because of the rock hauling that's going to be done. Hopefully it could be in this year coming. So what are the chances of that? Thank you.

HON. ROBERT MCLEOD: Thank you. I could commit to the Member that if it's the request of the community, we'd be happy to go in there and provide them some technical assistance. I did say before that they have identified some funds in their capital plan to go towards the shoreline erosion, but we'd be more than happy to meet with the Member and the leadership in the community to see what we can do to assist them. Thank you.

MR. JACOBSON: Thank you. Today, from the department's work from the federal agency of Geological Survey of Canada, how long does the Minister think that it will take to claim that area, to think is the centre of town? Thank you.

HON. ROBERT MCLEOD: I'm not quite sure how to respond to that, other than saying I would have to follow up and see what some of the recommendations were, but I will follow up and see what kind of information I can gather. Again, I'll commit to the Member that we will work with the community to come up with some kind of a plan to deal with the shoreline erosion. Thank you.

MR. SPEAKER: Thank you, Mr. McLeod. Your final supplementary, Mr. Jacobson.

MR. JACOBSON: Thank you, Mr. Speaker. I'd like to thank the Minister for that and just remind the Minister that I want extraordinary funding and I don't want it taken out of the gas tax, I don't want it taken out of the capital infrastructure, because the

community has a big task in itself to keep all the buildings going. But I look forward to his department making sure it gets a hold of the community and myself to do this project. Thank you, Mr. Speaker.

HON. ROBERT MCLEOD: We do provide, through the capital infrastructure acquisition or plan, we provide all the money to the communities and this has allowed a lot of communities to deal with some of their infrastructure deficits and some of the infrastructure needs a lot sooner than they would have been able to had it been still part of the corporate plan, and this is just another example of that. You know, as a department, I mean, if we're aware or we know of any other possible sources of funding out there that could assist the community, then I will commit to the Member that we usually follow any pots of money that we may be able to access on behalf for supporting the community. So we'll continue to do that. Thank you, Mr. Speaker.

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

QUESTION 306-16(5):
LEGISLATIVE FRAMEWORK
TO SUPPORT NORTHERN ARTISTS

MR. HAWKINS: Thank you, Mr. Speaker. In my Member's statement today I talked about ways we can support the artists' community in our North, and as I said, that represents one in five of our population, or I should say almost one in five of our population. Mr. Speaker, it is a considerable amount of people and I would say that they certainly deserve a certain amount of respect certainly by this government.

Saskatchewan has adopted what's called the Arts Professions Act and what that basically does is it recognizes, supports, enshrines and protects the work that these artists do to make sure that they're treated fairly and certainly treated properly.

Mr. Speaker, my question would be to the Minister of ECE -- Education, Culture and Employment -- and I'm hoping that he would task his officials to investigate the Arts Professions Act as put into statute by Saskatchewan government, to see if we can enshrine and protect our northern artists to make sure they're getting fair value for work here in the North. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins. The honourable Minister responsible for Education, Culture and Employment, Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. This is an area that we can definitely explore in other provinces, the Arts Professions Act that they may have in other provinces. But we do provide, as Members would know, increasing funding to support performers as well, and also artists. The

Member talked about recognizing and supporting them. We currently do that already and we've increased our funding, but this is legislation that we can definitely look at in other jurisdictions as well. Mahsi.

MR. HAWKINS: I want to recognize the fact that the Minister has worked hard to make sure that artists do receive both their due and financial support from this government and certainly by his department. This Arts Professions Act, which I'll table later today, is a very small act. It basically defines what artists are, and how they're recognized and certainly how they can be supported by the government. Again, it's by the Government of Saskatchewan protecting Saskatchewan artists.

Does the Minister see any chance that once he has a copy of this, does he foresee any chance that perhaps he can task his department officials to investigate it right away and see if they can respond with some type of discussion paper into the new year, if that's considered possible or reasonable? Thank you.

HON. JACKSON LAFFERTY: Mahsi. I did commit to the Member that we will explore and review the Saskatchewan legislation to see if it has the context and also relevance from a Northwest Territories perspective. So I did commit already and we will look into this. Mahsi.

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

QUESTION 307-16(5):
BATHURST CARIBOU HERD MANAGEMENT
PRESERVATION AND AGREEMENT

MR. BROMLEY: Thank you, Mr. Speaker. My questions are to the Minister responsible for Environment and Natural Resources in follow up to my Member's statement earlier today.

Mr. Speaker, the agreement with the Yellowknives Dene First Nation around the management of the Bathurst caribou herd is a two-year plan of activities. I'm wondering if the Minister can tell me what resources, both the dollars, direct dollar support and personnel support, staffing support, are being provided to the Yellowknives Dene First Nation to carry out their end of the bargain and whether this is going to be assessed partway through to see if it's adequate. Thank you.

MR. SPEAKER: Thank you, Mr. Bromley. The honourable Minister responsible for Environment and Natural Resources, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. There is a joint committee that's been formed and we are going to assist them with funding to staff a coordinator to work with us as we do the increased monitoring and supervision of implementation of the plan. The Member is correct

that there will be ongoing assessment to see how things are going and if resources are an issue.

MR. BROMLEY: I'm glad to hear there's a coordinator being supplied. I wasn't sure I heard a figure on the dollars that are being supplied. One of the major issues is the overlap with the Tlicho Agreement. I'm wondering how this has been handled and how it's being handled in a final sense until such time as the Yellowknives Dene complete their land claim agreement, given that the Tlicho have already finished theirs.

HON. MICHAEL MILTENBERGER: The intent is to set up a broad, multi-stakeholder management plan for the caribou in the North Slave region that will include, of course, the aboriginal governments and the territorial government -- the Tlicho, Akaitcho, the Northwest Territories Metis Nation -- and it's going to be a complex undertaking, given the fact that we have to look at the Ahiak, the Beverly, the Bathurst, the Bluenose-East, and significant overlap areas as well into Nunavut and some with the Beverly down into Saskatchewan. The challenge over the next two years is to get a process in place that will allow us to bring all those players to the table to come up with the steps necessary to manage and enforce the right actions on all those various herds.

MR. BROMLEY: I appreciate the response from the Minister. I have no doubt that he's fully committed to making sure that does progress strongly during the two years of this interim agreement. The Yellowknives Dene First Nation agreement contains measures for a limited harvest to meet subsistence needs. One aspect of this is, of course, the understanding of what sort of adequacy this meets in terms of their nutritional and subsistence requirements and so on. I'm wondering if the Minister could tell me what we must see in terms of herd recovery before the harvest guidelines will be opened up a bit to meet some of those requirements.

HON. MICHAEL MILTENBERGER: That kind of technical, herd-specific decision is going to be based on the work of the assessment that's going to be based on the recommendations from the boards, both of the Wekeezhii and the joint board we've set up with the Yellowknives. We'll all be looking to their advice.

I don't have an immediate, final definition in my mind. We do know that some of the indications have been somewhat comforting. From what the information is, there's been no further decline of the Bathurst herd. It seems to have flattened out. The same with our basic work on the Ahiak. There's even been a bit of modest growth in the Bluenose-East. Each one of those herds is going to have to be looked at individually.

I would point to what was agreed to with the Yukon and the management of the Porcupine caribou herd

there, that they came up with all the appropriate triggers based on herd numbers that would determine what kind of action is going to be available to be considered if those numbers are hit. I would suggest that a similar type of approach, in my mind, makes good sense here as well.

MR. SPEAKER: Thank you, Mr. Miltenberger. Final supplementary, Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Speaker. Caribou have been essential to the nutritional, cultural and spiritual well-being of the Yellowknives Dene since time immemorial, as I've recognized earlier. I recognize that the Minister is providing for some alternatives in the meantime, such as opening the season on bison and assisting Dene to hunt other herds. However, caribou are also extremely important to many non-Dene in similar ways. What measures are being put in place to provide them with increased access to alternate meat sources such as bison and other caribou herds as their numbers improve?

HON. MICHAEL MILTENBERGER: The one area is going to be the possible access to bison tags. There is no harvest anywhere in the Northwest Territories at present for any harvesting except the aboriginal harvest. So there is no capacity to open up access to caribou tags anywhere at this point, given the pressures the herds are under. We're looking at other types of animals besides bison. There is moose, of course, and depending where you live up north, there's other things like muskox, as well, that could be considered.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Member for Mackenzie Delta, Mr. Krutko.

QUESTION 308-16(5):
PROTECTION OF THE
PEEL RIVER WATERSHED

MR. KRUTKO: Thank you, Mr. Speaker. My questions are for the Minister of Environment regarding my Member's statement on the protection of the Peel River watershed and the Peel River land use planning commission's report, which has now gone to public review. They have had formal meetings in Fort McPherson and at that point there were some 60 people who turned out. The majority of the people there asked for 100 percent protection. Right now the commission is recommending 80 percent. I'd like to ask the Minister of Environment what is the position of the Northwest Territories government regarding the Peel River planning commission's report.

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for Environment and Natural Resources, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Keeping in mind that the vast majority

of the Peel River watershed is in the Yukon and it is subject to, in addition to this process, a transboundary agreement with the Yukon, weak though it may be, the Government of the Northwest Territories is supportive of the aspirations of the people on the Peel to protect as much of the watershed as possible for traditional lifestyles.

MR. KRUTKO: Also in my Member's statement I made reference to the implications and major effects of resource development on the headwaters, which will have a direct affect on the communities in the Northwest Territories, particularly Fort McPherson and Aklavik all the way to the Arctic Ocean. I'd like to ask the Minister with regard to our Water Strategy and looking at the implications we're seeing at Fort McMurray and the downstream affect that is having, does the government have a position regarding the Water Strategy and the implication of these developments downstream on the waterways?

HON. MICHAEL MILTENBERGER: I've had a relatively recent communication with the Minister from the Yukon and I've indicated to him in that conversation that we have, and have had, concerns about the Peel River watershed. There's lots of activity there. We also have concerns about the efficacy and efficiency of our transboundary agreement that was one of the only ones that has been signed under the existing Mackenzie River Basin Transboundary Agreement and that we are drafting a communication to open discussions on that whole issue.

MR. KRUTKO: I'd like to ask the Minister if there has been any formal written correspondence from the Government of the Northwest Territories regarding its support of the Peel River planning commission report regarding the protection of the watershed for the people in the Northwest Territories.

HON. MICHAEL MILTENBERGER: We are engaged in water issues across the Northwest Territories. As it pertains to the Peel, we are paying very close attention and we are involved. If my memory serves me correctly, it is the one region that is yet to have their water conference. We've opened up our discussions with the Yukon and we're trying to be as supportive as possible of the work that's being done in the Peel River watershed land use plan.

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

MR. KRUTKO: Thank you, Mr. Speaker. I'd like to ask the Minister responsible for the environment if he could formally write a letter to the planning commission regarding the Government of the Northwest Territories' position on where we stand with regard to the planning commission report so that the people of the Northwest Territories from Fort McPherson and Aklavik, the people that I

represent, will get an understanding where this government stands on this important issue.

HON. MICHAEL MILTENBERGER: I will talk with the officials in the department, starting with the deputy minister, to see if we can follow up on that request.

MR. SPEAKER: Thank you, Mr. Miltenberger The honourable Member for Nahendeh, Mr. Menicoche.

QUESTION 309-16(5):
INMATE TRANSITION FACILITIES

MR. MENICOCHÉ: Thank you very much, Mr. Speaker. Recently I was contacted by a constituent who has a son incarcerated in our jails. I'd like to ask the Minister of Justice a question. I guess one of the changes that have been brought to my attention is that apparently there are no halfway houses here in Yellowknife for the inmates. We're actually going to be sending inmates down to Edmonton. Of course, the concern is that it's going to be that much more costly for the parents, friends and family to visit inmates. I'd like to know more about what this change is as well.

MR. SPEAKER: Thank you, Mr. Menicoche. The honourable Minister responsible for Justice, Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. I think we need to gather more information on this particular case. Who are we referring to? The condition of the case if it's going to be transferred to Edmonton, there are always certain cases why they're transferred to Edmonton. I need to gather more information on this subject.

MR. MENICOCHÉ: I guess just in general, is there a change in our policy or directive at the jail that we have to send inmates out to a halfway house in Edmonton or outside our jurisdiction?

HON. JACKSON LAFFERTY: There have been, within the policy, changes to certain programs. I need to dig further into this particular area. The Member is referring to individuals who are being sent to a halfway house. I need to work with my colleague, as well, at the Health and Social Services department and find out what the status is, which file he is referring to.

Like I said, with certain inmates, they are transferred to certain areas, depending on their circumstances and their positions. I need to gather more information on this particular file.

MR. MENICOCHÉ: I'd be pleased to share the details with the Minister and follow up on this issue. I'm not sure, but I think the Minister took the question as notice as well.

MR. SPEAKER: Thank you, Mr. Menicoche. I didn't hear a question there. The honourable Member for Yellowknife Centre, Mr. Hawkins.

QUESTION 310-16(5):
PROPOSED REVISIONS TO OCCUPATIONAL
HEALTH AND SAFETY REGULATIONS

MR. HAWKINS: Thank you, Mr. Speaker. I recently asked some questions regarding the WSCC and my concerns regarding the occupational health and safety regs that are being reviewed and certainly ensuring that they will be fairly reviewed by the public, such as businesses. The Minister did respond in a good way and certainly said that he would make sure that did happen. After that, I did approach the Minister with some concerns regarding this situation with the Safety Advisory Committee. Specifically, where do they get their mandate to do this review that's approximately 400 pages of regulations? In discussing this matter with a number of people in the community, be it with the Governance Council and in some light with the Minister, it sounded like no one knew who gave them that mandate. Can the Minister comment specific to that issue in the House today, which is: Who gave the Safety Advisory Committee the mandate to go out and review those 400 pages of regulations? Furthermore, who are they reporting their findings to?

MR. SPEAKER: Thank you, Mr. Hawkins. The honourable Minister responsible for the Workers' Safety and Compensation Commission, Mr. Robert McLeod.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. Section 26 of the NWT Safety Act gives the Minister the mandate and authority to establish the Safety Advisory Committee. The committee is established and they do report to the Minister. Thank you.

MR. HAWKINS: I thank the Minister for that clarification of who they actually report to, but, Mr. Speaker, part of my question was overlooked, which is who gave them the mandate to go review the almost 400 pages of regulations under the occupational health and safety regs? Who gave them the marching orders? Was it the Governance Council or was it the Minister's office? Thank you.

HON. ROBERT MCLEOD: The mandate was given from the Minister's office. Thank you.

MR. HAWKINS: Mr. Speaker, would the Minister responsible for the WSCC let me know when that mandate was given and specifically what that mandate was to do? If he could clarify the instructions given specifically to the Safety Advisory Committee. Thank you.

HON. ROBERT MCLEOD: I will gather that information and pass it on to the Member. Thank you.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Member for Mackenzie Delta, Mr. Krutko.

QUESTION 311-16(5):
ELIGIBILITY CRITERIA FOR
HOMEOWNERSHIP ENTRY LEVEL PROGRAM

MR. KRUTKO: Thank you, Mr. Speaker. My questions are directed to the Minister responsible for the Northwest Territories Housing Corporation in regard to individuals who applied under the HELP program for homeownership in regard to the Homeownership Entry Level Program.

Mr. Speaker, I have constituents in my riding who have been approved for the program. They have been in their units, they have been paying monthly in regard to their payment responsibility, and also taking responsibility for the utility costs and the operational costs of the units. But yet, Mr. Speaker, now they're being told, sorry, you have to vacate the premises, because apparently there's a fine line there that says you have to be fully employed in order to be able to occupy one of these units.

Mr. Speaker, realistically, in the Northwest Territories, in the riding I come from, the majority of people that are the working poor depend on seasonal employment. In the Inuvik region, that is the reality of that region. I'd like to ask the Minister exactly why is it that these individuals, who don't have arrears, they have been faithful in regard to making their payments, are now being told, sorry, you're not fully employed, you must now leave the premises. I'd like to ask the Minister why is that practice being put in place, considering we have some 246 units unoccupied at this time.

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for the Northwest Territories Housing Corporation, Mr. Robert McLeod.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. I am aware of this certain situation and I have committed to following up on it. The Member raises a valid point, though. We do have folks out there who are seasonal workers and at the present time they could be unemployed. But I have committed to following up on that, because all the reasons that he stated are correct. My understanding is they're able to make all the payments and there really are no arrears. I am following up on that as we speak. Thank you.

MR. KRUTKO: Mr. Speaker, hopefully this is not the practice right across the board in regard to the corporation, because the whole idea of the HELP program is to help people transition from social housing to eventual homeownership and the idea is that those people will, basically, at some point, be able to acquire that unit through paying a mortgage or whatnot down the road, but get them transitioned from social housing to homeownership. I'd like to ask the Minister, in light of these circumstances, could he also check and make sure that this practice is not across the board throughout the Northwest Territories, because, like I say, we have

some 246 units that are presently vacant and a large portion of that are some 58 HELP units. I think it's important that we do whatever we can do to occupy those units. Can the Minister also check to see if this practice is being implemented elsewhere?

HON. ROBERT MCLEOD: Mr. Speaker, it is our goal to try and get people into homeownership, and as the Member had mentioned, the HELP program is one way to transition them into homeownership. Understanding that we do have a lot of seasonal workers in the Northwest Territories, I will follow up on the Member's suggestion that we look territorial-wide and see if this is a practice that goes on, because a lot of these people will gain permanent employment or gain employment at one time or another and we have to make sure that we have these folks into some of our homeownership units and not have them vacate and then once they get a permanent job, bring them back into the system. I will commit to the Member and to this House that I will follow up on this just to make sure that it's not a common practice that is happening across the Northwest Territories. Thank you.

MR. KRUTKO: Mr. Speaker, again, I'd just like to get some assurance and also get the Minister to maybe check into the traditional communities that we do have out there where a lot of people still continue to sustain themselves through hunting, fishing, trapping, and also, like I stated, there is the seasonal economy and people do earn income, basically, on the different activities. I think there has to be an understanding from the regional staff that they really understand what they mean by way of how they interpret full-time employment, because we do have seasonal employment, people do different types of activities. Again, I'd just like to maybe ask the Minister if he can get people to clarify the interpretation of "season employment" versus "traditional economies" in the Northwest Territories, especially for our traditional communities. Thank you.

HON. ROBERT MCLEOD: Mr. Speaker, I will follow up on the Member's suggestion. If we have tenants that are able to meet all their commitments, which in my understanding in this particular case, they were meeting all of their commitments, then it's something that we have to have a look at. If we get into situations where it's difficult for tenants to meet their utility costs and that, then that's also something that we need to look at. But in the particular case, they were meeting all their commitments, so I will follow up on that and I will also follow up on the income and what constitutes seasonal employment and traditional activities. I will do a thorough follow-up on this particular case, that way we can be assured that it's not something that will be happening too much across the Northwest Territories.

MR. SPEAKER: Thank you, Mr. McLeod. Your final supplementary, Mr. Krutko.

MR. KRUTKO: Thank you, Mr. Speaker. I'd like to ask the Minister if I can get a quick turnaround on this. The family is waiting for my phone call and they are wondering what the status is they are in, because they were supposed to be out of there yesterday. Again, they're just wondering what their situation is and I think the sooner we deal with this problem, I think it will also hopefully bring resolution to this ASAP. I'd like to request a quick response on this one. Thank you.

HON. ROBERT MCLEOD: I can commit to that. I have asked the corporation to give a quick turnaround on this particular issue. Thank you.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Member for Kam Lake, Mr. Ramsay.

QUESTION 312-16(5):
STATUS OF DEH CHO BRIDGE PROJECT

MR. RAMSAY: Thank you, Mr. Speaker. I've got a few questions for the Minister of Transportation related to the Deh Cho Bridge Project. I'm wondering if the Minister could advise the House whether or not any steel has shown up at Fort Providence for the construction of that bridge. Thank you.

MR. SPEAKER: Thank you, Mr. Ramsay. The honourable Minister responsible for Transportation, Mr. Michael McLeod

HON. MICHAEL MCLEOD: Thank you, Mr. Speaker. The answer is yes. The steel has started to arrive in Hay River and some of the steel has been delivered to the community of Fort Providence. Thank you.

MR. RAMSAY: Mr. Speaker, I'd like to ask the Minister if he could provide the House with the answer on when all the steel will show up in Fort Providence and construction of the superstructure will begin in earnest. Thank you.

HON. MICHAEL MCLEOD: We expect all the steel to be coming in batches over the winter and construction should be starting in earnest on the superstructure right away. We plan to have all the material for the superstructure on site by the spring of this coming year. Thank you.

MR. RAMSAY: Mr. Speaker, I'd like to ask the Minister, if the construction audit that was performed on the Deh Cho Bridge is concluded, when might it get in front of committee for purview. Thank you.

HON. MICHAEL MCLEOD: Mr. Speaker, I don't have an exact date. The report, as I indicated the last time the Member asked questions, is under review and we're doing reconciliation. As soon as that's done and concluded, we can provide it to the Members. Thank you.

MR. SPEAKER: Thank you, Mr. McLeod. Your final supplementary, Mr. Ramsay.

MR. RAMSAY: Thank you, Mr. Speaker. Before the construction begins on the superstructure, I hope that the construction audit is concluded and distributed to Members so we can see what is included in the construction audit. As well, the Auditor General's review of the project, when is that scheduled to be concluded and presented to the House? Thank you.

HON. MICHAEL MCLEOD: Mr. Speaker, there are a couple of questions there. The question on the Auditor General's report is something that we have been working on with the Auditor General. We provided material over the last while to the Auditor General. The indications are that the report will come out this spring. Thank you.

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

QUESTION 313-16(5):
RESPITE CARE PROGRAM
FUNDING REDUCTIONS

MR. HAWKINS: Thank you, Mr. Speaker. My colleague Mr. Ramsay raised the issue today regarding the potential loss of respite care through the Yellowknife Association for Community Living. Of course, like many Members in Yellowknife, I too have constituents who do receive this care. It is a significant priority to them. I have received their e-mails of concern. No less passionate is my concern about the funding, as highlighted by Mr. Ramsay. I would like to maybe see if the Minister can explain what is happening with their funding agreement, to ensure that there is some stability through this fiscal year, and what efforts will be made to ensure that we have some stability going into the next funding year. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins. The honourable Minister of Health and Social Services, Ms. Lee.

HON. SANDY LEE: Thank you, Mr. Speaker. First of all, everything that comes through Health and Social Services is highly charged and highly emotional. There are always more demands than supply of money. I just want to clarify the information on funding, because some Members seem to be not clear on that, Mr. Speaker. We just approved the business plan that we cannot talk about. I agree that there was money approved for that for next year, money being discussed, but that hasn't to do with this funding arrangement we have with YACL. The THSSI funding we just approved in supplementary appropriation yesterday has to do with 2010-11. We have not dealt with THSSI funding for next year.

Mr. Speaker, I want to tell the Member that I am very aware of the importance of this program. I am reading all of the correspondence that I am receiving as well. I am working hard with the department to see how we can assist the association with this situation. Thank you, Mr. Speaker.

MR. HAWKINS: Mr. Speaker, I have gotten to know many of these families and they certainly depend on this respite care very highly. It is an important break through the system. It is not a holiday. It is a way to organize their life and give them the chance to be part of a program that allows them to do more. If anyone knows anyone who has a family in this situation, although there are certainly challenges before them and my heart goes out to how hard they work to get through these things. Mr. Speaker, my question being to the Minister now, is the fact is what is the department doing to advocate further funding or support funding in some funding mechanism for this particular issue. The reality is this is really pulling the carpet out from a lot of these families. It would be a significant setback if we don't continue to find some way to support them. Thank you.

HON. SANDY LEE: Mr. Speaker, I appreciate the Member's comment. What I propose to do is work with the association. I am committed to communicating directly with them so that we can sit down and have a dialogue about how we could come up with an agreement. I could tell the Member today that I am committed to finding a solution out of this situation. I understand. I have told the parents who have talked to me that no one has to convince me of the importance of this program. I am a little hesitant to address this publicly, because, Mr. Speaker, every day I get asked by Members and the public for additional funding for all sorts of projects, but I think what we need to do is we haven't been able to do this yet. I am going to communicate directly with the association and work together to find a resolution. I want to commit to the Member again that I will find the solution. Thank you.

MR. HAWKINS: Mr. Speaker, I never get tired of saying, although I don't have to say it very often. Would the Minister commit to meeting with this constituent organization in my riding, because YACL is a downtown organization? Would she commit to opening up a meeting so we can have this type of bridging conversation with any member who is interested in being involved and finding a solution together? We don't want to miss a real opportunity here to make sure that these families are supported, and I can guarantee, undoubtedly, that there are many Members in this Assembly who would like to be involved in finding that solution to bridge forward for these families again helping protect respite services here for our residents. Would the Minister be willing to join us and invite as

many Members as possible to be a part of this? Thank you.

HON. SANDY LEE: Mr. Speaker, yes, as a matter of fact, we are communicating right now to sit down together and to less politicize this issue and have the facts prevail and have my officials sit with YACL and work out a resolution. I say it again, that we will find a resolution to provide assistance to YACL. Thank you.

MR. SPEAKER: Thank you, Ms. Lee. Time for question period has expired; however, I will allow the Member a final supplementary. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Speaker. As we have all seen quite clearly, this is an important issue. It sounds as if the Minister can appreciate that it is a significant issue for many families. The point being here is that timing is everything. We need a meeting as soon as possible. Can the Minister ensure that she will commit to having a meeting before Christmas? That way, Members will have time to get down, help source out some solutions and we can get this process moving as fast as possible. Otherwise, if we leave this open without a focus to challenge ourselves, it may sit and drag on forever. The families don't need that. Certainly Members who are advocating for this issue don't need that either. Thank you, Mr. Speaker.

HON. SANDY LEE: Mr. Speaker, I expect that we will resolve this way before Christmas in the very near future. Thank you.

MR. SPEAKER: Thank you, Ms. Lee. Item 8, written questions. Item 9, returns to written questions. Item 10, replies to opening address. Item 11, petitions. Item 12, reports of standing and special committees. The honourable Member for Nahendeh, Mr. Menicoche.

Reports of Standing and Special Committees

COMMITTEE REPORT 4-16(5): REPORT ON THE REVIEW OF THE 2008-2009 ANNUAL REPORT OF THE LANGUAGES COMMISSIONER OF THE NORTHWEST TERRITORIES

MR. MENICOCHÉ: Thank you, Mr. Speaker. The Standing Committee on Government Operations is pleased to provide its Report on the Review of the 2008-2009 Annual Report of the Languages Commissioner and commends it to the House.

Introduction

The Standing Committee on Government Operations met on May 13, 2010, to review the Office of the Northwest Territories Languages Commissioner's Annual Report, 2008-2009. The committee would like to thank the former

Languages Commissioner, Ms. Shannon Gullberg, for preparing and presenting the report. The committee would also like to thank the current Languages Commissioner, Ms. Sarah Jerome, for attending and participating in the review.

When the committee reviewed the Languages Commissioner's 2007-2008 report, it expressed concern that people who speak minority languages may not be aware of the Commissioner and her role. The mandate of the Languages Commissioner is to investigate complaints, yet there have been very few complaints or inquiries. The committee urged the recently appointed Commissioner to promote her role so that more people would bring complaints and inquiries to her.

In the final year of Ms. Gullberg's term as Languages Commissioner, 2008-2009, Ms. Gullberg was quite active. She visited seven communities and provided promotional packages to all teachers, health care centres and hospitals in the NWT. That was also the year the Standing Committee on Government Operations held hearings throughout the NWT as part of the review of the Official Languages Act. In spite of these activities, there were no formal complaints and only 20 formal inquiries. Both Ms. Gullberg and Ms. Jerome reported that they received telephone calls from people with questions or problems. These could not be pursued formally because there was no written follow-through. In cases like these, the committee recommended that the Commissioner consider replacing the requirement for a written letter of complaint with some other permanent record, such as a sound recording. This could address the issue of people not making a formal complaint because they are not confident in their ability to express themselves in a written letter, or because they are intimidated by the formality of the process. The NWT has a rich oral tradition, and exploring other avenues of complaint would take this into account.

Recommendations

In her 2008-2009 annual report, the Commissioner made recommendations about existing issues and acknowledged some of the recommendations in the SCOGO's Final Report on the Review of the Official Languages Act 2008-2009.

In her role as Languages Commissioner, Ms. Gullberg initiated an investigation into the existing Aboriginal Languages Revitalization Board and the Official Languages Board. Ms. Gullberg heard that both boards thought that the Minister responsible for Official Languages had never responded to the recommendations made to him since their inception in 2004. However, upon writing to the Minister, Ms. Gullberg learned that there had been a response, but it was unclear if any action had been taken on the recommendations. In 2006, the most recent year that the boards made recommendations, they

raised issues about board member attendance and quorum at meetings. Ms. Gullberg concluded that the boards are looking to the Minister for assistance on administrative issues.

The committee is disheartened to hear that both languages boards have been isolated and inactive. Notwithstanding SCOGO's report on the Official Languages Act that proposes an aboriginal language protection regime that includes an Aboriginal Languages Advisory Committee, in the interim, SCOGO supports better communications and more leadership and guidance from the Minister to the boards' membership. The committee believes the Boards should be re-established and given assistance to understand their roles and to establish proper processes to accomplish them.

Recommendation 1

The Standing Committee on Government Operations recommends that the Minister responsible for Official Languages improve communications with the Aboriginal Languages Revitalization Board and the Official Languages Board, or any future language boards or committees; and provide written confirmation to the boards and to the standing committee of departmental follow-through on the boards' recommendations.

Recommendation 2

The Standing Committee on Government Operations recommends that the Minister responsible for Official Languages provide support to the Aboriginal Languages Revitalization Board and the Official Languages Board, or any future languages boards or committees, in regard to their roles and responsibilities and in dealing with issues internal to the boards, such as attendance and quorum.

Ms. Gullberg supported the concept of a service-based model, as suggested in the Final Report on the Review of the Official Languages Act 2008-2009, to be included in the proposed Official Languages Services Act. The committee's report contended that including the aboriginal language protection regime in the Official Languages Services Act would provide for its continued existence.

Recommendation 3

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories continue to move forward with the concept of a service-based model as suggested by the development of the proposed Official Languages Services Act.

In SCOGO's report on its review of the Languages Commissioner's 2007-2008 Annual Report, the committee requested that that the GNWT provide a

formal, separate response to the Official Languages Commissioner's report on the state of languages in health care. Instead, the GNWT included that response within its response to the committee report.

Recommendation 4

The Standing Committee on Government Operations recommended the Government of the Northwest Territories provide a formal, separate response to Speaking of Health: Official Languages as part of Quality Health Care in the Northwest Territories, and that it also provide this response to the Languages Commissioner as soon as possible.

The committee's final recommendation is as follows:

Recommendation 5

The Standing Committee on Government Operations recommends the Government of the Northwest Territories provide a comprehensive response to this report within 120 days.

Conclusion

The Standing Committee on Government Operations would like to thank Ms. Shannon Gullberg for her endeavours over the last five years, and her assistance in the transition of the office to Ms. Sarah Jerome.

The committee would like to recognize Ms. Jerome's activities publicizing and promoting the role of Languages Commissioner, and is looking forward to reviewing her annual reports and to her continued attendance and participation at community events.

MOTION TO RECEIVE COMMITTEE REPORT 4-16(5) AND MOVE INTO COMMITTEE OF THE WHOLE, CARRIED

Mr. Speaker, I move, seconded by the honourable Member for Yellowknife Centre, that Committee Report 4-16(5) be received by the Assembly and moved into Committee of the Whole for further consideration.

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

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called.

---Carried

Committee Report 4-16(5) will be moved into Committee of the Whole for consideration. The Member for Yellowknife Centre, Mr. Hawkins.

COMMITTEE REPORT 5-16(5): REPORT ON THE REVIEW OF THE 2008-2009 ANNUAL REPORT OF THE INFORMATION AND PRIVACY COMMISSIONER OF THE NORTHWEST TERRITORIES

MR. HAWKINS: Thank you, Mr. Speaker. The Standing Committee on Government Operations is pleased to provide its Report on the Review the 2008-2009 Annual Report of the Information and Privacy Commissioner of the Northwest Territories and commends it to the House.

Introduction

The Standing Committee on Government Operations reviewed the 2008-2009 Annual Report of the Information and Privacy Commissioner at its meeting on May 19, 2010. The committee would like to thank Ms. Elaine Keenan Bengts for her report and for her appearance before the committee.

The Information and Privacy Commissioner is an independent officer of the Legislative Assembly. Her primary role is to review and make recommendations on public bodies' decisions related to the Northwest Territories Access to Information and Protection of Privacy Act. ATIPP requires that public bodies demonstrate their accountability by making information accessible to the public while at the same time protecting the privacy of individuals. In her address to the committee, Ms. Keenan Bengts noted that balancing these two objectives can be challenging.

SCOGO is pleased to bring forward the following recommendations that were raised by the IPC in her annual report.

Recommendations

In order to address contemporary records management issues, other Canadian jurisdictions have recently completed reviews of their legislation. The NWT ATIPP legislation was developed more than 13 years ago. The legislators could not anticipate the technological advances that have subsequently occurred. Electronic communication is now the norm, and electronic records are often the primary method of recordkeeping. Given these changes, other Canadian jurisdictions have seen fit to review their legislation. The Information and Privacy Commissioner recommends that the NWT follow suit.

Recommendation 1

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories place a full review of the Access to Information and Protection of Privacy Act on its legislative agenda.

Ms. Keenan Bengts advocates the concept of "privacy by design." This means that privacy

should be considered and addressed when an organization is being created, and built into systems and business practices. For instance, when the GNWT was considering amalgamating boards with different mandates, i.e. health/social services agencies and education authorities, potential privacy issues would be considered and addressed prior to the formation of new boards.

Recommendation 2

The Standing Committee on Government Operations recommends that when a reorganization, amalgamation or formation of any public body is planned, matters concerning privacy issues should be considered and addressed at the organizational design stage.

Since 1999, the Information and Privacy Commissioner has recommended that the NWT enact legislation that would make municipalities subject to access and privacy legislation, as they are in all but four Canadian jurisdictions. In response, the Department of Justice and the Department of Municipal and Community Affairs developed a range of options, and held preliminary discussions with the NWT Association of Communities and local government administrators. MACA committed to developing a discussion paper for stakeholders and the general public in the next two years. The Yukon Territory is also presently considering municipal privacy legislation.

Recommendation 3

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories enact legislation that would make municipalities subject to access and privacy legislation, would define accountability levels and would create practical rules regarding the gathering, use and disclosure of personal information about individuals by municipalities.

As in previous reports, the IPC urged the GNWT to give more attention to the good management of electronic records, particularly when it comes to ensuring that e-mail records are preserved and accessible.

A recent breach of confidentiality relating to the faxing of confidential medical records to an incorrect address leads the committee to caution the department regarding fax policies and procedures. The committee emphasizes the importance of good management, review of processes and extreme caution when it comes to transmittal of confidential health records.

Recommendation 4

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories ensure that:

- the same good records management practices that are applied to paper records are applied to e-mail communications; and
- employees receive formal training and informal coaching on managing electronic records.

The IPC observes that though many children and youth communicate regularly on the Internet, they may not be aware of the risks associated with their on-line activities. Ms. Keenan Bengts believes the GNWT could help to protect children from risks associated with the Internet by providing teachers with appropriate curriculum material.

Recommendation 5

The Standing Committee on Government Operations recommends that the GNWT give consideration:

- to educating elementary and secondary students about the risks associated with on-line activities; and
- to providing specific information in school curricula about these risks and the precautions that should be taken in order for youth to reduce them.

Conclusion

Elaine Keenan Bengts has been the Information and Privacy Commissioner for more than 10 years and has brought forward many recommendations that have contributed to the improvements in access to information and privacy. The committee commends her efforts and perseverance and looks forward to receiving her 2009-2010 annual report.

That concludes the committee's report.

MR. SPEAKER: Thank you, Mr. Hawkins. The honourable Member for Nahendeh, Mr. Menicoche.

MOTION TO RECEIVE COMMITTEE REPORT 5-16(5) AND MOVE INTO COMMITTEE OF THE WHOLE, CARRIED

MR. MENICOCHÉ: I move, seconded by the honourable Member for Yellowknife Centre, that Committee Report 5-16(5) be received by the Assembly and moved into Committee of the Whole for further consideration.

MR. SPEAKER: A motion is on the floor. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called.

---Carried

MR. SPEAKER: The honourable Member for Nahendeh, Mr. Menicoche.

COMMITTEE REPORT 6-16(5):
REPORT ON THE REVIEW OF THE
REPORT OF THE AUDITOR GENERAL
ON EDUCATION IN THE
NORTHWEST TERRITORIES

MR. MENICOCHÉ: Mr. Speaker, the Standing Committee on Government Operations is pleased to provide its Report on the Review of the Report of the Auditor General on Education in the Northwest Territories and commends it to the House.

Introduction

The Standing Committee on Government Operations held its public review of the Auditor General of Canada's report, Education in the Northwest Territories 2010, Department of Education, Culture and Employment, on June 9, 2010. The committee would like to thank the Auditor General, Ms. Sheila Fraser, and her staff for their work in preparing the report and assisting the committee with its review. The committee would also like to thank Deputy Minister Dan Daniels and Paul Devitt, director of strategic and business services, from the Department of Education, Culture and Employment for appearing before the committee.

The Auditor General's performance audit was completed in November 2009 and her report was tabled on May 11, 2010, during the Fifth Session of the 16th Legislative Assembly.

Standing Committee on Government Operations' mandate includes examination of all reports prepared by the Auditor General.

General Remarks

The Office of the Auditor General restricted its examination to how the Department of Education, Culture and Employment planned, monitored and reported on: (1) early childhood education; (2) elementary and secondary schooling; and (3) post-secondary education and training. ECE was found to be deficient in matters of:

- planning at the elementary and secondary school level, and
- monitoring and reporting of early childhood education and post-secondary education.

The monitoring and reporting that occurred at the elementary and secondary school levels revealed the lack of academic improvement amongst students. Although secondary school graduation rates have improved, the graduation rate of 55 percent was lower than the Yukon and Alberta. At Aurora College, without adequate monitoring and reporting, there was little or no means to assess adult achievement. It was also impossible to assess improvement of children's performance in elementary school based on attendance at day care.

Standing Committee on Government Operations agreed that the Auditor General's performance audit was very useful in its identification of trends and issues in ECE's programming, some of which called for immediate and/or continued action. The findings of the Auditor General validated and articulated concerns expressed by Members in this Assembly. The Auditor General's report contained nine specific recommendations. The committee agrees with all of the recommendations and has included them in this report. ECE also agrees with the recommendations and has responded with an action plan.

Recommendation 1

The Standing Committee on Government Operations recommends that the Department of Education, Culture and Employment accept all of the Auditor General's recommendations and proceed with its action plan to address them.

Early Childhood Development

ECE views the healthy development of young children as crucial to their success in elementary, secondary and post-secondary studies. In Framework for Action, Early Childhood Development, 2001, ECE identified early childhood learning as part of its responsibility. During the audit, the Auditor General found that between 2005 and 2008, 18 more licensed day care facilities were opened. However, the Auditor General found that ECE's monitoring and reporting on day care facilities was incomplete. Not all day cares were inspected annually as required by the Child Daycare Act. For example, only 50 percent of the day care facilities in the North Slave region were inspected in 2008. In addition, there is no means to assess whether children who attend day care perform better when they enter school. ECE has not as yet developed performance indicators to collect data and complete assessments on the educational component of early childhood development.

Auditor General's Recommendation (Paragraph 37 of the OAG Report)

The Department of Education, Culture and Employment should:

- ensure that all day care facilities are inspected annually, in accordance with the Child Day Care Act and Child Day Care Standards Regulations;
- collect critical data as is considered necessary and cost-effective to help assess the success of the program;
- formally evaluate the success of its early childhood development programming and report the results to the Northwest Territories Legislative Assembly and the public; and

- use this information to make necessary adjustments to early childhood development programs.

ECE reported that it:

1. subsequently conducted a review and confirmed that day care facility inspections are now up to date. Standing Committee on Government Operations is satisfied that completion of day care inspections is current and that a program evaluation is scheduled;
2. increased ongoing monitoring by the development of a tracking and reporting function within the department's Case Management Administration System;
3. will initiate discussions with stakeholders to investigate the possibility of collecting and monitoring data to support the success of the program, but notes that it will require more staff and resources; and
4. will initiate an evaluation of the Early Childhood Development Program in 2010-2011 and the results will be made public and used to determine the need for planned adjustments.

Recommendation 2

The Standing Committee on Government Operations recommends that the planned evaluation of the Early Childhood Development Program include a review of both strengths and weaknesses of outcomes and programming. This evaluation should also identify performance indicators and provide a means to collect information on them at entry to kindergarten. This information could be used for ongoing monitoring and reporting to support and provide direction for the Early Childhood Development Program.

I will now pass the floor over to the deputy chair, Mr. Hawkins.

MR. SPEAKER: Thank you, Mr. Menicoche. The honourable Member for Yellowknife Centre, Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Speaker. Thank you, Mr. Menicoche.

Elementary and Secondary School

The Auditor General expressed concern that there was no detailed territory-wide plan to improve student performance.

A key finding of the OAG's report is the lack of improvement in student performance between the school years ending 2005 and 2008. One bright light is an increase in the number of students of secondary school graduates; however, the results on Alberta Achievement Tests and diploma examinations, and the number of students working at their functional grade levels, show little or no improvement. The OAG questioned ECE as to how

this was possible and found that ECE had done no analysis. Without studying the results, the department is not in a position to provide optimal guidance for educational councils.

OAG Recommendation (Paragraph 52 of the OAG Report)

The Department of Education, Culture and Employment should:

- formally identify the root causes of the diverging trends in student performance and use this information to better target its efforts for continuous improvement; and
- develop, in collaboration with education councils, a comprehensive territory-wide action plan and targets for improved student performance.

In its response to the OAG, ECE has agreed to target known causes with the Aboriginal Student Achievement Initiative, which was developed in part to address the low attendance levels at NWT schools. An accountability framework has been drafted that will support continuous improvement efforts and provide information that can be reported to the public. A number of activities are planned to address performance issues.

Standing Committee on Government Operations believes ECE should be mindful of the importance of identifying the causes that affect performance of students. A delineation of these causes can inform planning.

The OAG noted that the department introduced the Aboriginal Student Achievement Initiative in order to address concerns over poor student performance.

The OAG found that the department has improved its reporting on student performance over the last four years. Indicators in ECE's Towards Excellence: A Report on Education in the NWT were on par with those of other education and statistical organizations.

The OAG advises that it is important for ECE to keep the public and the Legislative Assembly informed about the results of its programs delivered by education councils and their impact on aboriginal peoples.

The Aboriginal Student Achievement Initiative is intended to identify the root causes of low student achievement levels and provide ways to raise aboriginal secondary graduation rates to the same level as non-aboriginal rates.

The OAG noted that ECE monitors compliance with education directives but has not formally assessed their effectiveness or relevance.

The Minister has provided 20 directives to educational councils. Subjects range from calendar planning to standardized testing. The OAG's

performance audit focused on two directives: inclusive schooling and aboriginal language and culture-based education. Inclusive schooling requires education councils to respond to the needs of individual students to develop individual learning plans when necessary. In 2006-2007, over 20 percent of the students enrolled in grades 1 to 9 were following such plans. The ALCBE directive requires education councils to provide students with school programs and learning environments that reflect, validate and promote the community's language and culture. Education councils complied with the reporting requirements, but reports on activities were often too general to provide enough information for ECE to assess compliance.

OAG Recommendation (Paragraph 63 of the OAG Report)

The Department of Education, Culture and Employment should:

- follow up on corrective actions taken by education councils to address issues the department has raised as a result of its monitoring of education directives;
- develop a strategy and timetable for formally assessing the success and continued relevance of education directives; and
- formally strengthen the reporting requirements for the aboriginal language and culture-based education directive.

In its action plan, ECE acknowledges this finding and intends to strengthen its reporting requirements. The directive on student assessment will be amended in time for the 2010-2011 school year. The policy review framework has been developed, a working group of departmental and education authority officials will be established to begin this work, and a schedule of reviews will be developed.

The ALCBE directive will be the first directive to be reviewed. ECE will undertake consultation with the education authorities during this fiscal year to determine how additional jurisdictional information could be provided in future editions of Towards Excellence.

The OAG found that the department has improved its reporting on student performance over the last four years but the OAG warns that it is important for ECE to inform the Legislative Assembly and the public about its results, including the program impact on aboriginal peoples.

Currently, ECE reports mainly on community size. It does not break down results into categories by education council, ethnicity or gender. Residents of a particular region cannot compare the performance of their students with those of other regions in the Northwest Territories. The OAG

notes that such comparisons could lead to sharing of good school practices.

OAG Recommendation (Paragraph 66 of the OAG Report)

The Department of Education, Culture and Employment should:

- ensure that key performance indicators are publicly reported to the Legislative Assembly according to major categories such as education council, ethnicity and gender; and
- report these key performance indicators in its Towards Excellence report.

In its action plan, ECE reports that it will undertake consultations with the education authorities during this fiscal year to determine how additional jurisdictional information could be provided in future editions of Towards Excellence.

Standing Committee on Government Operations observed that the cost of the two initiatives the OAG reviewed, inclusive schooling and ALCBE, was \$33 million 2008 and yet there was no evidence that these programs had improved student performance. In fact, there was evidence of a downward trend in performance in: (1) non-aboriginal secondary school graduation; (2) grades 3, 6 and 9 language arts; and (3) Grade 3 math. The committee is pleased that ECE is reviewing the ALCBE directive and, in addition, sees the need for a review of inclusive schooling.

Although Standing Committee on Government Operations agrees with the recommendation to publicly report key indicator information by education council, ethnicity and gender, the committee accepts that there may be a need to address individual privacy by aggregating data when necessary.

That now concludes my portion of the report and I'd like to pass the floor to my colleague Mr. Abernethy, MLA for Great Slave.

MR. SPEAKER: Thank you, Mr. Hawkins. The honourable Member for Great Slave, Mr. Abernethy.

MR. ABERNETHY: Thank you, Mr. Speaker. I'd like to thank my colleague Mr. Hawkins.

Recommendation 3

The Standing Committee on Government Operations recommends that the Department of Education, Culture and Employment review both the aboriginal language and culture-based education directive and the inclusive schooling directive in order to identify the strengths and weaknesses of both initiatives.

Recommendation 4

The Standing Committee on Government Operations recommends that the Department

of Education, Culture and Employment report performance according to major categories such as education council, ethnicity and gender, with a recognition that it may sometimes be necessary to aggregate data to protect the privacy of individual students.

Adult and Post-Secondary Education

Forty percent of Aurora College students are enrolled in the Adult Literacy and Basic Education Program (ALBE). ALBE has had consistent enrolment numbers for four years but during the same time period the total of all Aurora College graduates decreased by about 33 percent. This is attributed mainly to the discontinuation of welding and other apprenticeship programs.

The OAG identified gaps in the measurement of the performance of adult and post-secondary students.

The Auditor General found that ECE and Aurora College have reasonable performance indicators including rates of completion of certificate, diploma and degree programs; graduate satisfaction with the quality of the college programs; and graduate employment six months after graduation. However, the OAG observed that ECE has not developed a strategy to achieve established targets. Further, the method of determining program completion rates is inaccurate. Rates are expressed as a percentage of students in their final year and thus there is no accounting for students who leave programs earlier.

OAG Recommendation (Paragraph 67 of the OAG Report)

The Department of Education, Culture and Employment should:

- work with Aurora College to establish consistent performance indicators and targets for adult and post-secondary education; and
- clarify how it intends to achieve its performance targets.

In its action plan to address the OAG's recommendations, ECE has committed to working with Aurora College in 2010 to develop an accountability framework that will support the establishment of consistent performance indicators and targets. Annual and multi-year program plans will be adapted to reflect these indicators and targets.

The OAG observed progress in identifying labour market needs and coordinating training.

The OAG expected ECE and Aurora College to assess territory-wide labour market needs to inform its training delivery decisions but no such process happened. To its credit, ECE used many methods: partnering with industries such as mining to produce sector-specific needs assessments; working with the Bureau of Statistics to develop

comprehensive territorial labour market reviews on employment and unemployment trends; hosting forums and promoting the establishment of regional training coordination committees. Still, the OAG observed that the market needs of some key sectors and regions were neglected.

OAG Recommendation (Paragraph 84 of the OAG Report)

The Department of Education, Culture and Employment should:

- complete an assessment of labour market needs for all major sectors and regions; and
- use the assessment information to determine how best to design and deliver its programs to help fill gaps in the labour market.

In its response to the OAG, ECE reports it is working on a Labour Force Development Framework that will address training needs and coordination through the development and implementation of specific strategies to support the NWT labour market based on the assessment of needs.

The OAG advises that the Department's monitoring and assessment of its post-secondary education and training programs is incomplete.

ECE and Aurora College regularly collect data on the delivery and results of education and training but there are significant gaps. There is no tracking of adults who complete part of their training at the college and then transfer to programs at southern institutions, or take training provided through partnerships with organizations such as the Mine Training Society. ECE:

- does not analyze data collected to improve program delivery;
- does not regularly evaluate the results of existing training programs; and
- cannot demonstrate what progress has been made or if existing training programs should be maintained, modified, or new ones considered.

OAG Recommendation (Paragraph 87 of the OAG report)

The Department of Education, Culture and Employment, in consultation with Aurora College, should:

- identify and collect relevant data on the results of training delivered through partnerships;
- undertake a more rigorous analysis of the data in order to assess the success of adult and post-secondary education and training programs; and
- undertake improvements to these programs.

ECE reports that once the accountability framework is developed in 2010, it will work with Aurora College to improve the monitoring, reporting and review processes for training programs, including those undertaken through partnerships.

The OAG advises that monitoring of compliance with the adult literacy and basic education directive is inadequate.

Adult Literacy and Basic Education (ALBE) is an education directive meant to increase low literacy rates among adults in the Territory. Aurora College delivers ALBE programming ranging from basic literacy to grade 12-level courses at all campuses and community learning centres. Reporting requirements for the college include basic information on ALBE programs, including numbers of individuals enrolled and results achieved. However, Aurora College provides limited detail and incomplete information, making it difficult for ECE to assess compliance with the directive.

Mr. Speaker, I will now pass the remainder of the document of Mr. Yakeleya. Thank you.

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

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

OAG Recommendation (Paragraph 92 of the OAG report)

The Department of Education, Culture and Employment, in collaboration with Aurora College, should:

- establish key performance indicators and targets for expected results for adult literacy and basic education programs;
- review the reporting requirements of the adult literacy and basic education directive to ensure that key information is being collected;
- ensure these reporting requirements are coordinated with those of the literacy strategy;
- monitor adherence to these reporting requirements, and take formal action in cases where requirements are not met; and
- periodically assess gaps in performance, identify root causes and establish detailed action plans to help close the gaps.

ECE's action plan indicates it will be conducting a formal evaluation of the Adult Literacy and Basic Education program in 2010. Results will be used to determine further actions related to this recommendation.

The Department is developing a tool to track planning, monitoring, reporting and evaluation of advanced education activities, and a youth literacy gap analysis is being completed.

The OAG states that reporting on the post-secondary system is not timely.

Four years has passed since the post-secondary version of Towards Excellence was issued with details on performance indicators like enrolments and number of graduates by program.

Reporting makes ECE and Aurora College accountable to the public for student performance.

OAG Recommendation (Paragraph 96 of the OAG report)

The Department of Education, Culture and Employment, in collaboration with Aurora College, should:

- review the performance indicators it reports publicly; and
- publish these indicators regularly.

ECE has stated it will work with Aurora College to review performance indicators and to coordinate the publishing of reports.

SCOGO looks forward to the tabling of the 2009 Towards Excellence report.

Recommendation 5

The Standing Committee on Government Operations recommends that when the Department of Education, Culture and Employment plans and designs a new program or initiative, it identifies the means to be used to assess, measure and report on the program or initiative.

Conclusion

Having completed its review of the Report of the Auditor General on Education in the Northwest Territories, the committee acknowledges the commitment and dedication of education councils and Aurora College. It recognizes the many challenges facing ECE and suggests that it is not a matter of offering more programs, but a matter of focusing on improving delivery of basic programming as well as improving delivery of programs that prove effective in achieving higher student success rates. Members are hopeful that the organization is willing to rally its staff to address these challenges. If these challenges are not addressed, children, youth and adults in our education system will suffer the consequences.

Recommendation 6

The Standing Committee on Government Operations recommends that the Minister of Education, Culture and Employment provide periodic updates on the progress of the implementation of the Auditor General's recommendations through status reports to the Standing Committee on Social Programs.

Recommendation 7

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories provide a comprehensive response to this report within 120 days.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Yakeleya. The honourable Member for Nahendeh, Mr. Menicoche.

MOTION TO RECEIVE COMMITTEE REPORT
6-16(5) AND MOVE INTO
COMMITTEE OF THE WHOLE,
CARRIED

MR. MENICOCHÉ: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife Centre, that Committee Report 6-16(5) be received by the Assembly and moved into Committee of the Whole for further consideration.

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

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question is being called.

---Carried

Committee Report 6-16(5) will be moved into Committee of the Whole for consideration.

Item 13, reports of committees on the review of bills. Item 14, tabling of documents. The honourable Premier, Mr. Roland.

Tabling of Documents

TABLED DOCUMENT 106-16(5):
LETTER OF INSTRUCTION TO
COMMISSIONER GEORGE TUCCARO,
DATED OCTOBER 6, 2010

HON. FLOYD ROLAND: Thank you, Mr. Speaker. I wish to table the following document entitled Letter of Instruction to Commissioner George Tuccaro. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Roland. The honourable Minister responsible for Finance, Mr. Miltenberger.

TABLED DOCUMENT 107-16(5):
GEOGRAPHIC TRACKING OF EXPENDITURES,
EXPENDITURE DATA FOR THE YEAR ENDED
MARCH 31, 2008

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. I wish to table the following document entitled Geographic Tracking of Expenditures for the Year Ended March 31, 2008. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Minister responsible for Environment and Natural Resources, Mr. Miltenberger.

TABLED DOCUMENT 108-16(5):
WASTE REDUCTION AND RECOVERY
PROGRAM 2009-2010 ANNUAL REPORT

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. I wish to table the following document entitled Waste Reduction and Recovery Program, 2009-2010 Annual Report. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Minister responsible for Industry, Tourism and Investment, Mr. Bob McLeod.

TABLED DOCUMENT 109-16(5):
NWT BUSINESS DEVELOPMENT AND
INVESTMENT CORPORATION
2009-2010 ANNUAL REPORT

HON. BOB MCLEOD: Mr. Speaker, I wish to table the following document entitled NWT Business Development and Investment Corporation, 2009-2010 Annual Report. Thank you, Mr. Speaker.

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

TABLED DOCUMENT 110-16(5):
THE ARTS PROFESSIONS ACT,
CHAPTER A-28.002 OF THE
STATUTES OF SASKATCHEWAN 2009

MR. HAWKINS: Thank you, Mr. Speaker. I'd like to table the Arts Professions Act by the Saskatchewan government. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins.

TABLED DOCUMENT 111-16(5):
SUMMARY OF MEMBERS' ABSENCES
FOR THE PERIOD
FEBRUARY 27, 2010 TO OCTOBER 13, 2010

Pursuant to Section 5 of the Legislative Assembly and Executive Council Act, I wish to table the Summary of Members' Absences for the Period of February 27, 2010, to October 13, 2010.

Item 15, notices of motion. The honourable Member for Mackenzie Delta, Mr. Krutko.

Notices of Motion

MOTION 24-16(5):
LOWER MAXIMUM UNIT RENTS
FOR PUBLIC HOUSING

MR. KRUTKO: Mr. Speaker, I give notice that on Wednesday, November 3, 2010, I will move the following motion: Now therefore I move, seconded by the honourable Member for Nahendeh, that this

Legislative Assembly recommends that the Minister responsible for the NWT Housing Corporation undertake a regional analysis and policy changes needed to establish a significantly lower maximum rent schedule for public housing units;

And further, that the Minister provide the proposed changes to the Standing Committee on Economic Development and Infrastructure no later than April 1, 2011.

MR. SPEAKER: Thank you, Mr. Krutko. Item 16, notices of motion for first reading of bills. The honourable Minister responsible for Finance, Mr. Miltenberger.

Notices of Motion for First Reading of Bills

BILL 21:
SUPPLEMENTARY APPROPRIATION ACT
(OPERATIONS EXPENDITURES), NO. 4,
2009-2010

HON. MICHAEL MILTENBERGER: Mr. Speaker, I give notice that on Wednesday, November 3, 2010, I will move that Bill 21, Supplementary Appropriation Act (Operations Expenditures), No. 4, 2009-2010, be read for the first time.

BILL 22:
SUPPLEMENTARY APPROPRIATION ACT
(INFRASTRUCTURE EXPENDITURES), NO. 5,
2009-2010

Mr. Speaker, I give notice that on Wednesday, November 3, 2010, I'll move that Bill 22, Supplementary Appropriation Act (Infrastructure Expenditures), No. 5, 2009-2010, be read for the first time.

BILL 23:
SUPPLEMENTARY APPROPRIATION ACT
(OPERATIONS EXPENDITURES), NO. 2,
2010-2011

Mr. Speaker, I give notice that on Wednesday, November 3, 2010, I will move that Bill 23, Supplementary Appropriation Act (Operations Expenditures), No. 2, 2010-2011, be read for the first time.

BILL 24:
SUPPLEMENTARY APPROPRIATION ACT
(INFRASTRUCTURE EXPENDITURES), NO. 4,
2010-2011

Mr. Speaker, I give notice that on Wednesday, November 3, 2010, I will move that Bill 24, Supplementary Appropriation Act (Infrastructure Expenditures), No. 4, 2010-2011, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Miltenberger. Item 17, motions. The honourable Member for Kam Lake, Mr. Ramsay.

Motions

MOTION 22-16(5):
REFERRAL OF Tabled DOCUMENT
103-16(5), GOVERNMENT OF THE NORTHWEST
TERRITORIES CONTRACTS OVER \$5,000
REPORT, YEAR-TO-DATE OF THE FISCAL YEAR
ENDING MARCH 31, 2010,
CARRIED

MR. RAMSAY: Thank you, Mr. Speaker.

WHEREAS Tabled Document 103-16(5) has been tabled in this House;

AND WHEREAS the Government of the Northwest Territories Contracts Over \$5,000 Report, Year-to-Date of the Fiscal Year Ending March 31, 2010, requires detailed consideration;

NOW THEREFORE I MOVE, seconded the honourable Member for Weledeh, that Tabled Document 103-16(5), Government of the Northwest Territories Contracts Over \$5,000 Report, Year-to-Date of the Fiscal Year Ending March 31, 2010, be referred to Committee of the Whole for consideration.

Thank you.

MR. SPEAKER: Thank you, Mr. Ramsay. Motion is on the floor. Motion is in order.

AN HON. MEMBER: Question.

MR. SPEAKER: Question is being called.

---Carried

Tabled Document 103-16(5) will be moved into Committee of the Whole for consideration.

Item 18, first reading of bills. The honourable Minister responsible for Finance, Mr. Miltenberger.

First Reading of Bills

BILL 13:
APPROPRIATION ACT (INFRASTRUCTURE
EXPENDITURES) 2011-2012

HON. MICHAEL MILTENBERGER: Mr. Speaker, I move, seconded by the honourable Member for Inuvik Boot Lake, that Bill 13, Appropriation Act (Infrastructure Expenditures) 2011-2012, be read for the first time. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. A motion is on the floor. Motion is in order. Bill 13, Appropriation Act (Infrastructure Expenditures) 2011-2012, has had first reading.

---Carried

The honourable Minister responsible for Justice, Mr. Lafferty.

BILL 14:
AN ACT TO AMEND THE
CONFLICT OF INTEREST ACT

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. I move, seconded by the honourable Member for Range Lake, that Bill 14, An Act to Amend the Conflict of Interest Act, be read for the first time. Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lafferty. A motion is on the floor. Motion is in order. Bill 14, An Act to Amend the Conflict of Interest Act, has had first reading.

---Carried

The honourable Minister responsible for Municipal and Community Affairs, Mr. Robert McLeod.

BILL 15:
AN ACT TO AMEND THE
FIRE PREVENTION ACT

HON. ROBERT MCLEOD: Mr. Speaker. I move, seconded by the honourable Member for Yellowknife South, that Bill 15, An Act to Amend the Fire Prevention Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. A motion is on the floor. Motion is in order. Bill 15, An Act to Amend the Fire Prevention Act, has had first reading.

---Carried

The honourable Minister responsible for Municipal and Community Affairs, Mr. Robert McLeod.

BILL 16:
AN ACT TO AMEND THE DOG ACT

HON. ROBERT MCLEOD: Mr. Speaker. I move, seconded by the honourable Member for Deh Cho, that Bill 16, An Act to Amend the Dog Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. A motion is on the floor. Motion is in order. Bill 16, An Act to Amend the Dog Act, has had first reading

---Carried

The honourable Minister responsible for Finance, Mr. Miltenberger.

BILL 17:
AN ACT TO AMEND THE INCOME TAX ACT

HON. MICHAEL MILTENBERGER: I move, seconded by the honourable Member for Monfwi, that Bill 17, An Act to Amend the Income Tax Act, be read for the first time. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. A motion is on the floor. Motion is in order. Bill 17, An Act to Amend the Income Tax Act, has had first reading.

---Carried

The honourable Minister responsible for Municipal and Community Affairs, Mr. Robert McLeod.

BILL 18:
AN ACT TO REPEAL THE SETTLEMENTS ACT

HON. ROBERT MCLEOD: Mr. Speaker. I move, seconded by the honourable Member for Inuvik Boot Lake, that Bill 18, An Act to Repeal the Settlements Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. A motion is on the floor. Motion is in order. Bill 18, An Act to Repeal the Settlements Act, has had first reading.

---Carried

The honourable Minister responsible for Municipal and Community Affairs, Mr. Robert McLeod.

BILL 19:
MUNICIPAL STATUTES AMENDMENT ACT

HON. ROBERT MCLEOD: Mr. Speaker. I move, seconded by the honourable Member for Monfwi, that Bill 19, Municipal Statutes Amendment Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. A motion is on the floor. Motion is in order. Bill 19, Municipal Statutes Amendment Act, has had first reading.

---Carried

The honourable Minister responsible for Justice, Mr. Lafferty.

BILL 20:
AN ACT TO AMEND THE EVIDENCE ACT

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. I move, seconded by the honourable Member for Thebacha, that Bill 20, An Act to Amend the Evidence Act, be read for the first time. Mahsi.

MR. SPEAKER: Thank you, Mr. Lafferty. A motion is on the floor. Motion is in order. Bill 20, An Act to Amend the Evidence Act, has had first reading.

---Carried

Item 19, second reading of bills. The honourable Minister responsible for Finance, Mr. Miltenberger.

Second Reading of Bills

BILL 13: APPROPRIATION ACT (INFRASTRUCTURE EXPENDITURES) 2011-2012

HON. MICHAEL MILTENBERGER: Mr. Speaker, I move, seconded by the honourable Member for Inuvik Boot Lake, that Bill 13, Appropriation Act (Infrastructure Expenditures) 2011-2012, be read for the second time.

Mr. Speaker, this bill authorizes the Government of the Northwest Territories to make infrastructure expenditures for the 2011-2012 fiscal year. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. A motion is on the floor. The motion is in order. To the principle of the bill. Bill 13, Appropriation Act (Infrastructure Expenditures) 2011-2012, has had second reading.

---Carried

Item 20, consideration in Committee of the Whole of bills and other matters: Tabled Document 4-16(5), Executive Summary of the Report of the Joint Review Panel for the Mackenzie Gas Project; Tabled Document 30-16(5), 2010 Review of Members' Compensation and Benefits; Tabled Document 38-16(5), Supplementary Health Benefits – What We Heard; Tabled Document 62-16(5), Northwest Territories Water Stewardship Strategy; Tabled Document 75-16(5), Response to the Joint Review Panel for the Mackenzie Gas Project on the Federal and Territorial Governments' Interim Response to "Foundation for a Sustainable Northern Future;" Tabled Document 103-16(5), GNWT Contracts over \$5,000 Report, Year Ending March 31, 2010; Bill 4, An Act to Amend the Social Assistance Act; Bill 12, An Act to Amend the Liquor Act; Committee Report 3-16(5), Standing Committee on Social Programs Report on the Review of the Child and Family Services Act; and Minister's Statement 65-16(5), Devolution Agreement-in-Principle, Impact on Land Claims and Protection of Aboriginal Rights, with Mr. Krutko in the chair.

Consideration in Committee of the Whole of Bills and Other Matters

CHAIRMAN (Mr. Krutko): I call Committee of the Whole to order. Items in Committee of the Whole today are: tabled documents 4, 30, 38, 62, 75, 103, Bill 4, Committee Report 3-16(5), and Minister's Statement 65-16(5). What is the wish of committee? Mr. Abernethy.

MR. ABERNETHY: Thank you, Mr. Chair. We'd like to go through Bill 12 and, time permitting, Tabled Document 75-16(5).

CHAIRMAN (Mr. Krutko): Committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Okay. So we'll begin with Bill 12 after the break.

---SHORT RECESS

CHAIRMAN (Mr. Krutko): I'd like to call Committee of the Whole to order. Prior to the break we agreed to begin with Bill 12, An Act to Amend the Liquor Act. At this time, I'd like to ask the Minister responsible for the bill if he has any opening comments. Minister of Finance, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I am here to present Bill 12, An Act to Amend the Liquor Act.

The current Liquor Act, which came into force on October 31, 2008, provides the legislative authority for an inspector or peace officer to obtain a warrant to enter into a dwelling house to inspect, but it does not give the necessary authority to an inspector or peace officer to seize and remove anything referred to in the warrant.

The only way seizure can be authorized after a search of a dwelling house pursuant to Section 112 of the Liquor Act is if amendments are made to the act specifically allowing for a seizure.

Bill 12 amends the Liquor Act to provide the inspector or peace officer with the legislative ability to obtain a warrant to search and seize, not just to search.

That concludes my opening remarks. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Miltenberger. At this time I'd like to ask the standing committee who reviewed the bill if they have any comments. Mr. Menicoche.

MR. MENICOCHÉ: Thank you, Mr. Chairman. The Standing Committee on Government Operations has reviewed Bill 12, An Act to Amend the Liquor Act. The bill amends the Liquor Act to allow for an inspector or peace officer to seize and remove anything referred to in a warrant for the search of a dwelling house.

This concludes the committee's general comments on Bill 12. Individual Members may have comments or questions as we proceed.

CHAIRMAN (Mr. Krutko): At this time I would like to ask the Minister if he will be bringing in witnesses.

HON. MICHAEL MILTENBERGER: Yes, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Does committee agree that the Minister may bring in witnesses?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Sergeant-at-Arms, please escort the witnesses in.

For the record, Mr. Miltenberger, could you introduce your witnesses?

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I have Margaret Melhorn, deputy minister of Finance; and Ms. Lana Birch-Rideout, legislative counsel from Justice.

CHAIRMAN (Mr. Krutko): Welcome, witnesses. Mr. Abernethy, general comments on the bill.

MR. ABERNETHY: Thank you, Mr. Chairman. Just for the record, this Liquor Act came into force on October 30, 2008. Prior to this act coming into place, did peace officers who obtain a warrant have the ability to seize prior to that point under the old legislation?

CHAIRMAN (Mr. Krutko): Minister of Finance.

HON. MICHAEL MILTENBERGER: Yes, Mr. Chairman.

MR. ABERNETHY: So this is basically to return that power that once existed that got missed by way of some sort of oversight.

HON. MICHAEL MILTENBERGER: The Member is correct.

CHAIRMAN (Mr. Krutko): General comments on Bill 12. Mr. Yakeleya.

MR. YAKELEYA: Just a comment. The peace officers, are they the ones that are sworn in such as bylaw officers in terms of their authority as a peace officer?

CHAIRMAN (Mr. Krutko): Ms. Birch-Rideout.

MS. BIRCH-RIDEOUT: In answer to the Member's question, peace officer includes the inspectors under the act. As well, it may include bylaw officers or may also include RCMP officers.

CHAIRMAN (Mr. Krutko): General comments. Detail. Bill 12, An Act to Amend the Liquor Act. Clause 1.

---Clauses 1 through 4 inclusive approved

CHAIRMAN (Mr. Krutko): To the bill as a whole.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Does committee agree that Bill 12 is ready for third reading?

---Bill 12 as a whole approved for third reading

CHAIRMAN (Mr. Krutko): Mr. Miltenberger, I'd like to thank you and your witnesses. Sergeant-at-Arms, please escort the witnesses out. Mr. Abernethy.

MR. ABERNETHY: I move that we report progress.

---Carried

CHAIRMAN (Mr. Krutko): I will now rise and report progress.

Report of Committee of the Whole

MR. SPEAKER: Can I have the report of Committee of the Whole, please, Mr. Krutko?

MR. KRUTKO: Mr. Speaker, your committee has been considering Bill 12, An Act to Amend the Liquor Act, and would like to report that Bill 12 is ready for third reading. I move that the report of Committee of the Whole be concurred with.

MR. SPEAKER: Thank you, Mr. Krutko. A motion is on the floor. Do we have a seconder? The honourable Member for Yellowknife Centre, Mr. Hawkins.

---Carried

Item 22, third reading of bills. The honourable Minister responsible for Finance, Mr. Miltenberger.

Third Reading of Bills

BILL 13:
APPROPRIATION ACT
(INFRASTRUCTURE EXPENDITURES)
2011-2012

HON. MICHAEL MILTENBERGER: Mr. Speaker, I move, seconded by the honourable Member for Inuvik Boot Lake, that Bill 13, Appropriation Act (Infrastructure Expenditures) 2011-2012, be read for the third time.

MR. SPEAKER: Thank you, Mr. Miltenberger. A motion is on the floor. The motion is in order. Motion 13, Appropriation Act (Infrastructure Expenditures) 2011-2012 has had third reading.

---Carried

Mr. Clerk, orders of the day.

Orders of the Day

CLERK OF THE HOUSE (Mr. Mercer): Orders of the day for Tuesday, November 2, 2010, 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 23-16(5), Dissolution of the 16th Legislative Assembly
18. First Reading of Bills
19. Second Reading of Bills
- Bill 14, An Act to Amend the Conflict of Interest Act
 - Bill 15, An Act to Amend the Fire Prevention Act
 - Bill 16, An Act to Amend the Dog Act
 - Bill 17, An Act to Amend the Income Tax Act
 - Bill 18, An Act to Repeal the Settlements Act
 - Bill 19, Municipal Statutes Amendment Act
 - Bill 20, An Act to Amend the Evidence Act
20. Consideration in Committee of the Whole of Bills and Other Matters
- Tabled Document 4-16(5), Executive Summary of the Report of the Joint Review Panel for the Mackenzie Gas Project
 - Tabled Document 30-16(5), 2010 Review of Members' Compensation and Benefits
 - Tabled Document 38-16(5), Supplementary Health Benefits - What We Heard
 - Tabled Document 62-16(5), Northern Voices, Northern Waters: NWT Water Stewardship Strategy
 - Tabled Document 75-16(5), Response to the Joint Review Panel for the Mackenzie Gas Project on the Federal and Territorial Governments' Interim Response to "Foundation for a Sustainable Northern Future"
 - Tabled Document 103-16(5), GNWT Contracts over \$5,000 Report, Year Ending March 31, 2010
 - Bill 4, An Act to Amend the Social Assistance Act
 - Committee Report 3-16(5), Standing Committee on Social Programs Report on the Review of the Child and Family Services Act
- Minister's Statement 65-16(5), Devolution Agreement-in-Principle, Impact on Land Claims and Protection of Aboriginal Rights
21. Report of Committee of the Whole
22. Third Reading of Bills
- Bill 12, An Act to Amend the Liquor Act
23. Orders of the Day
- MR. SPEAKER:** Thank you, Mr. Clerk. Accordingly, this House stands adjourned until Tuesday, November 2, 2010, at 1:30 p.m.
- ADJOURNMENT
- The House adjourned at 4:39 p.m.