



# **NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY**

**6<sup>th</sup> Session**

**Day 1**

**14<sup>th</sup> Assembly**

## **HANSARD**

**Thursday, October 31, 2002**

Pages 1 – 22

**The Honourable Tony Whitford, Speaker**

# Legislative Assembly of the Northwest Territories

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**YELLOWKNIFE, NORTHWEST TERRITORIES****Thursday, October 31, 2002****Members Present**

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

**ITEM 1: PRAYER**

-- Singing of O Canada

**SPEAKER (Hon. Tony Whitford):** Please remain standing. I will invite our honoured chaplain, Major Karen Hoeft to say the opening prayer.

**ITEM 1: PRAYER**

**PASTOR KAREN HOEFT:** Shall we pray. Creator God, we stand before You today acknowledging that all good gifts come from You. We thank You for all that You have given to us; life, family, community, freedom. I pray that Your spirit would dwell in this room, that You will give wisdom and guidance to those people who serve the people of the Northwest Territories. That You will bring a unity that surpasses our own understanding in humanness. As we humbly work together for the good of the people and as we seek You and Your path for this Territory, that we will see the healing of Your people and Your land.

We ask these things in the name of the one who has given us life. Amen.

**MR. SPEAKER:** Thank you, Pastor Hoeft. I just want to remind Members that the national anthem that was sung today, our national anthem was sung in four of the several official languages of the Northwest Territories. It is a CD that we had commissioned for this year. We are very proud and pleased to open many occasions with it.

Colleagues, I understand that Her Honour, the Commissioner of the Northwest Territories, is prepared to enter the Chamber to give the Opening Address. Mr. Clerk, would you please attend to and escort the Commissioner of the Northwest Territories into the Chamber.

**ITEM 2: OPENING ADDRESS**

**COMMISSIONER OF THE NORTHWEST TERRITORIES (Hon. Glenna Hansen):** Please be seated. Mr. Speaker, Mr. Premier, Members of the Legislative Assembly, you are embarking on the final leg of your journey as elected representatives of the Northwest Territories.

Your work for the past three years has not been easy. It has challenged you to work together, to make strong decisions, to take tough stands and to set aside your differences and positions in the interest of the people that you represent. As a result, you have been successful in achieving many of the elements of your original vision.

You have established important partnerships such as the Intergovernmental Forum and the Aboriginal Summit that will guide your steps forward. You have opened the door to development of our non-renewable resources. You have

invested in our Territory, our communities and our people to ensure that the benefits for this development will be fully realized and, in recent months, you have formally begun devolution talks with the federal government.

This week I have followed the events of your last session with great interest. I listened keenly to your comments in defence of consensus government and I was pleased yesterday with your decision to complete the mandate given to you by the people of the Northwest Territories.

Our Territory is on the brink of taking its place as a strong, unified and self-reliant leader in our nation.

As I prepare to open the Sixth Session of the 14<sup>th</sup> Legislative Assembly I would like to acknowledge the passing of three important pioneers in our region: Agnes Semmler, Florence Erasmus and D'Arcy Arden -- elders whose guidance, wisdom and leadership will be particularly missed.

First Agnes Semmler, who despite her many distinctions and awards was best known to us all as either Mom or Granny. Her life and work, particularly in the interests of aboriginal women, paved the way for many of us to follow in her footsteps. She was the first woman to be appointed Deputy Commissioner and the NWT's first woman Justice of the Peace. Her foundation of the Committee of Original People's Entitlement led in time to the establishment of the Inuvialuit Regional Corporation. Mrs. Semmler's passing earlier this month marked the conclusion of a full life of commitment, leadership and service in the Beaufort-Delta.

Florence Erasmus was another remarkable woman who also left behind a lifetime of extraordinary achievement. Her commitment to education and to the preservation of aboriginal cultures and languages will continue to be reflected in the lives and achievements of the many people she touched. We know that Florence's example and strong teachings will continue to be recognized in the upstanding conduct and leadership of her children and their families.

And finally I would like to pay tribute to D'Arcy Arden who truly epitomized the life of a northern pioneer. Mr. Arden was best known as a prospector, but accomplished much during his long and eventful life. As a young man he successfully bridged the gap between his traditional Metis heritage and the emerging new North and will be remembered by many for his willingness to serve the people of the Northwest Territories. He did so first as an RCMP special constable then, in later years, on a variety of public service boards.

I ask Members to share with me in a moment of silence for these elders, and to also remember at this time the folks of my home town of Aklavik who continue to heal from the tragic passing of Doug Irish, Larry Semmler and Charlie Meyook earlier this fall.

Many of you will take the time next month to attend Remembrance Day events in your community. I urge you to support these significant ceremonies and, in particular, the army and air cadet programs that figure greatly in them. This summer I had the pleasure to join many of these young men and women in Whitehorse for their annual cadet camp. I was very impressed by the highly intuitive, mature and enthusiastic character of these future leaders.

I have been equally impressed by the many students I have met through the NWT's Drug Abuse Resistance Education, or DARE, program. I had the occasion to address and congratulate many graduates of this cooperative community project.

Through these types of programs our youth are learning to take control of their own lives and in doing so can prepare the path for their future. It has been my pleasure and I will continue to be a part of these youth initiatives in the NWT.

In conclusion this afternoon, I would also like to take the occasion today to congratulate those residents of the NWT who have been identified to receive a Queen's Golden Jubilee medal. These medals are being awarded across Canada, in commemoration of Her Majesty's Golden Jubilee, to recognize extraordinary individual achievements and commitment. Together with Members of this Legislative Assembly, it has been my pleasure to nominate 149 NWT residents for this prestigious distinction. I understand Premier Kakfwi will provide more details on these awards later this afternoon.

Members, I ask you at all times to give your most earnest consideration and wise judgment in conducting the business of this Legislative Assembly. In this your final year I urge you in particular to seek out and maintain the unity and spirit that was so much a part of your vision for a better tomorrow. With it I am confident that you will see much of your work fall into place. I encourage you to stay the course.

As Commissioner of the Northwest Territories, I now declare the Sixth Session of the 14<sup>th</sup> Legislative Assembly of the Northwest Territories open. Thank you.

-- Applause

**MR. SPEAKER:** Please be seated. The Chair will now recognize the honourable Member for Nunakput, Mr. Steen.

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker, I have a point of order.

**MR. SPEAKER:** Thank you. The honourable Member is rising on a point of order. Mr. Steen, what is your point of order?

**HON. VINCE STEEN:** Mr. Speaker, on the point of order, under Rule 23(h) and 23(j) yesterday in the House, Mr. Dent suggested during a Member's statement that I had misinformed the House and the public with responses to questions during the June 2002 sitting.

Mr. Speaker, I have not misinformed the House. In responses to questions asked by Mr. Dent on June 14<sup>th</sup>, 2002, I stated, "What is it costing annually? I do not know, Mr. Speaker, but I have been told it is the nature of \$33 million."

Mr. Speaker, on June 17<sup>th</sup>, 2002, I stated during further questioning that the figure supplied was not recent and that I believed it had been prepared during the 13<sup>th</sup> Legislative Assembly. My responses to Mr. Dent's questions were clearly qualified and as such could not possibly be construed as misleading the House.

I request that Mr. Dent's remarks from yesterday be withdrawn. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Steen. The Chair has heard your concern and takes it under advisement. Mr. Steen, the issue that you raised, while it may well of occurred, occurred in the last session and the last session is now in the history books. We have opened a new session. The earliest opportunity that you could have raised that was yesterday and you should have raised it yesterday. Therefore I will not allow the point of order in this new session. Therefore there is no point of order. Item 3, Ministers' statements. The honourable Minister responsible for Finance, Mr. Handley.

### ITEM 3: MINISTERS' STATEMENTS

#### Minister's Statement 1-14(6): Fiscal Update

**HON. JOE HANDLEY:** Mr. Speaker, I would like to take this opportunity to update Members and Northwest Territories residents on this government's fiscal position and outlook.

When I presented the budget in February, we were looking at a fairly positive short-term fiscal situation. Primarily because of a very large one-time corporate tax filing we had forecast a 2001-2002 year-end surplus of about \$160 million and a deficit of about \$12 million for the 2002-2003 fiscal year. Based on final public accounts for last year we realized a surplus of \$120 million, not \$160 million, for the last fiscal year. However, the largest change is in our current revenue and expenditure forecasts for 2002-2003 which suggest we are heading for a \$104 million deficit for 2002-2003.

The decline in our short-term outlook can be attributed to several factors, primarily on the revenue side. Lower than expected population growth, as measured by Statistics Canada, and higher than expected provincial-local government tax effort have reduced our expected grant from Canada both for the 2002-2003 fiscal year and for prior years.

The resulting large prior year adjustments will affect our grant payments for this year. Although we are confident that our population figures will be corrected by the time the census adjustments are announced next year we must reflect the current official numbers in our revenue estimates. In addition, lower corporate income taxes and slightly higher expenditure projections have added to the forecast deficit.

Looking forward beyond the 2002-2003 fiscal year we continue to see revenue forecasts that are below our spending needs, although there has been a small improvement since the February budget forecast. Overall, however, our fiscal position for the four years from 2001-2002 to 2004-2005 has worsened by about \$75 million from the budget projection.

In the February budget I explained that, unless we receive further one-time tax revenues, or increased federal investment, we would likely reach our government's borrowing limit of \$300 million by late 2004-2005. Based on our current forecast of

cash requirements, we estimate that this date will remain roughly the same. To avoid this we have only a few basic choices. Increase revenues and/or cut spending.

The original fiscal strategy laid out in the budget was based on three key assumptions:

- Economic development will continue;
- Northern governments will achieve devolution; and
- Northerners will benefit from resource development.

Based on these assumptions, we have maintained a strategy of making key investments to ensure Northerners benefit from development.

Mr. Speaker, although there has been some recent slowing in economic activity -- oil and gas exploration may be down from last winter's levels and the completion of the Snap Lake diamond mine is now estimated to be delayed by a year, the fundamentals of our economy are unchanged. The prospects for our resources remain extremely bright. We are still seeing high rates of employment, the highest in Canada, in fact. The first eight months of 2002 saw retail trade figures 14.5 percent higher than the same period last year, and wholesale trade 48 percent higher. The Diavik diamond mine will begin shipping diamonds in February 2003. The Mackenzie Valley Producers Group is ready to file their preliminary information package.

What is missing from this equation is the federal government. The federal response to the opportunities of the Northwest Territories has been disappointing. Despite being told that our proposal for the Strategic Infrastructure Fund, Corridors for Canada, was the best submitted, we have been told by federal Infrastructure Minister, the Honourable Allan Rock, that the Northwest Territories allocation from the Strategic Infrastructure Fund will only be \$20 million, the same as the other two territories.

We are frustrated that devolution negotiations, which seemed to be finally getting off the ground, are now being held up by the fact that the federal negotiator does not have a mandate to discuss the fiscal issues.

We are concerned that benefits to Northerners may be at risk as a result of federal inattention to the pipeline file. However, we are encouraged by the appointment last week of a federal representative, Mr. Roland Priddle, whose job it will be to help advance this project.

I met with the federal Finance Minister, the Honourable John Manley, several weeks ago, to raise a number of these issues. It was a productive meeting, and I am seeking a further meeting to follow up on our discussions. I am hopeful that Mr. Manley will be able to address some of our fiscal concerns, especially in light of the positive fiscal outlook Mr. Manley outlined for Canadians yesterday. I am also seeking a meeting with Mr. Rock to explain why his offer will not meet the Northwest Territories' objectives for infrastructure investment.

Although we must continue to aggressively pursue federal investment, we are also looking for ways we can reduce our spending and increase our revenues. We must not, however, jeopardize our long-term social and economic objectives. I will

of course expand on this in much more detail in the February 2003 budget.

The potential wealth that will be created from the development of the Northwest Territories' vast resources and the fiscal return that that development will generate are huge. I still believe that our long-term strategy of making investments to prepare for and manage that development so that Northerners reap the maximum benefits is the right one. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Minister. Item 3, Ministers' statements. The honourable Premier, Mr. Kakfwi.

**Minister's Statement 2-14(6): Joint Meeting of Energy and Environment Ministers**

**HON. STEPHEN KAKFWI:** Mr. Speaker, on Monday I met with fellow federal, provincial and territorial Energy and Environment Ministers in Halifax to discuss Canada's approach to addressing climate change. Federal Environment Minister David Anderson and Natural Resources Minister Herb Dhaliwal outlined the key elements of the federal plan for meeting Canada's Kyoto greenhouse gas emission target. This meeting was the first opportunity for provincial and territorial Ministers to get clarification on these key elements and to discuss the need for further consultations with Canadians.

I would like say a few words on what this plan to reduce greenhouse gas emissions means to the residents of the Northwest Territories. First, Canada assured us that there will be an increasing need for natural gas and a Mackenzie Valley pipeline in a Kyoto world. Second, Canada recognizes that there will be costs for programs to reduce emissions and is prepared to make funding available in a phased approach over the next 10 years. Third, in the words of the federal government, the results of their economic analysis indicate that the overall economic impact is modest.

However, the cost to this government and northern business of taking actions to meet Canada's emission reduction obligations remains largely unknown. In the North we are already paying for the cost of a changing climate. For example, winter resupply seasons have shortened and the melting permafrost is affecting building and road foundations. We have been assessing the federal government's economic forecasts of impacts. With the release of these key elements we can complete our assessment.

Mr. Speaker, I am pleased to report that all Ministers agree climate change is a challenge that must be addressed. Ministers further agreed to, once again, work together to develop a truly national implementation plan. Over the next three weeks officials will revise the federal framework to address deficiencies and develop a national plan that fits within the principles agreed to by the provinces and territories. We remain confident that Canada can meet its emission reduction target within the time frame set out by Kyoto.

In Halifax, I stressed that the plan must protect our economic interests while striving to improve them. It must reassure businesses by reducing uncertainty. Minister Dhaliwal confirmed that the federal government has the same objectives.

Energy and Environment Ministers agreed to meet again in late November to review the national implementation plan. Meanwhile, in New Delhi, Canada will lead discussions on the next phase of the Kyoto Protocol that will bring developing countries under the agreement to reduce their emissions.

Mr. Speaker, the people of the Northwest Territories agree that we must address climate change. As a territory we are developing an energy strategy and greenhouse gas strategy to control our emissions of greenhouse gases. Northerners cannot deal with climate change alone. We need all Canadians to be engaged and our preference is that a national plan is developed within the context of the global Kyoto Protocol. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 3, Ministers' statements. The Honourable Premier, Mr. Kakfwi.

#### **Minister's Statement 3-14(6): Queen's Jubilee Medal Recipients**

**HON. STEPHEN KAKFWI:** Mr. Speaker, later today I will be tabling a list naming those residents of the Northwest Territories who were nominated by the Commissioner of the Northwest Territories and by the Government of the Northwest Territories and who have been selected to receive a Queen's Golden Jubilee commemorative medal.

I would like to congratulate these medal recipients who will learn today by this announcement that they have been chosen to receive this prestigious award. I would also like to congratulate all other residents of the Northwest Territories who have been nominated by various government and non-government agencies to receive this award.

The Golden Jubilee Medal of Queen Elizabeth the Second commemorates the 50<sup>th</sup> anniversary of Her Majesty's reign as Queen of Canada. It is an award of distinction, which is part of the Canadian Honours system. It is being bestowed on 46,000 Canadians, from all walks of life, who have distinguished themselves through their achievements or who have made an outstanding contribution to their fellow citizens, their communities or Canada.

The creation of the Queen's Jubilee Medal was announced earlier this year by the Governor General of Canada. Partners from various organizations across Canada were invited to propose the names of candidates for the medal. These partner organizations include: federal, provincial and territorial governments; national professional, educational and cultural organization; the military and the RCMP; veterans groups; sports associations and charitable organizations.

Mr. Speaker, 149 residents of the Northwest Territories were nominated by the Commissioner of the Northwest Territories and the Government of the Northwest Territories. Regrettably their names are too numerous to mention here individually. However, their collective accomplishments have done much to enrich the lives of all people of the Northwest Territories. They have distinguished themselves through their accomplishments in a variety of areas including literacy, the arts, athletics, community leadership, public service and volunteerism, to name a few.

Each recipient will receive a commemorative medal struck by the Canadian Mint and a certificate bearing the recipient's

name. In the interest of ensuring that all nominees receive their medals before the end of the Jubilee Year, I will be personally advising recipients of their awards in writing and indicating who nominated them.

Mr. Speaker, all residents of the Northwest Territories who have been nominated to receive a Queen's jubilee medal were chosen because their contributions to their communities and to the Northwest Territories have made an impression upon others. They have provided a valuable contribution to NWT society, and it is my great pleasure to honour them for their achievements. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Premier. Item 3, Ministers' statements. The honourable Premier, Mr. Kakfwi.

#### **Minister's Statement 4-14(6): Devolution Negotiations**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I would like to provide an update on the status of devolution negotiations which commenced on September 20, 2002, in Inuvik.

Mr. Speaker, the Government of the Northwest Territories, the Aboriginal Summit and the federal government are parties to the formal negotiations. An aggressive agenda was set with the objective of having a framework agreement within 12 months. The framework agreement is expected to identify and address issue areas, with the parameters laid out in relation to the resolution of any outstanding issues.

The parties have agreed to meet monthly as a main table and to establish side tables and working groups on specific subject matters such as contaminated sites and environmental liabilities and human resources.

Mr. Speaker, we believe that NWT governments have similar interests in relation to devolution. Together we recognize that control of our natural resources belongs with NWT residents, as do the benefits from the development of our resources. We have begun and expect to continue working closely with the Aboriginal Summit to achieve these interests and reach a deal that benefits the Territory as a whole.

The most difficult issue will be the degree to which NWT governments and their constituents will benefit from assuming the new responsibilities for the management of natural resources and from sharing resource revenues. This degree of benefit is referred to as the net fiscal benefit and is one of the critical areas of negotiations for NWT governments. There is little point in receiving the resource revenues if Canada then takes them back through other financing arrangements with NWT governments.

I spoke about the negotiation of the net fiscal benefit in the Legislative Assembly last week during question period. I expressed concern about the negotiation process with respect to the net fiscal benefit. As one party to the negotiations, we view the net fiscal benefit as an integral part of the devolution negotiations process that must be reflected in the devolution transfer agreement.

We understand that the federal government wishes to separate the net fiscal benefit negotiations from the devolution negotiations, which includes the collection of resource revenues and how they will be shared within the NWT as

separate processes. This is largely because the Department of Indian and Northern Affairs is responsible for the devolution aspect of the negotiations while the federal Department of Finance has ultimate responsibility for the net fiscal benefit that would accrue to NWT governments.

I am encouraged from a recent meeting that Minister Handley and I had with Finance Minister Manley that he understands the importance of a net fiscal benefit and also that federal negotiators and departments need to work in close coordination and cooperation.

However, we cannot stress enough that these two parts of the puzzle have clear and critical linkages for NWT governments. Managing our natural resources and collecting and sharing resource revenues by NWT governments means little without ensuring that we keep a fair net fiscal benefit in the NWT -- a benefit that takes the needs of our governments into consideration -- a benefit that allows us to encourage more development while also managing the increased costs on programs and services, which resource development brings.

Mr. Speaker, all parties agreed to a devolution process that includes devolution, resource revenue sharing and a fair net fiscal benefit through the Memorandum of Intent for Devolution and Resource Revenue Sharing agreed to in Inuvik in May of 2001. I am fully confident that Canada will honour all of these commitments once it sorts out its administrative approach to these negotiations.

Mr. Speaker, I look forward to providing regular updates to the Members of this Legislative Assembly on the progress of negotiations over the next year. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 3, Ministers' statements. The honourable Minister responsible for Health and Social Services, Mr. Miltenberger.

**Minister's Statement 5-14(6): Improving the Health and Social Services System**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, our health is one of the most important issues to all Northerners, and it is often an emotional one, as it directly affects our quality of life and that of our family, children, elders and friends. The people of the NWT need to have the confidence and comfort knowing that the necessary health and social service supports will continue to be available, when needed.

Today, I would like to take the opportunity to provide an update on actions the department and authorities are taking to address these issues.

In February of this year I brought together the leadership of the health and social services system to begin work on 45 actions to improve the overall management and delivery of services to NWT people. These actions, summarized in the Health and Social Services System Action Plan reflect recommendations made to the department, past Ministers and this government in public consultations and system-wide reviews over the past few years. The department and authorities join me in saying this is an ambitious plan with ambitious timelines, but will result in immediate and long-lasting improvements to our system.

However, the litmus test for me, Mr. Speaker, is that this action plan continues to be as relevant today as it was eight months

ago - which has been reinforced as I continue to meet directly with residents and health care staff across the North to hear their concerns.

When I became Minister, almost a year ago, I committed to visit every community in the NWT to meet with the leaders, community members and front-line staff, to listen to their health and social services concerns. To date I have visited all but three communities, which I intend to visit in the next few weeks.

In every community I have seen and heard that we have dedicated staff providing high quality health and social services to NWT residents. The frontline workers doctors, nurses, social workers, allied health professionals and support staff -- are the backbone of the NWT health and social services system. Their continued dedication and service, often going the extra mile, is greatly appreciated.

However, I have also heard that there is more that we should be doing to improve the delivery of health and social services, and to recruit, retain and support staff. I recognize there are immediate problems that must be addressed.

Mr. Speaker, one of the commitments I made is to provide regular reporting on our progress. The status report to be tabled this afternoon does just that -- it reports on the activities and accomplishments during the first seven months of implementation of the action plan. The department and authorities, in consultation with professional organizations and stakeholders, have been working non-stop on the implementation of the plan. By March 2003 we will have completed just over half of the 45 action items.

In addition to the specific tasks in the action plan the department and authorities have continued to work on many initiatives that were previously in progress, as well as giving attention to urgent issues, in response to concerns from residents and Members of this House.

Significant progress has and will continue to be made in the months to come. Several key actions and initiatives will be finalized for review and discussion in the weeks ahead. Highlights include:

- an action plan outlining activities to strengthen programs and services available to seniors was approved and is in the process of being implemented;
- along with the Department of Education, Culture and Employment we are continuing to work with our partners on the implementation of the Early Childhood Development Action Plan to achieve the vision that the NWT will be a place where children are born healthy and raised in safe and respectful families and communities which support them in developing to their fullest potential;
- a Retention and Recruitment Plan for Allied Health Care Professionals, Nurses and Social Workers, to address the immediate and longer term staffing shortages, will be finalized in early November 2002, to be shared with the public soon after;
- a framework for an Integrated Services Delivery Model has been developed with initial action plans to be finalized in early November 2002 for;

- Addictions and Mental Health Services
- Continuing Care Services
- a Discussion Paper for the review of Supplementary Health Benefits is being finalized for public consultation and review in November 2002.

Some of the changes to the system, such as the development of an integrated service delivery model, requires that we examine fundamental questions about how health and social services are delivered in the NWT, the types of front-line professionals in the system, how do they provide services and in what setting. The work requires that we challenge current norms of service delivery in order to eliminate the stovepipes in service delivery that exist and it may, in some instances, redefine roles and responsibilities within the team of service providers. These changes will require careful consideration and consultation, and we will all have to work together to make difficult choices and decisions.

Mr. Speaker, we have not completed all tasks on time. Some adjustments to timelines have had to be made because of financial constraints. And some adjustments have been required to ensure appropriate consultation and involvement with stakeholders. The status report presents revised time lines that takes into consideration these factors. I look forward to questions and requests for additional information from Members on this status report. It is a priority that all NWT residents and this House are kept informed of our progress.

Improving the NWT health and social services system is a campaign on many fronts. It requires that we stay the course to make the necessary improvements to ensure the long-term sustainability of the health and social services system, while recognizing that issues arise that require our immediate attention as well.

Mr. Speaker, the people of the Northwest Territories are our greatest resource. Continuing development of the North, whether it is social, economic or political development is dependent upon the strength of our northern community. The programs and services delivered by the health and social services authorities, and the many non-government organizations, are an essential part of our social safety net, enabling Northerners to be healthy and self-reliant, to fully participate in the opportunities that the North provides. Thank you Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Item 3, Ministers' statements. The honourable Premier, Mr. Kakfwi.

**Minister's Statement 6-14(6): Minister Absent From the House (Kakfwi)**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I wish to advise Members that the Honourable Jim Antoine will be absent from the House today to attend to a personal matter. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 3, Ministers' statements. Item 4, Members' statements. The honourable Member for Hay River North, Mr. Delorey.

**ITEM 4: MEMBERS' STATEMENTS**

**Member's Statement on Sexual Exploitation and Child Pornography**

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, I recently met with some of my constituents and they brought to my attention a very disturbing issue; that being the issue of sexual exploitation in Canada.

Mr. Speaker, for several years, a number of concerned Canadians -- this group is called CASE, Canadians Addressing Sexual Exploitation -- has been requesting a change in the age of consent law. In 1987, Mr. Speaker, the Conservative government reduced the age of consent for sexual activity from 18 to 14, and the Liberal government has apparently made no attempt to change this law, or to restore it.

Another area of grave concern, Mr. Speaker, is the issue of child pornography and the exploitation of children. Mr. Speaker, upon doing research of this extremely important topic, I learned that there are 23,000 pedophile websites available on the Internet. I was shocked, Mr. Speaker, and it is disgusting.

Mr. Speaker, it is legal for an adult of any age to engage in sexual activity with a 14-year-old child. As a father of four children, this upsets me deeply. Mr. Speaker, the consumption of pornography can lead to destroyed marriages and the breakdown of the family unit, sexual violence, rape, teenage pregnancies and sexually transmitted diseases, to name a few. The effects on society are many.

This is an issue, Mr. Speaker, of public health and safety. As a society, we can no longer afford to ignore the issue and hope that it will just go away.

This year's WRAP campaign, Mr. Speaker, which stands for White Ribbon Against Pornography, was held from October 20<sup>th</sup> to the 27<sup>th</sup>. Mr. Speaker, I was extremely proud at church this past Sunday in Hay River when a large white ribbon was signed by 75 members of our congregation in support of this year's white ribbon campaign.

Mr. Speaker, the Catholic Women's League of Hay River will be forwarding this white ribbon to the Honourable Ethel Blondin-Andrew in order that she may present it to her colleagues in Ottawa. To this end, Mr. Speaker, I would like my colleagues to join me in speaking out against child pornography and sexual exploitation. I encourage all Members to contact...

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

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

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

**MR. DELOREY:** Thank you, Mr. Speaker. Thank you, colleagues. To this end, Mr. Speaker, I would like my colleagues to join me in speaking out against child pornography and sexual exploitation. I encourage all Members

to contact Ms. Ethel Blondin-Andrew and voice their strong opposition to this disturbing law.

In addition, Mr. Speaker, if members of the public would like further information on this very important issue, they can contact me at my constituency office in Hay River and I would be pleased to provide them with contact numbers for the organization, Canadians Addressing Sexual Exploitation.

Mr. Speaker, the Catholic Women's League passed a resolution at their national convention to eradicate child pornography. I completely support them in their stance against child pornography.

Mr. Speaker, I came across a very moving saying on the Canadians Addressing Sexual Exploitation's website, and I would like to repeat it in this House. Mr. Speaker, it says: "By remaining silent, we become part of the problem. By speaking out with pen and voice, we become part of the solution." I could not agree more, Mr. Speaker. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Delorey. Item 4, Members' statements. The honourable Member for Weledeh, Mr. Handley.

#### **Member's Statement on Tribute to Michel Paper**

**HON. JOE HANDLEY:** Thank you, Mr. Speaker. Mr. Speaker, it gives me great honour today to respect and recognize Mr. Michel Paper, an elder from Detah, and his granddaughter Rosalie, who is with him. Rosalie is two or three years old and helped pass out poppies in the gallery, I noticed.

Mr. Paper was born in the Grow-cap area on Great Slave Lake in 1913. Michel's last name, Paper, was actually his father's first name. Paper is the English translation of Michel's father's first name, which in Dogrib is "Sahtli." I do not know if I said that exactly right.

Michel, whose wife passed away last year, has one son, Frankie Paper and two grandchildren. Michel retired from the Department of Public Works and Services after working for 20 years as a surveyor. He says that he surveyed all the highways and community roads in the Northwest Territories, and even in Nunavut. Michel is a strong support of the Yellowknife Dene First Nation leadership. He attends many, if not all, of their meetings. He is also a member of the Elders advisory council for Detah.

Michel is always positive, Mr. Speaker, and gentle in his approach with people. I have never heard him say a mean-spirited word about anyone, but takes on issues in stride.

One interesting thing I have noticed with Michel is that he cares for two young grandchildren. Mr. Speaker, Mr. Paper is 89 years old. He cares for two young grandchildren, often by himself, and I think he sets a good example for many of us of the importance of the extended family in looking after our young people where parents are in situations where they cannot do it themselves.

Mr. Paper would have driven his truck here today. I know he washes his truck every day. He has been seen at the Yellowknife River bridge washing his truck. He has been seen in Detah washing it. He is a meticulous man.

As MLA for Weledeh, I am grateful that I have people like Michel to guide me. His encouragement is uplifting and his wisdom is invaluable. I want to take this opportunity to thank Michel for his support and guidance and wish him and his family the very best. Thank you.

-- Applause

**MR. SPEAKER:** Mahsi, Mr. Handley. Item 4, Members' statements. The honourable Member for Great Slave, Mr. Braden.

#### **Member's Statement on Yellowknife Chamber of Commerce**

**MR. BRADEN:** Mahsi, Mr. Speaker. I would like today to acknowledge today a community organization that commenced its existence 56 years ago. That is older than most of us in this Assembly, Mr. Speaker. The Yellowknife Board of Trade, today known as the Yellowknife Chamber of Commerce, Mr. Speaker, is one of the foundations of this community. They are volunteers, citizens, employers of businesses large and small that all get together to help make our communities work.

Today, there are more than 400 members involved in the Yellowknife Chamber of Commerce. A week ago, with their president, Dave McPherson, they hosted their 56<sup>th</sup> Annual General Meeting and President's Banquet. At the time, some of the Chamber's accomplishments over the past year were observed.

Mr. Speaker, the Spring Trade Show was attended by more than 10,000 people. The Chamber is going to host its first Christmas Trade Show in November of this year. The Chamber, Mr. Speaker, is a not-for-profit organization. It is funded entirely by its members. It does not get government dollars. It is the voice of the Yellowknife business community.

Governance for the Chamber is provided by a volunteer board. Many of them are in the gallery today. I will be introducing them later on. They give hours of service, and beyond their own contribution, Mr. Speaker, I think we should acknowledge the willingness of their businesses and their partners, for these people to give their time and their resources. I think it is fitting today, Mr. Speaker, that they were here to listen to the Finance Minister's fiscal update, because it is this kind of involvement and participation that I as an MLA need to do my job.

At their annual meeting, the Chamber honoured a number of outstanding Yellowknife businesses. The Business of the Year award, Mr. Speaker, went to the Yellowknife Direct Charge Co-op, owned by some 3,000 Yellowknife residents. The Businessperson of the Year was awarded posthumously to Karl Lust, of Johnson's Building Supplies. The Mike Piro Award went to Cold Mountain Computing, and I congratulate these businesses for their accomplishments.

Mr. Speaker, a number of Yellowknife Chamber members are also involved in the northern coalition, which is going to be going to Ottawa next week, to lobby on behalf of the whole Territories' future. I congratulate them and wish them luck in the coming year. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Braden. Item 4, Members' statements. The honourable Member for Hay River South, Mrs. Groenewegen.

#### **Member's Statement on Passing of Wally Ring**

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. Mr. Speaker, in my statement today, I would like to pay tribute to the memory of a prominent and long-time resident of Hay River, who passed away in the early hours of yesterday morning. Wally Ring had just celebrated his 75<sup>th</sup> birthday, but complications from a stroke last Thursday took his life a few short days later. Wally Ring was born in Neudorf, Saskatchewan. As a young man, he moved to Uranium City, where he met his wife, Marlene, who was a nurse there at the time. Wally and Marlene were married in 1961, and the same year moved to Fort Smith. This is where they opened their first pharmacy, which today, 40 years later, is still called Wally's Drugs.

Two years later in 1963 Marlene and Wally moved to Hay River and moved a second pharmacy called Ring's Drugstore. They first opened in the old town in the Hay River Hotel, a few years later moved to the Ptarmigan Inn, and in 1971 relocated their store to its present location today.

As a long-time resident of Hay River commented to me today, no Saturday afternoon trip downtown was complete without a stop at the local drugstore. Wally Ring was a part of that Hay River culture and greeted everyone with warmth when they came into his store.

Wally was a very quiet man, he never liked to be the front person, which does not mean he was not a leader in his own right. He organized many Hay River community activities including Ookpik carnivals in the old day and many Kiwanis activities throughout the years.

Wally was recognized as an honorary lifetime member of the Hay River Kiwanis Club and was a special guest at the Kiwanis 25<sup>th</sup> Anniversary celebrations just last year. He was also a long-time member of the Hay River Chamber of Commerce and a well-respected member of the Hay River business community. He was an avid fan of curling and travelled to destinations around the world to take in curling events.

He was a man of few words who did not share his politics or his opinions all that freely, but it was a quiet friendliness that earned him the respect of the people he served and lived with. His children now run the family business. His eldest son Larry is now the town pharmacist and the tradition of the Rings continues.

Wally's passing is a very sad loss for Hay River. On behalf of my colleague from Hay River North, Mr. Paul Delorey and myself, I would like to express our sincere condolences to Marlene, Larry, Les and Gail and their families.

As friends and family will gather to share the memory of Wally Ring on Saturday afternoon, I know it will be a time of reflection of a man whose kindness and generosity touched the entire community of Hay River over a period of almost 40 years. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mrs. Groenewegen. Indeed condolences go to the Ring family. As a matter of fact, Mr. Ring

was one of the members that nominated me for town council back in the 1961 election that I won at the time. Item 4, Members' statements. The honourable Member for Thebacha, Mr. Miltenberger.

#### **Member's Statement on Best Wishes to Legislative Assembly Colleagues**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, after today we will be going into extended adjournment until February which is well over three months. In that interim period we will not gather as an Assembly. As well, during that period there are going to be a number of very important events and holidays. As I am not going to see some of my colleagues I just wanted to take this opportunity to wish all my colleagues a safe three and a half months and that they enjoy fully all the opportunities that have to do with their families and friends in the coming holiday season.

When we gather in February we will rejoin the debate on many issues as an Assembly working to conclude the final months of our mandate. I just want to take this opportunity, because I will as well be going home tomorrow for a couple of days, I think it is important as we leave here that we do this, recognizing that we will be back and that we have lots of good work to do together in the next year. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Item 4, Members' statements. The honourable Member for Mackenzie Delta, Mr. Krutko.

#### **Member's Statement on Timing of the Finance Minister's Fiscal Update**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, in regard to the financial update given by the Minister of Finance, I find it kind of odd, the timing of the financial update coming in, knowing that we just adjourned the Fifth Session and now we are into the Sixth Session. Mr. Speaker, this information should have been released as soon as we realized we had over \$100 million deficit, to the public of the Northwest Territories to make them aware of the financial situation we are in as a Government of the Northwest Territories.

I for one, Mr. Speaker, have seen what a deficit can do to a government by the major cuts that we had to put in place during the 13<sup>th</sup> Assembly. Mr. Speaker, for myself the deficit is a serious matter and should be dealt with by informing the public of the financial situation we are in.

Yet, Mr. Speaker, there are still other major capital expenditures that are in place as we are finding out through this government process. A jail facility that was constructed for \$35 million is now \$50 million, \$15 million over budget and it is not even off the ground yet.

Mr. Speaker, there are major expenditures taking place in this government which is adding to the deficit of this government. Mr. Speaker, I for one feel offended that we did not release this information sooner to the public of the Northwest Territories during the sitting of the Fifth Session so they could have gotten the full picture of what the financial situation of this government is, especially in regard to how expenditures have been handled within this government.

Mr. Speaker, I think it is important that we do take our deficit seriously. That we do not continue the spending practices that we have, where we are spending knowing that we are facing our debt wall. We have a \$300 million debt wall. Our idea is, let's go back to Ottawa and get them to increase the debt wall so we can spend more money. For myself, that is not good governance. We are responsible for the public purse, the public expenditures and the dollars that we receive from Ottawa.

Yet, Mr. Speaker, as we can see here in the House today, we have a lot of things on the go, but when it comes to initiatives with regard to the reports that are put forward, social agendas, how we are going to deal with our social problems, what we hear back is "sorry, there is no money." Yet the spending spree of this government continues to go on.

With that, Mr. Speaker, I will be asking the Minister of Finance questions on this matter later.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Krutko. Item 4, Members' statements. The honourable Member for Frame Lake, Mr. Dent.

#### **Member's Statement on A Reasoned Approach to the Kyoto Protocol**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, I was pleased today when the Premier made a statement on the Kyoto accord. I had hoped that we would have an opportunity to spend some more time discussing that issue during this session and unfortunately, because we do not have committee of the whole today, we are not going to be able to.

I would like to speak about the Kyoto accord. I have to say that after living almost 30 years in the North I accept that climate change is happening, we can see the evidence here. Statistics verify that, and personal observations are confirming that.

I see milder winters, degradation of permafrost, shorter seasons for ice roads, and I know that has had an important economic impact on the North. With the reduction of permafrost, our changing permafrost and shorter winters we will see reduced exploration for oil and gas. There will be a shorter time for mining companies to get in supplies.

Obviously, Mr. Speaker, if we do nothing there will be a cost. On the face of it, a target of reduced emissions of 6 percent below 1990 levels does not sound too unreasonable. I think it is a target that most Northerners will likely support on the understanding that they will not have to pay disproportionately to achieve it.

Mr. Speaker, that is the frustration though. The lack of detail in the federal plan to implement the accord. As the Minister said today, the cost to this government and northern businesses of taking action to meet Canada's emission reduction obligations remains largely unknown.

So like most Canadians, I am at a disadvantage when trying to discuss the cost implications for my neighbours and me. The federal government, in cooperation with provincial and territorial governments, needs to present better documented costing estimates in order for the discussion to be meaningful. We should not be rushing into affirming the accord, it is much too important. We need to take the time to develop a plan so

that people know the cost of action compared to the costs of not acting.

The bottom line, for me, I support doing something. But let's make sure that the costs to Northerners are fair and reasonable. Let's tell the federal government that we agree we need to do something about climate change, but let's also tell them that we expect to see a more detailed plan that Northerners and indeed all Canadians can discuss before simply adopting the Kyoto accord. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Dent. Item 4, Members' statements. The honourable Member for the Sahtu, Mr. Kakfwi.

#### **Member's Statement on Tribute to Jonas Kakfwi**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, I wish to speak today of a member of my community and my family in Fort Good Hope, Jonas Kakfwi who is also sitting in the gallery today. Jonas is an elder, a former trapper and for many years served as a janitor in the community of Fort Good Hope. His strongest and most enduring contribution is in fact, for 30 years or more, he was the lead and main fiddle player for the community of Fort Good Hope. One of his outstanding achievements is having learned to play the church organ at the age of 12, under a former member who is long deceased, Eddie Cook. For 57 years, Jonas has been going to church, leading the church, playing the organ and being the lead singer. He is still going strong. I just wanted to recognize my uncle. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Kakfwi. I hope we will have a chance to recognize him when item 5 comes on. It is nice to see some of the seniors visiting us. Item 4, Members' statements. The honourable Member for North Slave, Mr. Lafferty.

#### **Member's Statement on Changes Required to Cabinet Authority and Accountability**

**MR. LAFFERTY:** Thank you, Mr. Speaker. Mr. Speaker, over the past few days, we have had a lot of discussion about our government; how it is not working, because people are not following the policies and procedures that are in place. It is now time to move forward. It is time to focus on the structures of this government and how productive choices can be made that will benefit this Assembly and future Assemblies.

Mr. Speaker, our government consists of the Premier, the Ministers, the Regular Members and, of course, the thousands of members of the public service. Mr. Speaker, as MLAs, we go to the Ministers with concerns and sometimes, nothing happens. An option for us has been to go to the Premier and ask for his assistance. Well, Mr. Speaker, personally, I would like to tell the House that when you go to the Premier, he simply directs us back to the Minister. It becomes a merry-go-round, Mr. Speaker. Nothing is addressed. Meanwhile, the department staff are running the show.

Mr. Speaker, we were elected in this Assembly to provide direction for the Territories. We were elected to be decision-makers. We created a working plan to establish much-needed services and programs in the Territories. Because of the lack of

accountability by Ministers to regular Members and by department staff to their Minister, it is very hard to achieve progress on initiatives. Ministers are powerless to discipline their staff, and they do not even hire them, Mr. Speaker. They are appointed by the Premier and answer to the Premier. There is no loyalty by departmental staff to the Minister running their department. They are loyal to the person who can give them the golden handshake.

Mr. Speaker, in section 16(1) of the Public Service Act, it specifically states that the Commissioner and Executive Council, on the recommendation of the Premier, has exclusive right and authority to appoint persons to the position of deputy minister in the public service. Right now, the Premier is the head of government and, as such, is ultimately accountable for the practices of government.

Whenever something goes wrong, all fingers point to the Premier. Mr. Speaker, we need to make changes in our policies so that the Ministers are held accountable for their departments and staff, if this is to work.

**MR. SPEAKER:** Mr. Lafferty, the time for your Member's statement has ended. Mr. Lafferty.

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

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

**MR. LAFFERTY:** Thank you, Mr. Speaker. If this is to work, the Ministers have to be given the authority to hire their own department heads and deputy ministers.

Mr. Speaker, we need to make changes to the Public Service Act and, as Ministers are responsible for the management and direction of the public service, it is only fair that their preferences for their own department heads be considered.

A close working relationship is needed between the Ministers and the department heads, and also the Ministers with the Regular MLAs if we are to function effectively as a government.

Mr. Speaker, by acknowledging the wishes of the Minister for their own staff and their own authority to hire them, I think we would be building a stronger government. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Mahsi. Item 4, Members' statements. The honourable Member for Tu Nedhe, Mr. Nitah.

#### **Member's Statement on Comments on the Kyoto Protocol**

**MR. NITAH:** Mahsi cho, Mr. Speaker. Mr. Speaker, I would like to make my Member's statement on the Kyoto, but first I would like to acknowledge Halloween today -- happy Halloween, Mr. Speaker, and to all the children out there. I know Halloween is for the children. In that respect, I would like to acknowledge and support the Member's statement by the Member for Hay River North.

Mr. Speaker, Kyoto is a reality. It is a reality for us in Canada. It is a reality that the Prime Minister of Canada intends to introduce, whether Canadians approve it or not. However, Mr. Speaker, I do have some questions. I have been to Halifax with Minister Antoine. I was party to the discussions at the provincial level in the discussions with Minister Anderson and Minister Dhaliwal. We did get assurances that the Mackenzie Valley pipeline would not adversely be affected. In fact, the energy sources that we have in the Northwest Territories, such as natural gas and hydro, would be good, as they would be considered clean energy, or green energy, in the Kyoto world. I think that gives us some leverages to use to negotiate as much as we can, so that we are not adversely affected here in the North.

I agree that we need a national plan so that it could be managed at the national level, but to come up with a national plan right off the bat would be similar to asking the European Union to come up with one, recognizing the fact that we do have such a diverse and huge country. The needs of Quebec are different than the needs of Alberta. The needs of the Northwest Territories are different than the needs of Nova Scotia, Mr. Speaker.

Mr. Speaker, as individuals, we are going to be asked to reduce our emissions that we personally bring into the environment by one mega-ton. In southern Canada, that represents about a 20 percent reduction in what we use now. In northern Canada, I would assume that is at least 30 percent. Mr. Speaker, that is going to be asking a lot of us, especially in our environment, in our cold climate, where fossil fuel is such a...we are so dependent on that fuel product. Mr. Speaker, I seek unanimous consent to conclude my statement.

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

**MR. NITAH:** Thank you, Mr. Speaker. Mr. Speaker, Canada's plan is out there. I have reviewed it. It is a basis, but it has a long ways to go, I believe, Mr. Speaker. It is full of generalizations and innuendoes. The provinces have a real problem with it.

However, Mr. Speaker, the provinces and the Canadian people recognize that we must do something on greenhouse gases, because we are the third largest producers of greenhouse gas emitters per capita.

However, Mr. Speaker, we have to ask ourselves, what is that going to mean to our economy? In the North, it looks good, but what does it mean for the individual. Does it mean higher costs at the gas pumps? Higher costs for your home heating and electricity bills? I think it will. I think there are some assumptions made that we have to figure out.

I am glad we are developing an energy strategy and greenhouse gas controlling mechanism, but we should do that fairly soon, if we are going to influence the final agreement that is going to be signed by Canada.

Minister Anderson had indicated that Canada would know more on the effects of the greenhouse gas emissions once they submit the federal budget in February. I encourage our government to hold off on agreeing to a protocol agreement on the Kyoto until the federal government submits the budget so we can have a better understanding of what the impact is. It will not give us absolute certainty but, Mr. Speaker, with a little more information, I think Northerners will be more than likely to take that leap of faith, eventually, that is going to be required by all Canadians and the world on Kyoto. Mahsi cho, Mr. Speaker. I will be asking some questions for the Premier on this. Thank you.

**MR. SPEAKER:** Mahsi, Mr. Nitah. The Chair was a little flexible in your numbers of topics. I noticed that there were three different items. The Chair noticed and will deduct them from your next Member's statements in February.

-- Laughter

Item 4, Members' statements. The honourable Member for Inuvik Boot Lake.

#### **Member's Statement on Comments on the Fiscal Outlook**

**MR. ROLAND:** Thank you, Mr. Speaker. Mr. Speaker, today I rise to speak on one of the Minister's statements. It was a little difficult as I sat here, there was a flurry of Minister's statements that came across, being the last day that we will be in this forum it is disappointing that we will not have a chance to do many questions on this area, but sometimes Cabinet has a well-oiled machine and they seem to have gotten the timing right on the last day, the last chance to ask some questions.

My concern is around the fiscal update, Mr. Speaker. Mr. Speaker, we were just informed by the Minister's own words that over a year ago we were predicting a surplus of \$160 million and now we are looking at a deficit of \$104 million for 2002-2003.

Mr. Speaker, that is of great concern. A number of us in this House, when we first got together, were very concerned about the fact that we, as a government, find ourselves in a situation where we would run out of dollars to operate the programs and services that are existing in the Northwest Territories.

We were told, and the Minister said on many occasions, that here in the Northwest Territories as we operate, Members are all a part of the decision-making process. Yes, Mr. Speaker, and our decisions are as good as the information we are provided.

Part of the sales pitch, Mr. Speaker, on adapting this fiscal strategy is the fact that we have so much potential out there. The economic development is huge in the Northwest Territories. The potential of getting more from resources through sharing of those revenues that are developed out of the resource development sector.

Mr. Speaker, although the prospects of our resources remain extremely high and bright as the Minister states, that is very accurate. The problem is we will see little of that as the

government of the Northwest Territories and aboriginal governments unless we get the funding from the federal government.

We were told on many occasions in this House that that was coming, that things were happening. Unfortunately now, Mr. Speaker, we are told that even though devolution negotiations are ongoing, the fact that they do not have the mandate to discuss the fiscal situation of the Northwest Territories and in light of that, Mr. Speaker, it is disappointing and residents will not be able to see...

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

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

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

**MR. ROLAND:** Thank you, Mr. Speaker. Hopefully I do not continue this without unanimous consent. I thank my colleagues. Just in concluding, Mr. Speaker, that the residents of the Northwest Territories will now have difficulties in trying to find out what our plans are until February when we get a chance to sit down and look at the budget of this government. Until then, as Members are aware, we are going to be in the dark once again as to what potential activities are out there and how we can address them with our constituents.

The one thing that is bright on this side is that with the news we now have we can go back to our constituents and see what input and suggestions they might have for this government. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Roland. Item 4, Members' statements. The honourable Member for the Deh Cho, Mr. McLeod.

#### **Member's Statement on Questionable Validity of Impact Benefit Agreements**

**MR. MCLEOD:** Thank you, Mr. Speaker. Mr. Speaker, I wish to make some comments on the matter of impact benefit agreements and what they mean to the people who rely on them as the basis for opportunities. Mr. Speaker, a question frequently asked of me by my constituents is, what are impact benefit agreements and what good are impact benefit agreements if jobs, business opportunities and resources are still going south and not to the communities impacted by development?

What recourse if any does a community or region have if it only receives the benefit of opportunities by the good graces of the company undertaking the development? The legal implications of impact benefit agreements appears to be set in a void of uncertainty. It is a gray area that wets the appetite of a community but may not allow them to eat, thereby leaving a sour taste in their mouth.

Legislation such as the Canadian Petroleum Resources Act and the Canadian Oil and Gas Operations Act specifies a

requirement for companies to consider providing communities with employment and business opportunities. This requirement has no teeth. It appears to be a mere formality and means with which to eliminate any meaningful participation by northern people and businesses in resource development.

The whole issue of impact benefit agreements between aboriginal peoples and resource developers is shrouded in secrecy and mystery. To what extent are these resource companies providing opportunities to people of the North? Who is monitoring the promises made in these agreements? What recourse, if any, does a party to an agreement possess if the company fails to deliver such promises?

Mr. Speaker, the validity of these agreements is questionable as the requirement to deliver opportunities is based only on the best efforts which really means we tried and could not deliver therefore we go south for services. The federal government under the Canadian Oil and Gas Operations Act has the authority to require compliance with any requirement of the act. Failing such compliance, could in essence cancel the interest.

Mr. Speaker, history has demonstrated that the government will always place the company ahead of the community. So where does this leave the community when the federal government is not willing to enforce its own legislation?

Mr. Speaker, it is evident that the legal nature of impact benefit agreements is confusing and uncertain. As a northern territory made up of land owners who have an inherent right, it is imperative that...

**MR. SPEAKER:** Mr. McLeod, your time for your Member's statement is over. Mr. McLeod, you have the floor.

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

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

**MR. MCLEOD:** Thank you, Mr. Speaker and colleagues. Mr. Speaker, as a northern territory made up of land owners who have inherent rights, it is imperative that this government work with the communities. Most importantly those in non-settled claim areas by providing them with the required human and financial resources which will allow informed and effective negotiations when it comes into entering into impact benefit agreements. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. McLeod. Item 4, Members' statements. The honourable Member for Range Lake, Ms. Lee.

#### **Member's Statement on Attending Remembrance Day Services**

**MS. LEE:** Thank you, Mr. Speaker. Given that that while it is the first day, but the last day we will be sitting for a while, and I will be taking my time to talk to my constituents over the next days and weeks, I know that one of the most important things I will be doing in the next while is to attend the Remembrance service in ten days time.

Mr. Speaker, at the ceremony I will be laying a wreath on behalf of the veterans of the Korean War, of which there are a few in Yellowknife. Mr. Speaker, I will be taking my time to honour and remember those who have served for our country and lost their lives in conflict and battlegrounds around the world in order that we have the freedom that we do to debate the issues.

Mr. Speaker, the Korean War had a great impact on the country and I do not know if everybody knows, but over 26,000 Canadians served in the Korean War and Canada was the third largest contingent, only smaller than the United States and the United Kingdom. As I stated in the House before, there were 73 aboriginal members who served in the Korean War.

As I reflect on a lot of things that happen in this House and I look forward to going out to the community and visiting my constituents and explaining what is happening, I think that the Remembrance service will give me a special time to reflect on lots of rights and freedoms that we enjoy and we exercise and that we are grateful for.

I would like to also take this time, if I am not totally out of line, to thank the staff for a lot of hard work they have done to make the work possible. I wish the Members very well until the next time I see you. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Ms. Lee. Item 4, Members' statements. The honourable Member for Yellowknife South, Mr. Bell.

#### **Member's Statement on Quality and Timing of Information Received by Regular Members**

**MR. BELL:** Thank you, Mr. Speaker. I was not going to do a Member's statement today, but I have been a little motivated here I guess to speak to the quality of information that we are receiving on this side of the House and it is certainly a theme that I have been discussing earlier in the session.

We did not seem to get much in the way of Ministers' statements in this session until today when we get a veritable wheelbarrow full of them, and a couple of my colleagues have already commented on this, Mr. Speaker. The difficulty here is that the information we are seeking needs to be timely, it needs to be accurate and it needs to be relevant or we cannot offer the public what they need, and that is a chance to scrutinize the information that our government is providing, Mr. Speaker.

Clearly we need to know how the government is tackling the major issues of the day. If I go through the Ministers' statements, and I will just take the Health Minister's statement first, Mr. Speaker, he talks about the commitment he has made to provide regular reporting on our progress. He is tabling a report, which is great and I will take a look at that, but unfortunately we are not going to have much time to question the Minister in this session now because we are almost on our way out the door. He says that this plan will speak to the recruitment and retention plan, good to see it, but that will deal with immediate and longer term staffing shortages. With all due respect, Mr. Speaker, immediate was about two months ago.

If I look at the fiscal update that we have been clamouring for on this side of the House for the last couple of weeks, and let

me be clear, Mr. Speaker, the fiscal update is simply a snapshot of where we are at a time -- a time which looks to me like we have been here for the last few months, and I cannot understand why we did not get this information earlier. The convention has been that every time this House sits we get a fiscal update and, as I have said before, there is no expectation that the Finance Minister has all the answers or has the detailed plan all worked out by the time he comes to the public, but we think it is only fair that we are forthright and honest about our fiscal situation.

Mr. Speaker, the last fiscal update indicated we had a deficit of \$12 million for 2002-2003. It is now \$104 million. I can tell you that if this was the private sector and you provided no expectation going forward, and then came out with earnings that absolutely disappointed like this, your stock would tank, Mr. Speaker. That is the kind of thing that I think this government fails to grasp.

I look at the devolution negotiations update that we received, Mr. Speaker, and it speaks to the process which commenced on September 26<sup>th</sup>, a month ago. Mr. Speaker, I seek unanimous consent to conclude my statement.

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

**MR. BELL:** Thank you, Mr. Speaker. I had initially intended to make my best efforts not to complain today, especially given the comments that our Commissioner made. I think she had some very good things to say for us. However, I am frustrated and I think our constituents are frustrated about the lack of timeliness of information that we are getting from this government. There is nothing in this devolution negotiation statement that we did not know a month ago. There is nothing in the fiscal update that we have not known for some time. The whispered number on the street, as we indicated, was a \$60 million deficit. That was ages ago, Mr. Speaker, and we never even addressed it publicly. We just ignored it until now when we start to talk about \$104 million.

Mr. Speaker, I think I just to need to reiterate that we need timely information because even if it is accurate, if we do not get it in time it is not longer relevant. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Bell. Item 4, Members' statements. The honourable Member for Nunakput, Mr. Steen.

#### **Member's Statement on Best Wishes for a Safe and Happy Halloween**

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker, October 31 is special to children of all ages, regardless of where they live. Mr. Speaker, it is Halloween night tonight and these children will be out trick or treating for goodies in all communities. Mr. Speaker, I would like to take this opportunity to wish all the children, and especially those in my riding of Nunakput, a safe and happy Halloween. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Steen, we hope there is more treating than tricks. Item 4, Members' statements. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

#### **Member's Statement on Best Wishes to Constituents of Inuvik Twin Lakes**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. Since this will be the last day in the Assembly until our next scheduled sitting in early February 2003, I would like to express to the constituents in my riding of Inuvik Twin Lakes that I will be travelling home in the next few months to follow up on the many issues that remain unresolved. It is my intention to work along with yourselves to finalize what we had started out and tried to accomplish collectively. For that, I will continue to employ your full time constituency office in Inuvik at Ingamo Hall where you can contact my office for updated information, or where issues are that are so important to know about.

I also look forward to spending some time during the Christmas holidays, along with my family, in Inuvik. I wanted particularly to send all best wishes to those who plan to remain on the land to pursue trapping as an interest. My colleague from Inuvik Boot Lake and I will be putting out a joint newsletter to keep all residents of Inuvik informed of our joint efforts to ensure that the projects for Inuvik reach fruition as scheduled in the 14<sup>th</sup> Assembly. With that, I would like to wish my constituents well. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Allen. Item 4, Members' statements. The honourable Member Yellowknife Centre, Mr. Ootes.

#### **Member's Statement on Reflections on Remembrance Day**

**HON. JAKE OOTES:** Thank you, Mr. Speaker. I would like to make some comments with regard to Remembrance Day, which is only a week or some days away. Remembrance Day is very important to me. It is a day well remembered by my family. I was born and spent my early years in Holland and, of course, it was the Canadian soldiers who liberated Holland. I remember very well as a young boy walking through the square. Tanks were there, a lot of soldiers, and the tremendous celebrations that took place at the liberation time.

I think what is important, Mr. Speaker, is to recognize that people are carrying on the tradition of remembering Remembrance Day. The people from the Royal Canadian Legion who work hard on an annual basis to ensure that this day is remembered. Many of these people are former soldiers from either the Korean War or other wars, the Second World War, and they are the people that were personally involved in a lot of these conflicts. They carry on the tradition, Mr. Speaker, and it is a lot of work but they take a great deal of pride in putting on this particular ceremony. I know all across Canada that day will be celebrated and it is a day of remembrance for everyone.

I would just like to acknowledge and say a thank you to the members of the Royal Canadian Legion first of all here in Yellowknife. Usually they have a reception at their particular branch after the ceremony, but also across Canada. I would like to express a word of thanks, Mr. Speaker. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Ootes. Sadly two of the northern veterans that were in the liberation of Holland passed away this year; Mr. Mel Brown and Mr. Eugene Mercredi from Fort Smith. Both were in the campaign that was first in the Netherlands. It is condolences that we remember at this time of year on behalf of those northern people that were there at the time. No further Members' statements. Item 5, recognition of visitors in the gallery. The honourable Member for Sahtu, Mr. Kakfwi.

#### ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

**HON. STEPHEN KAKFWI:** Mr. Speaker, I wish once again to recognize my uncle, Jonas Kakfwi, who is sitting with us in the gallery visiting from Fort Good Hope.

-- Applause

**MR. SPEAKER:** Thank you. Item 5, recognition of visitors in the gallery. The honourable Member for Weledeh, Mr. Handley.

**HON. JOE HANDLEY:** Mr. Speaker, it gives me great pleasure to recognize Major Karen Hoeft, who has been with us quite a bit. Thank you.

-- Applause

**MR. SPEAKER:** Thank you. Item 5, recognition of visitors in the gallery. The honourable Member for Great Slave, Mr. Braden.

**MR. BRADEN:** Thank you, Mr. Speaker. I know I can count on your charity this afternoon as I introduce a number of people with the Yellowknife Chamber of Commerce. The second vice-president, Karen Poirtras from NorthwesTel; the past president of the Chamber, John Ondrack, with Kirk Computer Systems, and a number of other people, Mr. Speaker. I think most of them are with us. These are directors of the Chamber: Steve Meister of Ardicom Digital Communications; Trent Fequet, of Ninety North Construction; Amy Hacala, Media Works Communications; Paul Christopher, with the Bank of Montreal; and Tim Gawne, of the Canadian Imperial Bank of Commerce, Mr. Speaker; and David Connelly, of Ile Royale Enterprises; and last, but certainly not least, Mr. Dale Thomson, the executive director of the Yellowknife Chamber of Commerce. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you. Item 6, recognition of visitors in the gallery. I would like to take this opportunity to welcome everyone who is here today to watch the Legislative Assembly. Welcome to your Assembly.

Item 7, oral questions. The honourable Member for Hay River North, Mr. Delorey.

#### ITEM 7: ORAL QUESTIONS

##### Question 1-14(6): Sexual Exploitation Laws in the NWT

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, as I stated in my Member's statement, we as Canadians need to speak out loudly and voice our opposition to child pornography and sexual exploitation of our children. The current law regarding the age of consent provides no protection for children 14 years and older from predatory adults. I am going to direct

my question to the Minister of Justice. Would the Minister please indicate to this House what the current age of consent law is in the Northwest Territories? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Delorey. The honourable Minister responsible for the Department of Justice, Mr. Allen.

##### Return to Question 1-14(6): Sexual Exploitation Laws in the NWT

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. This is a very sensitive question and is very important to the people of the Northwest Territories. Protecting our children from sexual exploitation of any kind is very important to this government, as well as it is to all citizens of the Northwest Territories. Mr. Speaker, I am pleased to advise the Member that, under the Criminal Code of Canada, which is a federal act, it defines the age of consent, in most cases, the age is 14, but it is 18 years of age for offences involving the exploitation of a child. Thank you, Mr. Speaker.

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

##### Supplementary to Question 1-14(6): Sexual Exploitation Laws in the NWT

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, would the Minister please state what our current laws in the NWT are with respect to the possession of child pornography? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Delorey. The honourable Minister responsible for the Department of Justice, Mr. Allen.

##### Further Return to Question 1-14(6): Sexual Exploitation Laws in the NWT

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. Since it is a very legalistic question, I am going to reply in a formal response. The Criminal Code of Canada creates offences for possessing child pornography. In doing this, the federal government made it criminal to have material that causes harm to children, but not all descriptions or pictures of naked children are pornography, as anyone would know who photographs their children having fun in the bath. It includes those that are sexually explicit and can be expected to cause harm to children. Thank you, Mr. Speaker.

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

##### Supplementary to Question 1-14(6): Sexual Exploitation Laws in the NWT

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, the Supreme Court of Canada has ruled that it is legal to possess child pornography as long as it is not mass-distributed. In addition, there is a court case pending about whether pornography should be judged on its artistic merit, and therefore, the person possessing it would be resolved from prosecution. This is deeply disturbing to a number of people, myself included. Would the Minister please state whether our justice system in the Northwest Territories is bound by these positions? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Delorey. The honourable Minister responsible for the Department of Justice, Mr. Allen.

**Further Return to Question 1-14(6): Sexual Exploitation Laws in the NWT**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. It is a rather lengthy answer to the question, but if I may proceed, the Supreme Court of Canada is Canada's highest court of decision. Its decisions are binding on all courts and governments across Canada.

Mr. Speaker, when my colleague speaks of a recent Supreme Court of Canada case on child pornography, I believe Mr. Delorey is referring to the decision of the Crown against Sharpe. Contrary to what Mr. Delorey has said, in 2001, the Supreme Court did not make it legal to possess child pornography. The court upheld the law that prohibits the possession of child pornography, with two specific exceptions. The first exception is written materials or visual representations created and held by the accused alone for his or her personal use. The second exception is visual recordings created by the accused that do not include unlawful sexual activity and are held by the accused for his or her private use. The court found that there was no reasonable risk to children in these materials.

The Criminal Code creates two defences for an accused who is charged with offences of child pornography. One is the defence of artistic merit, or where the material serves an educational, scientific, or medical purpose. I am not aware of the case that Mr. Delorey suggests is now before the court. He may be thinking of Mr. Sharpe's case, which was sent back to the B.C. trial court. That trial ended in March, 2002, and Sharpe was convicted for possession of sexually explicit photographs of children, but acquitted of the charges related to his writings on the basis that they demonstrated artistic merit.

Since that decision, jurisdictions have asked the federal government to eliminate the defence of artistic merit from the Criminal Code. The Department of Justice has been monitoring the work that has been done to fix this problem. This has been done very carefully, because we do not want to have a new law, which a court might see as unreasonably violating the rights and freedoms of expression.

I expect the Minister of Justice to be updating me on the progress that has been made, and alternatives which would eliminate the defence. I would be pleased to report back to the Members of this Legislature about this after next week's meeting. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. Before we continue, I would just like to remind Members that questions should be short and to the point; responses should not be extremely lengthy. I realize it is a sensitive and very important question. However, it may be better as a written question in such cases to allow other Members opportunity to use question period for what it is. Final supplementary, Mr. Delorey.

**Supplementary to Question 1-14(6): Sexual Exploitation Laws in the NWT**

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, does the Minister intend to direct his department to lobby the federal government to have the law changed with respect to the age of consent for sexual activity? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Delorey. The honourable Minister responsible for the Department of Justice, Mr. Allen.

**Further Return to Question 1-14(6): Sexual Exploitation Laws in the NWT**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. With all due respect, I do have to give a fairly lengthy answer to try to confirm the legal aspect of the question, but I will just advise the Member that I am continually working with my colleagues from both the federal and other provincial jurisdictions that this question will be answered, and I will respond back to the Member, probably under a written statement. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Tu Nedhe, Mr. Nitah.

**Question 2-14(6): Final GNWT Report to the Kyoto Protocol**

**MR. NITAH:** Mahsi cho, Mr. Speaker. Mr. Speaker, my questions are for the Premier regarding the Kyoto Protocol and the Government of the Northwest Territories' position on that protocol.

Mr. Speaker, I am glad to see the government is working on concluding its energy strategy and greenhouse gas strategy to control our emissions of greenhouse gases. Can I ask the Premier, when can we see a final report? Thank you, Mr. Speaker.

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

**Return to Question 2-14(6): Final GNWT Report to the Kyoto Protocol**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I am not privy to that information, so I will have to take it as notice for the Minister for RWED. Thank you.

**MR. SPEAKER:** Thank you. The question has been taken as notice. Item 7, oral questions. The honourable Member for Frame Lake, Mr. Dent.

**Question 3-14(6): Report on Ministerial Travel**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, my question today is for the Premier. Mr. Speaker, Members have been given to understand that we would receive a report on Ministerial travel sometime during our sitting, this two weeks of sitting. Can the Premier advise the House whether or not he will in fact be tabling that report this afternoon?

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

**Return to Question 3-14(6): Report on Ministerial Travel**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, the document that we expected to table is in fact not ready. We need to change the format and make sure that the information we give is accurate and is consistent between Ministers. It is not in fact ready, so we need a few weeks. We will be forwarding it to the chair of AOC as soon as it is prepared. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Supplementary, Mr. Dent.

**Supplementary to Question 3-14(6): Report on Ministerial Travel**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, the Standing Committee on Accountability and Oversight will be meeting the third week in November. Will the Premier commit to delivering the document to the committee at that date, and further to tabling the document at the next sitting of this House?

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

**Further Return to Question 3-14(6): Report on Ministerial Travel**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, we will ask the staff to do what they can to prepare that information as quickly as possible and forward it to us, and we will forward it to AOC. I am certain that it will be more than ready by the time the session comes for it to be tabled. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 6, oral questions. Item 7, written questions. Item 8, petitions. Item 9, reports of standing and special committees. The Chair recognizes the honourable Member for Tu Nedhe, Mr. Nitah.

**ITEM 9: REPORTS OF STANDING AND SPECIAL COMMITTEES**

**Committee Report 1-14(6): Interim Report of the Special Joint Committee on Non-Tax-Based Community Affairs**

**MR. NITAH:** Mahsi cho, Mr. Speaker. Mr. Speaker, the Special Joint Committee on Non Tax Based Community Affairs started its work in April 2002. We are interested in the well being of 27 smaller communities in the Northwest Territories. Our purpose is to identify the actions that the GNWT can take to improve the quality of life in these communities. We held community consultation workshops for three different groups of communities, the eleven smallest communities, the nine mid-sized communities and the seven largest hamlets and charter communities. We initiated several research projects to increase our understanding about needs in these communities.

The 27 communities differ from the regional centres and Yellowknife in more than just population, Mr. Speaker. These 27 communities have a larger percentage of aboriginal residents. More of their residents participate in hunting and fishing activities and speak their aboriginal language. However, Mr. Speaker, the residents in these communities have lower levels of educational achievement and have higher unemployment rates. Although these 27 communities are growing more slowly than the tax-based communities, they have higher crime rates. The GNWT programs and services that are delivered in these communities seem to be delivered at lower standards. The GNWT facilities are getting older and the new corporate capital planning process does not seem to be able to accommodate the needs of these communities, Mr. Speaker.

The committee members have proposed changes to the GNWT's corporate capital planning process. Few people understand how the GNWT plans for its new facilities or how it makes project funding decisions. Many people think that the GNWT is not keeping up with the capital funding needs of the

smaller communities because it is building new large facilities in the regional centres, such as the correctional centre in Yellowknife and the hospital in Inuvik.

The committee members also heard from many community representatives about the importance of prevention and development programs in their communities. We also were told that the funding arrangements for these programs do not support a comprehensive or sustained community effort. The committee has proposed a new approach for these programs. We have also asked the GNWT to organize its service standards more clearly and to increase access to housing in these communities. The GNWT should also increase its support for the community constable program.

To conclude our report, we identified some changes that could be made to the GNWT organization in order to provide better support to the small communities.

We have made this report now in order to seek feedback from community representatives and the government. All the members of the committee believe that our work has been worthwhile. We have truly appreciated the constructive input of many community representatives and hope that together we have made a contribution to the well-being of the smaller communities in the NWT.

Mr. Speaker, that concludes the executive summary of the report of the Special Joint Committee on Non-Tax-Based Community Affairs and in accordance with Rule 93(5) of the Rules of the Legislative Assembly, the Special Joint Committee hereby requests that the Executive Council table a comprehensive response to this report in the Legislative Assembly.

Mr. Speaker, I move, seconded by the honourable Member for Deh Cho, that Committee Report 1-14(6) be received by the Legislative Assembly. Mahsi cho, Mr. Speaker.

**MR. SPEAKER:** Mahsi, Mr. Nitah. We have a motion. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. All those in favour, please signify. Thank you. All those opposed. Thank you. The motion is carried. Committee Report 1-14(6) has been read and received. Item 9, reports of standing and special committees. The honourable Member for Frame Lake, Mr. Dent.

**Committee Report 2-14(6) Preliminary Report on Doing Our Part, the GNWT Response to the Social Agenda Report**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, I would like to present a preliminary report on Doing Our Part, the Government of the Northwest Territories' Response to the Social Agenda.

Mr. Speaker, the Standing Committee on Accountability and Oversight had its first look at the Government of the Northwest Territories' Response to the Social Agenda on October 30, 2002, when it was tabled in the Legislative Assembly. The committee sincerely wishes that the document had been tabled earlier in the session to allow Members an opportunity to raise questions and have a more informed debate during this sitting of the Legislative Assembly.

Mr. Speaker, the committee is encouraged by the government's acceptance and agreement to all of the recommendations put forward by the Social Agenda Working Group. However, we had hoped that the response would have been developed in collaboration with the same stakeholder groups.

Mr. Speaker, members of the committee are disappointed that the Premier did not take the opportunity to mention the \$1.4 million in new funding to support several of the activities outlined in the response in his statement to the Legislative Assembly. The news was not released until late on October 30, 2002, and Regular Members learned about this at the same time as the public through a press release.

Mr. Speaker, the Standing Committee on Accountability and Oversight looks forward to finding out where this money is being allocated and for what purposes. Committee members question if this amount of money will be sufficient to address in a meaningful way the recommendations made by the Social Agenda Working Group. We need to know if there are plans for any more money allocated in this fiscal year.

Mr. Speaker, the committee expects to be involved in the development of any government-wide social policy principles and spending as recommended by the Social Agenda Working Group, with the expectation that the government will present a progress report to the Legislative Assembly in February 2003.

Mr. Speaker, that concludes the preliminary report of the Standing Committee on Accountability and Oversight on Doing Our Part, the Government of the Northwest Territories' Response to the Social Agenda.

Mr. Speaker, I move, seconded by the honourable Member for Hay River North, that Committee Report 2-14(6) be received and adopted by the Legislative Assembly. Thank you, Mr. Speaker,

**MR. SPEAKER:** Thank you, Mr. Dent. We have a motion on the floor. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. All those in favour, please signify. Thank you. All those opposed? The motion is carried. Committee Report 2-14(6) has been read, received and adopted by the Assembly. Item 9, reports of standing and special committees. Item 10, tabling of documents. The honourable Member for Thebacha, Mr. Miltenberger.

#### **ITEM 10: TABLING OF DOCUMENTS**

**Tabled Document 1-14(6): NWT Health and Social Services Action Plan 2002-2005 Status Report, February-September 2002**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I wish to table the following document entitled the NWT Health and Social Services System Action Plan, 2002-2005 Status Report, February-September 2002. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 10, tabling of documents. The honourable Member for Sahtu, Mr. Kakfwi.

**Tabled Document 2-14(6); Queen's Golden Jubilee Medal Recipients**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker, I have two documents that I would like to table. First of all I wish to table the following document entitled Queen's Golden Jubilee Medal Recipients. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 10, tabling of documents. The honourable Member for Sahtu, Mr. Kakfwi.

**Tabled Document 3-14(6) Letter From the Norman Wells and District Chamber of Commerce Regarding the Termination of the NWT Power Corporation Board of Directors**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. I wish to table a letter from the Norman Wells and District Chamber of Commerce directing me to table the letter they sent to me as the MLA for Sahtu. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 10, tabling of documents. Tabling of documents. Item 11, notices of motion. Notices of motion. The chair recognizes the honourable Member for Hay River North, Mr. Delorey.

#### **ITEM 11: NOTICES OF MOTION**

**Motion 1-14(6): Extended Adjournment of the House to February 12, 2002**

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Monday, November 4, 2002, I will move the following motion; I move, seconded by the honourable Member for Weledeh, that notwithstanding Rule 4, that when this House adjourns on Thursday, October 31, 2002, it shall be adjourned until Wednesday, February 12, 2003; and further, that any time prior to February 12, 2003, if the Speaker is satisfied, after consultation with the Executive Council and Members of the Legislative Assembly, that the public interest requires that the House should meet at an earlier time during the adjournment, the Speaker may give notice and thereon, the House shall meet at the time stated in such notice and shall transact its business as it has been duly adjourned at that time.

Mr. Speaker, at the appropriate time, I will seek unanimous consent to deal with this motion today.

**MR. SPEAKER:** Thank you, Mr. Delorey. Item 11, notices of motion. Item 12, notices of motion for first reading of bills. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

#### **ITEM 15: NOTICES OF MOTION FOR FIRST READING OF BILLS**

**Bill 1: Legal Registries Statutes Amendment Act**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Monday, November 4, 2002, I will move that Bill 1, Legal Registries Statutes Amendment Act, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 12, notices of motion for first reading of bills. The honourable Member for the Sahtu, Mr. Kakfwi.

**Bill 2: An Act to Amend the Territorial Parks Act**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I give notice that on Monday, November 4, 2002, I will move that Bill 2, An Act to Amend the Territorial Parks Act, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 12, notices of motion for first reading of bills. Item 13, motions. The honourable Member for Hay River North, Mr. Delorey.

**MR. DELOREY:** Mr. Speaker, I seek unanimous consent to deal with the motion I gave notice of earlier today.

**MR. SPEAKER:** Thank you. The honourable Member is seeking unanimous consent to deal with his motion. Are there any nays? There are no nays, Mr. Delorey, you may proceed.

**ITEM 13: MOTIONS****Motion 1-14(6): Extended Adjournment of the House to February 12, 2002**

**MR. DELOREY:** Mr. Speaker,

I MOVE, seconded by the honourable Member for Weledeh, that notwithstanding Rule 4, that when the House adjourns on Thursday, October 31, 2002, it shall be adjourned until Wednesday, February 12, 2003;

AND FURTHER, that any time prior to February 12, 2003, if the Speaker is satisfied, after consultation with the Executive Council and Members of the Legislative Assembly, that the public interest requires that the House should meet at an earlier time during the adjournment, the Speaker may give notice and thereupon the House shall meet at the time stated in such notice and shall transact its business as it has been duly adjourned at that time.

**MR. SPEAKER:** Thank you, Mr. Delorey. We have a motion on the floor. The motion is in order. To the motion. Question has been called. All those in favour, please signify. Thank you. All those opposed? Thank you. The motion is carried. Item 13, motions. Item 14, first reading of bills. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

**HON. ROGER ALLEN:** Mr. Speaker, I seek unanimous consent to proceed with the first reading of Bill 1, Legal Registries Statutes Amendment Act.

**MR. SPEAKER:** Thank you, Mr. Minister. The honourable Member is seeking unanimous consent to proceed with the first reading of his bill. Are there any nays? There are no nays. Mr. Minister, you may proceed.

**ITEM 14: FIRST READING OF BILLS****Bill 1: Legal Registries Statutes Amendment Act**

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

I MOVE, seconded by the honourable Member for Yellowknife Centre, that Bill 1, Legal Registries Statutes Amendment Act, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion. The motion is in order. To the motion. Question has been

called. All those in favour? Thank you. All those opposed? The motion is carried. Bill 1 has had first reading. Item 18, second reading of bills. The honourable Member for Sahtu, Mr. KakfwI.

**HON. STEPHEN KAKFWI:** Mr. Speaker, I seek unanimous consent to proceed with the first reading of Bill 2, An Act to Amend the Territorial Parks Act.

**MR. SPEAKER:** Thank you, Mr. Minister. The honourable Member is seeking unanimous consent to proceed with the first reading of Bill 2. Are there any nays? There are no nays. Mr. Minister, you may proceed with your bill.

**Bill 2: An Act to Amend the Territorial Parks Act**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Weledeh, that Bill 2, An Act to Amend the Territorial Parks Act, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion on the floor. The motion is in order. However, the Chair does not recognize a quorum. Mr. Clerk, would you sound the bell?

-- Ringing of the Bells

**MR. SPEAKER:** Thank you. We have a motion on the floor. The motion is in order. All those in favour, please signify. Thank you. All those opposed? Thank you. The motion is carried. Bill 2 has had first reading. Item 14, first reading of bills. Item 15, second reading of bills. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

**HON. ROGER ALLEN:** Mr. Speaker, I seek consent to proceed with the second reading of Bill 1, Legal Registries Statutes Amendment Act.

**MR. SPEAKER:** Thank you, Mr. Minister. The honourable Minister is seeking consent to proceed with the second reading of Bill 1. Are there any nays? There are no nays. Mr. Minister, you may proceed in reading your bill.

**ITEM 15: SECOND READING OF BILLS****Bill 1: Legal Registries Statutes Amendment Act**

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

I MOVE, seconded by the honourable Member for Weledeh, that Bill 1, Legal Registries Statutes Amendment Act, be read for the second time.

Mr. Speaker, this bill amends the Business Corporations Act, the Condominium Act, the Devolution of Real Property Act, the Factors Act, the Garage Keepers Lien Act, the Land Titles Act, the Personal Property Security Act, the Securities Act and the Societies Act. This bill also repeals the Firearms Control Agreements Act, which has ceased to have any effect.

Schedule A, Amendments to the Business Corporations Act. The Business Corporations Act is amended to provide that the registrar under that act is also the registrar under the Companies Act to the extent that it still operates, to clarify requirements for the reinstatement of a cancelled registration of an extra-territorial corporation and to repeal a spent transitional provision.

Schedule B, Amendments to the Condominium Act. The Condominium Act is amended to:

- eliminate the redundant requirement to issue a certification of title to a condominium corporation and to maintain a separate register of condominium documents;
- permit bylaws to be submitted concurrently with a plan and declaration when a condominium is registered;
- permit a condominium corporation to encumber common elements with the approval of the owners;
- clarify, in the care of leasehold condominiums, that a certificate of title is to be issued to the leasehold owners and that leasehold owners may freely transfer their ownership; and
- add termination provisions applicable to leasehold condominiums.

Schedule C, Amendment to Devolution of Real Property Act. The Devolution of Real Property Act is amended to clarify one provision.

Schedule D, Amendments to the Factors Act. The Factors Act is amended to clarify several provisions.

Schedule E, Amendment to the Garage Keepers Lien Act. The Garage Keepers Lien Act is amended to provide that the Sheriff may seize a motor vehicle upon receiving a current search result confirming registration of the financing statement rather than a certified copy of a financing statement, as is presently required.

Schedule F, Amendments to the Land Titles Act. The Land Titles Act is amended to:

- eliminate duplicate certificates of title unless an owner requests a duplicate;
- permit the registrar to produce a descriptive plan and cancel and replace existing certificates of title by reference to the new plan;
- permit plans to deal more effectively with changes in natural boundaries;
- permit standard form mortgages to be filed;
- extend the period of time that a writ is valid before it must be renewed;
- provide that an order to maintain the registration of a caveat does not stop all dealings with the land;
- include sliding scale fees that are currently in the regulations;
- remove references to the district of the registrar, and

- clarify the language of a number of provisions and correct certain references.

Schedule G, Amendments to Personal Property Security Act. The Personal Property Security Act is amended to:

- refer to "serial numbered goods" consistently throughout the act;
- correct provisions that no longer apply relating to the service of documents on a corporation; and
- clarify that the regulations may permit the registration in the Registry of Interests arising under federal, provincial or territorial laws.

Schedule H, Amendments to the Securities Act. The Securities Act is amended to:

- replace several terms used in the act with the terms most commonly used in securities legislation in Canada;
- remove the trustee exemption from the list of registration exemptions;
- include registration provisions enabling the Northwest Territories to participate in the implementation of a permanent, electronic registration system currently being developed at the instance of all provinces and territories;
- further extend the ability of filers to submit and the registrar to accept non-paper filings; and
- providing for the maintenance, storage, copying and public access to records of the registrar, and recognizing the authority of the registrar to maintain certain records in confidence.

Schedule I, Amendments to the Societies Act. The Societies Act is amended to:

- make the corporate seal optional;
- permit meetings to be held by telephone conference or other similar means;
- permit a unanimous resolution in writing without the need to hold a meeting;
- permit the amalgamation of two or more societies;
- replace the dissolution provisions with provisions more consistent with the Business Corporations Act;
- permit the revival of a society that has been dissolved; and
- repeal spent transitional provisions.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion on the floor. The motion is in order. To the principle of the bill. Question has been called. All those in favour? Thank you. All those opposed? Thank you. The motion is carried. Bill 1 has had second reading and accordingly the bill stands referred to a committee.

Item 15, second reading of bills. The honourable Member for Sahtu, Mr. Kakfwi.

**HON. STEPHEN KAKFWI:** Mr. Speaker, I seek consent to proceed with second reading of Bill 2, An Act to Amend the Territorial Parks Act.

**MR. SPEAKER:** The honourable Member is seeking consent to proceed with second reading of Bill 2. Are there any nays? There are no nays. Mr. Minister, you may proceed.

**Bill 2: An Act to Amend the Territorial Parks Act**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I MOVE, seconded by the honourable Member for Weledeh, that Bill 2, An Act to Amend the Territorial Parks Act, be read for the second time.

Mr. Speaker, this bill will change the classifications and purposes of territorial parks and the consultation that is required before a territorial park is established. The amendments in this bill reflect the spirit and intent, and the goals and objectives, of the Protected Areas Strategy. The bill will also clarify on offence provisions respecting the operation of motor vehicles in a territorial park. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion on the floor. The motion is in order. To the principle of the bill. Question has been called. All those in favour? Thank you. All those opposed? Thank you. The motion is carried. Bill 2 has had second reading and accordingly the bill stands referred to a committee.

Item 15, second reading of bills. Colleagues, that just about ends our orders of the day here, but before I go to the next item I would like to take this opportunity to recognize the pages who have been serving us so diligently here over the past session. They come from several different schools and out of town. I would like to recognize their names. From Hay River we have Jenna Hordal and Matthew Davies; and from Kakisa, Jeremy Simba and Denise Chicot.

-- Applause

From Yellowknife St. Patrick's School we have Dylan Mayor, Frances Sinclair, Daniel Laity, Anette Summerfield, Paige McDonald, Jessica Landry, Kany Oliver. From William McDonald's School we have Jennifer Waugh, Nichelle Hernblad, Jessica Casebeer, Jonathan Paul, Thompson D'hont, Jeffrey Leonardis and Kristin Vician.

-- Applause

Join me in thanking them for their very valuable contribution to us. Mr. Clerk, orders of the day.

**ITEM 16: ORDERS OF THE DAY**

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Speaker, orders of the day for Wednesday, February 12, 2003:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills
16. Motions
17. First Reading of Bills
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
20. Report of Committee of the Whole
21. Third Reading of Bills

## 22. Orders of the Day

**MR. SPEAKER:** Thank you, Mr. Clerk. Members, before you leave I would just like to take this opportunity to thank all of the Members and the staff that have made this a successful session and to wish you all a safe journey home as you go back to your families for a short break. Also, because the holiday season will be here before we return, a happy and joyous holiday season and I look forward to seeing you when we next meet.

Accordingly, this House stands adjourned to Wednesday, February 12, 2003 at 1:30 p.m.

-- ADJOURNMENT

The House adjourned at 3:40 p.m.

