



# **NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY**

**3<sup>rd</sup> Session**

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

## **HANSARD**

**Friday, June 8, 2012**

Pages 1027 - 1074

**The Honourable Jackie Jacobson, Speaker**

# Legislative Assembly of the Northwest Territories

## Members of the Legislative Assembly

### Speaker

**Hon. Jackie Jacobson**

(Nunakput)

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(Great Slave)

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*Minister of Human Resources*

*Minister of Public Works and Services*

*Minister responsible for the*

*Public Utilities Board*

**Hon. Tom Beaulieu**

(Tu Nedhe)

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*Minister responsible for*

*Persons with Disabilities*

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(Mackenzie Delta)

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**Mr. Bob Bromley**

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**Mrs. Jane Groenewegen**

(Hay River South)

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*Community Affairs*

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*NWT Housing Corporation*

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(Nahendeh)

**Hon. J. Michael Miltenberger**

(Thebacha)

*Government House Leader*

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*Minister of Environment and Natural*

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*NWT Power Corporation*

**Mr. Alfred Moses**

(Inuvik Boot Lake)

**Mr. Michael Nadli**

(Deh Cho)

**Hon. David Ramsay**

(Kam Lake)

*Minister of Industry, Tourism*

*and Investment*

*Minister of Transportation*

**Mr. Norman Yakeleya**

(Sahtu)

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Box 1320

Yellowknife, Northwest Territories

Tel: (867) 669-2200 Fax: (867) 920-4735 Toll-Free: 1-800-661-0784

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**YELLOWKNIFE, NORTHWEST TERRITORIES****Friday, June 8, 2012****Members Present**

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

The House met at 10:00 a.m.

**Prayer**

---Prayer

**SPEAKER (Hon. Jackie Jacobson):** Good morning, colleagues. Before we get started today, I have a couple of things I'd like to say.

I lost a real good friend in the community of Tuk last week. All the people of the Beaufort-Delta knew him well, Lawrence Thrasher. He was born in 1947 in Whitefish Station to Billy and Alice Thrasher, with 17 siblings. Lawrence was a professional boxer and he had his black belt in karate. He did various jobs in southern Canada: worked for CP Rail and he worked for the RCMP in '67 and '68. He served as custodian at the Mangilaluk School for the past 11 years. He was a very talented musician and it showed in all his children. He was a singer. He was skilled at hunting and fishing and was a real family man. Our condolences go out to Shirley Thrasher, his spouse; his daughters Jennifer and her common-law, Ian; his daughter Chantel, and Kenny; his son Lawrence and his wife Jennifer; his daughters Carrie and Margaret and Charity; and his grandchildren Marissa, Cherish and Darian. He served as the worship leader in our church the last 26 years. He will be sadly missed.

Yesterday, there was a celebration in Helen Kalvak School. I'd like to honour the three graduates, Kayla Kaodlakok, Tracey Kanayok and Rheane Kanayok. I wish you well and the best in the future whatever the future brings you. I'd like to thank the staff at the Helen Kalvak School, principal Chip Bryant and all the staff for the work they do for the people and the students of Ulukhaktok. The last day of school in Ulukhaktok is June 14<sup>th</sup>. Have a good summer holiday. Thank you, Members.

Item 2, Ministers' statements. The honourable Premier, Mr. McLeod.

**Ministers' Statements**

MINISTER'S STATEMENT 32-17(3):

GOVERNMENT OF THE  
NORTHWEST TERRITORIES APPROACH TO  
ENGAGING WITH ABORIGINAL GOVERNMENTS

**HON. BOB MCLEOD:** Mr. Speaker, later today I will table a document that represents a major step toward fulfilling the 17<sup>th</sup> Legislative Assembly's priority of building a strong and sustainable future for our territory by strengthening our relationships with Aboriginal governments.

This document, titled "Respect, Recognition, Responsibility: The Government of the Northwest Territories Approach to Engaging with Aboriginal Governments," is the foundation of our government's engagement approach, upon which all of our actions and commitments are built. Respect, recognition and responsibility is our formal commitment to a set of principles and key actions to strengthen and renew our relationships with our Aboriginal government partners.

Mr. Speaker, this government represents all the people of the Northwest Territories, and we are committed to engaging with and representing the interests of all residents. But our relationship with Aboriginal governments is unique and different than our relationships with other governments and organizations in the territory. That special status is recognized in our Intergovernmental Relations Policy, which affirms our government-to-government relationship with all Aboriginal governments that have negotiated or are in the process of negotiating self-government agreements in the Northwest Territories.

Mr. Speaker, in recognition of this unique relationship, our government is taking steps to strengthen and renew our partnerships with Aboriginal governments. Since being elected in October, we have been doing business in a new way, finding new approaches to working together with Aboriginal governments on behalf of all residents.

Part of this new approach includes a commitment to meet with leaders from all Aboriginal governments bilaterally. Since October, I have met with Aboriginal governments and community leaders on over 20 separate occasions in all regions of the

territory. The discussions at these early meetings focused on identifying areas of common ground between our governments and discussing ways we can work together. My Cabinet colleagues and I have also held formal joint meetings with the Taicho Government, the Northwest Territory Métis Nation, the Beaufort-Delta Regional Council, the Gwich'in Tribal Council and the Dehcho First Nations.

The issues we discussed and the comments we heard at these meetings shaped the development of respect, recognition and responsibility. Many of the comments we heard focused on our successes and areas where improvements can be made. What was most important and encouraging is a willingness on the part of all parties to engage in strengthening these relationships and working together to find solutions for the benefit of all Northwest Territories residents.

Mr. Speaker, our government makes the following formal commitments to our Aboriginal government partners: that we will continue to recognize and respect the constitutionally protected rights and treaty rights of Aboriginal peoples, as well as existing Aboriginal rights agreements. We will be open, flexible and responsive in working with the diverse governance structures of regional Aboriginal governments and understanding the unique interests and challenges of each region and community. More specifically, we will make every effort to share information and knowledge, help build capacity, enhance our government's participation at annual general assemblies and other important events, and establish regular formal meetings with each Aboriginal government in the Northwest Territories.

In support of the commitments, our government is also developing an implementation guide for our staff. We need a consistent approach and this guide will provide direction and outline specific actions staff will take to strengthen relations with Aboriginal governments and communities through our everyday interactions.

Finally, Mr. Speaker, our public commitment and overall approach to engaging with Aboriginal governments will be supported by a public awareness campaign intended to increase Northwest Territories residents' understanding and knowledge of Aboriginal rights, and how these rights form the basis of our commitment and efforts to build mutually respectful government-to-government relations. This campaign is expected to consist of a series of informative documents to be released between June and December 2012.

Mr. Speaker, in order to take advantage of the opportunities that are before us and to successfully address the social, economic and environmental challenges our territory is facing, we need to build strong relationships with our Aboriginal government partners at all levels: leaders, senior managers and

all staff. Aboriginal governments are our partners and colleagues as we work together to serve the people we represent. We may not always agree, but we must always be willing to talk to and seek to understand each other, and be willing to work toward solutions in a spirit of mutual respect, recognition and responsibility. Our government is committed to a new approach to building greater collaboration and participation in our partnerships with Aboriginal governments so we can all achieve our shared goals. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Premier. The honourable Minister of Justice, Mr. Abernethy.

MINISTER'S STATEMENT 33-17(3):  
DEPARTMENT OF JUSTICE STRATEGIC PLAN

**HON. GLEN ABERNETHY:** Mr. Speaker, later today I will table a copy of the 10-year Strategic Plan for the Department of Justice.

Our department envisions a safe society where the rights and freedoms of residents are protected, and residents have confidence in the justice system. The plan identifies values that will guide us:

- We will promote safety in homes and communities.
- We will deliver services that respond to our clients' needs.
- We will work with others to encourage shared responsibility.
- We will pursue excellence, fairness and integrity in all of our work.

Together, this vision and values support this Assembly's goals of healthy, educated people free from poverty, and sustainable, vibrant and safe communities. We started by determining the most pressing needs and challenges. We did reviews and consulted with MLAs, community leadership and stakeholders. Three strategic directions emerged from our reviews and consultation. We need to improve the justice system's approach to reducing crime. We need to improve access to justice programs and services, particularly in small communities. We need to build and maintain a strong foundation of financial, human and technology resources to support our core programs and services.

These three strategic directions form the foundation for our long-term goals and actions. They are the basis for a five-year implementation plan that will be brought forward this fall.

We are sharing the strategic plan with our partners and stakeholders. Our business plan identifies our priority activities: improvements to policing services, advancing a Community Safety Strategy, developing effective programming and access to health and social services for offenders, improving services for victims of crime including victims of

family violence, and improving supports to families, children and youth.

We can't do this work alone. We need to partner with other departments who work with families and individuals at risk or in personal crisis. We will continue to be involved in government initiatives to address poverty, homelessness, addictions and other social issues.

Mr. Speaker, a strategic plan is an essential planning document at any time, but particularly during a time of fiscal restraint. There are real constraints and pressures, some that are externally driven, like the federal government's restraint measures and tough-on-crime legislative agenda, and some that are our own. We need to be strategic about where we place our resources so that we are meeting our legislated and operational requirements while keeping our clients and staff safe.

As the Minister of Finance said when presenting the budget for this year, our government's approach to making improvements is more like a marathon than a sprint. The strategic plan is the document that will help us to build capacity within the justice system over the next 10 years so that we can continue to deliver quality services and supports. We will make innovation the cornerstone of our work over the next decade so Northerners have access to justice and so the rights and freedoms of all are protected. We will make strategic adjustments as lessons are learned and the environment changes. I will provide regular updates so Members and the public can see our progress.

Mr. Speaker, the 2012-13 fiscal year is the first full year that the 17th Assembly can truly shape the actions of government to respond to Caucus priorities. The business plans and proposed budget are key documents to put these priorities into action. It is my hope that this strategic plan will assist the Department of Justice to contribute to the goals and aspirations of this Assembly. I look forward to working with Members and communities as we build a more responsive and accessible justice system for the residents of the NWT. Thank you, Mr. Speaker.

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

MINISTER'S STATEMENT 34-17(3):  
SUSTAINABLE ECONOMIC  
DEVELOPMENT STRATEGY

**HON. DAVID RAMSAY:** Mr. Speaker, we have incredible resource potential in our territory, and with it, significant opportunity for economic growth. But to truly have a diversified economy that provides all communities and regions with opportunities and choices, we need more than just

resource development. Today I would like to talk to you about the Sustainable Economic Development Strategy.

This Assembly has indicated that we need to grow our economy carefully and sustainably. MLAs have identified a comprehensive, sustainable economic development strategy as a priority.

Mr. Speaker, economic conditions in the NWT are changing.

A Sustainable Economic Development Strategy will give us the opportunity to keep pace with the incredible growth potential that our territory has, ensure we are positioned to guide and manage this investment and growth, and to use it to build capacity in our communities and self-sufficiency in our people.

We need to plan for the use of currently underused resources to stimulate regional opportunities and competitiveness. We need to modernize and adjust our approach to economic development to increase our regional focus, and we need to take a more integrated approach to business development programs.

The Sustainable Economic Development Strategy will go right to the community level to identify the best development practices in each community and region, identify local economic growth opportunities, and recommend ways to improve business and economic development programs.

Our work to prepare this strategy will also serve as a review of our government's support of economic development. It will examine the status of current NWT industries and economic sectors, identify strengths and weaknesses in our economy, and establish a foundation of principles, goals and priorities on which to build and implement economic policies, programs and services for the future.

Mr. Speaker, a healthy economy is an essential component of a healthy NWT. Increasing opportunities for employment and self-sufficiency will play a crucial role in the development of our Anti-Poverty Strategy.

The Department of Industry, Tourism and Investment will be leading the development of the Sustainable Economic Development Strategy in the coming year. But it will be a collaborative effort and establishing an effective strategy will require the involvement of businesses, industry and the Government of Canada. Regional meetings will begin in the fall, and we are aiming to have a completed strategy in place by next summer.

The development of this strategy will be a major undertaking. We will be engaging with partners – including the Canadian Northern Economic Development Agency, the NWT Chamber of Commerce, the Northern Aboriginal Business Association, the NWT Association of Municipalities

and Members from this Legislative Assembly, to provide guidance and input. To ensure a fully representative strategy, a panel of regional representatives will consult with the public throughout the territory. This is key to ensuring the strategy reflects needs throughout the NWT.

This initiative complements other initiatives the GNWT is undertaking, such as a comprehensive Mineral Development Strategy and development of NWT energy resources. This includes development of our renewable energy resources and expansion of our hydro grid, a key to long-term sustainability for communities.

Mr. Speaker, our vision as Members of the 17th Assembly is to responsibly realize our full economic potential and use it to ensure lasting prosperity for NWT residents and their communities.

The Sustainable Economic Development Strategy is a critical next step to creating a diverse, multi-pronged economy that will allow us to meet the economic challenges that lie before us, and realize the economic opportunities and potential that we have long sought as residents of the NWT. Thank you, Mr. Speaker.

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

MINISTER'S STATEMENT 35-17(3):  
SKILLS CANADA

**HON. JACKSON LAFFERTY:** Mr. Speaker, on May 13 to 16, 2012, 17 youth from the Northwest Territories participated in the national skills competition in Edmonton, Alberta. There were 500 competitors from across Canada at the competition, with a team from every province and territory.

There were about 40 contests at this event, and our team competed in Auto Service, Carpentry and Industrial Mechanics, Cooking, Plumbing, Electrical Wiring, Welding, TV and Video Production, and Graphic Design.

I am extremely proud to report that three of these competitors returned home with national medals in hand:

- Antonio Lewis, gold in Welding at the secondary level.
- Sébastien Rémillard, silver in Cooking at the secondary level.
- John Spoelder, silver in Auto Service at the post-secondary level.

We also had a number of other strong finishes:

- Colin Miller, Plumbing;
- Richard Neary, Electrical Installations;
- Katharine Thomas, Graphic Design;

- Tony Liske, Industrial Mechanic/Millwright;
- Jeanne Yurris and Nick Walker, TV/Video Production.

Congratulations to these talented individuals. They all worked hard for their results, in some cases training for many hours each week outside of school and work.

Winning national medals in skilled trades and technology has significant impact for youth in the Northwest Territories. It increases respect for people working in these sectors. It helps connect youth with other youth who know the value of careers in skilled trades and technology. It fosters pride in quality of work and accomplishment, which helps our youth to know what they can achieve if they love what they do and work at it. The trades are critical to strengthening and diversifying our economy. By becoming skilled tradespeople, our residents in every region can have opportunities and choices.

I want to thank the deputy chair of the Standing Committee on Social Programs and MLA for Range Lake, Daryl Dolynny, for attending this event with me. I also want to thank executive director Jan Fullerton and the other staff of Skills Canada NWT for the incredible work that they do with northern youth. In partnership with government and industry partners, Skills Canada NWT is promoting careers in skilled trades and technologies to northern youth and helping to build the future workforce of the North. Mahsi, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Lafferty. Item 3, Members' statements. The honourable Member for Sahtu, Mr. Yakeleya.

### Members' Statements

MEMBER'S STATEMENT ON  
CONGRATULATIONS AND RECOGNIZING  
THE POTENTIAL OF  
2012 NORTHERN GRADUATES

**MR. YAKELEYA:** Thank you, Mr. Speaker. In our communities in the Northwest Territories, there's excitement, Mr. Speaker; excitement in our youth and in their recognition of achievement; excitement that the people in the communities are celebrating achievements for our youth; excitement that those who entered kindergarten are now finishing Grade 12 and getting their diploma; excitement from parents, aunties, uncles, cousins, grandparents and friends to witness this young person and their rite of passage, stepping into the world of choices, stepping into the world of opportunities, stepping into the world of their dreams and stepping into the world of their leadership capabilities.

We say sometimes this is just like the scenario of an eagle, the mother eagle which slowly nudges the baby eagles out of the nest until we say they're



gone. As parents, as uncles and cousins, we know this. We raise our children to one day know they are going to step into this world and they're gone.

They say it's an empty nest feeling. I truly understand that. We know that when they take flight, they will fly and they will challenge and they will strengthen their wings, their feathers and they will balance, but we'll be there for them. We're excited not because we finally said they're gone, we can have the house to ourselves, we're excited to know the potential these grads have, the potential to what they can become and what they believe in. I tell these grads, we have what you want, you can believe in your dreams. Believe me, Mr. Speaker, dreams do come true.

To those grads, congratulations to all of the grads in the Northwest Territories, especially the ones I am going to miss in the Sahtu. I am very, very proud of you. I'm proud of the parents. I'm proud of the teachers in the schools. Way to go, grads. Live a good life. Thank you, Mr. Speaker.

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

#### MEMBER'S STATEMENT ON SIGNIFICANCE OF RELAY FOR LIFE EVENT

**MR. MOSES:** Thank you, Mr. Speaker. I wanted to address a few different issues today, but seeing as I have only have two and a half minutes, I wanted to talk about a significant event that's happening in Yellowknife this weekend. That's the Relay for Life. The significance behind it is that it's an important event that celebrates and remembers those that we have lost to cancer. In past years in Inuvik, I was fortunate enough to emcee the event the last two years in Inuvik, and participated in Yellowknife previously when I lived here.

I'd like to talk about what this event does for the people of the Northwest Territories. They go on three different themes here where they celebrate the lives of those who have battled with cancer, remember those that we have lost, and empower individuals and communities, and in this case now that I'm in the House, empower this government to fight back against this terrible disease in any way we can.

I'd like to honour all survivors in the Northwest Territories as well as their caregivers who do a lot of hard work to keep their spirits up and help them as they move forward. I'd like to wish all those who are participating this weekend in the Relay for Life here in Yellowknife the best of luck as they walk around the track for 12 hours. Everybody that's doing that this weekend, you're all an inspiration for your dedication, for your support, and for your compassion to this terrible disease and those who have battled it.

I'd also like to take this time to thank all the volunteers and organizers for this significant event. Their hard work and dedication goes without saying. A big thank you should be put forth to them, not only in Yellowknife but for all those events that are happening across the Northwest Territories as well as Canada. It brings a lot of funding but also gives an opportunity for us to remember those we have lost and those who have battled cancer and won.

Tonight they start their celebrations. I know I will be there for the opening ceremonies. Due to our busy schedule I wasn't able to get on a team, but I will make sure that I go out there and walk a few laps in remembrance of those who we have lost. I encourage all Members to join me and go out and walk a couple laps.

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

#### MEMBER'S STATEMENT ON NORTHLANDS MOBILE HOME PARK SEWER AND WATER AGREEMENT DEAL WITH THE CITY OF YELLOWKNIFE

**MS. BISARO:** Thank you, Mr. Speaker. It gives me great pleasure to rise in the House today to celebrate a significant event in my riding and indeed in the city of Yellowknife. The Yellowknife Condominium Corporation No. 8, Northlands Mobile Home Park, has gathered enough votes, received the approval of their members to move ahead –

---Applause

...to move ahead on a deal with the City of Yellowknife to replace the crumbling sewer and water lines in the park. Under the deal, the city, acting on behalf of the condo corporation, will borrow \$15.7 million for the construction project. Homeowners will repay that loan through a local improvement fee, an extra property tax attached to the property. The payback period will be 25 years. The end result will see the roads and water and sewer infrastructure at Northlands transferred to the City of Yellowknife. Northlands property owners will be just like the rest of us property owners in Yellowknife, something they've been looking for for a long time.

A minimum of 60 percent of homeowners had to sign on to the agreement for it to be approved. By the end of the day Wednesday, 80 percent of Northlands owners had signed the petition. The corporation had 60 days to gather those signatures. It took them two weeks.

Supporters of Northlands started a Facebook page a year or so ago. Here are a few of the comments posted to that page in the last couple of days:

"I slept better last night than I had in a long time."

"OMG. This is too good to be true."

"Best news I have heard in a long time."

They're very happy residents. I'd like to take this opportunity to acknowledge the hard work of the Condo No. 8 board members over many years. I would also like to thank the City of Yellowknife for being the only order of government that stepped up to the plate, accepted the moral responsibility to help, and worked countless hours with the board to hammer out the details of the process. Lastly, but definitely not least, I would like to congratulate the residents of Northlands on finally reaching this milestone. Good job, guys. Let's get digging.

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

#### MEMBER'S STATEMENT ON STRAWBERRY CULTIVATION AT DEH GAH SCHOOL

**MR. NADLI:** Thank you, Mr. Speaker. There have been a few raspberries for Ministers in recent days, but today we're talking about strawberries. Later this summer I may be able to give a few to the Ministers to put on their ice cream.

I'm happy to say that my community is on its way to becoming the strawberry capital of the Northwest Territories, as reported in the Deh Cho Drum yesterday.

Once again our young people are showing us the way. It was the Grade 7 class of Deh Gah School that decided to grow a crop of strawberries and show that it can be done. I find this is a very cool project because it builds on traditional knowledge in the community. Strawberries do grow wild on our land; we already know a lot about them.

To get back to my story, the students at Deh Gah School brought in 1,000 strawberry plants of different varieties. I would like to thank Nora Dorgan at Westech, the farm in Prince Edward Island that donated them. With great minds, students planted hundreds of them in the community garden. They also did a little fundraising by offering great deals to community members for their own gardens, complete with planting service. About 25 people took them up on their offer, so now strawberries are growing all over the place. The school has kept about 150 plants to use for cuttings to start even more. I would also like to thank teacher James Hatch for helping the young people with those projects.

There are many lessons we can learn from our students. As I mentioned a couple days ago, we can grow food in the Deh Cho region and across the South Slave area. It is an opportunity to improve the access to fresh, healthy foods. There are, no doubt, some business opportunities in agriculture as well. We should follow the example of our students that look for products that are both

suited to our land and popular with people who love to eat them.

I would like more thinking like this within the departments of Environment and Natural Resources and Economic Development. Pretty soon the Ministers will take the taste tests. I'm betting our strawberries are better than California's. Thank you.

**MR. SPEAKER:** Thank you, Mr. Nadli. The Member for Nahendeh, Mr. Menicoche.

#### MEMBER'S STATEMENT ON CONGRATULATIONS TO LONG SERVICE AWARDS RECIPIENTS IN FORT SIMPSON

**MR. MENICOCHÉ:** Thank you, Mr. Speaker. I'll be speaking about fruits, but fruits of labour, Mr. Speaker. The long service awards are being held in the Deh Cho region, most particularly in Fort Simpson today. I, too, would like to offer my congratulations to the employees of the Government of the Northwest Territories who will be honoured for their dedication and commitment to our public service.

The celebration this afternoon in Fort Simpson, which I attended last year, is always good for employers to recognize our hardworking employees, and especially those that have very long service awards. There are 70 employees that will be recognized and about 60 of them come from my riding alone. I would just like to say congratulations once again for achieving this milestone in their careers.

I do want to say that we, as government, as MLAs, as Ministers, often talk about general policy guidelines. We handle appeals from our constituents and we make changes, but it's the front-line workers out there in our communities and the regions that actually carry these out on a daily basis. I want to say that I recognize it. I'm sure that all my colleagues here recognize their hard work in carrying out our directions, some of it not very popular at times but, at the same time, they're good, hard workers and they carry out our initiatives as we think that it's good for the government and for the people of the Northwest Territories.

I would just like to congratulate them for working so hard, especially in Fort Simpson. There will be some good food this afternoon and they'll be having their festivities on our tourism infrastructure, as I like to call it, which is our golf course. I wish them a great afternoon and, once again, keep up the good work. Mahsi cho.

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

MEMBER'S STATEMENT ON  
ACTION ON FAMILY VIOLENCE

**MR. BROMLEY:** Thank you, Mr. Speaker. On April 11<sup>th</sup> the NWT coroner issued her report on the tragic death of Alice Black in February of 2009. Out of respect for Alice Black and all our victims of family violence, we mustn't let that report pass without comment.

The report details a horrific sequence of events leading to the brutal homicide of Ms. Black. In her comments and recommendations, Coroner Cathy Menard pointed out the devastating impact of family violence on people and communities, but said it is largely preventable using interventions developed in many northern communities. Ms. Black's case, the coroner said, lack of these supports, particularly the lack of a safe haven contributed directly to her death.

Statistics on NWT conditions are startling. An NWT rate of 246 incidents of family violence per 10,000 persons, second only to Nunavut at eight times the national average. In 2010-11 there were 223 family violence reports to GNWT Social Services where 483 children witnessed the violence. The 2008 survey of family violence attitude says a third of people still think family violence is a private matter. Ninety percent of people believe more family violence shelters and offender programs are needed.

Much good work has been done to address family violence since the submission of the Coalition Against Family Violence's first recommendations in 2003. Its phase 3 report last year offered 19 recommendations in three major categories. It recommends funding a pilot, a 24-week program for men who use violence, plus the need for more community outreach and the need for a strong campaign to shift attitudes in the long term.

Following up on these recommendations, the Minister told us on Wednesday of his recent meeting with Coalition members and his intention to fund the 24-week pilot program. He also spoke of moving to consider core funding and to continue cooperation on addressing the other recommendations.

Analysis shows that the new emergency protection orders are a very successful tool. This is all welcome news. However, outreach programs funding for regions without family violence shelters has been cut. We still have far too few community safe havens and adequate policing is lacking in many communities. The situation is alarming. We have a long way to go.

Let's work hard to resolve these conditions. Mahsi.

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

MEMBER'S STATEMENT ON  
SKILLS CANADA 18<sup>TH</sup> ANNUAL  
NATIONAL COMPETITION

**MR. DOLYNNY:** Thank you, Mr. Speaker. It is a great day today because we have lots of youth here in the gallery. I want to say hi to everyone up in the gallery.

It was a pleasure attending the 18<sup>th</sup> Annual National Skills Competition with Minister Lafferty. We attended along with 17 youth. The tireless work of the executive director was Jan Fullerton and other tireless workers of Skills Canada NWT. What we witnessed in Edmonton during this national competition was incredible energy, pride, talent and a lot of passion, an Olympic-style event which made us very proud, especially as the Minister just mentioned, we saw three medal finishers. As I said, there is nothing that makes one more proud than seeing your flag on the huge Jumbotron, so great to see NWT pride in action.

---Applause

Equally, though, we have to be very proud of all our competitors. They did a great job. They showed that they trained very hard. They had some great help. Again, my thanks go out to all participants from NWT and all the trainers.

But more importantly, what we saw during these competitions – and it was taking place on the sidelines – were opportunities of learning with things like technology demonstrations. What we saw were with robotics, graphic design, and these were interactive and very exciting to see. I think our students saw that firsthand, but most interesting was the interactive Try-a-trade where you could touch, you could feel, you could work firsthand with these career options. This is where we both saw an opportunity for our youth, especially those communities in remote locations who would never get a chance to see such a showcase. We need to find a way to get our youth from remote communities in NWT to such venues so they can experience firsthand these lucrative career options and to explore them firsthand and what they can do for them.

As the Minister mentioned today, we need to help build the future workforce of the North. I couldn't agree more. I challenge a department to a skills challenge to find a way to open this opportunity of sending not only our delegation of Skills Canada NWT winners down to such national events, but to those youth who need that spark, that little push, that opportunity. We have many youth who are diamonds in the rough. They just need a little polish. Let's give them a hand. Thank you, Mr. Speaker.

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

MEMBER'S STATEMENT ON  
DEH CHO BRIDGE PROJECT  
COST OVERRUNS

**MR. HAWKINS:** Thank you, Mr. Speaker. I wish to rise today to continue to speak about the Deh Cho Bridge and the fact that our contract is not being implemented as it was written out.

Back in 2010 the government heralded the new opportunity because of the situation that they had to work through the failed partnership with ATCON and they developed a new one with Ruskin directly. They negotiated a revised cost for this superstructure to complete the project, but at the time it was seen as the path forward.

Mr. Speaker, I'd like to remind Members of the Honourable Michael McLeod's comments in January 2010 in the House, which was, "the project is on track for completion by November 2011," and of course he also highlights that's one year later than originally planned. Well, at that time there was a fixed contract in place so we could proceed toward the completion of the Deh Cho Bridge.

I rise because of the fact that I'm concerned that the contract is not being fulfilled and I wonder to myself if this is an issue of why even bother having contracts if we're not going to ensure that they're fulfilled. There are always dispute mechanisms and problems about every major construction project. That's considered normal business. People have disagreements and there are problems and processes, but it just seems as if as soon as our folks ask them to do a little more work, work a little harder, complete by the agreed deadline, all of a sudden now we have to pay them more money because they dispute and dislike our direction.

Again, what's the point of having a contract if we can't fulfill it? It's funny, because I look at comments made by the former Member Dave Ramsay, now Minister of course, when he talks about the darker days are still before us and I think some days he may be clairvoyant, because another up to \$10 million is referring to potentially darker days.

The fact is, we had a fixed price, why are we not fulfilling that. That's the obligation being asked today, is the fact that we don't have any clarification what the real problems are and why we're not fulfilling or implementing those. That's the discussion that's being avoided.

What we have here is the Minister coming forward saying, as he said yesterday, he wants another \$7.2 million to \$9.5 million up to potentially \$10 million to fulfill this contract and that he hopes it will open this fall. That's essentially the problem. What is the money really for? Why aren't we fighting for a contract that we had signed and a partnership made in good faith?

I will have questions later today on this particular subject to get the facts of the contract.

**MR. SPEAKER:** Thank you, Mr. Hawkins. The Member for Mackenzie Delta, Mr. Blake.

MEMBER'S STATEMENT ON  
CONGRATULATIONS TO  
2012 GRADUATING CLASS OF  
MOOSE KERR SCHOOL IN AKLAVIK

**MR. BLAKE:** Thank you, Mr. Speaker. I'd like to take this opportunity to congratulate the 2012 graduating class of Moose Kerr School in Aklavik. I wish you all well in the future and I wish I was there to celebrate with you all.

I'd also like to congratulate the teachers and parents on a job well done. Thank you, Mr. Speaker.

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

MEMBER'S STATEMENT ON  
2012-2013 MAIN ESTIMATES

**MR. BOUCHARD:** Thank you, Mr. Speaker. I don't have much of a statement today, so I thought I'd make it quick.

Well, I'll start off today about the 2012-2013 operational budget.

Executive for 25 million, now 50 million for ITI, 65 million for ENR, 120 for Transportation, now 300 to Education, 300, 300, 350, 350. Sold to Health to Minister Beaulieu and the Department of Health and Social Services.

Mr. Speaker, the past five years the budget has gone from 600 million, 600 million, now 7, 7, now 8, 8, now 9, 9, now 1 billion, 1 billion, now 1.2, 1.2, 1.2, now 1.3, 1.3, now 1.4, 1.4, now 1.4 is now 1.5, 1.5. Sold to Mr. Miltenberger.

---Applause

Thank you, Mr. Miltenberger, for doubling the budget over the last 10 years.

Don't forget, folks, to pay your taxes and thank your MLAs for all their hard work.

---Applause

**MR. SPEAKER:** Thank you, Mr. Bouchard. Thank God it's Friday.

---Laughter

And almost a different language. You're going to have to get an auctioneer into one of our booths to translate for you.

---Laughter

Thank you. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Mr. Dolynny.

### Recognition of Visitors in the Gallery

**MR. DOLYNNY:** Thank you, Mr. Speaker. It brings me great pride today here we've got some of our students, the Grade 6 class from Range Lake North School and I'd like to just take a moment to introduce them one at a time. When I do, just stand up and wave to everyone so we know who you are. I have Melissa Clarke, Peyton Doherty, Darian Pederson, James Drew, Ryan Walsh, Cameron Hobbs-Peddle, Jesse Roberts, Jillian Riles, Robert Maraygan, Obed Duru, Devon Hodder, Matthew Szarkowicz, Joshua Stuckless, Joshua Elford, Rayden Dunphy-Nash, Emma Smith, Spencer Scott, Nicole Rein, and their teacher Jodi-Lee Lewis, and Brendan Callas, who is assisting. I would like to thank and welcome you to the gallery. Have a great day. Thanks for joining us today.

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

**MS. BISARO:** Thank you, Mr. Speaker. I am also extremely pleased and proud to rise and recognize the Grade 6 French class from Ecole William McDonald School. They're up here behind me. I would also ask them to stand and give us a little wave when I read your name. Apologies if I mispronounce any. Kienan Ashton, Allya Aumond, Dasha Bassarguina, Nicholas Bennett, Grace Clark, Sophie Clark, Daniel Enge, Noah Hache, Kacie Hall, Delilah Hashi, Chloe Hoechsmann, Madison Hunter, Sean Irwin, Shiri McPherson, Jack Panayi, Jasmine Powder, Jacob Schubert, Lauren Seabrook, Taylor Soloy, Jesper Sorensen, Niva Stephenson, Sarah Taggart-Miles, Anne Thomas, Elizabeth Thomas, Robyne Walsh, and not to be missed and looking after all these guys, teacher Melanie Parisella, and I'd like to also recognize my assistant, Amanda Mallon. Welcome, everyone.

**MR. SPEAKER:** Thank you, Ms. Bisaro. The honourable Member for Yellowknife Centre, Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Speaker. I, too, wish to acknowledge a couple of constituents. First off I would like to recognize Brendan Callas. He's a constituent of Yellowknife Centre and he was recognized earlier today. I know I've got a few others up there. It's actually a pleasure to give note to Kim Doyle, who is my constituency assistant and it's the first time I've gotten to recognize her in the gallery. She's a very hardworking lady and I appreciate all the work that she does.

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

**MR. BROMLEY:** Thank you, Mr. Speaker. Today I'd like to recognize first of all a constituent from the Weledeh riding, Master Kienan Ashton. Kienan today was visiting me in my office and he and his friend Jesper were very proud to shake the

Premier's hand. Also Jack Panayi of Ms. Parisella's class. Also Sophie Clark and Grace Clark, twin members of the Aurora Fiddle Society Fiddlecats.

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

**MR. BOUCHARD:** Thank you, Mr. Speaker. I'd like to take this opportunity to recognize my two Pages from Hay River North: Tassie Lockhart-Drygeese and Chantelle LaFleur. I'd also like to recognize their chaperone, Kathleen Lockhart-Drygeese. Thank you very much, ladies.

**MR. SPEAKER:** Thank you, Mr. Bouchard. Item 6, acknowledgements. Item 7, oral questions. The honourable Member for Sahtu, Mr. Yakeleya.

### Oral Questions

#### QUESTION 109-17(3): TRACKING THE SUCCESS OF HIGH SCHOOL GRADUATES IN POST-SECONDARY INSTITUTIONS

**MR. YAKELEYA:** Thank you, Mr. Speaker. I've made my Member's statement on the graduates from the Sahtu. There are about 25 students this year. I want to ask the Minister of Education, Culture and Employment if there is any mechanism within this department to track graduates that are graduating this year to see how successful they will be in post-secondary institutions, or what they will be doing a year from now or two years from now. People like my nephew or other people in other communities that are graduating this year.

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

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. Through the divisional education councils in the regions we monitor those students that are graduating from secondary school. Post-secondary is a bit different. Students are on their own, but we track them through student financial assistance. Once they're sponsored by the department, we know who those students are, which field they're in, the year they're in the program. We're definitely keeping track of secondary and their pursuance of which program they're interested in. That is information that is available through the divisional education councils as well.

**MR. YAKELEYA:** I have a list of 25 students that are going to graduate in the Sahtu this year. I'm going to challenge the Minister and the department. Next year at this time in the House I'm going to ask about these people who graduated. Some of them are going to be in post-secondary, maybe some of them may be working, training in other institutions. I want to challenge the Minister, this department, I'm giving them a heads up that I'm going to ask them

where these students are, how are they doing, have you tracked them, and things of that nature. Is the Minister up for the challenge?

**HON. JACKSON LAFFERTY:** First of all I'd also like to congratulate those 25 students that are graduating. It's always great to hear the graduates of the Northwest Territories. I wish them all the best, whether it be post-secondary, workforce entry, even on-the-job training or further upgrading. We'll do what we can as a department, but we have to work with the organizations at the community level too. They are keeping track of their community students, whether it be in the workforce. We can't really keep track of those students who enter the workforce. We keep track of those students who are still in the K to 12 education system and through SFA, will monitor who the students are, the ones that we're sponsoring. We'll be keeping tabs on those students that are graduated this year and see where they're at next year, but we have to keep in mind that communities will have to work with us as well to provide that information.

**MR. YAKELEYA:** I think the communities have been saying this. We need to work with the department. I again challenge the Minister, for example, young graduate Samuel Kodakin, next year I want to ask if the institution has talked to him, the department, have you gone to school? If not, why not? Are you working? Has it helped you? Those type of things to see where the graduates have gone once they finish school. Maybe he's going back to Aurora College to do upgrading to further his career in another field of specialized knowledge and needs to do that. I want to ask the Minister, that type of tracking, keep track of these students who are graduating this year to see where they are. Ask the questions. Do the interviews with them. Let them know that we want to see them succeed. I want to ask the Minister that type of detail working with our government.

**HON. JACKSON LAFFERTY:** That's the very reason why we need the assistance of the principals, the teachers, the guidance counsellors, the school boards, the chairs, the board members, the leaders, to give us that information. We cannot keep track of 3,000 students on an individual basis where they plan to be. We're going to do our part to monitor the best we can as a department, working with the career counsellors at the community level, the regional representatives through our department. Yes, we're going to be working with the department, and I take up the challenge to work with the community organizations. We have to look out for all the students so they can be successful upon their return to the Northwest Territories.

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

**MR. YAKELEYA:** Thank you, Mr. Speaker. As Members in this House, we are all proud of our

graduates this year. I ask the Minister, there's nothing impossible. There's a can-do attitude here. Can he set things in motion that can look at how we track the increase of students. It's not impossible. We can do it. We have 5,000 people in our workforce here. We can do it if the Minister puts things in place in motion that can be done. Can the Minister make it so?

**HON. JACKSON LAFFERTY:** Since it's Friday, we have to all think positive and, definitely, it's doable. It's an initiative. It's an opportunity that we need to work together, a collaborative approach to monitor those students that have graduated this year, where they're going to be next year, the next five years, 10 years. Definitely, we'll do our part and work with the communities in the regions. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Lafferty. Colleagues, before we go on, I'd like to thank my two Pages here in the House. On my left I have Ms. Brianna Wolki from Paulatuk. Thank you, Brianna, for all your hard work. To my right I have Jerry Ruben-Bennett. I feel safe with my Pages around. Moving on. The Member for Weledeh, Mr. Bromley.

QUESTION 110-17(3):  
SUPPORT FOR COALITION AGAINST  
FAMILY VIOLENCE PHASE III

**MR. BROMLEY:** Thank you, Mr. Speaker. My questions are to the Minister of Justice, recognizing that the issue of family violence has to be dealt with across many departments. As I noted, the numbers speak to a dreadful situation of family violence and suffering in our communities: 223 family violence cases; 483 children witnesses; the second highest rate of family violence in the country and so on. The need for action is clear and desperate. Will the Minister of Justice commit to making action on family violence one of his foremost program priorities, and implement a plan to carry out the 19 recommendations of the phase 3 Coalition Against Family Violence report, and work with all of his Cabinet colleagues on integrated solutions? Mahsi.

**MR. SPEAKER:** Thank you, Mr. Bromley. The Minister responsible for Justice, Mr. Abernethy.

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. There's no question that the NWT has one of the highest rates of family violence in Canada. This has long-term negative effects on the physical, social and economic health of the people of the Northwest Territories, so it's clearly something that we all need to be working on, both on this side of the House and that side of the House.

On May 3, 2012, Premier Bob McLeod, as Minister of the Status of Women conference, confirmed his support, and Cabinet's support, for the Coalition Against Family Violence's prioritized recommendations to further address family

violence. These are a social media campaign, the piloting of the 24-week program for men who use violence, and community outreach that projects the increased safety for women and children in their care. That's the commitment of Cabinet and the government to move forward on this, and you will see some of this stuff actually has appeared in our budget this time around. There's some money in the budget for an additional family violence coordinator with the RCMP, so we are working on that.

Personally, I am committed to this. I will work with my colleagues, and quite frankly, we all need to work together to find real solutions to this. I'm committing the department to working in collaboration and partnership with my colleagues and we will work with the Regular Members and we'll try to find some real solutions. Thank you.

**MR. BROMLEY:** Thanks to the Minister for those comments and commitments. His reference to the Premier's commitments, I think that's very important and it's appreciated. We need to now turn those commitments into action, and I know this side of the House will be willing to work with our Cabinet on that.

Ms. Alice Black's death could have been prevented if there was police stationed in Gameti. Her killer was wanted on a criminal warrant at the time of the events. RCMP were unable to secure his arrest because they make only occasional visits to the community. They didn't know it well enough, I suspect. We have a new police services agreement and it's said to give us more control on the stationing of officers. Advocates repeatedly point to the need for beefing up police presence as a proven means of protecting families at risk of violence. What plans are in place to increase the number of communities with resident RCMP officers? Mahsi.

**HON. GLEN ABERNETHY:** There are a number of communities in the Northwest Territories that don't have permanent RCMP located in them. I have been meeting with communities, and I will continue to meet with communities along with the commanding officer of the RCMP, to work on community-based solutions. The RCMP may not be the right choice for every community every time, and we need to look at creative opportunities. I have met with the community of Tsiigehtchic and we are working on something there. I have met with the community of Colville Lake and we're working on something there. I do plan to get to every community in the Northwest Territories, where we can have an opportunity to try to find some of those real solutions that work for the communities. Thank you.

**MR. BROMLEY:** I appreciate the Minister's comments there. I know it's tough. Resources are tight and so on, but I'd say the evidence speaks for

itself here. Increasing the number of community shelters is also a critical need. Shelters now exist in only three communities. Lack of a place of refuge frequently means that women must stay in their homes and be subjected to repeated assaults. Not only that, funding for outreach programs has been cut for communities lacking shelters. What steps is the Minister going to take to provide women and children with places of safety from abuse and assault?

**HON. GLEN ABERNETHY:** We do have some programs in place. One of them is the emergency protection orders that are available to individuals in this situation. We do have the new RCMP family violence coordinator position, which is going to be a real important resource to RCMP in the field, to help them focus priorities and focus solutions for individuals.

With respect to shelters and whatnot, that's going to take more than the Department of Justice. We need to be a partner. We're willing to be a partner. I will commit to working with the Minister of Health and Social Services, and my other ministerial colleagues, to address this. We will discuss this, obviously, in the Social Envelope Committee, and we will continue to work with our colleagues on that side of the House. Thank you.

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

**MR. BROMLEY:** Thank you, Mr. Speaker. Thanks again to the Minister. I know the protection orders mechanism has certainly been much appreciated and seems to be helping the situation. The 2008 survey of attitudes towards family violence shows too many people still think that family violence is a matter to be handled solely within the family. That's the same place violence occurs. The need for a campaign of public awareness and education is a primary recommendation of both the Coalition phase 3 recommendations, as the Minister has mentioned, and of Ms. Menard, in the coroner's report on Ms. Black's death. The Minister says he is seeking further details on the form of such programming, and that's good, but will he commit to making the introduction of that programming a priority for the coming year's business plans? Mahsi.

**HON. GLEN ABERNETHY:** I have had an opportunity to talk to representatives from the Coalition Against Family Violence, in particular, about the social media campaign, and I'm looking for information from them on what types of programs they see, what kind of campaign they see, because they're saying exactly the same things: We have to change the attitude, we have to change the fundamental beliefs and ideas around family violence. I will work with my colleague, once again, and the Premier, who has indicated that we support the prioritized recommendations of the

coalition. We will be working on this and we will be having more discussions, once again, with Ministers and Regular Members as we move forward.

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

QUESTION 111-17(3):  
DEH CHO BRIDGE PROJECT  
COST OVERRUNS

**MR. HAWKINS:** Thank you, Mr. Speaker. In March 2010, former Minister McLeod talked about signing a contract with Ruskin for \$6 million to \$8 million. Minister McLeod of the day, continues to refer to the firm schedule on the Deh Cho Bridge. My question for the Minister of today, that is: Who is still responsible for the Deh Cho Bridge contracts, certainly, the implementation that is, is why isn't the fixed price and the fixed schedule being fulfilled by our contractor Ruskin on this particular project? Thank you.

**MR. SPEAKER:** Thank you, Mr. Hawkins. The Minister of Transportation, Mr. Ramsay.

**HON. DAVID RAMSAY:** Thank you, Mr. Speaker. Again, that was a decision the previous government made to get into the current contractual obligations with Ruskin. That contract follows a typical DOT contract which shifts only some of the risk to the contractor. It's not a fixed price. There are eligible areas where we could see costs being overrun. That was a decision the previous government had made. Thank you.

**MR. HAWKINS:** The Minister keeps trying to do a smoke and mirrors show on this particular problem. He says the old Minister. Every time he keeps referring to the old Minister. The old Minister actually signed the contract. That's the difference here. The present Minister is responsible for the implementation for the contract while it's still active, live, valid, et cetera. The Minister keeps avoiding that reality. Why does the Minister refuse to take responsibility for the present legal contract? Has it already been struck down and thrown away that we're not aware of? We need some clarification why he's refusing to deal with the present contract on the books. Thank you.

**HON. DAVID RAMSAY:** Mr. Speaker, we have a team of lawyers that have been working on the contractual obligations, what our responsibility is going forward. I know the Member continually wants to go back to decisions that were made by the previous government. I have said it yesterday and I will say it again today, decisions that I have made since I became Minister last fall are decisions that I take responsibility for, I am accountable for. With our best advice and the options that were presented to us, we are doing the best for the taxpayer here in the NWT to get this project

finished. We will continue to work toward that end to finish this project in November. This is the best option that was available to us to allow us to do that. Thank you.

**MR. HAWKINS:** Mr. Speaker, the Minister keeps misunderstanding the issue. It's not going back to a story long told in history. This is an active contract. So maybe that's particularly the question that needs to be asked. In some way or some form, has the 2010 contract signed with Ruskin with the GNWT as a partner to get the bridge built, has that mysteriously dissolved in some manner and been replaced with some formal acknowledgement and information passed on to Members?

**HON. DAVID RAMSAY:** Mr. Speaker, as I mentioned earlier, the contract that the Member is talking about from 2010, we are working within the confines of that contract. It is not a fixed price contract. There are opportunities there and the contractor is paid as progress is made on that project for fixed prices, yes, but there are opportunities for costs to continue to go on. Certainly, we have taken every look at our options. Again, going forward, this is the best option for us. Thank you.

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

**MR. HAWKINS:** Thank you, Mr. Speaker. All we hear are options of somewhere between \$7.2 million and \$9.5 million. There has been no clear explanation as to why that money is really needed. All we hear is the platitude saying our lawyers say this, but where is the real discussion in our committees, in the Assembly about that particular discussion? Has the AIP formally been signed as the Minister pointed out? Has it formally committed us to some type of contractual obligation that we have no other choice of supporting it? Thank you.

**HON. DAVID RAMSAY:** Mr. Speaker, I have been quite clear in answering other questions from other Members yesterday. I will say it again. Going forward, this money has helped us negotiate our way out of a myriad of claims, construction claims on the project. We are going to work together with the contractor to see the project get completed this fall. I am not sure if the Member would prefer that we throw our hands up, we fight with the contractor, we go to court for years and years to come, we spend untold hundreds of thousands if not a million dollars-plus on legal fees and we don't have a bridge open this fall. That was one of the options. But going forward, we are taking the option that chooses to work with the contractor to negotiate an end to the claims that are out there and gets us some budget surety and also schedule certainty. That is what we have done. Thank you.

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



QUESTION 112-17(3):  
ACCOUNTABILITY FRAMEWORK  
FOR COMMUNITIES

**MS. BISARO:** Thank you, Mr. Speaker. My questions today are addressed to the Minister of Municipal and Community Affairs. On May 28<sup>th</sup> the Minister made a statement in the House. He talked about an accountability framework that has been developed by MACA in conjunction with the Local Government Administrators of the NWT and the NWT Association of Communities. I applaud that. I wanted to just ask the Minister a couple of questions relative to this accountability framework and his statement. There are a few things that I would like to get clarification on.

It is not clear to me from the Minister's statement, and I would like to ask the Minister if he could kind of advise me and the House what is the purpose of this accountability framework. What is the intention of the department and of its partners in establishing an accountability framework for communities? Thank you.

**MR. SPEAKER:** Thank you, Ms. Bisaro. The honourable Minister of Municipal and Community Affairs, Mr. McLeod.

**HON. ROBERT MCLEOD:** Thank you, Mr. Speaker. Because we have given the communities a lot more responsibility and a lot more financing, the purpose of the accountability framework is to work closely with the communities to have a pretty transparent system of how that money is dealt with. Thank you.

**MS. BISARO:** Mr. Speaker, thanks to the Minister. We give communities a grant, an infrastructure contribution and we have given them the responsibility of using that money. Does the Minister mean that the department is trying to keep tabs on communities? Is that kind of what this accountability is intended to do? Thank you.

**HON. ROBERT MCLEOD:** Mr. Speaker, I wouldn't say it is to keep tabs on the communities. I would call it work closely with the communities to ensure that public funds are spent the way they should be. It is more of a communication tool. We want to make sure that public funds are well looked after. Thank you.

**MS. BISARO:** Mr. Speaker, thanks to the Minister for that. I appreciate that. I firmly agree with the Minister that we should be making sure that public funds are used properly. But in the Minister's statement there is a statement he made that I really don't quite understand. I would ask him to clarify. The Minister stated, "We will be asking communities to provide quarterly reports to ensure the framework continues to meet their needs." Does this mean that communities are required to do quarterly reports on their spending or does it mean something else? Thank you.

**HON. ROBERT MCLEOD:** Mr. Speaker, we do keep tabs on the community spending. We work with communities. This here is just to see if this accountability framework is meeting their needs. Is it working for them? Is communication between the community and MACA? Are there ways we can improve? Thank you.

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

**MS. BISARO:** Thank you, Mr. Speaker. Thanks to the Minister. I appreciate this is intended to be a communications tool and a back and forth. I guess I just wanted to say that asking communities to report quarterly may be kind of onerous. It sounds to me that the Minister is open to suggestions for improvement on this framework. Is that correct? Thank you.

**HON. ROBERT MCLEOD:** Mr. Speaker, we could have asked them to report once a year. That may not have been enough to satisfy some Members. We could have asked them to report 12 times a year. We thought for the first part, this would be a good starting point. If there are other options we can explore in the future such as less reporting once things get rolled out really good, then there may not be a need for further reporting. I am sure the communities will let us know that. Thank you.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Member for Range Lake, Mr. Dolyunny.

QUESTION 113-17(3):  
PROMOTING TRADES TO NWT YOUTH

**MR. DOLYUNNY:** Thank you, Mr. Speaker. Earlier today I spoke about the great work that our youth were doing at our national skills competition, mirroring the similar comments mentioned by the Minister of Education himself, as well, on today's subject.

There is no doubt that we are very proud of the previous Assembly who continued funding for Skills Canada. I applaud the government of the day for making those commitments, because I believe this is an incredible opportunity for our youth. Being part of it and seeing with my own eyes, with the Minister, the great things that we can do with the money that we give organizations. With that, one of the things the Minister and I saw when we were down there was the opportunity for these things called Try-a-trade demonstrations which clearly showed other skill sets that could be promoted and enhanced for the NWT youth. Because the Minister of Education was with me and we saw it with our own eyes, can he commit his department in investigating a department skills challenge and making this possible maybe in the future events? Thank you, Mr. Speaker.

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

**HON. JACKSON LAFFERTY:** Mahsi, Mr. Speaker. I feel that we definitely need to explore this area where demonstration of other skill sets, those talented individuals from the Northwest Territories can be exposed. The Member and I talked about this in length, about the possibility and where we can explore opportunities. I will definitely commit to the Member and this House that we will be further exploring this opportunity on the demonstration of other skill sets at the National Skillset Competition. So I'm committing to that.

**MR. DOLYNNY:** Thank you. I do appreciate the Minister for his thinking in this capacity. Again, we saw great things that we could do for our youth to open up doors, polish these gems as we've called and talked about. But adding one step further, would the Minister commit to potentially bringing, when we have our own skills competition in our own territory, bringing some of these quality, gifted, talented people in the trades area, bring them here to open it up a little bit better? Again, budgets are tight, I understand that, but sometimes we can bring these people to the Northwest Territories, these talents, so that we can actually encompass and touch more lives in the Northwest Territories. Would the Minister commit to looking at that aspect as well? Thank you.

**HON. JACKSON LAFFERTY:** Mahsi. This is an area where we need to work with Skills Canada. We provide funding to them. I believe its \$80,000 on an annual basis and they also have corporate sponsors to bring in those individuals or send those individuals out, those talented Northwest Territories individuals. But I am pursuing this in looking further into potentially having those individuals from the Northwest Territories, maybe one per region, just for exposure at the national stage. They may not be competing, but to see them in action. So those are the areas that I seriously want to look at and possibly having those individuals from outside coming to the Northwest Territories when we have our competition here in the Northwest Territories as well. So that's an area that we definitely want to explore and see the benefits of it. I'm sure there will be plenty of them. Mahsi.

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

QUESTION 114-17(3):  
AGRICULTURAL PROGRAMS TO SUPPORT  
FOOD PRODUCTION IN COMMUNITIES

**MR. NADLI:** Thank you, Mr. Speaker. My question is to the Minister of ITI. I've been a strong advocate of communities for some time. Recently we highlighted the cost of goods in terms of bringing goods from down south and making it available to

communities. Our communities are really relying on subsistence activities at the same time and whenever they can they grow their own gardens.

My question is to the Minister of ITI to see what programs exist to support initiatives such as schools undertaking to ensure that people grow their own foods in the community. Mahsi.

**MR. SPEAKER:** Thank you, Mr. Nadli. The Minister of Industry, Tourism and Investment, Mr. Ramsay.

**HON. DAVID RAMSAY:** Thank you, Mr. Speaker. I really appreciated the Member's statement today. I think it's good news for the community and for his riding when community and especially youth take the opportunity to look at growing locally produced fruits and in this case strawberries.

The Government of the Northwest Territories certainly supports that type of initiative. We've got a number of programs. We've had the opportunity to get some real money into communities through the Growing Forward federal program and we've also augmented that with some of our own programs in the area of Agriculture Development Infrastructure Program. We've got about \$263,000 going out and \$60,000 earmarked as well for the Deh Cho. We're certainly looking forward to the opportunity to expand the programs that we have, because we do realize the potential that exists of the locally produced produce, vegetables and meat, and fish products as well. Thank you.

**MR. NADLI:** I'd like to thank the Minister for his response. It seems the government is encouraging people to undertake those initiatives and it does have existing programs, which is good.

My question to the Minister once again is: Has there been an agricultural assessment or study to indicate whether there's potential for communities such as Fort Providence to look at some long-term investment planning to undertake community gardens and initiatives so that people can be able and communities can be able to grow their own food? Mahsi.

**HON. DAVID RAMSAY:** Thank you. I believe some of that work has been done in conjunction with the Territorial Farmer's Association, a group that I've had the opportunity to meet with, and I'd be more than happy to try to get that information for the Member and put that together for him.

We also have this Community Gardens Program and I mentioned this earlier in this session in relation to a question that I was asked I believe by one of the other Regular Members. When I was down in Fort Simpson recently, we ran into two young university students who are working for ITI delivering the Community Garden Program, and they were in Fort Simpson just on their way to the community of Wrigley to help the community plant a garden. I think we've been in 29 communities across the NWT with this Community Gardens

Program and we've met with great success in that. Thank you.

**MR. NADLI:** Thank you. My question is, agriculture seems to have been cited as a very important potential for us to develop an industry so that we support our farmers that would like to make a living, at the same time to ensure that Northerners are independent to grow their own food. I know this government has committed to develop an overall Northwest Territories economic strategy. How does agriculture fit in that strategy? Mahsi.

**HON. DAVID RAMSAY:** Thank you. We hope that when the Sustainable Economic Development Strategy gets rolling, agriculture certainly will fit into that strategy and will be thoroughly examined. Some communities have a lot more opportunities in that area than others, especially communities, of course, in the southern part of the Northwest Territories. But as I mentioned in my Minister's statement earlier today, it will be at the community level where opportunities exist. Again, agriculture for many communities is going to be one of the areas that we will target. Thank you.

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

QUESTION 115-17(3):  
DEH CHO BRIDGE COST OVERRUNS

**MR. HAWKINS:** Thank you, Mr. Speaker. My questions will continue to be to the Minister of Transportation regarding the Deh Cho Bridge. For clarity, did our engineers ever order Ruskin to take steps to complete the Deh Cho Bridge by the end of 2012 at Ruskin's cost and by what authority are they instructing that direction?

**MR. SPEAKER:** Thank you, Mr. Hawkins. Minister of Transportation, Mr. Ramsay.

**HON. DAVID RAMSAY:** Thank you, Mr. Speaker. In the contract that exists with Ruskin, again, it is not a fixed price contract. When there are change orders, some of those change orders are the responsibility of the owner, in this case the Government of the Northwest Territories, and we would certainly work with the contractor on a schedule and on costs, and we've been doing that all along.

Again, in March of this year it became apparent that the contractor would not be able to complete the project by November. So we had to look at different strategies to allow us to get that accomplished, and the option that we chose was to work with the contractor to make sure that that happened. Thank you.

**MR. HAWKINS:** Thank you. Will the Minister table the 2010 contract signed with Ruskin, along with the 2012 new agreement signed with Ruskin and then finally supply a copy to my office as soon as possible?

**HON. DAVID RAMSAY:** Thank you. The Member keeps talking about a contract from 2010. That was a contract signed by a previous government and I would not be in a position to respond to a decision of the previous government, but there were a number of questions asked in this House in 2010 and I don't believe the Member asked any of those questions at that time. Thank you.

**MR. HAWKINS:** Thank you. In 2010 a particular Member of this House had pointed the Cabinet to stop blaming previous governments for their problems and certainly take decisions and responsibility. Just a moment ago, the Minister referred to the present contract in the present terms, which is the 2010 contract. So it's still relevant. So the question is: Would the Minister supply the 2010 contract with Ruskin alongside the companion document that I've asked for, which is the 2012 document signed with Ruskin? Thank you.

**HON. DAVID RAMSAY:** I believe that was the same question I asked the previous government, whether or not I could get a copy of that contract. I believe at the time the answer was no and it would remain no.

**MR. HAWKINS:** Maybe the Minister then could help the public understand why it's not a reasonable question now when it was a reasonable question before, because the public has no idea on how this contract is being implemented and yet all of a sudden it's not worthy and we're scrapping it and putting in a new contract. There are a lot of mysteries out there. In short, explain why we can't get to the bottom of this contract, find out what the clauses are in there that have us on the hook for more costs. The public wants to know.

**HON. DAVID RAMSAY:** I may not be able to supply the contract in its entirety to the Member, but what I would put out there is, perhaps, we can get the details. They don't have to be exactly specific, but when it comes to costs and who is responsible for what, I believe certainly the Member and the public both deserve to know that. We can't produce the contract itself but perhaps we can get some of the details on how the contract works so that both the Member and the public would have a better understanding of why we're in the position we're in today. I think that may be a worthwhile exercise and I'll endeavour to get that for the Member.

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

**MR. HAWKINS:** Thank you, Mr. Speaker. I'd like to ask the Minister when we will get those particular details. Of course, we are running short of session days and it would be useful for both myself and the public to get these questions out in a timely manner. That's simply the question. When can we get it? Can we get it before Monday?

**HON. DAVID RAMSAY:** It's taken the Member about six years to start asking questions about the project. I can try to get that information to the Member by early next week.

**MR. SPEAKER:** Thank you, Mr. Ramsay. Item 8, written questions. The honourable Member for Yellowknife Centre, Mr. Hawkins.

### Written Questions

#### WRITTEN QUESTION 7-17(3): SENIOR MANAGEMENT PERFORMANCE BONUSES

**MR. HAWKINS:** Thank you, Mr. Speaker. My question is for the Minister of Human Resources.

1. Please provide a list of senior management performance bonuses, including those to deputy ministers, assistant/associate deputy ministers, awarded in 2011-2012 in all GNWT departments, boards, agencies, commissions and corporations, by position and range, as follows:
  - (a) Less than \$5,000,
  - (b) \$5000 to \$9,999,
  - (c) \$10,000 to \$19,999,
  - (d) \$20,000 to \$29,999, and
  - (e) \$30,000 and up.
2. What is the total amount of bonuses paid, by department, board, agency, commission and corporation?

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

#### WRITTEN QUESTION 8-17(3): TRANSFER OF FEDERAL POSITIONS WITH DEVOLUTION IMPLEMENTATION

**MR. YAKELEYA:** Thank you, Mr. Speaker. My question is directed to the Premier.

1. Please provide the number of positions that will be transferred to the Government of the Northwest Territories from the federal government on the Devolution Agreement Implementation Plan.
2. Please provide a listing of all federal government positions, including a regional breakdown, which will be transferred following implementation of the Devolution Agreement.
3. Please provide a summary of the funding that will be transferred to the GNWT along with the transferred positions.

**MR. SPEAKER:** Thank you, Mr. Yakeleya. Item 9, returns to written questions. Item 10, replies to opening address. Item 11, petitions. Item 12, reports of standing and special committees. Item

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

### Tabling of Documents

#### TABLED DOCUMENT 23-17(3): RESPECT, RECOGNITION, RESPONSIBILITY: GOVERNMENT OF THE NORTHWEST TERRITORIES' APPROACH TO ENGAGING WITH ABORIGINAL GOVERNMENTS

**HON. BOB MCLEOD:** Thank you, Mr. Speaker. I wish to table the following documents, entitled "Respect, Recognition, Responsibility: Government of the Northwest Territories' Approach to Engaging with Aboriginal Governments."

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Member for Thebacha, Mr. Miltenberger.

#### TABLED DOCUMENT 24-17(3) NWT CARBON TAX DISCUSSION PAPER, DEPARTMENT OF FINANCE, MAY 29, 2012

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I wish to table the following document, entitled "NWT Carbon Tax Discussion Paper, Department of Finance, May 29, 2012."

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

#### TABLED DOCUMENT 25-17(3): DEPARTMENT OF JUSTICE 10-YEAR STRATEGIC PLAN 2012-2022, JUNE 2012

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. I wish to table the following document, entitled "Department of Justice 10-year Strategic Plan, 2012-2022, June 2012."

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

#### TABLED DOCUMENT 26-17(3): SAHTU REGION GRADUATE LIST 2012

**MR. YAKELEYA:** Thank you, Mr. Speaker. I would like to table the Sahtu Regional Graduation List 2012.

**MR. SPEAKER:** Thank you, Mr. Yakeleya. Item 15, notices of motion. The honourable Member for Hay River North, Mr. Bouchard.

### Notices of Motion

MOTION 10-17(3):  
APPOINTMENT OF THE  
DIRECTOR OF HUMAN RIGHTS

**MR. BOUCHARD:** Thank you, Mr. Speaker. I give notice that on Monday, June 11, 2012, I will move the following motion: Now therefore I move, seconded by the honourable Member for Kam Lake, that Ms. Deborah McLeod of Yellowknife be appointed as the director of human rights during good behaviour for a term of four years by the Commissioner of the Northwest Territories as recommended by the Legislative Assembly;

And further, that the Speaker be authorized to communicate the effective date of appointment to the Commissioner.

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

MOTION 11-17(3):  
TRUTH AND RECONCILIATION COMMISSION

**MR. YAKELEYA:** Thank you, Mr. Speaker. I give notice that on Monday, June 11, 2012, I will move the following motion: Now therefore I move, seconded by the honourable Member for Thebacha, that the Legislative Assembly thank the members of the Truth and Reconciliation Commission of Canada for the work they have done in the Northwest Territories and across Canada;

And further, that the Legislative Assembly honour the survivors who have shared their suffering with great dignity in order to promote healing and reconciliation.

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

### Notices of Motion for First Reading of Bills

BILL 4:  
APPROPRIATION ACT  
(OPERATIONS EXPENDITURES), 2012-2013

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I give notice that on Monday, June 11, 2012, I will move that Bill 4, Appropriation Act (Operations Expenditures), 2012-2013, be read for the first time.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. The honourable Minister responsible for Justice, Mr. Abernethy.

BILL 5:  
LEGAL AID ACT

**HON. GLEN ABERNETHY:** Thank you, Mr. Speaker. I give notice that on Monday, June 11, 2012, I will move that Bill 5, Legal Aid Act, be read for the first time.

**MR. SPEAKER:** Thank you, Mr. Abernethy. Item 17, motions. The honourable Member for Hay River North, Mr. Bouchard.

### Motions

MOTION 7-17(3):  
APPOINTMENT OF HUMAN RIGHTS  
COMMISSION MEMBERS,  
CARRIED

**MR. BOUCHARD:** WHEREAS Section 16(2) of the Human Rights Act provides that the Northwest Territories Human Rights Commission is composed of such members, between three and five in number, as may be appointed by the Commissioner on the recommendation of the Legislative Assembly;

AND WHEREAS there will be four vacancies on the Northwest Territories Human Rights Commission as of June 30, 2012;

NOW THEREFORE I MOVE, seconded by the honourable Member for Monfwi, that the Legislative Assembly recommend the appointment of the following individuals to the Northwest Territories Human Rights Commission:

Ms. Marion Berls of the town of Fort Smith, for a term of four years;

Mr. Charles Dent of the city of Yellowknife, for a term of four years;

Ms. Bronwyn Watters of the city of Yellowknife, for a term of four years;

AND FURTHER, that pursuant to Section 17(2) of the Human Rights Act, Mr. Yacub Adam of the city of Yellowknife, be reappointed for an additional term to expire on October 30, 2014;

AND FURTHERMORE, that the Speaker be authorized to communicate the effective date of these appointments to the Commissioner.

**MR. SPEAKER:** There is a motion on the floor. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

---Carried

**MR. SPEAKER:** The honourable Member for Mackenzie Delta, Mr. Blake.

MOTION 8-17(3):  
APPOINTMENT OF THE  
EQUAL PAY COMMISSIONER,  
CARRIED

**MR. BLAKE:** WHEREAS Section 40.2(1) of the Public Service Act provides that the Commissioner, on the recommendation of the Legislative Assembly, shall appoint an Equal Pay Commissioner to exercise the powers and perform the duties set out in this act;

AND WHEREAS the appointment of the current Equal Pay Commissioner, Ms. Nitya Iyer, expires on June 30, 2012;

AND WHEREAS Ms. Nitya Iyer has expressed an interest in reappointment for a third term as Equal Pay Commissioner;

AND WHEREAS the Board of Management has considered Ms. Iyer's expression of interest and is prepared to recommend her reappointment for a second term;

NOW THEREFORE I MOVE, seconded by the honourable Member for Kam Lake, that Ms. Nitya Iyer be appointed as the Equal Pay Commissioner in accordance with the Public Service Act by the Commissioner of the Northwest Territories as recommended by the Legislative Assembly;

AND FURTHER, that the Speaker be authorized to communicate the effective date of the appointment to the Commissioner.

**MR. SPEAKER:** There is a motion on the floor. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

---Carried

**MR. SPEAKER:** The honourable Member for Frame Lake, Ms. Bisaro.

MOTION 9-17(3):  
ESTABLISHMENT OF AN  
INDEPENDENT OMBUDSMAN'S OFFICE,  
CARRIED

**MS. BISARO:** WHEREAS nine Canadian provinces and the Yukon Territory have parliamentary ombudsman offices;

AND WHEREAS the Northwest Territories does not have an independent ombudsman office with a broad and comprehensive mandate to investigate complaints about the practices and services of public agencies and to promote fair, reasonable, appropriate, and equitable administrative practices and services for Northwest Territories residents;

AND WHEREAS an independent ombudsman office could provide an alternative to the courts to address both individual disputes and systemic issues;

AND WHEREAS an independent ombudsman office could make use of consultation, mediation and other alternative dispute resolution techniques which are generally less adversarial, less expensive, and less technically complex than court processes, and would be more accessible for most Northwest Territories residents;

AND WHEREAS in addition to investigating and assisting in the resolution of complaints, an independent ombudsman could make recommendations to public agencies to improve administrative processes and services to the benefit of all Northwest Territories residents;

NOW THEREFORE I MOVE, seconded by the honourable Member for Sahtu, that this Legislative Assembly recommends that the Government of the Northwest Territories bring forward legislation to establish an independent parliamentary ombudsman office with the mandate to investigate complaints about the practices and services of public agencies and to promote fair, reasonable, appropriate, and equitable administrative practices and services;

AND FURTHER, that the Government of the Northwest Territories provide a comprehensive response to this motion within 120 days.

**MR. SPEAKER:** There is a motion on the floor. The motion is in order. To the motion. Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Speaker. I would like to thank the seconder of the motion for allowing this motion to come forward. As mentioned in the motion, there are only three jurisdictions in Canada that do not currently have an ombudsman office and we are one of them. There are innumerable situations where NWT residents could use an ombudsman to assist in solving a dispute or a disagreement. I'm going to mention a number. They include but are definitely not limited to:

- rental officer decisions that either the tenant or the landlord disagrees with;
- landlord/tenant issues that are outside the jurisdiction of the rental officer;
- decisions by housing authorities that the client may disagree with;
- income support issues – a family may lose their home due to income support not issuing cheques in a timely manner;
- investigations and decisions by a self-regulating body that the professional person feels was incorrectly handled or resulted in an unjust decision;
- health and social service issues;
- administrative decisions by officials in hospitals and other medical facilities;

- issues with how health care is delivered to individuals; and
- decisions made by the Workers' Safety and Compensation Commission.

Government staff generally do a wonderful job for our residents but there are times when a resident – rightly or wrongly – feels that they have been treated unjustly or without fairness. In most cases they have no option for appeal. Some organizations do have a complaints process. We do have some appeals within our own government organization. If you lose on that front, there is absolutely no other option to appeal except to go to court. I've talked about that before. Court is not a viable option for many people. An ombudsman office provides an impartial third party, someone who can evaluate the disagreement or the presumed improper treatment, someone who is an alternative to going to court. Goodness knows, our courts are busy enough. This would help to alleviate some of the congestion that we currently have in our court system.

We probably, as Members, all know at least one, I'm sure many people, many residents who are intimidated by the court system and by the court process, and they may have the courage of their convictions, they may firmly believe that they have been unfairly treated, but they will not even contemplate taking their case to court. This motion asks for legislation to establish an ombudsman office with the powers necessary for an ombudsman to do the proper job. In order for that to happen, the office needs to be at arm's length, independent from government, similar to our other statutory officers offices.

As well as acting as an arbitrator, an ombudsman can act as an evaluator of the government and its boards and agencies. Members have often said that as a government we don't do enough evaluation, and I totally agree with that. Looking inwards for ways to improve our services, we don't do enough of that either. The office of an ombudsman can be tasked with that, can make recommendations for improvement to government processes and to the programs and services that we provide for our residents.

In previous discussions, the government of the day has said that residents have ways available to them to appeal a government action or a decision. That's true. They can talk to department staff. There are appeal boards, in some cases, as I've mentioned, and people can talk to their MLA for help. But none of these possibilities provides an impartial forum. Even as Members we're not impartial. We are also very political. When all options are exhausted and the individual has reached the end of their rope, they have nowhere to turn and they do not see where they can go, they still feel wronged, the only action left to them is to go to court. It's expensive and it's an intimidating solution for most of us. NWT

residents fighting a government or a board decision need an alternative to the Supreme Court, and an ombudsman office will give them that.

We've been talking about the need for an ombudsman office for years now. There are references to it in Hansard from 1992. There was a proposal for an office as far back as 1993, and a report tabled in this House made recommendations to establish an ombudsman office. But we have had, unfortunately, no concrete action to establish an office to date. The office is needed. The need is evident. Our territory has grown and we have grown up. Part of being grown up and being a grown up is recognizing the need to help our friends and neighbours. Thank you.

**MR. SPEAKER:** Thank you, Ms. Bisaro. To the motion. I'll allow the seconder, Mr. Yakeleya.

**MR. YAKELEYA:** Thank you, Mr. Speaker. I do want to thank Ms. Bisaro for bringing this motion for discussion in the House here. I think the timing is right in terms of creating an ombudsman office here in the Northwest Territories. It is an office that would be independent from the government, at arm's length. It will have the powers to look into matters and issues on behalf of our people, and it will have the powers of, hopefully, the full scope of the government services that we provide. It will be centred around people much like our jobs here in the Assembly.

I see this office here having a lot of visibility for our people, being accessible to the people in the Northwest Territories and that it will focus around resolving issues, differences and finding solutions and being very proactive.

Mr. Speaker, 45 years ago, Alberta was the first government to get an ombudsman office. This issue has been raised three times in the Legislative Assembly through Members' statements, one in 2007, 2009, and 2010. Our sister neighbouring to the west of us, the Yukon government, has an ombudsman office. That office runs about \$500,000, just a little over. It is a powerful office. Again, it can handle complaints from the administration of our government, and I see this as being very, very powerful because it will look at the accountability issue and how we can be accountable to our people, especially to our elders.

I looked at the pros of this office here and it gives us an access point. Right now, as MLAs we are the access point to our government, and we are sometimes swamped with work on a 24/7 basis, and that's fair, that's a given. That's the job that we asked for and that's the job we accept. Also, we need help. Sometimes a creation of an ombudsman to us would be a godsend support for us. I look at it as we know where to sometimes tell people where they can look for help, besides us, but if they have an ombudsman office, people know where to go. There is a place. For us, we can say, well, go to this

department or this department, but sometimes it gets quite confusing. So we ask that this motion be supported so people then know where to go, and at the office they will tell them what can be done. They also can help us as MLAs and they can be a proactive approach.

Like I said, I looked at the pros and the cons, and one of them is the cost of this creation. This is a huge budget and the Minister has been preaching to us about the fiscal responsibility and we need to look at and take that into serious consideration. We need to weigh out the benefits and the cons of this office, and we have to look at the cost of this office here. I mean, certainly, we need to do this here. Like I said, the office outweighs the cons, so I'm fully supportive of this ombudsman office on this motion and I hope this motion does get implemented. I thank the mover, Ms. Bisaro, for bringing it to the floor. I fully support this motion.

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

**MR. DOLYNNY:** Thank you, Mr. Speaker. Being part of the Standing Committee on Government Operations, the issue of an ombudsman did surface early on in our mandate, as we prepared for the people of the Northwest Territories, and it did receive unanimous support in coming forward, so I really welcome the Member for Government Ops Ms. Bisaro for bringing it forward, and Mr. Yakeleya for seconding it.

Really, in essence, this is an opportunity for this government, for government in general, to become more accountable to the people of the Northwest Territories. There is obviously a gap in our system. There is an obvious gap in terms of offering of services to the people when they need it most. Our legal system, if anyone was paying attention during the budget deliberations on the Department of Justice, we have backlogs. In fact, backlogs as far back as four months. This is very difficult in times when people are looking for that independent advice and may not need to go a legal system for that. An ombudsman would offer that segue and, I hope, unblock some of the unneeded, unnecessary legal actions that are required.

As Members indicated here, we as Regular Members are plagued and we welcome to help our people in the Northwest Territories, but we can't do it alone. Many of us are quite busy with a lot of the affairs of just being legislators, and sometimes even ourselves, we have a backlog of constituents needing help and we can't get to them in time. This is where an ombudsman office would offer that opportunity to be independent in nature, as mentioned by the Member for Frame Lake. We, ourselves, are not totally independent. We are in the government process ourselves and we can't offer that full independence because our being part of the system. That is where an ombudsman office

would have its definite praise and opportunity to be a better tool for the people of the Northwest Territories.

Really, what an ombudsman means, is part of the beginning of what I have been talking about in the government standing committee, is about the government accountability office. This is something we're going to hear more of in the future of the 17<sup>th</sup> Assembly. This is a brain child of many other governments and jurisdictions across Canada and North America, where the government itself is evaluated for what it does, independently, and where people can access this information via website with a simple click of a mouse, where they can see where their dollars are being spent, how it's being spent, if it's being spent wisely, and is there comfort knowing that this government is doing well.

That's a future opportunity that I see here for this government, but it starts with an ombudsman office, and for that, I will be speaking in favour of this motion. Thank you.

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

**MR. MENICOCHÉ:** Thank you, Mr. Speaker. I stand here and regret that I cannot support a motion of this type. I know that I am not really convinced that this is a right time to have an ombudsman office. As well, I think my biggest concern is I was in the Yukon and the ombudsman office got initiated I think some seven years ago at a cost of around \$9 million annually to the government. I don't think that we can do that right now. The other consideration, as well, is I believe that such a territorial office will be located in Yellowknife again. It is nothing that I can certainly support when it comes to that planning. In the end, I'm not convinced that this is the right time for our government to be spending those type of funds. Mahsi.

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

**MR. BROMLEY:** Thank you, Mr. Speaker. I also rise to support this motion. I want to start by thanking my colleagues Ms. Bisaro and Mr. Yakeleya for bringing this forward. There has been, indeed, perpetual interest and discussion on this, and that discussion needs to be resolved. There is an obligation of government, clearly, to provide the full opportunity for their citizens' voices to be heard. This is a proven mechanism, and clearly across Canada there is good recognition of the need to fill this responsibility. We would certainly be consistent with them in doing that.

I know my colleagues and, certainly, I work hard for our constituents. I am always amazed at the amazing dedication of commitments of our constituents that are coming forward with their



concerns. They are fully committed at working hard. They are willing to go to great lengths, but the court is not typically one of them. Unfortunately, not all cases that are brought to us as MLAs get rectified through this process. I found that constituents can be left hanging with their issues unresolved. We may need to dedicate some money to this, but I do note that we are able to throw tens of millions of dollars on projects unexpectedly at the last minute. I would say meeting the responsibilities that we have to the people of the Northwest Territories certainly should take precedence.

An independent parliamentary ombudsman office is the way to go. I look forward to working with the Cabinet and all of my colleagues on this side of the House to make it happen.

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

**MR. BOUCHARD:** Thank you, Mr. Speaker. I will be voting in favour of this motion. As a new Member, it's something that I'm learning about, the ombudsman and the potential that it has. Several different jurisdictions have different responsibilities, whether it's the rental office, whether it's housing issues, hospital issues, police abuse, police issues, so I believe that there's a group of people in the Northwest Territories that are falling through the cracks in the system that don't have an appeal system. Ultimately we have one option to go through the courts, and those court costs and court delays are often very expensive and very monotonous. I think the ombudsman would give them a place to put their grievance, get a quick answer at least in the direction of whether it is acceptable to move forward.

Some of the information that I have received is not anywhere near the \$9 million cost. It is more like a \$600,000 to \$650,000 cost. It all depends on what jurisdiction you are looking at, I do believe, and how it's incorporated and what is incorporated with it.

I think there is also a lot of merit in using this type of ombudsman or that type of office to do also minor reviews of the government and government programs, what is going on and what can be looked from a third party, from a distance, that says this is an area where we think there's a flaw in this program. There is a flaw in this part of the government. There is a great deal of that type of concern in the general public right now. I will be supporting this motion. Thank you, Mr. Speaker.

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

**MR. MOSES:** Thank you, Mr. Speaker. I rise in this House to support this motion as well. First I want to thank Ms. Bisaro and Mr. Yakeleya for bringing this into the House for discussion and looking to making it a reality within our government here.

Too many times a lot of people just accept the decisions that are based from this government. In reality, our decisions that we make in the House are not always the best decisions. This gives an opportunity we are getting an independent review to make sure that there's equality as well as transparency and fairness to the people that we represent in this House.

My colleagues here today made some really good statements on why this position should be forthcoming and made a reality. I support this motion and look forward to seeing it become reality in the future. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Moses. Mr. Nadli.

**MR. NADLI:** Thank you, Mr. Speaker. I speak and will be voting in favour of the motion simply because, as MLAs, we are the front and centre of dealing with our constituents' concerns and also, at the same time, concerns that sometimes we don't clearly have a recourse in trying to help people at least have their validation of concerns acknowledged.

It's part of the due process. In some respects, this government is a new government. It is an evolved government. One principle that we uphold very clearly is the principle of consensus that we are inclusive in the decision-making process. We try to involve everyone in terms of trying to work out issues, at the same time come up with solutions and try to work in unity. In some respects, perhaps the individual rights of people in communities need to be clearly listened to and this mechanism will ensure that people's concerns and issues that they bring forth will be addressed. Mahsi.

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

**MR. HAWKINS:** Thank you, Mr. Speaker. I rise with concern to this particular motion. Back in 2003 I did a fair bit of research. In my first term as MLA, I thought there was a lot of need for a particular ombudsman. I certainly was an advocate at the time, but continuing to look at the issue even into my second term, I started to realize that there were cases where we were going to minimize the role of MLAs. If we had an ombudsman, and a particular person didn't like a WCB decision and they called their MLA, their MLA would probably say, hey, go to the ombudsman. Case closed, file taken care of. If they didn't like an income support appeal or housing appeal, as further examples, they will just redirect their complaints to the ombudsman office because they felt it wasn't fair. They have made decisions.

When we consider other aspects that I have looked in since I have been an advocate for this particular issue, is don't forget about the extra costs. How many ombudsmen, commission's offices, parliamentary offices do we need for 42,000

people? We are going to have more people on the public dole than we will not on the public dole through the process of these types of initiatives. There won't be any public to serve because they will all work for the government in some form or fashion.

The other thing that people have to realize is if we create an ombudsman office and not be clear about how we do something like this, we could actually be denying MLAs the ability to do their job. What would happen is a client would not be satisfied by a decision by a department, maybe feel that there was some bias or confidence issue happening, who knows how messy it could get. What if they do? They go to the ombudsman. We wouldn't have access to that particular information, so then the MLA would be denied their role because it would be in the hands of an independent ombudsman person.

I will not deny that there have been cases of problems. Back when I started looking at the problem, I remembered a young lady coming to me and she was applying for a particular program. There were discrepancies on how she was denied. In some cases, her stories led to a narrative where I thought there were some real mix-ups that needed seriously to be looked at. At the time, who looked at it and reviewed the case and the problem? It was the department. That made me a strong advocate to say, how do we look at these things fairly and independently. That got me down the path in thinking, is the ombudsman the right mechanism or the right vehicle. To that example, I probably say I do agree with the ombudsman office, but the fact is those examples are more fewer and far between than the real need today.

We need a process that people can go to and ask, I want this fairly looked at if there is some grievous error in the decision or the reasoning. But the framework provided today is just too broad. I know that the Member will say there's no cost to this. Well, there is a cost to it starting day one. Once this motion passes, if it passes, there will be a cost to it. There will be a cost to drafting, a cost to thinking about how we're going to implement this. How much will we source this budget? How much power will we give them?

On the point of power, let us not forget about the power. Take for example our information officer. That particular person doesn't have the power to compel government to proceed if someone is searching out an information request. I'd be visiting her office for the Deh Cho Bridge agreement for 2010 and asking her to make government comply. What would we do if we empowered an ombudsman office to direct government because this particular ombudsperson said, well, I'm not happy with this particular decision? You now do it this way because I'm telling you. What we're going

to do is create an office with another level of bureaucracy. At this time we should be very cautious as to what we're asking for. I always say this. Know what the question is and know what it means before we agree to it.

The issue here is not that I'm against the concept of ombudsman offices. I think there are a lot of questions that need to be sourced out long before we get behind this momentum and say that this is a good idea. I'm not against the principle of the concept that we shouldn't make sure that we have someone that the public can go to if they feel, as I said earlier, that a grievous error has been made. I think that's important.

The fact is, we have to be cautious how much we continue to source our bureaucracy. Often we hear about no toilets in schools, we hear about the needs for addictions, we hear about more money initiatives, we hear about access roads near the Peel, we hear about wanting more help in Hay River with the fishing industry, we hear more about Highway No. 7. We go on and on. We've got community employment issues in Fort Providence that we need to help people. We have so many wants. This is taking money from getting things done.

If it's not clear by now, I'll make sure to spell it out: I'll be voting against this motion until a better proposal comes out that we can really talk about the framework of something that could work. As it's written now, I'm sorry, I cannot support it.

**MR. SPEAKER:** Thank you, Mr. Hawkins. To the motion. The honourable Premier, Mr. McLeod.

**HON. BOB MCLEOD:** Thank you, Mr. Speaker. I'd like to make a few comments with regard to the motion. Specifically, it is my understanding that this should be a matter for the Board of Management of the Legislative Assembly.

An ombudsman must be independent. It must have the independence necessary to allow him or her to investigate complaints against the government impartially. Therefore, the ombudsman must be an officer of the Legislative Assembly and not part of government. This is the case in all Canadian jurisdictions where there is an ombudsman. As the Member stated, all jurisdictions in Canada, except the Northwest Territories, Nunavut and Prince Edward Island, have a general ombudsman office.

With regard to the cost of operating these offices, my understanding is the costs range anywhere from about \$500,000 a year in Yukon to about \$13 million a year in Quebec. As I understand it, the last time that we investigated the costs, it was in the cost estimate of about a million-plus dollars to have an ombudsman office.

As this is a recommendation to the government, Cabinet will be abstaining from this vote.

**MR. SPEAKER:** Thank you, Mr. McLeod. Closing remarks to the motion. Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Speaker. First of all I would like to thank those Members for their words of support for this motion. I would like to talk a bit about a couple of things.

Cost has been mentioned in a number of different contexts. Yukon spends \$600,000 or \$700,000 a year for their ombudsman office. I would suggest that we are hardly anywhere near the size of Quebec, so I can't see us spending \$13 million on an ombudsman office. I expect we would spend approximately the same amount of money as the Yukon. I also expect we would see some savings in our court system and justice system as a result, because there would be fewer people having to go to court. At least those of our residents who have that conviction and will to take it as far as that goes.

There are many options possible for an ombudsman office. The fact that my colleague suggests that it needs to be a more specific proposal at this time, to me, is putting the cart before the horse. I believe that we need to approve the idea and then need to do investigation. The Minister of Justice has said a number of times, as we deliberate the budget, that we need to look into things, we need to get the facts, we need to determine what's possible. That's what this motion recommends. It recommends looking into and developing legislation for an ombudsman office. We could have a full-time ombudsman. We could have a half-time ombudsman. We could combine it with another statutory officer who already exists. There are gaps in the services to our residents which are not currently being addressed by the statutory officers that we have.

I believe that passing this motion shows that we recognize the need for certain services to our residents and I think it would show the will that the creation of an office should get started.

I would like to say that in terms of powers of an ombudsman, one of my colleagues suggested that we shouldn't have somebody who is telling the government what to do. If the matter goes to court and the court decides against the government, the court tells the government what to do. In my mind, it's far more efficient to have an ombudsman directing the government to do that than it is to have the court doing that.

To the suggestion that this legislation belongs with the Board of Management, the Board of Management does not develop legislation. Legislation is developed by the government, generally by the Department of Justice. This is asking for this House to determine that this service is required, and then asking the government to develop legislation, perhaps with consultation of all Members, perhaps with consultation just within the

Executive. It's suggesting an independent body but the legislation has to come from the Executive.

Lastly, there's an issue that Members will not be able to advocate on behalf of their constituents because a situation might be before the ombudsman. That would be a specific situation. Somebody has made a ruling against me, my Member does not have to speak against that ruling. They can speak to the issue but they don't have to speak to the particular situation. That happens all the time. We can bring up an issue and we talk to the issue or we talk to the policy or the process. We don't have to mention specific things. I don't think the advocacy of an MLA is going to be diminished in the least. I think it's going to be a great assistance to MLAs' offices and it will provide better justice for our constituents.

I appreciate the position of those Members who feel that they can't support this motion. It is mostly regrettable to me that they don't feel that the support is needed to provide service for their constituents. I ask for a recorded vote and I encourage all Members to vote in support.

#### RECORDED VOTE

**MR. SPEAKER:** Thank you, Ms. Bisaro. A recorded vote has been asked for. All those in favour, please rise.

**CLERK OF THE HOUSE (Mr. Mercer):** Ms. Bisaro, Mr. Nadli, Mr. Moses, Mr. Bromley, Mr. Yakeleya, Mr. Bouchard, Mr. Dolynny.

**MR. SPEAKER:** All those opposed, please rise.

**CLERK OF THE HOUSE (Mr. Mercer):** Mr. Hawkins, Mr. Menicoche.

**MR. SPEAKER:** All those abstaining, please rise.

**CLERK OF THE HOUSE (Mr. Mercer):** Mr. Blake, Mr. Beaulieu, Mr. Abernethy, Mr. Miltenberger, Mr. McLeod – Yellowknife South, Mr. Lafferty, Mr. Ramsay, Mr. McLeod – Inuvik Twin Lakes.

**MR. SPEAKER:** Results: yes, seven; no, two; abstentions, eight. Motion is carried.

---Carried

The honourable Member for Inuvik Boot Lake, Mr. Moses.

**MR. MOSES:** Thank you, Mr. Speaker. I seek unanimous consent to return to item 5, please.

---Unanimous consent granted

#### Recognition of Visitors in the Gallery (Reversion)

**MR. MOSES:** I'd like to recognize Ms. Brenda McDonald, who is a constituent from Inuvik and also one of our great female Aboriginal leaders in the territory.

**MR. SPEAKER:** Thank you, Mr. Moses. Item 18, first reading of bills. The honourable Member for Thebacha, Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I request unanimous consent to proceed with first reading of Bill 4, Appropriation Act (Operations Expenditures), 2012-2013.

---Unanimous consent granted

### First Reading of Bills

BILL 4:  
APPROPRIATION ACT  
(OPERATIONS EXPENDITURES), 2012-2013

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Yellowknife South, that Bill 4, Appropriation Act (Operations Expenditures), 2012-2013, be read for the first time.

**MR. SPEAKER:** Bill 4, Appropriation Act (Operations Expenditures), 2012-2013, has had first reading.

---Carried

Item 19, second reading of bills. The honourable Member for Thebacha, Mr. Miltenberger.

### Second Reading of Bills

BILL 4:  
APPROPRIATION ACT  
(OPERATIONS EXPENDITURES), 2012-2013

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Yellowknife South, that Bill 4, Appropriation Act (Operations Expenditures), 2012-2013, be read for the second time.

This bill authorizes the Government of the Northwest Territories to make appropriations for operations expenditures for the 2012-2013 fiscal year.

**MR. SPEAKER:** Bill 4 has had second reading.

---Carried

The honourable Member for Mackenzie Delta, Mr. Blake.

BILL 3:  
AN ACT TO AMEND THE  
HUMAN RIGHTS ACT

**MR. BLAKE:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Kam Lake, that Bill 3, An Act to Amend the Human Rights Act, be read for the second time.

Bill 3 amends the Human Rights Act to authorize the Speaker, on the recommendation of the Board of Management, to designate the chairperson and deputy chairperson of the Northwest Territories

Human Rights Commission. The commission members may designate an acting chairperson of the commission in certain circumstances.

**MR. SPEAKER:** Bill 3 has had second reading.

---Carried

The honourable Member for Mackenzie Delta, Mr. Blake.

**MR. BLAKE:** Mr. Speaker, I seek unanimous consent to waive Rule 69(2) and have Bill 3, An Act to Amend the Human Rights Act, moved into Committee of the Whole today.

---Unanimous consent granted

**MR. SPEAKER:** Bill 3 will be moved into Committee of the Whole. Item 20, consideration in Committee of the Whole of bills and other matters: Tabled Document 2-17(3), Commissioner's Opening Address: Creating the Conditions for Success; Tabled Document 17-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 7, 2010-2011; Tabled Document 18-17(3) Supplementary Estimates (Operations Expenditures), No. 4, 2010-2011; Tabled Document 19-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 1, 2012-2013; Bill 1, An Act to Amend the Student Financial Assistance Act; Committee Report 1-17(3), Standing Committee on Government Operations Report on the Review of the 2010-2011 Annual Report of the Information and Privacy Commissioner of the Northwest Territories; Committee Report 2-17(3), Standing Committee on Government Operations Report on the Review of the 2010-2011 Northwest Territories Human Rights Commission Annual Report, with Mr. Dolynny in the chair.

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

**CHAIRMAN (Mr. Dolynny):** I'd like to call Committee of the Whole to order. We have a number of items to consider here in Committee of the Whole. We have Tabled Document 2-17(3), Commissioner's Opening Address: Creating the Condition for Success; Tabled Document 17-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 7, 2010-2011; Tabled Document 18-17(3) Supplementary Estimates (Operations Expenditures), No. 4, 2010-2011; Tabled Document 19-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 1, 2012-2013; Bill 1, Bill 3, Committee Report 1-17(3), Standing Committee on Government Operations Report on the Review of the 2010-2011 Annual Report of the Information and Privacy Commissioner of the Northwest Territories; Committee Report 2-17(3), Standing Committee on Government Operations Report on the Review of the 2010-2011 Northwest Territories

Human Rights Commission Annual Report. What is the wish of the committee? Mr. Menicoche.

**MR. MENICOCHÉ:** Thank you very much, Mr. Chair. The committee wishes to consider Tabled Document 19-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 1, 2012-2013. Thankyou.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Menicoche. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Agreed. We'll commence after just a short break.

---SHORT RECESS

**CHAIRMAN (Mr. Dolynny):** Welcome back, committee. Committee agreed that we will be working on Supplementary Estimates (Infrastructure Expenditures), No. 1, 2012-2013. We will be going to the Minister of Finance, Mr. Miltenberger, for opening comments. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. I am here to present Supplementary Estimates (Infrastructure Expenditures), No. 1, 2012-2013. This document provides for an increase of \$10.014 million for operations expenditures and an increase of \$105.745 million for capital investment expenditures in the 2012-2013 fiscal year. The total supplementary request is \$115.759 million.

Major items in this supplementary estimate include:

1. \$105.7 million to carry over funding for infrastructure projects. This funding was approved and lapsed in the 2011-12 fiscal period. The carry-overs for capital investment expenditures in the supplementary estimates represent about 35 percent of the 2011-12 revised capital budget.
2. \$850,000 for investments under the Energy Priorities Investment Plan to install a wood pellet boiler at the Deh Gah School in Fort Providence and an electric boiler system for the Northern Lights Special Care Facility in Fort Smith.
3. \$10 million for the Department of Transportation for funding for the completion of the Deh Cho Bridge, to resolve claims and to help ensure the benefits of the bridge are realized by November 2012.
4. \$2.5 million for the Department of Transportation to continue the engineering and environmental assessment work for the Inuvik to Tuktoyaktuk Highway Project.

I am prepared to review the details of the supplementary estimates document.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Miltenberger. Minister Miltenberger, do you have witnesses you wish to bring into the House?

**HON. MICHAEL MILTENBERGER:** Yes, Mr. Chair.

**CHAIRMAN (Mr. Dolynny):** Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Dolynny):** Thank you, committee. If we can get the Sergeant-at-Arms to bring in our guests.

Minister Miltenberger, would you care to introduce your guests to the committee members?

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chair. On my left I have Mike Aumond, deputy minister of finance. To my immediate right, Russ Neudorf, deputy minister of Transportation. As well, to my far right, Mr. Sandy Kalgutkar, deputy secretary to the FMB. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Minister Miltenberger. Mr. Kalgutkar, Mr. Neudorf, Mr. Aumond, welcome back to the House. With that, we'll be opening the floor to general comments on the Supplementary Appropriation, No. 1. Mr. Menicoche.

**MR. MENICOCHÉ:** Thank you, Mr. Chair. When it comes to capital expenditures and something of this nature, it's always a great concern to myself and some of the committees that I sit on. It seems pretty significant, \$105 million of carry-over. We often don't like to see this. We like to see our capital investment expended in the year that we have, especially when it comes to constituencies and getting these monies expended.

Most particularly, there is some carry-over money for Highway No. 7. I would certainly have liked to have seen that done last year, but I'm pleased to see that it's just a little bit of extra cash that we can use for Highway No. 7 for this coming year.

Once again, when it comes to expenditures, especially in the highway system, and I spoke with the Minister at length and brought it up in the House, about having the capital projects expended early in the year, July, August, as opposed to September, October. Because there are always lots of carry-overs in highway investment in my riding because those are typically rainy seasons and a lot of work cannot get done.

I see this carry-over and I'm, of course, looking for that same commitment, at least on Highway No. 7, that the expenditures get done early. At the appropriate time I would be looking for the plan for that money for this coming year and when it will be expended.

Of course, it's not all carry-overs. I think there is now an addition of the \$10 million for the Deh Cho

Bridge. Like I said, my constituency is concerned and I don't think that they're surprised that there's another increase in the expenditures of the Deh Cho Bridge. Of course, they're concerned, because any time we expend money like this on the Deh Cho Bridge and/or there's some money in here for the Inuvik-Tuk highway, my concern has always been it's taking resources away from other constituencies and expenditures. I've gone to great lengths to heighten the awareness of this government for Highway No. 7 and still it doesn't appear in any of their documentation mandate letters or priorities of the government, and I remain focused on that. But every time they're asked for more money – and it's easy to put in a supp it seems – I feel kind of a twinge that I kind of have to support it and yet we see little expenditures on Highway No. 7. That's my concern.

I just want to let my constituency know that I continue to raise the issue of Highway No. 7 and fight and fight and fight. One day I'd like to see an investment in Highway No. 7. The Minister and I have just done a trip down Highway No. 7, and I'm quite pleased about it. My constituency and the leadership are very pleased that he did, but at the same time, I'd like to see that type of expedition trip translate into actual resources for Highway No. 7.

I'll just leave those opening comments there for now. Mahsi cho.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Menicoche. Your fight for Highway No. 7 is duly noted. Moving on with general comments, Mr. Bromley.

**MR. BROMLEY:** Thank you, Mr. Chair. I do want to comment briefly on these items. The \$105.7 million carry-over for infrastructure, representing projects that were not done or completed, at 35 percent of our total expenditure for the last year is quite a large carry-over.

During the 16<sup>th</sup> Assembly we did have a special deputy ministers committee on infrastructure that did a lot of thinking and implementing of a new approach to deal with our challenges, which are many in the sort of whimsical northern environment that people have to deal with, problems of access and so on, and that included moving to Class C estimates so that we were more accurate on our estimating costs of infrastructure, and probably the biggest was that we moved our capital budget debate to the fall so that we would have a full period of time within which to plan and arrange for spring transportation of materials. However, I think it's also well known that we went through an amazing almost a billion dollars' worth of infrastructure in the 16<sup>th</sup> Assembly, due partly to the federal contribution of funds for stimulation and the Building Canada Fund. I think we have a pretty good record of delivering infrastructure at an exceptional rate during those years. Nevertheless,

this is a well-recognized challenge. We have put actions in place and now as we drop back to a more modest capital budget this year, I will be looking to see that percentage of carry-over drop significantly. If not, it is back to the drawing board.

I am always supporting investments that are saving us money as these energy initiatives do for the Deh Gah School in Fort Providence, and the electrical weather system in Fort Smith, Northern Lights Special Care Facility. Those are sound investments. Again, \$10 million for the bridge, we have spoken clearly on that. This is unacceptable, but here we are between a rock and a hard place. Hopefully, this does indeed cap this off and get the bridge in place this fall and we won't be hearing further appropriations there.

With respect to the \$2.5 million sort of repeat expenditure for the Inuvik-Tuk highway, what did we learn from our last-minute investment of a similar amount during 2011-12? How does this amount use that information? Again, I look forward for more information on that. We want to be careful with our infrastructure dollars, obviously, given the tremendous demand and the debts that we have in putting infrastructure in place. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Bromley. We are moving on to general questions. Mr. Bouchard.

**MR. BOUCHARD:** Thank you, Mr. Chairman. I will discuss some of these issues as well. It is a big concern to me the amount of \$105 million in carry-overs from previous year. That is a large amount of money to be not putting out into the territory, especially when the economy of the Northwest Territories has been slow.

I understand that the infrastructure projects have been quite large over the last few years. This year has been a smaller one, so I am really looking forward to seeing those dollars hit the ground in the Northwest Territories and go to helping the economy of the Northwest Territories. I hope that we maximize the amount of northern content in those contracts and make sure that the people of the North get to receive that money as far as employment, as far as contracts, and that we retain most of that work in the North so that we can basically use our economic spinners and make sure that money multiplies three or four times over and we can get a money multiplier there.

I definitely am encouraged to see the \$850,000 on biomass and the electric boiler system in Fort Smith. Mr. Bromley indicated that it is an innovative way of the government spending their money. I think we're going to get some efficiency there.

The \$10 million for the Transportation and the Deh Cho Bridge is obviously a difficult one. Some Members have already expressed their concerns

about this expenditure and the ongoing expenditure. It's an issue, as a new MLA, we have inherited from the former Legislative Assembly and the project is not a pretty one. The public is definitely frustrated with this project. The difficulty is, we are in a very difficult position. We could sit here and argue and fight with the contractor, and indications are that we could win some battles and we would lose some battles, but the difficulty is that it would take time, and the more time that we have, the longer increased costs we have.

We have some additional costs of running the ferry, additional costs of running the ice road, additional management fees, so those just about outweigh the total amount of the additional cost of the bridge. So it is one of those things, do we pick a fight just to pick a fight, or do we pick a fight that we think we can win?

I think the department has looked at those options. Right now the only option we have is to hopefully just get this project done. It has already been a fiasco. The public's impression of this project is not going to be improved if we can sit here and say we are able to save \$10 million this year, but we battled and we fought for another year or six months and it ended up costing us another \$9 million or \$10 million. Who knows how many more millions of dollars?

So right now I support the \$10 million. Let's get it done. Let's move on, hopefully from this project, and start collecting tolls, start paying off the debt on this bridge. Hopefully, in 25 or 35 years we will be happy that this bridge was created.

The final issue is the Department of Transportation for the Tuk-Inuvik highway. I support the concept of the Tuk to Inuvik highway. I would like to see, after this assessment is completed, the terms of reference for the development of the project from this point forward. How much is it going to cost us? Do we have an agreement with the federal government? Right now I do believe it's 75/25 for the federal government to be putting 75 percent in, us 25 percent. Are they committed if the project goes over budget?

Obviously, talking about the Deh Cho Bridge, we can assume that sometimes projects will go over budget. It would be difficult if this project is going to go over the estimated amount and we end up having to do a 50/50 deal. I don't think we can afford that. Again, I think before we get too far into the process and committing too many dollars, we need to assess where the project is at. I definitely right now support the concept. I think it's going to provide economy into the region that is suffering. It also expands the development of the North to build northern roads. It's a link to oil and gas. It is also a link to tying our North together from north to south.

Eventually we are going to be asked to consider the Mackenzie Valley Highway as well. This is one link,

and this is one link that the federal government has, for some reason, a strong interest in right now. I think we should be supporting it for now, but we definitely need to work out some of the details and some of the logistics of the costs to the total project, lay them down now so that we know exactly what we are getting into. Those are all my comments for now, Mr. Chair.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Bouchard. With general comments we have Mr. Moses.

**MR. MOSES:** Thank you, Mr. Chairman. I guess with item one there, \$105.7 million carry-over, a lot of my concerns are the same as my colleagues' concern, whether we have enough resources in this territory to ensure that the money is being allocated for these infrastructure projects, that we do have enough adequate resources to see it through. I would like to possibly see a strategic plan developed that will allow this government to be more efficient in getting these dollars spent, and obviously it will create work in our communities and create jobs. With that money being spent in communities, it will add to increasing our economy and especially in the regions here.

Item two, I am glad to see that there is an investment into these two projects here. I suggest that this government keep tabs on these projects just to see what the return on investment is with this initial investment. You don't see in two to five years down the road how this investment today actually helped the government in terms of better spending and not spending so much money on other fuel.

I think we have all heard enough about the Deh Cho Bridge over the last couple of days. I myself want to see the bridge get done. I made some comments yesterday that it does take away, in my opinion, from other capital projects in the Northwest Territories. The sooner we get it done, we can kind of worry about the operations and maintenance of this bridge, but I'm hoping that this is the last time we see a supplementary appropriation come back for money for the completion of this bridge and we do get it done in the timeline that's been mentioned here.

The \$2.5 million for the Inuvik-Tuk highway, it's good to see that in there again. I hope we see some very positive results from the geotechnical studies and the work that's going into this project. Obviously, it is the beginning of developing the Mackenzie Valley Highway and I think it's a good approach that we start from Inuvik to Tuk. The only reason being, as we continue this bigger project of the Mackenzie Valley Highway, if we have that structure in first, that component in first, it will lower the costs for the residents of Tuktoyaktuk and allow more services to get up to Tuktoyaktuk and also increase some of the work and economy in a region that's desperately needing some work.

There's not too much more I can say on these opening remarks from the Minister that hasn't already been said by my other colleagues. We are making progress. Some projects we need to see get done. That's it, Mr. Chair. Thank you.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Moses. General comments. I have Mr. Hawkins.

**MR. HAWKINS:** Thank you, Mr. Chairman. I am now prepared to start my hour-long filibuster on this particular project. I am well prepared to do what's necessary.

The issue here before us in this supplementary appropriation is there's still no details as to why we need to realize the extra \$10 million. I've been after that particular answer. There still seems to be no answer other than vague ones, like trust me, our legal people say this. But what are our legal people saying? What are the complications or factors? We need to see what the issues are.

Now, there are those who suggest that this is a delay of the bridge. I disagree. We aren't seeing a tools down situation. If we were, that would be our explanation right now. If they refused to do any work, they'd put their tools down and they'd put it in writing that they're not satisfied with the fact that we'd like this contract fulfilled. It's not a question of support for the project. By all means, if that's what people are hearing, they've not heard anything I've said the last few days on this issue. They've already made their mind up what they think they've heard.

In fact, it's not a question about support for the project. I haven't wavered in my support for the project. If anything, the only time I've really been annoyed about the project is listening to the constant criticism over the last term on this one. I really think that the community had a good initiative. I think the constant criticism on this initiative was part of the downfall and the problems of it. Rather than supporting it, getting behind it, trying to find ways of making it work, others wanted to criticize it.

I was always in favour of this agreement through the Deh Cho Bridge Corporation. I thought it was a good mechanism to get the community involved. It was their project and I still think there will be a lasting legacy where people feel that this project has been taken away from them. If anything, it's going to be a constant reminder of that. It will be a long time before people forget this and by the time those people forget, they will just remember the icon it represents, without knowing the whole story.

Mr. Chairman, the issue I have before me is quite simple. I'd like to know the details of why we're not fulfilling the contract. It just seems to behoove me as well as many others. I just received more e-mails this morning asking why do we need the \$10 million other than "because." Because worked on me as a kid when my mother said it to me or my father said

it to me, but people are expecting a little more when we have an adult conversation with adults. Don't just say because. The taxpayer needs to understand what because means. Saying our legal people are saying we may be on shaky grounds on some things and other things, what are we really talking about? I think that's the open discussion we need to have.

Again, whether it's the Minister, the department, managers, associate engineering watching the project, I don't care if their hearts are broken that this is fair criticism. What is the problem?

The other day Transportation gave a briefing to committee – of course, we can't speak to the specific details of the briefing – and the fact is there are Members who have left that briefing with still those same questions. What is the detail? What is the problem?

I don't know what the reluctance is of sitting down, breaking it out and saying this is our primary issue. Here it is on this particular problem and this problem is explained in a certain way. Then they go onto the next one. They may be surprised that they actually get community support. They might even get my support on this particular initiative.

I've stood behind the project and I still stand behind the project as a project, a legacy infrastructure for the territorial citizens. Not just the government, but the citizens. If we are building our territory, we have to build it with infrastructure. We have to create projects that provide benefits to communities, provide employment, provide a sense of pride. The reluctance to continue to keep saying why they won't explain why they can't fulfill the project seems frustrating. I'm not the only one. I'm already getting e-mails on this. All they are asking for is for an explanation of why we can't fulfill the contract signed by Ruskin.

Now, the Minister's statement the other day refers to an AIP drafting. There's no clear answer. If he was on this side of the House, I guarantee he'd be asking the same darn questions. You shouldn't be scoffing at me or trying to heckle me back on this particular issue, because he would be asking the same damn questions. If he's trying to pretend he's not, he's fooling not only himself but everybody else.

**CHAIRMAN (Mr. Dolynny):** Be careful with your use of language, Mr. Hawkins. Thank you.

**MR. HAWKINS:** Fair point, Mr. Speaker. I don't mean it to be personal, but I can tell you it wouldn't be surprising that he would be asking these questions. No one would be surprised. It's not meant to offend. The fact is, these are just fair questions. All I'm asking for is why isn't this contract being fulfilled. Explain it to us so we can explain it to the citizens.



You look at the supplementary appropriation, it's basically a one-liner, more money for the Deh Cho Bridge so we can open it up November 2012.

There are ten million reasons to ask a few questions and have a little delay on this particular question and spend the time and say what are the reasons. Why should we be afraid of the reasons? At least today the Minister relented at the very end and said maybe some of these issues should be made public. I'm sure they will be sanitized to be very benign. I think the public deserves some explanation. He may be surprised. The public may be fully in agreement of the extra \$10 million. I've had constituents come to me and say, just finish the bridge, it doesn't matter what it costs, just get a good product at the end of the day. I certainly support that principle. Let's get it done; let's pay whatever it's worth if it needs to be done.

The fact is, it's still clouded with these questions about why we can't fulfill the contract. My question about trying to get our engineers trying to get the contract done, why can't we get that fulfilled? What's the fear of getting that answer? It seems to be nothing but stonewall, change the subject, let's talk about going forward. We all want to go forward. Myself included, okay? We should emphasize that. I want to go forward, too, because I'm looking forward to the final chapter of the Deh Cho Bridge.

This has nothing to do with personality. This is just a question of what is the money for, and that seems to keep getting lost on this whole situation.

Mr. Chairman, it's not frustration just held by me. There are other Members on this particular side of the House that just want this project gone and don't want to deal with it anymore, and I respect that. But there are underlying questions from Members on what are we buying into for \$10 million. We know what \$10 million could buy us, which is a theoretic opening this fall 2012. We know what the money is intended for. We've heard the Minister say this makes us go forward, this will help get the project completed. Who's lost on that message? No one. No one has not heard him say that. Who's in disagreement with that? Nobody, including myself, is in disagreement with that initiative. We just want some explanation and some answer as to why the contract isn't being fulfilled.

Today we hear context of maybe change orders. I know the last Minister was stalwart against any change orders in direction because he knew it would cost money. What type of discussion with the committee members, the Assembly Members through Caucus, to find out what these changes mean? Any time a change order is issued, I know it means money. It means money to somebody, whether it's us or them. Chances are the way government works, it always means government's money.

The fact is, these are the types of questions we can reasonably ask. If you went to the bank today and said I want \$10 million, they're going to ask you why. We've got the Minister of Finance saying we need \$10 million. It's just a matter of saying, well, explain to us why you need it. We know what the outcome is going to be: the bridge. Sure, that's simple, but it's the foundation of the problem which is we need to explain and fully understand and have it out there and not be embarrassed about it. If we had asked for something that was needed, who is going to say that's wrong? If we needed something because cables needed to be changed because of safety, or lighting needed to be proposed for clarification, or ramping needed to be adjusted because the original design didn't work, that's the types of questions that seem to continually be refused. That's, at the end of the day, what the questions are.

What is our \$10 million getting us, other than an accelerated schedule just so the government feels and looks good. We've already missed two targets on completion dates. Of course, no one wants to miss a third one. It's not to anyone's benefit. Who wants to run the ferry for yet another term? Other than the ferry workers, of course. Other than those guys, who I do feel sorry for, but progress has come along and now a bridge that is being constructed is almost completed.

Just to wrap it up, the department, whether it's Finance or Transportation or the Minister or the deputy minister, they have to start answering those questions, which is what is the problem exactly, and that will explain why we need the \$10 million. The silence is deafening.

**CHAIRMAN (Mr. Dolynny):** Thank you, Mr. Hawkins. Moving to general comments. Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Chairman. I just have a couple of comments here. You know, you look at the amount of money in this supplementary appropriation and it's very large, \$105 million, almost \$106 million, and it seems huge. I have to echo the comments of one of my colleagues earlier, who stated that we have in the last couple of previous years had a huge amount of infrastructure projects throughout the two fiscal years and we have been taking advantage of the federal dollars that have been available, and I fully support that. I did support it and I continue to support it. Over the years our carry-over for infrastructure has averaged around 35 percent and that goes back some 10 or 11 years, I believe. It's interesting to me to note that in a year when we did probably two or three times as many infrastructure projects as we normally do, we still are carrying over 35 percent of our infrastructure projects from last year to this year. In a year when we had such a huge number of projects, and large projects, that's pretty good, in my mind.

I caution looking at this total appropriation without considering that we have had an extremely ambitious schedule for two years running, and we're kind of getting back to a normal level of activity, I guess, for lack of a better way of putting it. I think that the carry-overs that are in this budget are reasonable. I would encourage the department from now on, however, to try to bring our carry-over amounts down to the lowest percentage possible. They have been going down over the last few years, but continue the downward trend is my advice to you, and try to get to the point where we are able to accomplish a lot more than just 65 percent of our projects in any one year.

I wanted to comment on the new items that are in this appropriation. There are two projects which are doing positive things for our energy use and energy costs. Those are a good way to go. Both of these will be decreasing costs. One is an electrical issue, the other is biomass. I support both of these projects. It's not a huge amount of money, yet almost \$1 million, but it's well worth it, in my mind, and I do support those.

I do have some problems with the other two million dollar items that are here. I spoke yesterday about the bridge and I won't ask a lot of questions because I don't think there are any answers really that we haven't heard already. I am concerned that this project continues to cost us money. I really fervently hope that we are not going to get another supplementary appropriation asking for more money for the bridge. I believe in the project but I also believe that the project was not started properly in the first place, and we've been trying to play catch-up on the project from its inception. The previous Assembly inherited the project. This Assembly has now inherited the project. Every one of us has been in the situation where we are now, where it's like again you're coming for money and we have very little opportunity to influence it except to move to delete the expenditure. I'm not willing to do that.

I have to say that I'm thoroughly looking forward to the full investigation from start to finish of the whole project. The Transportation Minister said yesterday that that's still on the books. I'm very glad to hear that. I think there are a lot of lessons to be learned here. I think some of them have already been learned, and the development of our P3 policy, I believe is a really good step forward and it should save us from some of the huge mistakes we made on the bridge project, if we go into P3 projects in the future.

I do have concerns with the Inuvik-Tuk highway project. I expressed some of those in February when we approved the first \$2.5 million. I have this sinking feeling in the pit of my stomach and this little niggling thought in the back of my head which says here we go, we're going into another bridge

project here. I again fervently hope that is not the case, but there is so little information for us as Members to deal with here. We are almost being told, just trust us, we know what we're doing. Just give us another \$2.5 million and it will be fine. I appreciate we have to do advance work. I feel better about this appropriation than I did about the previous one, because we had so little notice on the previous one. At least we knew that this one was coming. The rationale is still the same. I recognize that we have to do advance work, we have to do investigative work to determine the scope of the project. I sure hope we get full detail, full disclosure of the project when it comes back for more money, and for significantly more money, if it's going to go ahead. I don't feel at this point in time we really know what we're getting ourselves into, and as I think Mr. Bouchard stated, I am really concerned about the commitment on the part of the federal government. I am willing to support the project but I am not willing to support it for 50 cent dollars, because it's my belief that the federal government should be putting money into new highways, not provincial and territorial governments.

That said, I will somewhat grudgingly approve this appropriation, but I did feel that I needed to express my concerns.

**CHAIRMAN (Mr. Dolynny):** Thank you, Ms. Bisaro. General comments. Mr. Nadli.

**MR. NADLI:** Thank you, Mr. Chairman. At this point, I just wanted to reiterate a couple of points. First and foremost, as we kind of forge ahead in terms of trying to get the government operational, I think this exercise is very interesting, at least for myself. This is my first budget that I've been witness to in terms of how the government operates. Despite the move forward, there are still some aspirations of communities that I represent, some real capital infrastructure needs. Communities are wanting to become more independent in terms of trying to be self-sustaining communities. Recently I talked about communities initiating gardens so they can grow their own food and trying to get a level of independence.

In that light, some communities have expressed the desire to see if there could be some investments made and established in their own water treatment plants. Along those lines, too, there are still, I believe, some technical challenges in terms of trying to do some complete repairs for that. The water intake lines that are remedied so that they consider and uphold the safety and confidence of the public that their water is still useable and safe to consume. There needs to be some efforts to work with local governments to ensure that those projects carry forth. Perhaps they're not in the immediate future, but at least efforts are made to work with local governments so that they can start identifying some priorities in their capital plan.

Apart from that, I don't really have a major concern in terms of how this budget is going to go forth. It's just, again, reiterating that if it's infrastructure down the road, I've raised it before as a sidebar from the whole thrust to get the bridge complete, I would like to think that the public safety will become an issue in terms of the increased volume of traffic in the Fort Providence area passing through. Similar to how other communities that are situated on a highway, but more so for Fort Providence, because I think we're kind of in an area where there's a blank space in terms of when you drive through, you don't have cellular service. That's one thing that I've mentioned before, whether this government could help out, or at the very least and at the very minimum, to discuss with community leaders in terms of how it is that it could happen.

We just recently saw industry open up and provided more industry prospects of establishing a telecommunications network here in the Northwest Territories. Surely there must be a company out there that could work with the community, whether it's going to be a joint venture locally or just the private industry that comes into the community to help out and step up to the plate and at least provide some assistance. At least a framework of possibilities, or even scope out the possibility of establishing a cellular service in Fort Providence. I think if that happens, then of course it's a plus for business and for tourism. People will enjoy their time in Fort Providence and the surrounding area, whether it's for sport fishing or sport hunting. If that at the very minimum could be done within this period I'd really welcome that initiative to ensure that we work closely with the communities. That's all my comments.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Nadli. Mr. Yakeleya.

**MR. YAKELEYA:** Thank you, Madam Chair. The \$105.7 million carry-over for infrastructure projects that had been approved and lapsed in the 2011-2012 period, certainly we see the benefits in our communities. Certainly, the Minister has my support for these projects. They're worthwhile. They're beneficial to my people in the region. We look forward to the completion of them. I'm not too sure how much I want to go into the detail of the planning and how we get these projects to completion, but it does show the federal government influence in our budget when they gave the money to us to get some of these project on the way.

The investment in the energy priorities and investment plan, I certainly hope that – again I will reiterate my mantra – the Minister needs to look beyond the southern portion of the region and look further north of Simpson, or look to see where these type of energy initiatives can be put into our government facilities, and make it so schools like

Fort Good Hope, which was recently built, would have been ideal to put a wood pellet in there. However, because of transportation or other issues, it didn't make it happen. We're looking at Norman Wells at some of the facilities that could be used as wood pellet boiler systems in our communities needs to be looked at. There are also other alternative energy plans, like the hydro coming to our region. I'm looking forward to it. I think over the years I've dealt with this issue and I continue to encourage this government to put in some real dollars, other than in studies and studies and studies, put them into action in the Sahtu.

The Minister of Transportation's completion of the bridge. I know one time, it was to build it I think cost about \$6 million at one time in the '50s, and that was too much money for us. Today now we're talking over \$200 million. It's going to be that. I know that. We are sort of caught between a rock and a hard place on this one here. I know the department is working with the contractors to get it fixed on time and on budget. That was their mantra. Things like that sometimes don't quite go the way we want because of unforeseen circumstances. But we're almost done. We just need to pull it over and get it done.

There are certain questions. From the day of its conception, we had questions, to the way that it actually got off the ground. We had questions. The Minister across the aisle here was one of the biggest advocates on these questions to the bridge. Now the Minister is advocating and wants to get the bridge done. There are other bigger projects that we need to tackle in the Northwest Territories. Bigger ones than this, like the Mackenzie Valley Highway. When you put things in perspective on this bridge and other projects, this is a good hard learning lesson for us. When you compare this to the Mackenzie Valley Highway, this bridge is peanuts, when you want to put in a billion dollar project like the Mackenzie Valley Highway. Members are asking very good questions of us so we can go forward on some of these projects.

I think that it was foretold that this bridge would be over a \$200 million project. Sure enough it is. That prophecy has come true. But we also want to get this bridge done and get it built. We have some questions on that and I hope we ask more about them. That doesn't stop us. I support the work that needs to get done on the Inuvik-Tuk road, and also get that project done. We can use some of the lessons we have learned from the Deh Cho Bridge for the Inuvik-Tuk road, and we need to have some more discussions.

Those are my comments to the supplementary estimates for 2012-13. Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Yakeleya. Next on my list, Mr. Dolynny.

**MR. DOLYNNY:** Thank you, Madam Chair, and we welcome Minister Miltenberger and his finance team here today and, as well, Transportation. Supplementary appropriations are always a unique animal. As a new Member, it's a learning curve being a student to the process. I will make my comments brief on at least two of the four items in the supplementary appropriations today, one being the carry-over of \$105 million.

As you heard from our previous colleagues, a carry-over of projects is always a grave concern, why we can't complete them, but we fully understand that there was some territorial-based funding, a large amount of funding that we had to commit in order to get this funding. As a Member who understands business, it's just good business sense. We understand there will be some carry-over. We're hoping that this exercise proves that, as in future as we're doing budgets, these supplementary carry-overs for infrastructure become smaller in nature and more finite. I have zero problem with that number other than hopefully we can work on making improvements on making that supp a lot less in the future.

Investments in the Energy Priorities Investment Plan for \$850,000 for the Fort Providence school and the Northern Lights Special Care Facility in Fort Smith. Again, those are warranted and the explanation that the Members received is duly noted and I will be supporting those.

The next two items on the supplementary, obviously, are causing most of the discussion here today. One in which the first of, the Deh Cho Bridge, the \$10 million, it has been debated, or not so much debated but introduced in the House here for discussion. Typically, debate means that you are getting information back and forth that's credible and reliable. But what we're receiving in nature on the Regular Member side is far from items that could be debated. We've been asking the department, we've been asking the Minister for more information, valid information, so that as Regular Members we can make an informed decision for the people of the Northwest Territories.

The Minister, in his previous day, was a business owner, a business entrepreneur, like myself. We were business colleagues before we were legislative colleagues, and these would be the same questions I'd be asking him then, as I do ask him now and has been asked by other Members on this side of the House. Passive acceptance is an unacceptable behaviour by Regular Members, which we're maybe seeing here today, saying let's just get it done. I don't agree with that. This is not doing any favours for the Northwest Territories, because this is just condoning activity that needs to be questioned and debated. This is what we're paid for. This is what our job is for the people of the Northwest Territories and this has to happen.

Right from the get-go, the Auditor General report for this bridge was very clear. It has gaping holes. This risk matrix still has gaping holes. As I said, or my colleagues said, we can't discuss items that were discussed in camera sessions with the department, but again, very little changes have been done to the risk matrix under the recommendations under the watchful eye of the Auditor General, and that concerns me as we talk about large-scale projects moving forward.

The Department of Transportation has a track record that clearly indicates, and again, there's no personal agenda here as an MLA. It's an observation, and I have parliamentary privilege to do that, but they do have a hard time with carry-overs, with large-scale projects. It's evident. It's documented and it's a fact. They have management issues with large-scale projects, as it's clear with dealing with large projects such as the Deh Cho Bridge. Anyone paying attention to the latest of, I'll call it nothing less than a fiasco, for creating an agreement-in-principle with an already agreed upon price but then making another contract. I guess, Madam Chair, is where does this end? If we don't hit the target, are we going to be doing another contract and another agreement-in-principle?

Businesses have to be held accountable. Contractors have to be held accountable. It's the fact of doing business. You cannot just keep renegotiating for the sake of saving face. Basically, this is what I'm trying to get at. This is an issue of saving face. The government here has a plan. They want to look good. Why wouldn't they? I would want to look good too. I want this bridge done too. I want to use this bridge. But saving face at the cost of the taxpayers is not a valid argument. Making assumptions that that \$10 million is, oh, let's just get it done and trust us, is not acceptable. Not providing details to the House, legal opinions, expert advice to the Regular Members on this side, is not acceptable. Having a broad brush approach to trying to make Members believe this is the right thing to do, is equally not acceptable. This makes it very difficult for Members on this side of the House to flippantly agree to a \$10 million appropriation when, really, we've had very little information. We've had more information for items that are under \$10,000 than I've seen for \$10 million, and that is of grave concern to me as a person sitting on this side of the House. For \$10 million we should get 10 million reasons why. We're getting \$10 reasons why we should be accepting this. From a Regular Member's perspective, it makes little sense.

I'm not sure how I will be voting on this supp when it comes to this area, whether we have options of removing it, deferring it. I have no idea, Madam Chair, until we get to that line item.

That said, the fourth item on the list is the continuation of the Inuvik-Tuk highway for further engineering and environmental assessment work. This record has been played months ago, in which this side of the House agreed to a \$2.5 million appropriation at that time. Again, we told the government of the day, bring back information, keep us informed, and yet, once again, we see money asked, the same amount of money, without having a formal review exactly what that money was used for, what were the findings of the preliminary environmental assessment. Those were not made public. Does this project seem viable? Do we have enough gravel to make this project? Do we need to seek gravel elsewhere? Will this be incurred at a higher cost? The department knows this information but is not sharing that, and yet, we're here again to ask for another \$2.5 million.

At a point in time this story is going to be no different than the story of the Deh Cho Bridge. Anyone who reads this story will clearly see, and the Auditor General has clearly indicated, that that project just went merrily along until that tipping point occurred, and Members at that day had to make a very important decision because the tipping point of that investment occurred. I have asked, and many other Members of this Assembly have asked, what is that tipping point? When is that point where we get beyond that point of no return where people are going to be looking at each other blindly, going, we have to continue because we spent X number of dollars and we just can't let this fail. It appears when people speak about large-scale projects, and sometimes these northern areas, people are sometimes stereotyped for speaking out. I think that is wrong. It is not about where the project is. It is about the project. It is about what it cost the taxpayers, because at the end, every man, woman and child will have to pay for it. That concerns me, because it should be about the project and the process.

As I said in previous statements regarding the Inuvik-Tuk highway, I do want to see this. I have gone publicly saying that I want to see this, but I also said that we need to proceed with caution. The department and the management team needs to clearly identify what that risk matrix is as we move forward. To date, we have not received it. When asked for it, we were told we have to get more information. It is literally a shell game in terms of getting the proper information to make the right, informed decisions. We just don't have those tools. Once again we are going to be faced with the daunting task of looking at another \$2.5 million, with very limited information. Regular Members cannot do our job properly without being told all the facts. Thank you, Madam Chair.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Dolynny. Next on the list is Mr. Hawkins.

**MR. HAWKINS:** Thank you, Madam Chair. I would like to use the opportunity now to speak to a couple of the other items on the list. I will start with the infrastructure projects that are seen as carry-overs. Frankly, I have been saying it for a number of years, that I am still convinced that the Department of Finance, through FMB, is allowing the capital budget to grow in the Northwest Territories in a manner that we can't sustain. What I mean by that is we are taking on more projects than we can get done. I don't consider an average 35 percent a good average of capital carry-overs. You will hear that some years we were less and you will hear that some years we were more. Really, what we are doing is prescribing projects that we know we can't do, I could say today. I am sure the Finance Minister could say today that the 2012-13 carry-overs will be about 35 percent, with great confidence, I am sure. Why? Because we have a history of this. We are approving more money. We are allocating more money against our debt limit to be able to respond to capital investments in a manner that we just know we can't satisfy. We know that the workforce out there can't sustain them and certainly respond to our needs. At the same time, when we approve a capital project and we know we can't fulfill it, we also know that we run the potential risk of overruns and other problems associated with that. If we were preparing for those, then I question the estimates that we have provided for those capital projects.

The issue here is we knowingly are supporting in our next capital budget on a potential basis, obviously, that we will be prescribing ourselves one-third of our budget that we cannot fulfill. That begs the question: Why are we committing that money?

We have many good projects that need to be fulfilled. Many community governments, communities and government departments have many requirements that we all like to meet and certainly help them out. If we know we can't fulfill them, I'm not even sure why we put them to the capital budget that particular year.

The Department of Finance, through FMB, has to take a stronger approach on approving projects that we know we can't fulfill. Some projects on these particular lists haven't even started. Some have only been merely started. Some, in my view, when it is 90 percent done, and they have to come back for a little extra money, sorry, time to spend the money, that, to me, is what capital carry-over is really meant to be, some work needed to be finished or refinished, a contract needs to be fulfilled properly. Those types of delays are reasonable. Usually they come with reasonable suggestions, but when you will see projects on the list that haven't been started or they have been barely started... I think there was one that was only a few hundred dollars spent. I can't imagine what

the heck that was. Someone bought a binder for the potential project that they maybe started. It's ridiculous when I think about how much is really being spent. We are doing two-thirds of the work. We are saying two-thirds of our work is good. That is our objective, but first we pass a large capital budget.

Transportation, of course, we know is the lion's share of this, but there are other capital projects that could get better focus. It's all about allocating capital dollars properly. The issue is that it's not about taking away projects that are important or necessary, whether the view of the community, the Aboriginal government that we partner with or the needs of infrastructure within the government system. It's not a question of suggesting that these needs are necessarily important or relevant. It's just about prudent spending.

It is my view that we, or I should say, as we know, our capital budget is driven by our surplus. There is supposed to be a cap on it, of course. That money is then matched by borrowed money. What we are doing is we are allocating commitments publicly that chew down our borrowing limit, even though we may not technically spend the money but we have actually made technical commitments on paper.

We have often heard the phrase "not real money." Well, we may not spend real money, but we committed real money. That is a burden on our books. It certainly is a burden on the citizens that have great hopes that these projects are coming in a timely way.

Many people fought for many of the capital projects that are within our capital budget. They have struggled with the fact that they are not easy things to get in. I don't have to look to Mr. Yakeleya too often to not hear the story about how Colville Lake deserves a washroom. How many times do I hear that? I know it's a complicated problem. It's not a complicated solution, but it is a complicated problem. Quite frankly, let's get them a toilet. But I understand the problem comes with having a vacuum truck and disposal needs. Yes, there are issues. It's not as simple as just plugging in the water and everybody will be fine. We have real partners in our communities that can work together and make these solutions. We have projects that I think should get fulfilled while others sit and wait to be expended.

I think the whole philosophy of capital carry-overs needs to be revisited. Of course, they will always tell us we're always looking at them. Do we have the staff to do these things? That is another question.

Certainly, we can only expect so much. There are only so many hours in the day and our expectation of our staff working beyond their capacity is probably very unreasonable. Are we preparing

ourselves by providing more projects than our staff are able to fulfill? It's not a question of competency, it's a question of reality. We only have so many project officers. We only have so many contract experts. We only have so many people who can produce and review these particular things once they are out. We have to do implementation, follow-up. There are so many gambits to...once just even agreeing to a capital project is a big deal. It is followed with a mountain of process and paperwork afterwards.

The question is: Is it partnered up fully? This is not just simply saying we are approving one-third too much in capital projects. It's also about looking at ourselves and saying, are we prepared to do these things. We're not. Whether it is community planning, preparation through staff or whether it's just good philosophy on work. I don't know. There are a lot of problems associated with this. Quite frankly, it needs to be visited with a sharp pencil and asterisk and some serious, sober thought by asking ourselves are we doing more than we can really achieve. I think we set ourselves up for failure. Of course, as we promise the community that, oh, you will get this water truck in 2011 and they don't get it because we didn't plan for the barge that year or the contract went out so it sits another year and people get very upset. People are counting on these things. If you are wanting a grader in a small community such as Ulukhaktok, you have to be planning for these types of things. You have to be thinking about these types of things. Do we have the staff with the ability and time to do these things? Maybe not in all cases. In some cases we are so busy with other consuming projects. You may hear from the Minister, well, we will refocus energy when we take some of these big projects off the table. You know what? It seems as if we...

One of my constituents has a funny little saying. He always says he just finishes a renovation project just in time to start another one. I think the point of this one is we will just finish one project and just wonderfully dovetail into another one. The work continues, the need continues, absolutely. I'm not in a particular spot to say these projects are unworthy. I think they're all worthy in their own situation. If it was up to me, though, I think, and I know, there isn't committee support, I really wish there was, to delete a few of these things and say, look, if it was that important, why didn't you kick it off and get it started? We hear about how important projects are and then the government will tell us how important projects are, and they'll come with their little business model and say the community really wants this, whether it's the local education board or the local community government or the department staff couldn't live without this. Then the next year you find out they hadn't even started it. Where does that put us? It puts us with the question of did they

really need it? This capital budget coming this fall will happen and we'll hear the same story: This project is so important. It's so important in the community, it's so important to the government, it's so important to the organization. If we don't fulfill this obligation, the sky will fall. Yet, I have no doubt, and I would like to be proven wrong, that next year we'll be looking at a carry-over of another approximately one-third of our capital projects.

The capital projects process needs to be revisited. Yes, it will hurt some feelings and I understand that, but if we set it as a structure that we could truly, objectively meet, I think people will be respecting that. Industry will be prepared. If we're trying to build too much and we know that the contractors don't exist, then why are we getting behind projects that we know we can't meet? We're building false expectations. At the same time, we don't want to create a false industry with, well, we have all these projects this year, but then they gear up and won't be there the following year. People need to plan accordingly, and a spread out capital budget spreads out the spending. That type of philosophy is a good base for people to work with. They can see projects come on the horizon, they can plan accordingly. Don't vamp up. We're almost creating a boom and bust cycle by our own plans that we know we can't fulfill.

That's why it's so important to ask ourselves are we saying we're going to do more than we can. Two-thirds of our capital budget has gone through. Quite frankly, that says we can only continue to do two-thirds of the job. I would have hoped, as I said earlier in my example, it's just a simplified example, I understand there's complicated cases around it, but the last thought I'll leave you is the fact that, as I said, 90 percent of a project is an example of reasonable expectations that we had to carry over a little extra money. That's the type of philosophy we should be targeting with. When you come to the table with stuff that's zero or 1 or 2 percent of the project hasn't been spent, that tells me that the system is being abused and the process is not being fairly fulfilled.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Hawkins. Next on my list is Mr. Blake.

**MR. BLAKE:** Thank you, Madam Chair. One thing I'm looking forward to here is to finally complete the Deh Cho Bridge. I think we could achieve that this year if we stay on target. Also be in a position to start tackling our priorities we set here for the 17<sup>th</sup> Assembly. I am really looking forward to that. Also some other energy initiatives that we're planning here for the next year.

I just wanted to express that and I look forward to continuing this.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Blake. Committee, are we agreed we are concluded opening comments? Mr. Lafferty.

COMMITTEE MOTION TO  
EXTEND SITTING HOURS,  
CARRIED

**HON. JACKSON LAFFERTY:** Madam Chair, notwithstanding Rule 6(1), I move that Committee of the Whole continues sitting beyond the hour of daily adjournment for the purpose of continuing and concluding consideration of Tabled Document 19-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 1, 2012-2013.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee, for your patience. We have determined that this motion is in order. The motion is on the floor. The motion is not debateable.

---Carried

**CHAIRPERSON (Ms. Bisaro):** We are on general comments. Is committee agreed that we are concluded general comments? Mr. Hawkins.

**MR. HAWKINS:** Thank you, Madam Chair. While clearly I won't spend a lot of time, I just want to make reference to that last motion. I think that this is a simple example of government rushing it through. Knowing that I cannot talk for three days or whatnot is seriously unreasonable. I think that this is no different than an act by what's happening in our own Parliament, whether shutting down debate or closing off reasonable discussion, and I think what's moved today has shown that this supplementary appropriation will get through no matter what.

Quite frankly, as I said earlier and I continue to clearly say this, the only issue, as I pointed out with the Deh Cho Bridge, is the fact that there are questions asking why we really can't fulfill the contract and it seems to be defer or delay or deny that opportunity. That motion just making sure that we can extend past the two o'clock deadline is just proof in itself that this government wants to make sure that the supplementary appropriation gets through and not be questioned at length, because the fact is we are not going to get these answers and they're just hoping to wear it down.

It's a real shame. The principles of consensus government work when they want it, and I feel quite offended that it's not working when people like myself just want answers and an explanation. The public is demanding it and, quite frankly it's a shame.

All it is about is asking why we can't fulfill this contract. Explain why this process isn't working. Explain why we have issues. I just wanted to put that on the record my serious concern about rushing this through. Although the motion was to extend hours until we finish, it's still the principle of we can't use fair process, and I feel as though I'm being denied this, as well as a lot of people are being denied this. I think that needs to be noted on the record. I thought a lot of people in this

Assembly, all 19 in some manner or form, would have stood up and said to their people that we'd make sure we get answers. As Mr. Dolynny said, a \$10 million project should deserve answers worthy of that price. It feels like we're getting a \$10 answer on a \$10 million project.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Hawkins. Committee, are we agreed we are concluded general comments?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you. I will go to Mr. Miltenberger for response.

**HON. MICHAEL MILTENBERGER:** Thank you, Madam Chair. I would like to thank all the Members for their comments. If I could just reaffirm the track that we are on, in terms of capital. In 2008-2009 we had a \$211 million budget. In 2009-2010 it was \$328 million. In 2010-2011 it was \$455 million. In 2012-2013 it's \$260 million. This coming year it's going to be \$75 million. There's a substantial drop. We know we have a \$3 billion infrastructure deficit that's looming and we have to keep working on it. There are a lot of critical infrastructure pieces and development projects that have to be done. For example, last year Transportation's budget was \$140 million. This year it's \$29 million, in spite of the amount of work that's out there to be done. The issue is we don't have enough money to do all the work that is necessary to get done.

We recognize in this particular year that there have been some struggles. There have been some pressures that are unique, and we're just about through those. We anticipate fully that next year, for two reasons, the carry-overs should be significantly diminished. One, the bridge will be done, and the other one we'll only have \$75 million worth of projects, which is almost miniscule compared to the last four years.

Just to reassure all the Members here, the Member for Yellowknife Centre indicated that we are working on the same tracks as the debate that's unfolding in Ottawa where they are in fact invoking closure and want to limit debate. We, in fact, had a motion to extend the debate so that we could have a fulsome discussion. The opposite direction and opposite complaint that you'd think would be there in Ottawa, are here. We are not trying to limit debate. We will answer and we will make every attempt to answer every question, every request. We have indicated that we have had over my time an involvement with the bridge. I think it's safe to say there's been dozens of briefings. There was a detailed briefing provided on the \$10 million as soon as we were physically in a position to move forward with that information and the first port of call was to the committee. We are committed to carry on that discussion.

If I can just quickly walk through the main areas. The carry-overs, if you look at them on average, if you just pick out the Public Works and Services out of the existing request, it's about 22 percent worth of carry-overs. Transportation admittedly had a large burden. They have about \$60 million of the money that's being asked for is Department of Transportation carry-overs. We know those are all critical projects. Many of them are underway, if not all of them to some degree or another. The commitment is to get them done. We share the Members' concerns that we want to in fact get those done.

I appreciate the support on the energy projects. Mr. Abernethy tabled some documents in the House yesterday, I think it was, about all the energy projects that the government is in. These are two more that will show their worth.

With regard to the \$10 million, if I may add my own voice here, there were two choices here. We could carry on this project, let it go another year and another winter, and we would be here this time next year, hopefully with a bridge that was going to be concluded, also knowing that, as Mr. Ramsay has indicated, there was a potential between both parties of tens of millions of dollars of claims to be resolved and we would have been back here a year later with no bridge finished, looking for resources to conclude all the odds and ends and all these other pieces tied to the bridge, so that we could in fact conclude the project. We took the position that it is imperative at this point, given the delays already, to conclude the bridge. To do that we knew we had to come to an agreement to get the resources on the table, to get the manpower, the two shifts where we're working 14 to 20 hours a day to get the work done, and as part of this package, negotiate a conclusion and agreement, that would take all these other claims off the table so they were not going to continue to bedevil the government or the contractor, and that we could focus on the job at hand, which is get the project done so that we can get it operational and we can move on collectively, as has been evidenced by the statements by most of the Members that we need to get this done so we can carry on with the other work. I can assure this Assembly that we are not negotiating to save face. I think it's safe to say, for me anyway, in my mind, there's no face left to save here on this bridge. The issue is getting the bridge done so that we can get it concluded and we have other work to do. It is way bigger than political face at this juncture, and it has always been bigger than political face. It's getting this project done. It's a critical project for the North and we want to get it done. Nobody's asked to flippantly agree. This is not a shell game. We have had this whole process audited. It's been reviewed. We've had, in fact, two or three audits over the course of the bridge project to ensure that all bases are covered. We will



answer any questions. We will have all the discussion necessary, if the committee wants to talk about risk matrixes and all those issues. This project is about 90 percent or so complete. We are near the finish line. We could smell the barn, if we were horses. We want to get this job done. That's the intent here.

The final one would be the \$2.5 million. We had an extensive debate in this House last fall as we did the capital budget, and we came forward with the initial request for some money for this project. There were commitments made by the government, by Minister Ramsay, by myself, by the Premier that this money that we voted last fall and we're voting now is to do the front-end work that will allow us to put the information on the table that committee is asking for so that we all can collectively make an informed decision. We also committed to there would be no deal signed, that we would come back with the numbers, and we would have that discussion. We know that the federal government is going to have to be approached, and we know there are all these things that have to be done, and we intend to do it in full consultation with the Members. We intend to honor that. This \$2.5 million allows us to conclude that work so that we can, in fact, come back with that information. Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Minister Miltenberger. Okay, committee, we will turn to Supplementary Estimates (Infrastructure Expenditures), No. 1. Are we agreed to go to detail?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Okay, committee. Turn to page 5, please, 2012-2013, Supplementary Appropriation No. 1, (Infrastructure Expenditures), Municipal and Community Affairs, operations expenditures, community operations, not previously authorized, \$9.867 million. Total department, not previously authorized, \$9.867 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Page 6, Education, Culture and Employment, operations expenditures, education and culture, not previously authorized, \$147,000. Total department, not previously authorized, \$147,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Page 7, Legislative Assembly, capital investment expenditures, office of the Clerk, not previously authorized, \$88,000. Total department, not previously authorized, \$88,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Page 8, Finance, capital investment

expenditures, office of the controller general, not previously authorized, \$661,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Office of the chief information officer, not previously authorized, \$5,000. Total department, not previously authorized, \$666,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Public Works and Services, capital investment expenditures, not previously authorized, asset management, not previously authorized, \$6.320 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Petroleum products, not previously authorized, \$309,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Total department, not previously authorized, \$6.629 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Health and Social Services, capital investment expenditures, health services programs, not previously authorized, \$12.033 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Community health programs, not previously authorized, \$91,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Total department, not previously authorized, \$12.124 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Page 11, Justice, capital investment expenditures, court services, not previously authorized, \$62,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Community justice and corrections, not previously authorized, \$632,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Services to public, \$283,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Total department, not previously authorized, \$977,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thanks, committee. Page 12, Education, Culture and Employment, capital investment expenditures, not previously authorized, education and culture, not previously authorized, \$11.496 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Advanced education, not previously authorized, \$359,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Total department, not previously authorized, \$11.855 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Page 13, Transportation, capital investment expenditures, not previously authorized, airports, \$8.880 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Highways, not previously authorized, \$62.342 million. Mr. Hawkins.

**MR. HAWKINS:** Thank you. I'd like to use this occasion to the \$10 million, or am I just ahead of myself?

**CHAIRPERSON (Ms. Bisaro):** Mr. Hawkins, it is on this page. Carry on.

**MR. HAWKINS:** Thank you. I just wanted to make sure that I didn't unreasonably hold up the \$49 million, and I wanted to talk about the \$10 million. I just wanted to make sure I was in the right spot. That's all. Shall I proceed, Madam Chair?

**CHAIRPERSON (Ms. Bisaro):** Yes.

**MR. HAWKINS:** Thanks very much. The Minister had offered full disclosure here in some manner, of course, and those are my words, not his exactly, but would the Minister give a detailed breakdown of the \$10 million, how it's being spent in this regard. I had spoken quite at length, so I don't need to repeat all my questions. Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Hawkins. Minister Miltenberger.

**HON. MICHAEL MILTENBERGER:** Madam Chair, we'd be happy to give the information. We can verbalize some of it here, but we also have the complete deck that was shared with committee, which we would be more than happy to make sure the Member, in fact, has a copy so he is conversant with all the issues. But I'll ask, as well, Madam Chair, with your indulgence, for Mr. Neudorf to walk through some of the key areas of investment. Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Minister Miltenberger. Mr. Neudorf.

**MR. NEUDORF:** Thank you, Madam Chair. The \$10 million is the additional funding that's required for the total project costs, so that we can change the terms of the contract, so that we can help ensure that we'll meet a fall completion date. The additional funding is going to be used to accelerate the work that's remaining to be completed on the bridge. The contractor will hire additional workers.

He will be working 20 hours a day, and we could go longer than that, if required. The contractor is bringing additional equipment in order to get the bridge done, and additional project management help, as well, so that there is additional oversight. There is going to be a lot of moving parts on the bridge this summer, a lot of workers on the site, and we need to make sure that that is still going to happen in a safe manner and we still get good quality happening on the project. Thank you.

**MR. HAWKINS:** The detail of the briefing, actually, I should let the Minister know, I actually have a copy. I have actually gone through it and out of that stemmed many, many other questions, so no need to send one to the office. I already have one, so we can save the paper and save the time.

The detail of why they're not meeting the existing deadline of the fall under the existing contract still needs to be cleared up. Thank you.

**HON. MICHAEL MILTENBERGER:** The key is the resources we're putting on the table, as Mr. Neudorf indicated, they're going to have two shifts working instead of one. They're going to be working 20 hours a day as opposed to one shift with half the men. If you do the math, do the building schedule, then you can see that if we don't concentrate those efforts then, yes, this will drag out until another building season and we will lose all the revenues and all the other... We'll run ferries and winter roads for another year. That's the key piece. Thank you.

**MR. HAWKINS:** The old Minister kept articulating that it would open in the fall of 2011, then he insisted it would be open in the fall of 2012 through the process. What particularly changed that we are unable to fulfill under the existing contract? It had a schedule of the previous year to be opened, and for some reason there clearly is slippage, as someone would use in the terminology here. What part of the slippage is our fault and what part of the slippage is their fault, and can we get some details as to what the slippage actually is? Because we did have a schedule on this previously; actually, a couple of times. Why is the contractor not responsible for the slippage in schedule?

**HON. MICHAEL MILTENBERGER:** The contractor in the contract is responsible. There has been, clearly, slippage. The reality we are faced with is the contractor was unable to conclude the work in the time that was predicted and agreed to. We are here today 90 percent complete, literally a few months from the end of this project to get it done. As has been committed to once the project is done, there will be the full review and debrief as to what happened so that we can learn all of the things we need to learn and going forward. Thank you.

**MR. HAWKINS:** Madam Chair, I do appreciate the Minister's answer, but what I took from this last answer regarding the slippage and how it has fallen

behind schedule, it sounds like it is the fault of the contractor. Are we not rewarding bad work or incomplete work? That is the question.

**HON. MICHAEL MILTENBERGER:** Madam Chair, the point is that this bridge is getting done. It is going to be one of the most impressive pieces of infrastructure we have in the North. I can tell you from my experience and now going on five years at the table with this project, that it is a very complex process with lots of moving parts.

We have been over all of the bumps in the road that we have had, and the hurdles we have had, and we have managed our way through them all. We're going to do that in this case, as well, and point out how close we are to the finish line. We want to be cutting the ribbon here in November to have people using this.

There were differences. There were issues that came up throughout this process with former contractors, current contractors, other contractors. We have worked hard to adjust them all. We now have come forward with the final package and we think, given how close we are to the finish line, that will allow us to conclude that. That is our request here today. Thank you.

**MR. HAWKINS:** Madam Chair, the next issue, which is ironically the previous issue, was the Minister said there was slippage. He pointed to the contractor being responsible for not meeting the objectives of the schedule, which clearly is the issue here. What type of penalties or enforcement clauses on the slippage of the scheduling do we have? What can we invoke? Thank you.

**HON. MICHAEL MILTENBERGER:** Madam Chair, there was a fundamental decision to be made and we have made it. That decision is this: Do we tie ourselves in knots in the midst of a project, that we are working desperately to conclude, with lawyers and litigation and all these other issues, or do we rise above that and look at what the end goal is here and what is in the best interest of the people of the Northwest Territories, which is get the bridge built, limit the further costs and get it done within this current building season.

There will be plenty of time for review. There will be plenty of time later for finger pointing, for saying what didn't happen, what should have happened, what might have happened, and if we do this in the future, what we will do differently and better.

At this point, it's like being in the middle of a hockey game and you decide you are going to have a team scrum to figure out why things aren't working when the game is going on, you're going to lose. We can't afford to do that. We have to keep our eye on the goal here, which is let's get this bridge finished. It's critical. Let's not get involved in all of these issues of litigation and such when we're in the middle of a

construction project that is 90 percent complete. Thank you.

**MR. HAWKINS:** All right. Well, I'll give the Minister an analogy back. We are buying a \$10 million iceberg. We are buying it in the winter, parking it out and now it's melted in July and someone says, let's mop it up and see if we can account for our losses. Are you kidding me? It is going to melt away and no one is going to be around. We're going to have an empty bucket because there is nothing left to soak up. To say that the fundamental decision was to go forward and basically pay \$10 million, is the Minister saying to the House today, and I'm going to be frank, has the government, has this Cabinet decided to ignore the obligation Ruskin should be on the hook for and chosen to reward them with a \$10 million contract so they will fulfill their original obligation?

**HON. MICHAEL MILTENBERGER:** Madam Chair, what we have done is been what we've focused on from the start, is to complete the bridge across the Mackenzie River. That project is 90 percent complete. It is not a \$10 million issue. It is a \$200 million issue. It is one that we have worked hard and we all look back and say yes, if we were doing this over, we definitely would have a different genesis. It would definitely have a different evolution as it went forward, but that is the benefit of hindsight.

So now here we are. We're still involved in this issue. We are focused, as we have been from the start, on managing our way through this so that impressive piece of infrastructure is open for public use in November. Thank you.

**MR. HAWKINS:** Madam Chair, this is not about hindsight. We are actually at the deciding point. I am not sure the Minister wants to talk about the project as a broader issue. I agree with everything he said when he spoke to it as a broad issue, is recap, revisit, analyze, et cetera, but the issue of the \$10 million is a \$10 million decision today. The decision should come with some deciding points. The deciding points are based on the fundamentals as I had asked, which was, has the government consciously chosen to ignore Ruskin's responsibilities to fulfill its contract. That is the question.

**HON. MICHAEL MILTENBERGER:** Madam Chair, let me throw out a couple more four-year-old analogies and sayings about being penny wise, possibly, and pound foolish or forgetting the forest for the trees.

In this case, we made a very conscious decision, one that had all sorts of factors and variables, but let's talk to the money. Ten million dollars today as opposed to another \$9 million probably by next year as you remobilize and get everything done and, as well, an outstanding another \$10 million or so in possible claims that we would have spent months in

litigation. We had claims. They had claims. We made the wise decision to overlook that particular part. Let's move on to getting an agreement, which we have, to conclude this. These are the resources. These are the timelines we are aiming for, which is November. Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Miltenberger. Next on my list is Mr. Bromley.

**MR. BROMLEY:** Thank you, Madam Chair. I want to follow up. I didn't hear a response to my question in general comments, so I thought I'd follow up here on the Inuvik-Tuk Highway Project. I believe we committed \$2.5 million at the last minute in the 2011-12 just before year end. I think the goal was to seek out gravel resources and I have heard that they had low success there. What was the result of that work? Did all those dollars get expended? Were the objectives achieved? How does this money relate to that money and the results? Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Bromley. Mr. Neudorf.

**MR. NEUDORF:** Madam Chair, when we came back to standing committee last winter, we indicated that we were seeking another \$5 million total. The majority of that money is for geotechnical work, but a portion would also be to just continue with the rest of the project, the environmental assessment, getting it to them, more of the engineering and collecting the information for that. It was \$2.5 million last fiscal year and this is the second half of that funding. The \$2.5 million last year was spent completely on the geotechnical investigation. The on-site work was successful. They were able to get out onto the land and drill 300 bore holes and collect all of the material that they set out to collect. That material is now in the labs. It's getting processed, analyzed. We are starting to see some of the results from that work and we'll, over the next month or two, get the rest of the results. That's obviously very important to us as we consider designing the road. We'll need to know where the material is going to come from, and that, of course, will lead into better refinement on the cost estimate as well.

**MR. BROMLEY:** So we were successful. That means the bore holes were successful. How does that relate to the \$2.5 million that we are now proposing again for this year? Was it \$2.5 million or \$3.5 million last year? We approved \$2.5 million at the last minute. I thought maybe we'd had a million dollars already approved. Some clarity there. Thank you.

**MR. NEUDORF:** For the Inuvik-Tuk highway, in this fiscal year we have \$3.5 million. One million was approved as part of the fall capital planning process and then a request for another \$2.5 million in this supplementary appropriation. That \$3.5 million will be used to carry on with the

development of the project, the various aspects of it as we continue to plan for it. A significant portion will go to complete the geotechnical work. We are into the EA process, so a number of commitments were made as part of that EA process. We have to go and collect more water information and more other hydrological information, so money will be spent on that.

Some various vegetation, wildlife and terrain analysis required for EA and also required for our design are going to be collected. Then to move forward as part of the procurement process as well, we'll be allocating some money for that. Thank you, Madam Chair.

**MR. BROMLEY:** So the earlier reports of the unsuccessful 300 bore holes were false, just to clarify?

**MR. NEUDORF:** I don't think we've ever said that the investigation was unsuccessful. They did get out and collect all the material, drilled all the holes that they needed to do, so that was successful. We are starting to get the information back. In the preliminary information that we're getting, I guess we were hoping that there would be better quality materials, so the results would show there was better quality of material available. We still need to wait to see all the detailed, final information to make final conclusions. Once we get that, we'll assess what additional information we might need to collect so that we can have as good information on geotechnical as possible and that would then feed into the design and feed into the cost estimate for the work.

So the program was successful. Some of the geotechnical material that was sampled, perhaps it wasn't as high quality as we were hoping, but it might mean that we have to go back and collect some more information so that we can have all those questions answered before we actually make some firmer commitments to the project.

**MR. BROMLEY:** If I can just try, in plain language, the project was primarily defined as gravel of the nature you needed for the project and you were disappointed in the results. Is that right as far as that goes? Thank you.

**MR. NEUDORF:** We're pleased with how the program went. I guess we're hoping that we find some better quality material. It just means that we'll have to keep looking until we find the material in the appropriate quality and in the appropriate location to move the project forward. Thank you.

**MR. BROMLEY:** I'll just rephrase that. The guys worked hard and well. They drilled 300 great bore holes, but we are disappointed they didn't find the gravel they were looking for. If I'm correct, the next step is to find the gravel or to go somewhere else for it. Three hundred sounds like a lot to be disappointed with. Would we start looking

elsewhere, like further afield, or is there some anticipation that we can drill another 300 and find it in the same area?

**MR. NEUDORF:** We are still waiting for all the final geotechnical information to come in. So discussion about being disappointed or unsure of the quality, we do need to get to the final information to make those assessments. We are starting to consider the options of where we would go to drill additional holes. It will be beyond where we were to drill these 300 holes. There are other known areas that were there. We did need to obtain permits to get out onto the land and drill those holes. I think if we would have had some flexibility on those permits, we would have modified the program that was in place to collect more of that information, but the permits didn't allow us to do that, so we'll have to take a step back and go back to the studies, the reports that are available, determine where else we will go and look and design an appropriate program this summer.

**MR. BROMLEY:** That's exactly the sort of concerns we had when we raised the issues in discussing this, it was being rushed. It was a rushed job. The deputy minister has confirmed that, so we have thrown \$2.5 million out there. I'm sure the truth is somewhere in between there.

I guess I'd like to know from the Minister that we're not going to continue with that sort of approach. We have so many important priorities. We want to do this project, but we want to do it at the appropriate scale and pace to make sure that the dollars are being spent well. I'm looking for that assurance from the Minister. The proof is in the pudding. We didn't get it last time. What can we do to be sure we get it this time? Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Bromley. Minister Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Madam Chair. We do intend and we are going to do this work and we're going to continue to do the work in the proper way. As the deputy indicated, the licence had some restriction factors in it. We found out where things aren't; now we have to find out where things are.

In terms of the money that is now before this House, it will allow us, once again, enough of the information that committee and the MLAs were asking for and that we need to make an informed decision about this project, about potential costs and are all the resources there in terms of granular resources and such. I'll ask Mr. Neudorf if he wants to add anything further, Madam Chair.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Minister Miltenberger. Mr. Neudorf.

**MR. NEUDORF:** Thank you, Madam Chair. I'd just add that we believe, once we get the final reports, that we did find enough quantity of material that

would allow us to construct the road. There is enough material there to do the subgrade, so that was great information for us. We do have to go back now and make sure we have quality material that would allow us to do the finishing surfacing of the road. Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Neudorf. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Madam Chair. On the issue of claims, can we get some details as to what claims they keep referring to? I often hear there are comments of claims, but maybe they can spell it out. What claims are they actually talking about that are our responsibility or should be Ruskin's responsibility? That's the type of dialogue we need to find out. Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Hawkins. Mr. Neudorf.

**MR. NEUDORF:** Any project is going to have some claims as part of it or disagreements between the owner and the contractor in terms of information available on how the work proceeds. This is like any other project where there were some changes required to the project, and we did move forward with some change orders. There were also some disputes that could have resulted in claims. The contractor had indicated that they were preparing claims related to delays in the project. Those types of things. We would dispute that. We in fact had our own damages claims against them because the project was late, and that would make us incur additional expenses, as we have outlined here before. A decision was made, as the Minister indicated, rather than spending years trying to fight those, resolve those in court, our best decision would be to actually focus on the project at hand, and try to get the project done. We entered into this agreement-in-principle with the contractor so that can get done and at the same time it will allow us to focus on the work going ahead, and not on all the claims in the past.

**MR. HAWKINS:** First off, I'm really grateful for the deputy minister's comment, which is like any other project, there are claims. It's not unusual that projects like this have claims or disagreements. It's probably considered a standard of any particular major project to have claims. Why wouldn't we continue on with the project and sort the claims out like in normal circumstances that happen in most other projects?

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Hawkins. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Madam Chair. If the Member will recollect, there were two tracks. The one track is the one he's asking about right now. Why don't we just sort of move on and sort out the project, and then when it's all over we'll spend months, maybe years in court in

litigation over claims, or the tact and approach that we are taking which is, let's nail down the deal, let's nail down a timeline that's three months out and a dollar figure that's going to take all those other extraneous, complicating issues off the table. Those are the two tracks. We've moved on one of getting the project done in the best interest of the people of the Northwest Territories, limiting our political exposure and not expending probably well in excess of the \$10 million that we're now here asking for to conclude this project.

**MR. HAWKINS:** My question, of course, is: Would delays caused by the construction of the Deh Cho Bridge not be the responsibility of Ruskin to keep on track and, therefore, any cumulative costs, such as potentially running the ferry or whatever the case would be, wouldn't that be part of their costs through our claim process?

**HON. MICHAEL MILTENBERGER:** All those issues would have been part of the protracted dispute resolution at some point, and a year from now when the project would have been completed if we would have chosen to go down that acrimonious, litigious path, that would not be in the best interest of the people of the Northwest Territories.

**MR. HAWKINS:** What are all those issues and all those claims? We haven't heard specifics as to what they are. I've asked about them. I keep asking about them. I wouldn't mind hearing about some of the claims that we want to put in, and I'd like to hear some claims that they were threatening. As I said earlier, it's not unusual and our deputy minister has reaffirmed that in some type of language, that projects like this have claims. Here we are buying off or rewarding the contractor. I'll use the Minister's words back to him: I think the contractor smells the barn and they're so excited to get back in that stable, they know they can charge more money because we want to get in there too.

**HON. MICHAEL MILTENBERGER:** I believe we – myself, the deputy, the Minister – have given some pretty specific areas where there are areas of potential dispute if we would have chosen that path. Things like the very specific things he just mentioned about who should pay, if we dragged it out another year who would pay for the ferry service, who would pay for the ice road. Those type of things. Change work orders, scheduling issues. We're not in a position, nor would it be appropriate, to be dissecting contractual arrangements that, in fact, had potential for litigation in this House in a political forum like this. We want to give you the information. We've given briefings as much as we can. The very intricate detail the Member is asking for is not appropriate, in my opinion, to be discussed here at this level.

**MR. HAWKINS:** I find it really interesting that the Minister would invoke sub judice on a particular

matter that isn't before a court in his last comment by wrapping up the claims into future potential claims. I'd like to know what the claims Ruskin was citing as the problem from their perspective. I'd like to know what our engineers see as a particular problem, why they wouldn't fulfill their obligation. Those are the type of things I'd like to get at.

**HON. MICHAEL MILTENBERGER:** For whatever the reasons the Member may have, that he wants to get in the middle or be seen to be causing a lot of friction and bad blood. We've worked very hard to come to a cooperative agreement with the contractor. We've done that. There is a need to move forward to get this project done. There is nothing to be gained at this point, as I've indicated, in the middle of this process to do the kind of forensic autopsy that the Member seems to be intent on, and to be able to point fingers in the confines of this House, to say many things when we're intent on working out and have worked out a cooperative agreement with the contractor. We want to honour that and get this bridge built, which is the best long-term goal for all of us.

**MR. HAWKINS:** The AIP the Minister referred to in his Minister's statement a few days ago, has that been signed?

**HON. MICHAEL MILTENBERGER:** It has been agreed to but has not been formally signed off yet.

**MR. HAWKINS:** Earlier the Minister had assured me that, of course, they invoked the privilege of moving the motion to extend today's sittings for as long as possible, and my point of that contradiction was knowing that one person cannot carry the fire forever. That's what I meant about forcing the process to go. If we had followed through today's normal schedule we would have ended at two o'clock, and we would have been able to get this type of information on the side, whether it's in committee or have some discussions after hours. I feel terrible. I'm not trying to hold the process hostage here by any means, but I feel terrible that that's what I was referring to, is the fact that they've almost, not closed debate but opened it up in a way that it's not easy to deal with.

In that comment from the Minister to remind me about the way the process works, I know very well how it works. He assured me all questions would be answered. I'm asking questions about explaining what the claims process is and why we didn't... I want to find out why our analysis did not allow us to proceed with claims. We can do a follow up. We have holdbacks. I assume we have holdbacks. Maybe we don't. That's part of the issue, is the fact that we're not getting the answers, or certainly I'm not getting the answers, as to what claims were that significant we saw and why we couldn't invoke the present contract, that sounds like it's still in force, to make them comply with the schedule. That's part of the issue.

**HON. MICHAEL MILTENBERGER:** I indicated that there is an agreement-in-principle. That agreement-in-principle is there and has been committed to by both parties. Once the resources are in place to make it happen, the formal agreement will be signed.

Once again, there is nothing further I believe I can add that will assuage the Member's concerns or allow him to accept the fact that we made some decisions. He is unhappy with those decisions, we've laid out to the best I can in this House, and the Minister has made every effort as well through the questions he's been asked and the deputy, to lay out what the issues were, the process, the contract.

The fundamental decision was made, do we fight over some of the clauses in the contract that will drag things out and do all of the things we've already spoken to a number of times, or do we focus on a productive way of moving forward, come up with a compromise, and put the resources on the table that in the long run will save us money and get the bridge done on time, so that the people of the Northwest Territories can finally put that piece of much needed infrastructure to use. It doesn't get any more basic than that, and it was a decision. It was a political decision, it was a business decision, it was a technical decision and it was made for all those reasons.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Miltenberger. We are on page 13, Transportation, capital investment expenditures, highways, not previously authorized. Mr. Hawkins.

**MR. HAWKINS:** Thank you, Madam Chair. I don't necessarily disagree with some of the last comments the Minister made. It's just tough sitting here to think we have a contract that isn't worth the paper it's printed on. As I said yesterday, it almost seems as if our clauses to enforce it are all written in invisible ink, but they can turn around and hold us hostage for \$10 million to get this particular project done. Do we have any legal opinion that you can share with Members to show us that we did not have a ground to stand on if we were going to challenge these claims?

**HON. MICHAEL MILTENBERGER:** This was a business decision that was made for all the reasons, all the factors, political factors, technical factors, legal factors, all the other constraints and variables that are there, and we made a business decision on this project. That's what it was. We chose to go down a path that did not involve trying to invoke clauses in contracts and getting involved in the middle of completing a project that is 90 percent complete, protracted legal battles.

COMMITTEE MOTION 9-17(3):  
DEFERRAL OF CONSIDERATION OF  
HIGHWAYS ACTIVITY,  
DEFEATED

**MR. HAWKINS:** I want to acknowledge the Finance Minister's position of calling it a business decision. That sounds a lot nicer than the words I may have used. I'd like to make a motion. I move that this committee defer consideration on the activity highways under the Department of Transportation, capital investment expenditures, Supplementary Estimates (Infrastructure Expenditures), No. 1, 2011-2013, on page 13, at this time.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Hawkins. The motion is being distributed. The Members all have the motion. The motion is in order. The motion is not debateable.

---Defeated

We are on page 13, Transportation, capital investment expenditures. Mr. Yakeleya.

**MR. YAKELEYA:** Madam Chair, I want to ask the Minister on the bridges that are being worked on in the Sahtu region, because of the increase of the traffic over the winter season, and it's going to get worse in a good way, that we need to look at the bridges. I want to ask the Minister on the bridges in the Tulita area and outside Norman Wells that those bridges need to be taken care of. Will that happen this winter?

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Yakeleya. Mr. Neudorf.

**MR. NEUDORF:** There are a couple of projects, in the list of projects to be carried over that would be looking at improving bridges along the Mackenzie Valley winter road. So, yes, and our intention would be to have that work completed this year. There are always a variety of reasons why projects are carried over, including permitting requirements, and contractor capacity, and time required to go through the procurement process and our own capacity internally, but our intention is that work would get done this year.

I would note, as well, that the Member did talk about the increased traffic expected on the winter road this year. We're very much in tune with that. We have started to have discussions with the Sahtu Explorers Group, so that we can ensure that we're working with them, that the road will meet their needs and also the needs of the rest of the travelling public. Thank you.

**MR. YAKELEYA:** I would ask if the department, again, would look at establishing themselves in the Sahtu for reasons that the deputy minister talked about. We need to now start tracking the amount of vehicles that are going to be using that road, especially from Tulita and Norman Wells, and also

coming up from the southern portion of the road. We need to start looking at our infrastructure. For example, the bridges at Four Mile Creek and Prohibition Bridge. Those two bridges there, and possibly other future bridges, but these are the ones that for me in the Sahtu that are key, even at 12 Mile Point. When the department starts looking at moving its presence, a temporary office in the Sahtu to look at some of this increased traffic and fix these bridges, and that I expect that this department will do it.

I have heard over a number of seasons, reasons why we aren't able yet to put bridges in the Sahtu, and I no longer am going to accept the deputy minister's opinion that there are a number of factors. It can get done. Today is June. I'm telling you right now, you can have this done by this winter season. For myself, there are many projects in the North that Transportation is looking after, and I think the one in our region needs not to be delayed anymore. I can give other examples, but I don't think it's the time right now. It's Friday and I want to get this budget approved and passed and get to work. I'm sure that the Transportation department is well aware of the bridges that I'm talking about. I'll ask the deputy minister to work on it. I'm going to come back in October. If I have to be in the House again to do another Member's statement, I will. Thank you.

**MR. NEUDORF:** Both Four Mile Bridge and Prohibition Bridge are on the list of projects that have some carry-over here. There were some delays with the design and the engineering work, so we couldn't get all the geotechnical investigation done like we had planned, and that's why we needed to carry over the funding. We will do what we can. The project is started, and as much as when DOT can control the progress on the bridge, we will endeavour to do that. But, of course, permitting does take time and it can take longer than what we expect.

The Member also talked about an office in the Sahtu, and we've, of course, heard that request on a number of different occasions. We hire staff now in the Sahtu, casual staff to look after our winter road, and that does help us with the service that we provide. We will be very interested to work with the Explorers Group, and see what additional opportunities there might be to provide some more oversight, and perhaps some more DOT staff in the region to provide the oversight given the increased traffic and the increased level of effort that's going to occur on the winter road this winter. Thank you.

**MR. YAKELEYA:** The Department of Transportation has some well dedicated staff. Maybe they might be overworked, because we got a lot of money from Transportation and the federal government to put projects right across the Northwest Territories. We certainly, in the Sahtu,

could also help with some of these projects here, with the transportation, the design, the work. We can also even take some of this project management. They did a wonderful job in Colville Lake. The department and the community put together a good team and they put the airport there. It can get done. I think the department needs to give a little more credit to the communities in the regions for taking over some of these projects, and it can get done probably under budget or just right on budget. It can get done.

I ask the Minister and the deputy minister of the Department of Transportation, we could do this work and get it done in the Sahtu, and put together these projects on time and on budget. For example, we have some work on the airports and the winter roads, and it's going to get busy this winter. If the Explorers Group tells us, you know, when they're going to spend maybe over \$200 million. I'm not too sure if that's a correct number, but that's what they say they're going to do. We need to get ready for that and we can have a temporary office set up in the Sahtu with some of their instructors, that could look after the bridging, work on the airport, other than getting approval out of Fort Simpson or out of Inuvik. We just don't have that mechanism. We have to make that phone call to Fort Simpson or to Inuvik to get work done in the Sahtu. Those 1950s, '60s days are over. It's 2012. Why can't we get the approval done in the Sahtu? I don't understand. Is it really that hard to let that type of authority go in the department?

The big boys are playing in the Sahtu for oil and gas, so we need to play along with them to get things done. I ask again, the Department of Transportation, you have some very good people working in your department. We have some real good people working in the Sahtu. Those roads are going to need to be upgraded and I see that they're putting signs on the winter road. I've driven the winter road from here to Wrigley, Deline, to Fort Good Hope and the Wells. I've been on those winter roads. There's a lot of improvement. The signs are no longer tagged onto a tree. They're actually posted now on the road. That's showing me that there is some attention and there's improvement.

We have a really good ice paving program. It's good that you're doing some good work there. What we see in the amount of activity going on there on our winter roads, and the oil companies are coming up and our people are seeing this. The other areas like Good Hope to Norman Wells, the road is pretty rough. This is our transportation for the three months. This summer we got the Mackenzie Valley River. That's our transportation right now. I'm talking now just on the winter roads, and I'd like to see this department step up to the plate and put an office, a position, even temporarily, in the Sahtu, so we can have some autonomy and some authority,



instead of making that phone call to Simpson or to Inuvik to say can we do this, can we do that. We've got to have that. That's what I'm asking in a forceful way to the department on these projects here, because I'm seeing these bridges certainly need to be fixed and it's not getting done for the reasons that the Minister or the deputy minister has said to us in the House here. That's all I have to say on page 13.

**HON. MICHAEL MILTENBERGER:** I well remember the discussions when we had this very similar debate. The Member might have been involved, as well, when we were talking about moving Health out of Inuvik to give the economy to the people in the Sahtu. I think that process is underway. We have commitments on decentralization. We are looking at how we do this, and going forward I think I know we will get there, but I'll ask Minister Ramsay if he wants to speak to the issue so we can give the Member some comfort from the Minister himself. Thank you.

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

**HON. DAVID RAMSAY:** Thank you, Madam Chair. We have had a great deal of success working with industry in the Sahtu when it comes to winter roads. We're looking forward to continuing that partnership with industry as the resource is developed in the Sahtu. We are also looking for more opportunities to partner with industry. There is potentially a lot more opportunity when it comes to winter roads in the development of winter roads in the Sahtu. Potentially, the opportunity I think will also exist for all-weather roads once the resource is developed and it's more proven up. I do believe there is a tremendous opportunity to work with industry and the federal government to see some permanent all-weather roads built in the Sahtu.

I know we just had a meeting with Husky recently. They are intent on building 35 kilometres of all-weather road across the river from Norman Wells. There are opportunities there. There is the Sahtu Explorers Group. At the earliest opportunity, we will be meeting with that group to discuss opportunities and possibilities for the Department of Transportation and the Government of the Northwest Territories to work with industry to advance our mutual goal, and that is to improve the transportation infrastructure in the Sahtu. We certainly look forward to that.

In regard to the Member's comments about staffing and resourcing offices in the Sahtu, again, I think as development continues and activity increases in the Sahtu, those types of staffing resources will certainly have to be given a great deal of consideration by the government and by the department. I want to thank him for raising those concerns. Mahsi.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Minister Ramsay. Members, before we go on, I would like to recognize a visitor in the gallery, Mr. Sonny Greenland, who is here visiting from Inuvik. Welcome to the House.

Members, we are on page 13, Transportation, capital investment expenditures, highways, not previously authorized, \$62.342 million. Mr. Hawkins, do you have anything new to contribute to this discussion?

**MR. HAWKINS:** Absolutely, Madam Chair. I just wanted to use the opportunity to thank my colleagues, all who voted against me; you too. I want to use the opportunity to thank my colleagues, especially the Members on this side of the House, for allowing me the chance to articulate some of my concerns. I'm disappointed by not getting the answers I would like, but I also recognize Minister Miltenberger had said twice at the end of each last chance he had to comment, which is ultimately a political and a business decision, so I just wanted to put that on the record. Clearly, I will be voting against this supp. I think I have said my piece. Thank you.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Hawkins. Page 13, Transportation, capital investment expenditures, highways, not previously authorized, \$62.342 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Page 14, Transportation continued, capital investment expenditures, road licensing and safety, not previously authorized, \$881,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Transportation, total department, not previously authorized, \$72.103 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Page 15, Industry, Tourism and Investment, capital investment expenditures, tourism and parks, not previously authorized, \$64,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you. Total department, not previously authorized, \$64,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you. Page 16, Environment and Natural Resources, capital investment expenditures, corporate management, not previously authorized, \$155,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you. Forest management, not previously authorized, \$1.012 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you. Wildlife, not previously authorized, \$72,000.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Total department, not previously authorized, \$1.239 million.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Does committee agree that we have concluded consideration of Tabled Document 19-17(3)?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Ms. Bisaro):** Thank you, committee. Mr. Menicoche, what is the will of committee?

**MR. MENICOCHÉ:** Thank you, Madam Chair. I move that we report progress.

**CHAIRPERSON (Ms. Bisaro):** No, you don't. We have a motion first.

---Laughter

Mr. Menicoche.

COMMITTEE MOTION 10-17(3):  
CONCURRENCE OF  
TABLED DOCUMENT 19-17(3),  
SUPPLEMENTARY ESTIMATES  
(INFRASTRUCTURE EXPENDITURES),  
NO. 1, 2012-2013,  
CARRIED

**MR. MENICOCHÉ:** Thank you very much, Madam Chair. I made a mistake. I move that consideration of Tabled Document 19-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 1, 2012-2013, be now concluded and that Tabled Document 19-17(3) be reported and recommended as ready for further consideration in formal session through the form of appropriation bill. Thank you, Madam Chair.

**CHAIRPERSON (Ms. Bisaro):** Thank you, Mr. Menicoche. The motion is being distributed. The motion is on the floor. The motion is carried.

---Carried

Committee, we have concluded the item under consideration. I am noticing the clock and that we are well beyond the two o'clock hour. I will rise and report progress.

### Report of the Committee of the Whole

**MR. SPEAKER:** Can I have the report from Committee of the Whole, please, Madam Chair? Ms. Bisaro.

**MS. BISARO:** Thank you, Mr. Speaker. Your committee has been considering Tabled Document 19-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 1, 2012-2013, and I would like

to report progress with one motion being adopted, and that consideration of Tabled Document 19-17(3) is concluded, and that the House concur in those estimates and that an appropriation bill to be based thereon be introduced without delay.

Mr. Speaker, I move that the report of Committee of the Whole be concurred with. Thank you.

**MR. SPEAKER:** Thank you, Ms. Bisaro. Do I have a seconder? Thank you, Mr. Menicoche.

---Carried

Item 22, third reading of bills. Mr. Miltenberger.

### Third Reading of Bills

BILL 4:  
APPROPRIATION ACT  
(OPERATIONS EXPENDITURES), 2012-2013

**HON. MICHAEL MILTENBERGER:** Mr. Speaker, I move, seconded by the honourable Member for Yellowknife South, that Bill 4, Appropriation Act (Operations Expenditures), 2012-2013, be read for the third time. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Bill 4, Appropriation Act (Operations Expenditures), 2012-2013, has had third reading.

---Carried

Mr. Clerk, will you make sure the Commissioner of the Northwest Territories, the Honourable George Tuccaro, is prepared to enter the Chamber to assent to Bill 4, Appropriation Act (Operations Expenditures), 2012-2013?

### ASSENT TO BILLS

**COMMISSIONER OF THE NORTHWEST TERRITORIES (Hon. George Tuccaro):** Mr. Speaker, Members of the Legislative Assembly, good afternoon.

As Commissioner of the Northwest Territories, I'm pleased to assent to the following bill:

- Bill 4, Appropriation Act (Operations Expenditures), 2012-2013

Thank you, merci beaucoup, mahsi cho, quanani, quanna.

Madam Clerk, orders of the day.

### Orders of the Day

**PRINCIPAL CLERK OF COMMITTEES (Ms. Knowlan):** Mr. Speaker, orders of the day for Monday, June 11, 2012, at 1:30 p.m.:

1. Prayer
2. Ministers' Statements
3. Members' Statements

4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Acknowledgements
7. Oral Questions
8. Written Questions
9. Returns to Written Questions
10. Replies to Opening Address
11. Petitions
12. Reports of Standing and Special Committees
13. Reports of Committees on the Review of Bills
14. Tabling of Documents
15. Notices of Motion
16. Notices of Motion for First Reading of Bills
17. Motions
  - Motion 10-17(3), Appointment of the Director of Human Rights
  - Motion 11-17(3), Truth and Reconciliation Commission
18. First Reading of Bills
  - Bill 5, Legal Aid Act
19. Second Reading of Bills
20. Consideration in Committee of the Whole of Bills and Other Matters
  - Tabled Document 2-17(3), Commissioner's Opening Address: Creating the Conditions for Success
  - Tabled Document 17-17(3), Supplementary Estimates (Infrastructure Expenditures), No. 7, 2010-2011
  - Tabled Document 18-17(3), Supplementary Estimates (Operations Expenditures), No. 4, 2010-2011
  - Bill 1, An Act to Amend the Student Financial Assistance Act
  - Bill 3, An Act to Amend the Human Rights Act
  - Committee Report 1-17(3), Standing Committee on Government Operations Report on the Review of the 2010-2011 Annual Report of the Information and Privacy Commissioner of the Northwest Territories
  - Committee Report 2-17(3), Standing Committee on Government Operations Report on the Review of the 2010-2011 Annual Report of the Northwest Territories Human Rights Commission Annual Report
21. Report of Committee of the Whole
22. Third Reading of Bills
23. Orders of the Day

**MR. SPEAKER:** Thank you, Madam Clerk. Accordingly, this House stands adjourned until Monday, June 11, 2012, at 1:30 p.m.

---ADJOURNMENT

The House adjourned at 3:06 p.m.

