



# **NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY**

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

**Day 85**

**18<sup>th</sup> Assembly**

## **HANSARD**

**Friday, August 16, 2019**

Pages 6091 – 6124

**The Honourable Jackson Lafferty, Speaker**

# Legislative Assembly of the Northwest Territories

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(Monfwi)

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**YELLOWKNIFE, NORTHWEST TERRITORIES****Friday, August 16, 2019****Members Present**

Mr. Beaulieu, Mr. Blake, Hon. Caroline Cochrane, Ms. Green, Hon. Jackson Lafferty, Hon. Bob McLeod, Hon. Robert McLeod, Mr. McNeely, Hon. Alfred Moses, Mr. Nadli, Mr. Nakimayak, Mr. O'Reilly, Hon. Wally Schumann, Hon. Louis Sebert, Mr. Simpson, Mr. Testart, Mr. Thompson, Mr. Vanthuyne

The House met at 10:00 a.m.

**Prayer**

---Prayer

**SPEAKER (Hon. Jackson Lafferty):** Good morning, Members. Item 2, Ministers' statements. The Honourable Premier.

**Ministers' Statements**

MINISTER'S STATEMENT 226-18(3):  
MINISTER ABSENT FROM THE HOUSE

**HON. BOB MCLEOD:** Mr. Speaker, I wish to advise the Members that the honourable Glen Abernethy will be absent from the House today due to illness. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Ministers' statements. The Honourable Premier.

MINISTER'S STATEMENT 227-18(3):  
FOOD ESTABLISHMENT SAFETY REGULATION

**HON. BOB MCLEOD:** Mr. Speaker, the demand for safe, affordable, and locally grown food choices continues to rise in the Northwest Territories and is a topic that our government is actively addressing as part of the Government of the Northwest Territories Agriculture Strategy. With emerging agricultural activities and this government's priority to support an increase in local food production, the Department of Health and Social Services recognized the need to update the Food Establishment Safety Regulations, under the Public Health Act, to support Northwest Territories residents in the agriculture and food establishment sectors.

Improving food security by encouraging local food production is one of the main goals of the Agriculture Strategy. An integral part of this work is ensuring that the proper regulatory frameworks are in place to guide and protect the Northwest Territories' agriculture industry, promote safe agriculture and food production, and integrate best practices.

Our first step is updating the Food Establishment Safety Regulations to ensure that the public is buying food that is safe to eat, while also making it easier for operators to produce and sell locally grown foods. This enhances food security overall and promotes economic development in our territory.

Mr. Speaker, the amended regulations came into effect yesterday and reflect current best practices for the primary agricultural activities currently found in the Northwest Territories. These amendments will apply not just to regular food establishments, like restaurants, but also to home food processors and farmers, as well as other operators wishing to grow and sell local, low-risk foods at venues such as farmers' and community markets, out of their home, or through farm gate.

Additional updates to the regulations have also been made to support food security. These include the ability for the Chief Public Health Officer to waive the payment of permit fees, extend durations for temporary permits, and exempt some permitting requirements for home food processors to make it easier to establish home-based food businesses.

Under these enhanced Public Health Act Regulations, current and prospective Northwest Territories food establishment operators will see a more streamlined permitting process. This will result in a clearer and more responsive application process for NWT vendors, which will better determine what type of permit is required. Resources and tools to help food operators navigate this new process are already available on the Department of Health and Social Services' website, and we hope this will make it easier for residents to sell locally grown, low-risk food at venues throughout the Northwest Territories.

Mr. Speaker, the Department of Health and Social Services will continue to work with partnering organizations and fellow departments to grow the Northwest Territories agriculture sector and lower the cost of living for Northwest Territories residents. Through the implementation of updated regulations and our environmental health units' routine food establishment inspections, we will continue to work towards increasing the availability of safe, locally

grown food choices for our territory's residents. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Ministers' statements. Minister of Justice.

MINISTER'S STATEMENT 228-18(3):  
RCMP IN THE NORTHWEST TERRITORIES

**HON. LOUIS SEBERT:** Mr. Speaker, few services have as direct an impact on our citizens as the policing services provided by the RCMP. This modern relationship continues to develop, providing effective and collaborative policing services in our communities.

Over the past few years, the RCMP in the NWT have placed a deliberate focus on increasing public trust in policing services, working with partners to improve responses for vulnerable populations, and adapting their work to reflect changing legislation and best practices. This includes providing policing services that reflect community priorities and an understanding of the unique cultural history of the communities the RCMP serves. The commanding officer of "G" Division has stressed the importance of regionally-specific outreach activities by members of "G" division. This includes attending feasts and meeting with elders, and that these activities need to be part of members' initial introduction to the community, as well as part of ongoing community engagement, and be consistently applied across the NWT.

Through Policing Priority Action Plans, the RCMP and community leadership work jointly to develop plans for addressing the specific needs of each community. All 33 communities in the NWT have these plans in place. This work is vital to building a relationship of trust between RCMP members and the communities they serve. Additionally, analysis of the community priority plans allows the opportunity to examine current community safety pressures and plan for future demands. A vital part of this collaborative approach is accountability. Action plan reporting tracks the RCMP and community goals and are reported on quarterly. These reports are provided to community leadership to be shared with community members. The action plans are revisited annually and revised as necessary by the community and the RCMP. Through this process, communities have a direct role in making their community safer.

Almost every community has identified stopping drugs and bootlegging activities as a priority. The mutual trust gained from building community action plans has resulted in the support the police need in order to see results in these areas.

I would also like to update Members on the status of our work over the last decade on the First

Nations Policing Program. Currently we are expecting an expansion under this program to the territories that will support the priorities of this Legislative Assembly to ensure services are delivered locally with culturally appropriate methods that will support the priorities of communities in the NWT. Before the end of the 2021 fiscal year, we will be seeing additional policing resources to support those detachments that currently serve small communities under the First Nations Policing Program, allowing us to better address the challenges of policing in the North.

Mr. Speaker, members from the RCMP "G" Division, in partnership with staff from the Departments of Education, Culture and Employment and Justice, were instrumental in creating the RCMP history project on special constables in the NWT, the "We Took Care of Them" exhibit. The exhibit celebrates and honours the contributions of Indigenous people in the NWT to policing in the North. This past April, "We Took Care of Them" received national recognition as the winner of the Canadian Museums Association Award of Outstanding Achievement in the Exhibition-Cultural Heritage category. I would like to congratulate the entire team who worked on this project. I can advise Members that this award-winning project has been very successfully received in our communities. All seven educational kits have been distributed and are being utilized by members in the regions during community or school events. In each case, surviving family members or relatives of special constables are invited to attend and join in these presentations, and are encouraged to speak their language.

In addition, one kit has been requested to be on loan to the RCMP Depot in Regina for use with their recruits during their training to advance cultural awareness. We hope that it will make our NWT recruits very proud as they attend Depot for their training this year to see their own history being featured. All RCMP cadets receive cultural awareness training at Depot, woven in with concepts of human rights, harassment, discrimination, ethics, and bias-free policing. Cultural awareness training comprises 66 hours in the Depot training curriculum. Of that, 17 hours is dedicated to Indigenous cultural awareness training. In addition, recruits coming to our local "G" Division have mandatory requirements for an additional six hours of Indigenous awareness training.

I am very pleased to announce that, as of December 2018, three NWT recruits have graduated and have returned to the NWT for their placement. There are still two NWT residents in Depot actively working towards completing their training. In addition, it is my understanding that, since January of this year, 28 other NWT applicants

are within different stages of the recruitment process, with the majority being Indigenous applicants. This is a very significant number of northern recruits.

Mr. Speaker, I believe that the longer-term efforts of the RCMP leadership and individual members have made great inroads in regard to community trust and respect. The ultimate goal we are all working towards is safe communities where our citizens can thrive. I applaud the work that the RCMP have been doing to help achieve this goal. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Ministers' statements. Minister of Industry, Tourism and Investment.

MINISTER'S STATEMENT 229-18(3):  
INVESTING IN WORLD-CLASS PARKS

**HON. WALLY SCHUMANN:** Mr. Speaker, our territory has no shortage of spectacular sights for visitors and residents to enjoy. Our territorial parks are the starting point for many looking to experience these world-class wonders.

Through the life of this government, and in line with our mandate, we have invested in enhancing these vital assets for the benefit of the growing contingent of tourists choosing the NWT, and our residents seeking to enjoy their recreational time.

With the construction season in full swing, many Northwest Territories residents are already seeing those investments in action. Today I would like to highlight our work to invest in world-class parks infrastructure throughout this mandate, and what that has meant for the Northwest Territories.

Mr. Speaker, this summer alone there is almost \$7.3 million in work planned. Some of the bigger projects include campsite enhancements in the Deh Cho at Blackstone Territorial Park, new camping loops and structural improvements on our waterfalls route in the South Slave, and smaller improvements that make these parks that much more enjoyable, like kitchen shelters, sports areas, and road repairs.

Throughout this government, we've dedicated more than \$3.5 million annually to keep that momentum going, meaning our parks users come back to better facilities at their favourite spots year after year.

Mr. Speaker, we invest in more than just infrastructure. We have invested in planning, like the work under way to enhance North Arm Park to become an even more vital part of our parks infrastructure, or to lay the groundwork for a future where the NWT/British Columbia boundary crossing gets social media coverage like the 60<sup>th</sup> Parallel.

We have invested in better service by revolutionizing our online service delivery and consistently delivering a better experience for our users, and by upping our staff presence at our parks to keep them clean and safe for our users, and we have invested in marketing our parks to new audiences, reaching road travelers at conferences using targeted advertising for these world-class assets.

These investments have led to big improvements in our parks indicators across all of our regions. At the beginning of this government, we welcomed just over 28,000 overnight visitors in a season. As of last season, we're getting close to 37,000. We have also reached a point where more of these visitors are coming from outside the Northwest Territories, a reflection of how our spectacular parks are reaching new audiences. In fact, some regions see almost 70 percent of their traffic arriving from beyond our boundaries.

Mr. Speaker, early indications are that it will be another great season. From record-breaking opening-day bookings on our website, to packed parking lots and the posts I see across social media, I know residents and visitors alike are enjoying our parks, and our investments in making them better.

We have committed to investing in world-class parks, and the next Legislative Assembly is in a good position to make continued improvements. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Ministers' statements. Colleagues, I would like to draw your attention to visitors in the gallery. We have with us Mr. Robert Bouchard, former Member of the Legislative Assembly. Welcome back to our Assembly. Item 3, Members' statements. Member for Yellowknife Centre.

## Members' Statements

### MEMBER'S STATEMENT ON YELLOWKNIFE CANADIAN COAST GUARD AUXILIARY

**MS. GREEN:** Thank you, Mr. Speaker. I rise today to salute the exemplary service of the Yellowknife unit of the Canadian Coast Guard Auxiliary, and to thank the volunteers for their continuing contributions to boat safety on our waters.

The Yellowknife command of the Canadian Coast Guard provides marine search and emergency rescue on the north half of Great Slave Lake. The Yellowknife CCGA operates the search and rescue vessels Nick Martin and Diavik Discovery, and collaborates closely with the RCMP in emergency response. Federal funding transfers cover the

organization's rescue costs, while local fundraising meets the costs of its extensive training programs.

The unit makes emergency prevention a priority by promoting safe boating to the public at local and regional boat and trade shows. The unit also supports "on the water" community events, such as the Abilities Cup sailboat race, the Commissioner's Cup race, and the Float Plane Fly-In.

Marine rescue services were put to the test again recently for a medical emergency on the big lake. On a cold and blustery morning in July, a call for help went out from the sailing vessel Yola, when its skipper fell gravely ill. Coast Guard Auxiliary responders responded to the distress call, providing the skipper with medical assistance. They relieved the crew, and towed the Yola to safety, where an ambulance was waiting. Unfortunately, Yola's skipper, George Diveky, passed away after being evacuated to medical care, but it was the fast action of the Coast Guard Auxiliary that gave George a chance, and brought the crew and vessel to safety. Yesterday the community of sailors and others remembered him at a wonderful service.

Thanks go out to the crew of the Diavik Discovery, coxswain and liaison Mark Hilman, to Darren and Sharron Sutton, Dawn Keim and medic Kristjan Goodman as well as Zodiac crew Jack Keefe, Alison Gillis, and Robert Anderson. The family were grateful to have Yola and her dinghy towed safely and secured to her mooring, and we all support the unhesitating and professional help of these volunteers.

Please join me in honouring the exceptional public service of the Yellowknife unit of the Canadian Coast Guard Auxiliary. Mahsi.

**MR. SPEAKER:** Masi. Members' statements. Member for Mackenzie Delta.

#### MEMBER'S STATEMENT ON HOUSING NEEDS IN MACKENZIE DELTA

**MR. BLAKE:** Thank you, Mr. Speaker. As the Minister is well aware, we have a housing shortage in the Mackenzie Delta, with a waiting list of up to three years. Many of my constituents, including myself, would like to see new homes in our communities. More importantly, adding to our stock of homes that we have a limit on.

My communities want to start building their own homes for members, with a partnership with Housing. For example, log homes, as we have timber in the Mackenzie Delta, also woodmeisters for squaring logs or getting the logs to size. This will help keep the costs down and increase the number of homes in our community. I'll have questions later for the Minister. Mahsi.

**MR. SPEAKER:** Masi. Members' statements. Member for Yellowknife North.

#### MEMBER'S STATEMENT ON UNCONTESTED LANDS WITHIN MUNICIPAL BOUNDARIES

**MR. VANTHUYNE:** Thank you, Mr. Speaker. I want to talk about municipal lands. Specifically, I'd like to talk about uncontested land within the City of Yellowknife's boundary. Yellowknife makes up half the territory's population. That's important because, as we know, the GNWT's revenue is driven by federal transfer payments, which are determined by our population. These payments make up nearly 70 percent of the revenue for our annual budget. In a letter from Mayor Alty dated June 24, 2019, the city is proposing that the city and GNWT work together to increase the population, and in turn increase the GNWT's revenue.

How would this work, Mr. Speaker? Currently the city only controls 7 percent of the land inside its boundary. The GNWT controls 31 percent of that land. Of the city's 7 percent, only 1 percent is vacant land available for residential or commercial development. Having access to only 1 percent of land makes it hard for the city to respond to commercial demands. That limits economic development potential, which in turn restricts job creation and population growth in the territory.

Now, the city is asking the GNWT to transfer those lands to the municipality. That will allow the city to meet economic demands more quickly and efficiently. The GNWT will continue to have oversight of planning because community and area development plans will still require ministerial approval.

Mr. Speaker, currently the city has to make land applications for every new parcel of land, in addition to gaining ministerial approval. This process is cumbersome, slow, and inefficient. It doesn't signal that the NWT is "open for business." Frankly, it is an antiquated and paternalistic approach extending from colonization.

It's not only Yellowknife asking for more control of lands within municipal boundaries, Mr. Speaker. As my colleague from Deh Cho mentioned yesterday, we're hearing the same demands from many NWT communities. I experienced first-hand these same shared concerns as I travelled with standing committee on the Public Land Act up and down the valley.

Mr. Speaker, I support the city's request to transfer these lands. I think it's important to take every possible step to improve economic development opportunities in the NWT. To me, this is a no-

brainer; we must move toward getting this done. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Members' statements. Member for Sahtu.

MEMBER'S STATEMENT ON  
SAHTU HEALTHCARE FACILITIES AND  
PRIORITIES

**MR. MCNEELY:** Thank you, Mr. Speaker. Healthcare and long-term care facilities are major structures in supporting our delivery systems; more importantly, the qualified staff within this organization structure. On the issue of facilities, the Sahtu residents have seen two official openings of facilities that support healthcare, the regional facility in Norman Wells and the Territorial Stanton Hospital. Both facilities increased staff and the career opportunities these positions bring.

The Health Minister, in the statement of March 13, 2019, said "we are developing multidisciplinary integrated care teams that will provide clients with ready access to team providers." These, Mr. Speaker, are messages our residents need to hear on developments and strategies our department is reviewing and working on.

Mr. Speaker, I respect the absence of our Health and Social Services Minister and I wish him a speedy recovery; therefore, I look forward to a collaborative working relationship over the next week to coordinate and ask and request that a reformed healthcare presentation be made to the upcoming SSI AGM. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Members' statements. Member for Deh Cho.

MEMBER'S STATEMENT ON  
SMALL COMMUNITIES AND DESIGNATED  
AUTHORITIES

**MR. NADLI:** [Translation] ...such as on-land hunting, fishing, and trapping. Here in Yellowknife, there are six places that they have, and in this here, there is only one. When it's a small place like that they work on, it's hard. In small communities, band councils usually exist and deliver municipal services, sometimes the local band councils, and that is why the settlement or hamlet councils they have. The Government of the Northwest Territories recognizes band councils as designated authorities. Thank you, Mr. Speaker. [End of translation]

**MR. SPEAKER:** Masi. Members' statements. Member for Frame Lake.

MEMBER'S STATEMENT ON  
EXTENDED HEALTH BENEFITS PROGRAM  
REVIEW

**MR. O'REILLY:** Merci, Monsieur le President. Members of this House have likely encountered the issue of NWT Health Plan coverage under the specified disease conditions list under the Extended Health Benefits Program.

Recently I brought forward another instance of lack of care supports because a constituent has a condition that is not covered. Recently the NWT Autism Society released a thorough legal review of how autism is not covered under the list of specified disease conditions and how this may be viewed as discrimination. When I raised this review with the Minister of Health and Social Services, the response from the Minister shows that GNWT inherited a system from the federal government, including a list of specified conditions, that has changed little since 1988.

There have been two failed attempts at reviewing the Extended Health Benefits Program. More recent efforts were put on hold when Ottawa kicked off its Advisory Council on National Pharmacare; and, let's be clear, I support national pharmacare. Until decisions are made on a national pharmacare program the NWT Extended Health Program review and specified disease conditions list review seems to be on hold.

A review of extended health benefits is also tied to the bigger package of our overall Supplementary Health Benefits. While I don't expect that this work will be done in this Assembly, our citizens deserve to have their critical healthcare needs served, and we can and must do better. I will have questions for the Minister later today on how our government is going to deal with the assertions such as those of the NWT Autism Society, and when the specified disease conditions list and the Extended Benefits Program will be reviewed to ensure our citizens get the healthcare they need and deserve. Mahsi, Mr. Speaker.

**MR. SPEAKER:** Masi. Members' statements. Member for Nahendeh.

MEMBER'S STATEMENT ON  
ELDER MARY DENERON

**MR. THOMPSON:** Thank you, Mr. Speaker. I had the pleasure of being invited into Mary Deneron's home during my last visit to Sambaa K'e. I would like to thank her for a great visit. I was very fortunate that her grandson was able translate for me. I would like to thank Dennis for coming in with me.

Mary Deneron was born between Sambaa K'e and Fort Liard to Baptiste and Anna Jumbo on July 16, 1931. She had nine other siblings: six brothers and three sisters. Mary remembers life being very hard. She had the responsibility to cut wood, bring it into

the home, and check the fish nets year-round. As well, she looked after her three-member dog team.

Mary married Phillip Deneron and had two sons and one daughter. Her husband passed away 59 years ago, and she did not remarry.

When we talked about what she missed about the past, she had a lot, but she would say the things she missed most were:

- Her dad going out hunting and coming back with enough food for the whole family. He would share with others, too.
- Getting the furs ready for the market. Since there were no garbage bags in the past, they had to build birch bark boxes, sewing the basket together and using a combination of spruce gum and charcoal to seal the box to keep the fur dry.
- Spring and summertime making dried meat, whether it was fish or moose meat. In the fall time, they cached their food in the trees for the winter months.

She remembered, in the springtime, the elders and the men would go into Fort Simpson for supplies and, in the fall time, they would go into Fort Liard. Sometimes, the whole family would be able to go, and this was a very special treat.

Mary does not like to leave the community and said that she rarely did in the past. Recently she had to get a pacemaker, and she said that this was the longest two years of her life. She was told that she needed to be quiet and relax to help her recover. As much as she did not like to do that, she followed the doctor's orders, and now she leads an active life. She loves her freedom and being able to live in her own place.

When asked what she is happy about, she quickly responded: the fuel subsidy program offered by ECE. It helps that she does not have to get and cut her own wood. However, she is looking forward to the day her house will be fixed up by the Housing Corporation. I am pleased to say, with the new senior program, she is a step closer to getting her wish. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Members' statements. Member for Tu Nedhe-Wiilideh.

#### MEMBER'S STATEMENT ON EULOGY FOR SANDRA LOCKHART

**MR. BEAULIEU:** Marsi cho, Mr. Speaker. [Translation] Today, Sandra passed away on this day. I send condolences for her family and all her friends are there. [Translation ends]

Sandra Faye Lockhart was a vibrant Indigenous woman of Cree and Dakota ancestry. She was given the spiritual name of White Thunder Bird Woman by the grandmothers and grandfathers through a ceremony. She connected her spiritual name to the dramatic way in which she came into this world: her mother, alone on a traditional trail on Mistawasis First Nation in Saskatchewan, gave birth to her.

Sandra became a citizen of Lutselk'e Dene First Nation when she married Chief Felix Lockhart, who was mesmerized by her the day that he first saw her and bumped into a table at the Red Apple when they locked eyes for the first time. Sandra was equally spellbound by the introduction to "a chief" who eventually became her life partner. When the news of their marriage was announced in the community hall at Lutselk'e, the whole hall cheered in relief that Felix was finally getting married.

Sandra had one daughter, 11 grandchildren, and three great grandchildren. She raised four of her grandchildren and was the family matriarch. Sandra's daughter Rhonda was her comfort, and their loving relationship was very close throughout their lives. Sandra was also a very creative and talented quilter. She loved cooking, too, and she would try new recipes, like turkey stuffed with lemons, which became a holiday tradition.

Sandra was a fearless activist of profound wisdom. She inspired others to think about the big picture, how we all fit into it and what we could do to make change and challenge the status quo. She was an inspirational writer and conversationalist who influenced others in her community, territorially, nationally, and even globally.

Sandra had an insatiable thirst for knowledge and openly shared the trauma she experienced throughout her life and her healing journey. Sandra was a strong spiritual woman on all levels. She was a traditionalist who smudged, participated in ceremonies, and picked and used medicines, and she loved listening to podcasts of Christian speakers.

Sandra graduated from the Aurora College Nursing Program at the top of her class and received the Helen Gibson Award presented to students in nursing who overcame obstacles. She was the first Indigenous Wellness Coordinator at the Stanton Hospital, and worked in that position for eight years. She was a founding member of the Canadian Institute for Health Research and was a nationally recognized leader in the union movement. Her work was acknowledged with a Queen Elizabeth II Diamond Jubilee Award. Sandra was enrolled in the Global Leadership Master Program through Royal Roads University until her health declined and she

returned home. She will truly be missed by those who met and loved her. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Our condolences to the family, and to the community, as well. Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Member for Tu Nedhe-Wiilideh.

### Recognition of Visitors in the Gallery

**MR. BEAULIEU:** Marsi cho, Mr. Speaker. I would like to recognize Sandra Lockhart's family and friends in the gallery: her husband, Felix Lockhart; daughter, Rhonda Head; her grandsons, Tristan Lockhart and Logan Badger; Mika Dilon; and her friends Rachel Abel and Arlene Hache. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Welcome to our Assembly. Recognition of visitors in the gallery. Member for Inuvik Twin Lakes.

**HON. ROBERT MCLEOD:** Thank you, Mr. Speaker. I am pleased to recognize in the gallery a candidate in the upcoming election for Inuvik Twin Lakes, and also a constituent of Inuvik Twin Lakes. I'd like to welcome Lesa Semmler to the gallery. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Yellowknife South.

**HON. BOB MCLEOD:** Thank you, Mr. Speaker. I am very pleased to recognize a Page from Yellowknife south, Andrea Geraghty, and all the other Pages who are working here this week and next week. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Hay River South.

**HON. WALLY SCHUMANN:** Thank you, Mr. Speaker. I, too, would like to recognize Robert Bouchard. He used to live in Hay River North; now he moved to the good side of town, Hay River South; and deputy mayor. Welcome to the House, Robert.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Inuvik Boot Lake.

**HON. ALFRED MOSES:** Thank you, Mr. Speaker. I'd like to welcome Mr. Robert Bouchard, who was part of the Fab Five in the 17<sup>th</sup> Assembly. I'm really, really glad that he's joining us here today; it was a pleasure working with you in the last government. Even though she's not a constituent of mine, but a childhood friend and supporter, Lesa Semmler, I welcome her to the House and hope she's enjoying the proceedings.

Lastly, I would just like to thank former Chief Felix Lockhart and his family for being here today. I know there was a great statement from our MLA from Tu Nedhe-Wiilideh for Sandra Lockhart. In my previous life working in the health field, I did do some good work with her, and I just want to say thank you, and I'm glad that they're here. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Yellowknife North.

**MR. VANTHUYNE:** Thank you, Mr. Speaker. Yes, I wish it was in different circumstances, but I would also like to acknowledge Felix Lockhart and Arlene Hache, residents of Yellowknife North. Sandra will be dearly missed, and my thoughts and prayers are with you. Thanks for coming and being here today. Thank you.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Range Lake.

**HON. CAROLINE COCHRANE:** Thank you, Mr. Speaker. I'd like to also take a moment, even though they're not in my riding, to recognize Felix Lockhart, Rhonda, grandson Tristan, and even though she's not here physically, I'd like to recognize Sandra Lockhart. She was one of my best friends and, while she was ill at the end, I told her to write her stories and what I did get was I got to read her last published story in the Missing and Murdered Indigenous Women Inquiry Report, and I will treasure it forever. So, Sandra, you're not here physically, but you are here in my heart forever. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Sahtu.

**MR. MCNEELY:** Thank you, Mr. Speaker. I, too, would like to acknowledge Lesa Semmler, there, the niece of a good friend of our family, and former community leader Felix Lockhart. Mahsi.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Mackenzie Delta.

**MR. BLAKE:** Thank you, Mr. Speaker. I, too, would like to recognize Lesa. We went to Samuel Hearne together. I wish you all the best in the upcoming election. Also Robert Bouchard, the former MLA. It's good to have him here. It must be election time; just kidding. It's good to have him. We became good friends in the last Assembly, and it's always good to see him. Thank you.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Deh Cho.

**MR. NADLI:** Mahsi, Mr. Speaker. I, too, would like to recognize a member of the Fab Five, Mr. Robert Bouchard. I'm very proud to recognize Felix Lockhart; he's a good friend. I express my

condolences to his family. In a previous life, I met Felix through the Dene Nation movement. He was the vice-chief for Akaitcho and I also served as the vice-chief for the Dehcho. That's how we met, and it's been great knowing him and continuing to know him and I express my deep condolences to his family. Welcome to the Assembly. Mahsi.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Yellowknife Centre.

**MS. GREEN:** Thank you, Mr. Speaker. It's my pleasure to welcome a Page to the Legislative Assembly, Taylor Schear, who lives in Yellowknife Centre and goes to school at K'alemi Dene School. I'd like to thank her and all the Pages who are giving up some of their summer holidays to work with us here this week and next. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Nunakput.

**MR. NAKIMAYAK:** Thank you, Mr. Speaker. I'd like to welcome former Chief Felix Lockhart, as well. I know Sandra was a good friend of ours, and thank you for being here, as well as my friend Arlene Hache. We've all had some good interactions in the 90s working together. Also to my high school friend Lesa Semmler. I'll maybe say this to both Lesa and Arlene. You know, Mr. Speaker, there are times when individuals help with the progress of government and self-governments, whether it be in health and wellness or other departments of the government, and in Inuvialuit, I'm speaking mainly, Lesa has helped Inuvialuit progress toward self-government, so I'd just like to recognize that and wish Lesa luck in the upcoming elections. Thanks for being here. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Frame Lake.

**MR. O'REILLY:** Monsieur le President, I would like to recognize Felix Lockhart, as well. He conducted sort of an informal interview with me in about 1986 in the restaurant of the Pinecrest Hotel in Fort Smith. I had just started with the Dene Nation. Somehow, I think I passed the quiz and I'm still here. Condolences to Felix and his family for the great contribution that Sandra made to all our lives. Merci.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. Member for Nahendeh.

**MR. THOMPSON:** Thank you, Mr. Speaker. I'd like to recognize Robert Bouchard, a fellow Hay Riveran. He did recognize me in the House, and now I'm returning the favour. Welcome to the House, one of the Fab Five, Mr. Speaker. Thank you.

**MR. SPEAKER:** Masi. Recognition of visitors in the gallery. If we missed anyone in the gallery, thanks for being here with us. It's always great to have an audience as part of our proceedings. Masi. Item 6, acknowledgements. Item 7, oral questions. Member for Yellowknife Centre.

### Oral Questions

#### QUESTION 818-18(3): SEXUAL ASSAULT REPORTING

**MS. GREEN:** Thank you, Mr. Speaker. My questions today are for the Minister of Justice. We have been discussing the need for new approaches to reporting sexual assault through much of this Assembly, and earlier this week the Minister tabled a letter to me about our most recent round of questions and answers in June. Today, I have some follow-up questions. The department planned to hear from stakeholders in mid-June. Can the Minister tell us about the outcome of that meeting? Mahsi.

**MR. SPEAKER:** Masi. Minister of Justice.

**HON. LOUIS SEBERT:** Thank you, Mr. Speaker. I can advise that the meeting referred to did take place in mid-June and was well attended. The department is in the process of finalizing a document on what was heard and outcomes from the two-day meetings. I do not yet have that document, but, as I say, I believe the meeting was successful dealing with these very important issues.

**MS. GREEN:** I look forward to seeing the document when it's complete. My next question is whether any of the participants disagreed with finding a way to establish third-party reporting of sexual assault and third-party review of police handling of complaints.

**HON. LOUIS SEBERT:** As I mentioned, the meeting was well attended. I am not in a position to answer the question of the Member opposite at this time, simply because I do not know.

**MS. GREEN:** Thank you to the Minister for that response. Given what the Minister does know, what is the status of this issue now that this Assembly comes to an end? How will it be carried over?

**HON. LOUIS SEBERT:** As I said, the department is in the process of finalizing a document as to what was heard, and, that document, I can commit to sharing that document. Ultimately, the document may be tabled. However, that would require it to be translated, as I understand it, I am informed, into French, and that probably would take place in the next Assembly.

**MR. SPEAKER:** Masi. Oral questions. Member for Yellowknife Centre.

**MS. GREEN:** Thank you, Mr. Speaker, and thanks to the Minister for that information. My understanding, then, is that we will see something before the end of this Assembly. Do I have that right?

**HON. LOUIS SEBERT:** I do not know whether I can make that commitment. I will get back to the Member, however, after speaking with the department. Thank you.

**MR. SPEAKER:** Masi. Oral questions. Member for Nahendeh.

QUESTION 819-18(3):  
BUSINESS INCENTIVE POLICY

**MR. THOMPSON:** Thank you, Mr. Speaker. On Tuesday, the Minister of Infrastructure said, "What BC is trying to do, I am not even sure if they are doing it. I have to double check." Can the Minister tell us if he or his department has reached out to BC government on how they deal with out-of-province contractors? Thank you, Mr. Speaker.

**MR. SPEAKER:** Minister of Infrastructure.

**HON. WALLY SCHUMANN:** Thank you, Mr. Speaker. After our conversation the other day, I talked to my assistant deputy minister, and she is in conversations with BC, and we are actually gathering some more information on internal trade on this issue.

**MR. THOMPSON:** I am hoping the Minister can share that with me when he gets it together. Mr. Speaker, the Minister also quoted, "I have a lot of opportunities to speak to different people about BIP." Has the Minister spoken to northern contractors, specifically those in the southern part of the NWT, about their concerns regarding the new way the Business Incentive Policy has been implemented?

**HON. WALLY SCHUMANN:** For the last three years that I have had this file, I have very limited conversation with industry around the BIP policy, as I said. In particular in the Member's riding, I cannot recall any of the major contractors in his region reaching out to me and having a discussion about it.

**MR. THOMPSON:** The Minister said, "A lot of people do not understand our BIP adjustment is subject to [the] Canadian free trade agreements and international [...] agreements." Can the Minister advise us how BIP has an impact on the Canadian free trade and international agreements moving forward?

**HON. WALLY SCHUMANN:** When we are negotiating these agreements, internal trade or external international trade agreements, BIP is something, to put in simple terms, that we try to protect for the residents of the Northwest Territories. These things are negotiated through reciprocity agreements, and some provinces do not like the fact that we have this, in particular a couple of western provinces that are totally against it. However, we have been able to negotiate them into it to protect northern businesses and residents.

**MR. SPEAKER:** Masi. Oral questions. Member for Nahendeh.

**MR. THOMPSON:** Thank you, Mr. Speaker, and I appreciate the Minister providing the answers to us here today. I realize the Minister thinks that the BIP policy is probably one of the best policies that the Government of the Northwest Territories ever created. I would have to agree. It is a great policy in the original state. However, it has been changed to what some northern contractors that I have talked to don't think is a great policy, and we are seeing more and more southern companies come north and taking away contracts and jobs. Will the Minister be willing to look at the policy that was originally in the books and try to bring it back forward?

**HON. WALLY SCHUMANN:** As I have said and I have said it a number of times in the House, I believe BIP also is the best policy the Government of the Northwest Territories has done around economic opportunities to protect residents and businesses in the Northwest Territories, but that is not something that I can have a look at here in the remaining days of this government. We actually only have two weeks left. If that is a priority brought forward by the next 19 Members of this Legislative Assembly, the Minister of ITI will certainly have to have a look at it. That is a discussion to take place in the 19<sup>th</sup>. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Oral questions. Member for Frame Lake.

QUESTION 820-18(3):  
EXTENDED HEALTH BENEFITS PROGRAM  
REVIEW

**MR. O'REILLY:** Merci, Monsieur le President. I pointed out in my statement earlier today that there have been a number of instances in which serious and not uncommon medical conditions are not eligible for healthcare supports under the specified disease conditions list through the extended health benefits program. The latest instance brought to me of non-coverage was with regard to autism. I mentioned how the NWT Autism Society has produced legal analysis that claims that non-coverage of these conditions is discriminatory. I

would like to know from the Minister whether his office has had a chance to review this brief and what is the government's position on whether exclusion of some conditions from the specified disease conditions list is discriminatory. What is the government's position on whether exclusion of some conditions from eligibility under the specified disease conditions list is discriminatory? Mahsi, Mr. Speaker.

**MR. SPEAKER:** Masi. The Honourable Premier.

**HON. BOB MCLEOD:** Thank you, Mr. Speaker. Just for clarification, autism is covered currently by the Extended Health Benefits program. However, we recognize that the Extended Health Benefits Policy is outdated and that we face issues with how the current eligibility criteria for the program are structured. A comprehensive review of the supplementary health benefits programs is underway. Some preliminary work has been done to determine what other jurisdictions have done to identify disadvantaged groups for increased supports. Moving forward, the department will be examining all aspects of need, to ensure distribution of our limited resources is not discriminatory.

**MR. O'REILLY:** Thanks to the Premier for clarifying that autism is covered. I know when I talked to people here in Yellowknife, when they called to find out whether autism was covered, the frontline staff said it was not, so there seems to be some confusion here. Regardless of the government's position on whether autism is covered or not, I would like to know from the Minister: does a comprehensive list exist of what's covered under the specified disease conditions, and will the Minister table that list in this House?

**HON. BOB MCLEOD:** There is a publicly available list of specified disease conditions, and this list is available on the Health and Social Services website. Over the years since 1988, the department received a number of requests that did not fall under the specified disease conditions schedule. Over time, exceptions were made to provide coverage for disease conditions that were not on the list, and, at one point, there were an additional 25 disease conditions being covered on an exceptions basis. In 2010, the department went forward to Cabinet to get approval for an additional 10 disease conditions to be included on the list. Thank you, Mr. Speaker.

**MR. O'REILLY:** I want to thank the Premier for that information. There seems to be some confusion about what's covered and what's not, but I understand from what the Premier said that there is a review that may have started, failed efforts in the past to review the extended health benefits programs, including the specified disease condition

list. I would like to ask the Premier: what's the holdup, and when will this review really commence?

**HON. BOB MCLEOD:** As you know, the cost of pharmaceuticals is an ever-growing cost for the Government of the Northwest Territories and has enormous implications for the sustainability of our supplementary health benefit programs. When the Government of Canada began discussions with the provinces and territories on national pharmacare, we postponed the review until there were clearer indications as to Canada's position because of the implications a national program would have on our benefit programs.

The Advisory Council on National Pharmacare established by the federal government released a report earlier this summer on options for a national pharmacare program. The report was very broad and did not provide the clarity that would have guided the Government of the Northwest Territories moving forward. It is also unclear what next steps may occur, given the upcoming federal government election. It will remain important to align our efforts on supplementary health benefit reform with those occurring at the national level. We will need to wait until the dust settles after the federal election to see whether national pharmacare will move forward and what changes are coming before we make our own. Regardless, the work on the supplementary health benefit reform will be revived and continue into the next government.

**MR. SPEAKER:** Masi. Oral questions. Member for Frame Lake.

**MR. O'REILLY:** Merci, Monsieur le President. Thanks to the Premier for that. There have been a lot of anxiety and unfavourable reactions in the past to efforts to review extended health benefits programs here. I would like to know what kind of preparation work is specifically being done and how our stakeholders are being properly informed and assured that this work is going to start soon. Mahsi, Mr. Speaker.

**HON. BOB MCLEOD:** Recognizing the impacts that supplementary health benefits coverage has for many in the Northwest Territories, public engagement will be carried out before any proposed changes are made. Before going out for public engagement, a certain amount of scoping and cross-jurisdictional research must be completed. Public awareness efforts will occur as part of any public engagement campaign carried out in the future. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Oral questions. Member for Mackenzie Delta.

QUESTION 821-18(3):  
HOUSING NEEDS IN MACKENZIE DELTA

**MR. BLAKE:** Thank you, Mr. Speaker. In follow-up to my Member's statement, I have a few questions for the Minister responsible for Housing. As I mentioned, there is a housing shortage in the Mackenzie Delta, much like a lot of the communities in the Northwest Territories. I would like to ask the Minister: are there plans to increase the housing stock? We are doing a great job replacing units, but we still have a housing shortage. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Minister responsible for the Northwest Territories Housing Corporation.

**HON. ALFRED MOSES:** Thank you, Mr. Speaker. To our agreement with the federal government, our obligation is to provide public housing to just over 1,300 units. Currently, we go above and beyond that and provide about 2,400 units in public housing, plus market rent and other projects that we do within the Housing Corporation.

Most recently, when we were at the Canadian Housing and Renewal Association conference in Victoria, we did give that information to the membership there and talked about how we are making those strides to address housing in the North. We also know that there is a national Indigenous Housing Caucus that, as the Housing Corporation, we are going to be looking at providing possibly a couple of memberships for people that really need it. As the speaker knows and Members know, I did make a statement in the House yesterday on the community housing plans and how we address those.

There are numerous programs that we do throughout the Housing Corporation, and I think that it is through the leadership of the MLA, and the leadership of the chief and mayor, that we can sit down and start working on how we can address this and inform everyone on the programs that we do, which we did do during the first housing summit that we had up in Inuvik earlier this year. Thank you, Mr. Speaker.

**MR. BLAKE:** I would like to ask the Minister: will the department hold workshops in the Mackenzie Delta on how to take advantage of all the federal funding that is available for new homes in the communities?

**HON. ALFRED MOSES:** One of the objectives that we had when we did the housing summit was that we can bring all of our Indigenous leadership together throughout the Northwest Territories, so that we can actually go and lobby the federal government, as well as our national Indigenous organizations, to see how we can get some of that funding here in the Northwest Territories.

As I have mentioned in this House before, the Inuvialuit has a good partnership with ITK, and they are doing some really good work up in the ISR region. We want to make sure that we can ensure that our other Indigenous organizations throughout the Northwest Territories have that same opportunity, and we will continue to work with our leadership to try to access that kind of funding.

**MR. BLAKE:** Is there a limit to what a community can access with the National Housing Co-investment Fund?

**HON. ALFRED MOSES:** One of the bright sides of the co-investment fund was that we were able to negotiate a \$60 million carve-out that the NWT can use, and we are working with Indigenous organizations, as well as NGOs and our stakeholders that address housing needs in the Northwest Territories. Above and beyond that, we can still work with our partners to put in applications federally to that co-investment fund.

As we work on that, I think that we are going to see some good head way moving forward, but there is not a limit, and I encourage all organizations, Indigenous governments, to come and meet with our headquarters or even send an email to myself or through your MLA to see how we can put in an application as well as working with the CMHC to possibly seek some of their seed funding to get a proposal proposed.

**MR. SPEAKER:** Masi. Oral questions. Member for Frame Lake.

QUESTION 822-18(3):  
FOOD ESTABLISHMENT SAFETY  
REGULATIONS

**MR. O'REILLY:** Merci, Monsieur le President. I would like to ask some questions about the Food Establishment Safety Regulations that I found out about today through the Minister's statement. I was contacted while we were in the House here by someone who prepares food for sale at the Yellowknife Farmer's Market. Can the Minister tell us what sort of public engagement took place around the development of the Food Establishment Safety Regulations? Mahsi, Mr. Speaker.

**MR. SPEAKER:** Masi. The Honourable Premier.

**HON. BOB MCLEOD:** Thank you, Mr. Speaker. I will have to take that question as notice. Thank you.

**MR. SPEAKER:** Masi. The question has been taken as notice. Oral questions. Member for Nahendeh.

QUESTION 823-18(3):  
BUSINESS INCENTIVE POLICY

**MR. THOMPSON:** Thank you, Mr. Speaker. I have follow-up questions for the Minister of Infrastructure. Can the Minister advise us, in the contracts, does it have a clause which states how many Northerners will be used on the job and where the company will get their accommodations, fuel, and food, especially when we are using southern companies? Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Minister of Infrastructure.

**HON. WALLY SCHUMANN:** Thank you, Mr. Speaker. Infrastructure is not in charge of BIP. ITI is in charge of BIP, but Infrastructure follows the BIP policy in our procurement process. When we put out a tender, depending on the size of it, say it's under \$1 million, because that's the conversation that we have been having, \$1 million under and \$1 million over, there is a line in there that you can put, which encourages local use of labour, local use of northern content, local use of use of business, and that helps you do your bid adjustment to how much northern content you have. Thank you, Mr. Speaker.

**MR. THOMPSON:** Since this could be part of the tender process or tender contract, how does the department ensure that part of this is actually being followed by the contractors?

**HON. WALLY SCHUMANN:** When a contract is awarded saying that it has these conditions tied to it, the department follows up on the reporting from the contractor on the person that is doing the tender, and we track those things on a regular basis.

**MR. THOMPSON:** I guess that will lead me to my next question. What happens if the contract does not fulfill the commitments that they say they are doing in the contract?

**HON. WALLY SCHUMANN:** I didn't quite hear the question. I believe the Member said: what do we do if the person isn't following the conditions that they said they would do in the tender? Well, first of all, if a person is not following the conditions of the contract that they were awarded, I suspect that they are subject to penalty or even disqualification of being able to continue to do the work until they rectify what they have bid, to get the bid adjustment to determine that they were awarded this tender that they would have to follow the contract that they signed.

**MR. SPEAKER:** Masi. Oral questions. Member for Nahendeh.

**MR. THOMPSON:** Thank you. I thank the Minister for his answers moving forward. My last question is basically: we are seeing a lot of southern companies come in and take contracts from northern companies. Has the department or the

government looked at making sure that they have a socio-economic impact and economic multipliers as part of it because right now, when we see money, southern companies get contracts? That money is going down south with limited money staying back. Thank you, Mr. Speaker.

**HON. WALLY SCHUMANN:** We are talking apples and oranges here because on the local procurement, when we are going through procurement for the Northwest Territories, again, let's put it under \$1 million. We use our BIP policy to ensure that the most money stays in the Northwest Territories through, as I said, locally used, local northern content, local business. That bid adjustment gives you the upper hand on someone from down south to bid on it. If we are talking about larger projects, say the Slave Geological Province or the Taltson project, the department certainly, along with finance, will sit down and have a look at these projects and the social and economic benefits that these things are going to create.

Someone asked me the question yesterday about "How did we include these local content in the Tlicho Road project?" That was an approach the Government of the Northwest Territories has taken on that P3 project. We will follow those closely. The Department of Finance will certainly have the capacity to access the impact that these projects will have on the greater economy of the Northwest Territories. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Oral questions. Member for Yellowknife North.

QUESTION 824-18(3):  
UNCONTESTED LANDS WITHIN MUNICIPAL  
BOUNDARIES

**MR. VANTHUYNE:** Thank you, Mr. Speaker. I would like to direct my questions today to the Minister of Lands. I would like to simply start by asking the Minister: I have travelled up and down the valley now. I have learned a lot from different communities about their need to want to have control over inner-boundary municipal lands. I would like to ask the Minister if he is aware of this and what the Minister's opinion and the department's opinion is on the likelihood that they can transfer municipal lands over to municipal controls. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Minister of Lands.

**HON. LOUIS SEBERT:** Thank you, Mr. Speaker. As a former municipal councillor, as is the Member opposite, I have been aware of this issue, which is an important issue in many of our communities. There is no overall policy to transfer all Commissioner's land in municipal boundaries to

municipalities. Applications can be made by municipalities to obtain portions and parts of that land. I do realize it is an important issue. As I mentioned yesterday, MACA and Lands staff are currently finalizing a strategy on the process with the transfer of land assets specifically to community governments. We do recognize the importance of this issue. We are working on it. I, like the Member opposite, do understand the needs of communities. Thank you.

**MR. VANTHUYNE:** Thank you to the Minister for the reply. I am happy to hear that there are some small steps being taken in this direction. If there is no overall policy to turn all land over to the municipalities, that also kind of sounds to me like there is no overall policy to not turn land over to the municipalities. What considerations is the department making in terms of taking these progressive steps forward so that municipalities can get a little bit better understanding, a little bit more confidence, and a little bit more certainty that our government really is committing towards this effort?

**HON. LOUIS SEBERT:** As mentioned, MACA and Lands are working on a strategy, which, hopefully, will clarify to municipalities what they need to do to obtain land in the communities. As I say, it is now currently done on a case-by-case basis. I do understand the frustrations of some of the communities, including some of the larger ones.

**MR. VANTHUYNE:** Just one last question to the Minister: does the Minister believe that we will actually get to a point in time where our government will turn over municipal, uncontested lands to municipal corporations or to municipalities?

**HON. LOUIS SEBERT:** It is rather difficult to predict the future. However, as I said, Lands and I expect MACA, also, is very well aware of the concerns of the municipalities, which we will take into account as we move forward.

**MR. SPEAKER:** Masi. Oral questions. Item 8, written questions. Item 9, returns to written questions. Item 10, replies to the Commissioner's opening address. Item 11, petitions. Item 12, reports of standing and special committees. Item 13, reports of committees on the review of bills. Member for Nahendeh.

### Reports of Committees on the Review of Bills

#### BILL 45: CORRECTIONS ACT

**MR. THOMPSON:** Thank you, Mr. Speaker. I wish to report to the Assembly that the Standing Committee on Social Development has reviewed Bill 45: Corrections Act. Mr. Speaker, committee

wishes to report that Bill 45 is now ready for consideration in Committee of the Whole as amended and reprinted. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Reports of committees on the review of bills. Member for Yellowknife North.

#### BILL 34: MINERAL RESOURCES ACT

**MR. VANTHUYNE:** Thank you, Mr. Speaker. I wish to report to the Assembly that the Standing Committee on Economic Development and Environment has reviewed Bill 34: Mineral Resources Act and wishes to report that Bill 34 is now ready for consideration in Committee of the Whole as amended and reprinted. Thank you, Mr. Speaker.

**MR. SPEAKER:** Masi. Reports of committees on the review of bills. Item 14, tabling of documents. Member for Frame Lake.

### Tabling of Documents

TABLED DOCUMENT 496-18(3):  
CBC NEWS ARTICLE POSTED JULY 2, 2019,  
"HERE'S WHAT YOU NEED TO KNOW AS  
CARBON TAX TAKES EFFECT IN YUKON"

TABLED DOCUMENT 497-18(3):  
YUKON GOVERNMENT CARBON PRICE  
REBATE IMPLEMENTATION ACT

**MR. O'REILLY:** Merci, Monsieur le President. I have two documents I would like to table, the first being "CBC News Article posted July 2, 2019, 'Here's what you need to know as carbon tax takes effect in Yukon.'" The second document is a copy of the "Yukon Government Carbon Price Rebate Implementation Act." Mahsi, Mr. Speaker.

**MR. SPEAKER:** Masi. Tabling of documents. Item 15, notices of motion. Item 16, notices of motion for first reading of bills. Item 17, motions. Item 18, first reading of bills. Item 19, second reading of bills. Item 20, consideration in Committee of the Whole of bills and other matters: Bill 25: An Act to Amend the Workers' Compensation Act; Bill 39: Environmental Rights Act; Bill 42: An Act to Amend the Petroleum Products Tax Act; Bill 43: An Act to Amend the Income Tax Act; Bill 56: An Act to Amend the Legislative Assembly and Executive Council Act, No. 2; Committee Report 27-18(3): Standing Committee on Economic Development and Environment Report on Bill 39: Environmental Rights Act; Committee Report 28-18(3): Standing Committee on Economic Development and Environment Report on the Review of Bill 25: An Act to Amend the Workers' Compensation Act; Committee Report 30-18(3): Standing Committee

on Rules and Procedures Report on the Review of Bill 56: Legislative Assembly and Executive Council Act and Draft Code of Conduct; Minister's Statement 151-18(3): New Federal Infrastructure Agreement; Minister's Statement 158-18(3): Developments in Early Childhood Programs and Services; Minister's Statement 211-18(3): Addressing the Caribou Crisis; and Tabled Document 442-18(3): 2030 NWT Climate Change Strategic Framework 2019-2023 Action Plan.

By the authority given to me as Speaker by Motion 7-18(3), I hereby authorize the House to sit beyond the daily hour of adjournment to consider the business before the House, with the Member for Hay River North in the chair.

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

**CHAIRPERSON (Mr. Simpson):** I will now call Committee of the Whole to order. What is the wish of committee? Mr. Testart.

**MR. TESTART:** Thank you, Mr. Chair. Committee would like to consider Committee Report 30-18(3): Standing Committee on Rules and Procedures Report on the Review of Bill 56: Legislative Assembly and Executive Council Act and Draft Code of Conduct; Bill 56: An Act to Amend the Legislative Assembly and Executive Council Act, No. 2; Committee Report 28-18(3): Standing Committee on Economic Development and Environment Report on the Review of Bill 25: An Act to Amend the Workers' Compensation Act; Bill 25: An Act to Amend the Workers' Compensation Act; Committee Report 27-18(3): Standing Committee on Economic Development and Environment Report on Bill 39: Environmental Rights Act; Bill 39: Environmental Rights Act in that order. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Simpson):** Thank you, Mr. Testart. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Simpson):** Thank you, committee. We will take a brief recess and then consider the documents. Thank you.

---SHORT RECESS

**CHAIRPERSON (Mr. Blake):** Thank you, committee. I will now call the Committee of the Whole back to order. Committee, we have agreed to do Committee Report 30-18(3), Standing Committee on Rules and Procedures Report on the Review of Bill 56, Legislative Assembly and Executive Council Act, and Draft Code of Conduct. Excuse me, Members. Keep the sidebar to a minimum. I will now go to the chair of the Standing

Committee on Rules and Procedures for any opening comments. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I will keep this very brief. We read the report into the House, I think it was yesterday. The Rules and Procedures Committee held public hearings in three different locations, Fort Smith, Yellowknife, and Inuvik, on some changes that are going to be forthcoming for discussion.

These are changes to the Legislative Assembly and Executive Council Act. Just quickly, these will:

- modify the oath of office sworn by Members to include obligations;
- clarify conflict of interest regime in respect of Members and former Members;
- require adoption by the Legislative Assembly of a Code of Conduct;
- establish standards for the conduct of Members;
- require Members to comply with any code of conduct adopted;
- create the Office of Integrity Commissioner to carry out the duties of the former Conflict of Interest Commissioner, as well as similar duties in relation to the Code of Conduct;
- clarify the obligations of Members in respect to the receipt of gifts, personal benefits; and
- correct consistencies and errors identified in the act.

This is the closing of the loop. The very first thing that we did, actually, as a Legislative Assembly was to refer the Code of Conduct to the Rules and Procedures Committee. This is the end of that process of reviewing our Code of Conduct, and the report that committee has come forward with has a few recommendations that we will get into.

I think that this is very important work that we all undertook and will ensure greater accountability and transparency for future MLAs. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. I will now open the floor to general comments on Committee Report 30-18(3), Standing Committee on Rules and Procedures Report on the Review of Bill 56, Legislative Assembly and Executive Council Act and Draft Code of Conduct. Any questions? Mr. O'Reilly.

COMMITTEE MOTION 180-18(3):  
STANDING COMMITTEE ON RULES AND  
PROCEDURES REPORT ON THE REVIEW OF  
BILL 56: AN ACT TO AMEND THE LEGISLATIVE  
ASSEMBLY AND EXECUTIVE COUNCIL ACT,  
NO. 2 - INTEGRITY COMMISSIONER WEBSITE,  
CARRIED

**MR. O'REILLY:** Thanks, Mr. Chair. Committee did make five recommendations in our report. Mr. Chair, I move that this committee recommends that the Legislative Assembly of the Northwest Territories create a separate section on its website for the Integrity Commissioner and that all documents that must be posted on the register be located on this page. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. The motion is on the floor and is being distributed. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. Sorry, in my introductory remarks, I neglected to thank my fellow committee Members for the hard work that they did and the public for the submissions that we received.

To the motion, Mr. Chair, with the changes in Bill 56, we are going to transition the Conflict of Interest Commissioner to become an Integrity Commissioner, and the Integrity Commissioner can deal with complaints by any Member of the public with regard to any possible breaches of the Code of Conduct by future MLAs.

What this is going to do is provide a place where the reports, annual reports and so on, of the Conflict of Interest Commissioner can be found in one place. Also, the public portion of our disclosure statements as MLAs, they would also be found on this website to make them more accessible to the public. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. O'Reilly.

COMMITTEE MOTION 181-18(3):  
STANDING COMMITTEE ON RULES AND  
PROCEDURES REPORT ON THE REVIEW OF  
BILL 56: AN ACT TO AMEND THE LEGISLATIVE  
ASSEMBLY AND EXECUTIVE COUNCIL ACT,  
NO. 2 - PUBLIC SIGNING CEREMONY,  
CARRIED

**MR. O'REILLY:** Thank you, Mr. Chair. I move that this committee recommends that the 19<sup>th</sup> Assembly have a public ceremony where each member agrees to and signs the code of conduct. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. The motion is in order. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. Very quickly, the code, when it is passed by the House, is binding on MLAs at the time and any future MLAs. There is not a requirement for our future MLAs to actually sign the code in any kind of public way. The recommendation here is that there still be a symbolic signing when MLAs are sworn in just so the public can see that they have agreed publicly to accept the code of conduct and live by it. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. O'Reilly.

COMMITTEE MOTION 182-18(3):  
STANDING COMMITTEE ON RULES AND  
PROCEDURES REPORT ON THE REVIEW OF  
BILL 56: AN ACT TO AMEND THE LEGISLATIVE  
ASSEMBLY AND EXECUTIVE COUNCIL ACT,  
NO. 2 - COMMUNICATIONS ON CHANGES  
UPON COMING INTO FORCE OF BILL 56,  
CARRIED

**MR. O'REILLY:** Thank you, Mr. Chair. I move that this committee recommends that upon adoption of the new code of conduct and the coming into force of Bill 56, that a news release be distributed and plain-language materials be posted to the Legislative Assembly website explaining the changes. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. O'Reilly.

COMMITTEE MOTION 183-18(3):  
STANDING COMMITTEE ON RULES AND  
PROCEDURES REPORT ON THE REVIEW OF  
BILL 56: AN ACT TO AMEND THE LEGISLATIVE  
ASSEMBLY AND EXECUTIVE COUNCIL ACT,  
NO. 2 - PRIVACY TRAINING FOR 19<sup>TH</sup>  
LEGISLATIVE ASSEMBLY MEMBERS,  
CARRIED

**MR. O'REILLY:** Thanks, Mr. Chair. I move that this committee recommends that all Members of the 19<sup>th</sup> Assembly receive privacy training to assist them in protecting the confidentiality of any personal information, personal health information, or other confidential information that comes into their possession. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. The motion is on the floor. The motion is in order. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. During committee's consideration of Bill 56, we heard comments raising concerns around "Why doesn't the Access to Information and Protection of Privacy Act apply to MLAs?" As I understand it, that is not generally the case in other jurisdictions.

There is provision in the code of conduct, the draft as it exists and will be tabled in the House shortly, to ensure that MLAs treat the information they get from their constituents and about their constituents in an appropriate manner. That is how we deal with privacy considerations here and will deal with them in the future.

This motion is to recommend that new MLAs, current MLAs, that they get some training with regard to how to protect personal information about their constituents and that it all be handled appropriately. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. O'Reilly.

COMMITTEE MOTION 184-18(3):  
STANDING COMMITTEE ON RULES AND  
PROCEDURES REPORT ON THE REVIEW OF  
BILL 56: AN ACT TO AMEND THE LEGISLATIVE  
ASSEMBLY AND EXECUTIVE COUNCIL ACT,  
NO. 2 - 19<sup>TH</sup> ASSEMBLY REVIEW OF CODE OF  
CONDUCT,  
CARRIED

**MR. O'REILLY:** Thank you, Mr. Chair. I move that this committee recommends that the 19<sup>th</sup> Assembly review the code of conduct to ensure it continues to meet the needs of the Assembly and residents. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. The motion is on the floor and has been distributed. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Thank you, committee. Do you agree that you have concluded consideration of Committee Report 30-18(3)?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Agreed. Thank you committee. We have concluded consideration of Committee Report 30-18(3), Standing Committee on Rules and Procedures Report on the Review of Bill 56: Legislative Assembly and Executive Council Act and Draft Code of Conduct. Thank you.

Thank you, committee. We have agreed to consider Bill 56, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2. I will ask Mr. Vanthuyne as the sponsor of the bill on behalf of the Board of Management to make opening remarks on the bill.

**MR. VANTHUYNE:** Thank you, Mr. Chair. On behalf of the Legislative Assembly Board of Management, I am pleased to appear before you in a moment's time today with respect to Bill 56: An Act to Amend the Legislative Assembly and Executive Council Act, No. 2. Members will recall that this is the second bill to amend this act during the current session. Whereas the first bill, Bill 55, made a number of miscellaneous amendments to the act, the bill before you is focused largely on part 3, which addresses conflicts of interest. Specifically, the bill makes changes to the oaths of office and allegiance sworn by all Members and adds a third oath, the oath of loyalty. The bill also makes provision for the adoption of a code of conduct by the Legislative Assembly which will be enforceable by an Integrity Commissioner who will also carry out the duties of the current Conflict of Interest Commissioner. Finally, Bill 56 clarifies the obligations of Members with respect to the acceptance of personal gifts and personal benefits.

This bill is the culmination of one of the first actions taken by this Assembly in its first days in office and the direction of this Legislative Assembly that

resulted from the excellent work and recommendations of the Standing Committee on Rules and Procedures.

A number of important amendments were made to the bill at standing committee, which I was pleased to support.

Thank you, Mr. Chair. I am happy to respond to any questions Members may now have at the appropriate time. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. I will now turn to the chair of the Standing Committee on Rules and Procedures, the committee that considered the bill, for opening comments. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I have no comments to make at this time. We read the report in yesterday. That is, I think, all we need to do at this point. Thank you.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Mr. Vanthuyne, would you like to bring witnesses into the Chamber?

**MR. VANTHUYNE:** I would. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. Sergeant-at-Arms, please escort the witnesses into the Chamber. Mr. Vanthuyne, please introduce your witnesses.

**MR. VANTHUYNE:** Thank you, Mr. Chair. I have, to my left, Christina Brownlee, legislative counsel, and, to my right, Tim Mercer, the Legislative Assembly clerk.

**CHAIRPERSON (Mr. Blake):** Thank you. I will now open the floor to general comments on Bill 56. Mr. Testart.

**MR. TESTART:** Thank you, Mr. Chair. I just wanted to speak in strong support of this bill. The ongoing commitment that this Assembly has made to improve its code of conduct and make changes that will allow it to be enforceable and tangible. It gives much comfort to our citizens and those who expect a high standard of behaviour and conduct from their elected officials. I am pleased to stand in support of this important legislation to improve our democratic institutions. Thank you.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Testart. Any further questions, committee? Seeing none, does committee agree that there are no further comments?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Can we proceed to a clause-by-clause review of the bill?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you. Committee, we will defer the bill number and title until after consideration of the clauses. There are 25 clauses in the bill. We will consider the clauses in groups. Please turn to page 1 of the bill. Clauses 1 to 5. Does committee agree?

---Clauses 1 through 25 inclusive approved

**CHAIRPERSON (Mr. Blake):** Agreed. Thank you. We will now return to the bill number and title. Bill 56, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Does committee agree that Bill 56 is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you. Bill 56 is now ready for third reading. Does committee that this concludes our consideration of Bill 56?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you. Thank you, Mr. Vanthuyne, and thank you to your witnesses. Sergeant-at-Arms, please escort the witnesses from the Chamber. Thank you, committee. Committee Report 28-18(3), Standing Committee on Economic Development and Environment Report on the Review of Bill 25, An Act to Amend the Workers' Compensation Act. I will go to the chair of the Standing Committee on Economic Development and Environment for any opening comments. Mr. Vanthuyne.

**MR. VANTHUYNE:** Thank you, Mr. Chair. Bill 25, An Act to Amend the Workers' Compensation Act, was referred to the Standing Committee on Economic Development and Environment on October 29, 2019. On February 26, 2020, the committee was granted an extension to continue its review.

The committee sent letters inviting input from an extensive list of stakeholders, including municipal and Indigenous governments in the Northwest Territories, as well as a number of non-governmental organizations and stakeholders. A public hearing was held in Yellowknife on February 12, 2019. The committee thanks everyone who attended these meetings or provided written submissions sharing their views on Bill 25.

The shared nature of the Workers' Safety and Compensation Commission between two jurisdictions, the Northwest Territories and Nunavut, gives rise to a unique situation. Two distinct and

sovereign legislatures are concurrently considering amendments to two pieces of mirrored legislation to govern a single body that conducts business in both jurisdictions.

While the circumstances that have given rise to two different legislatures in two independently governed jurisdictions considering mirrored legislation are usual, they are not without precedent. The committee thanks the Legislative Assembly of Nunavut's Standing Committee on Legislation for its collaboration and cooperation as this bill was reviewed.

The committee concluded its review of Bill 25, An Act to Amend the Workers' Compensation Act, on August 9, 2019 with a public clause-by-clause review held at the Legislative Assembly. Bill 25 was amended, with two clauses deleted by the committee and three motions moved making changes to other clauses. These amendments received concurrence from the Minister.

Mr. Chair, individual Members may have additional comments or questions. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. I will now open the floor to general comments on Committee Report 28-18(3), Standing Committee on Economic Development and Environment Report on Bill 25, An Act to Amend the Workers' Compensation Act. Mr. Testart.

**MR. TESTART:** Thank you, Mr. Chair. As the chair said, the committee spent a great deal of time working on this bill, and largely it was driven by the need to cooperate with our sister territory of Nunavut and work closely with their standing committee. That was a very productive relationship, and we were able to communicate some issues that both sides found with the bill.

However, the unique nature of this legislation where one body exists in two different jurisdictions and is governed by two acts, I think the expectation is that how it works in the NWT will be how it works in Nunavut, and that makes very much sense from an operational standpoint, but it did create challenges for the committee in reviewing this legislation. What I am speaking to today is less about Bill 25 and more about that unique nature of the WSCC legislation in the first place. My concern is that, should there ever be a time when the people of the Northwest Territories want their WSCC to operate fundamentally differently than Nunavut, we may not be in a position to offer those changes to employers, employees, and other people who want to see a different way of doing WSCC or workers' safety rules or governance structures, things like that.

So, until we either split the commission into two separate ones, such as they have done with the law society, for example, and a few others or adopt a model like the professional accountancy's legislation we passed in this House a while back, I don't think we are going to really reach the level of satisfaction that a lot of people have -- I hear concerns about the WSCC often, and how to address them becomes difficult if we are not able to adequately amend our own legislation if it won't result in the same changes in Nunavut. This is very much a live issue, and it's something that I think the 19<sup>th</sup> Assembly needs to think about because the state of affairs is going to continue to kind of trouble the expediency of legislative changes and also the independence of the Northwest Territories to bring about its own legislative changes.

With that being said, I think we have done a good job or the committee has done a good job with Bill 25, and largely some of the issues that the committee found with it have been resolved, so the process worked now. However, again, if there are some major changes sought by the public, my fear is that we will be unable to act on it if the current state of affairs remains consistent into the future. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Testart. Next, we have Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. Yes, I, too, would like to commend the chair of our committee in particular. This was an unusual bill for us to deal with, and I know that the chair did have to spend some extra time on this one. He did talk to the chair of the Nunavut standing committee on the phone about this bill to make sure that our efforts were coordinated and understood. Our staff behind the scenes were also working together on making sure that we understood what the concerns of Nunavut were with regard to this bill and so that we could try to harmonize our efforts in that way. I also want to commend the Minister, though, because there were some areas of disagreement initially on some areas of the bill, particularly with regard to workers' rights and their medical records. The way the bill had originally been drafted might lead to personal medical records that had nothing whatsoever to do with a Workers' Compensation claim being accessible to the commission and the commission's investigators and so on.

Working with the Minister, we were able to come up, I think, with a very good compromise, which actually solved the deletion of a couple of parts of the bill. I do want to commend the Minister and his staff for working really well with the committee on this bill, and I think we've arrived at a good place that achieves the kind of balance to make sure that the commission can carry out its work, and that workers' rights to privacy, and workers' rights in

general are protected. I am quite pleased with where we ended up on this bill. I think this is how consensus government can and should work. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Any further questions? Seeing none, thank you. Committee, do you agree that you have concluded consideration of Committee Report 28-18(3) on the Standing Committee on Economic Development and Environment Report on the Review of Bill 25, An Act to Amend the Workers' Compensation Act?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Agreed. Thank you, committee. We have concluded consideration of Committee Report 28-18(3), report on the review of Bill 25, An Act to Amend the Workers' Compensation Act. Thank you, Committee.

Committee, we have agreed to consider Bill 25, An Act to Amend the Workers' Compensation Act. I will ask the Minister responsible for the Workers' Compensation Act to introduce the bill. Mr. Moses.

**HON. ALFRED MOSES:** Thank you, Mr. Chair. I am pleased to introduce Bill 25, An Act to Amend the Workers' Compensation Act. I would like to thank the Standing Committee on Economic Development and Environment for their review of this bill.

The purpose of the amendments to the Workers Compensation Act is to ensure certain provisions are in compliance with past court decisions. It further protects workers with mandatory reporting of industrial exposures, removes restrictions for workers who are seeking medical attention, modernizes the language for clarity and transparency, and aids the commission to ensure the sustainability of the Workers' Protection Fund. The amendments strike a balance between privacy and confidentiality of health information, and providing case management services to injured workers.

The Workers Compensation Act provides dual legislation to the Northwest Territories and Nunavut. Our counterparts in Nunavut are reviewing the legislation as Bill 8, and while there has been interaction between the Northwest Territories and Nunavut at the Minister and committee on a legislation level, Nunavut has not had input into the final version of Bill 25. Bill 8 is expected to be reviewed in the near future. The coming into force date of the amendments will need to be linked to the passing of Bill 8 by Nunavut.

Mr. Chair, that concludes my opening remarks, and I would be pleased to answer any questions that Members may have regarding Bill 25. Thank you.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister Moses. I will now turn to the chair of the Standing Committee on Economic Development and Environment, the committee that considered the bill, for opening comments. Mr. Vanthuyne.

**MR. VANTHUYNE:** Thank you, Mr. Chair. No additional comments. Thank you, Mr. Chair.

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

**HON. ALFRED MOSES:** Thank you, Mr. Chair, and yes, I do.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister Moses. Sergeant-at-Arms, please escort the witnesses into the Chamber. Thank you. Minister Moses, can you please introduce your witnesses.

**HON. ALFRED MOSES:** Thank you, Mr. Chair. On my right is Miss Kim Collins Riffel the vice president of stakeholder services for WSCC, and on my left is Christina Brownlee, legislative counsel with Justice. I just would also say that I would like to thank Kim for the work that she has done just recently as the acting president for WSCC.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister Moses. I will now open the floor to general comments on Bill 25. Seeing none, does committee agree that there are no further comments?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you. Can we proceed to a clause-by-clause review of the bill?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Agreed. Thank you, committee. We will defer the bill number and title until after consideration of the clauses. There are 25 clauses in the bill. We will consider the clauses in groups. Please turn to page 1 of the bill. Clauses 1 to 5, does committee agree?

---Clauses 1 through 38 inclusive approved

**CHAIRPERSON (Mr. Blake):** We will now return to the bill number and title. Bill 25, An Act to Amend the Workers Compensation Act. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Agreed, thank you. Does committee agree that Bill 25 is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Agreed, thank you. Bill 25 is now ready for third reading. Does committee agree that this concludes our consideration of Bill 25?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister Moses, and thank you to your witnesses. Sergeant-at-Arms, please escort the witnesses from the Chamber. Minister Moses.

**HON. ALFRED MOSES:** Thank you, Mr. Chair. I just want to reiterate some of the comments that were made by committee when we just passed the committee report. I know it was last-minute that we did have to make some changes to the legislation, and when we do legislation that's cross-jurisdictional, such as with Nunavut, as one of the Members had mentioned earlier, we do have to come up with a protocol and process when we look at it, working with Nunavut especially because we have a lot of legislation that we have done with them in the past. I would like to thank the Members and the staff for the work that they have done getting to this point in our legislation as we near the end of the 18<sup>th</sup> Legislative Assembly.

Once again, I would like to thank Kim for stepping up and being the acting president for WSCC in the last little while here, and if I can just let Members know, up in the gallery, we do have our newly I wouldn't say "elected" but our new president, Debbie Malloy, if you wouldn't mind raising your hand. Welcome to the Northwest Territories and working with us at WSCC, along with Elise Scott, our senior advisor for the president's office, and I look forward to the work that you will be doing with our staff moving forward. With that, I just want to thank committee again and the staff for adjusting issues that needed to be adjusted, and moving into the next government, I do believe there needs to be a protocol and a process when we're looking at a legislation that affects across jurisdictions. With that, thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister Moses, and thank you to your witnesses. Sergeant-at-Arms, please escort the witnesses from the Chamber.

Thank you, committee. Committee Report 27-18(3), Standing Committee on Economic Development and Environment Report on the Review of Bill 39, Environmental Rights Act. I will go to the chair of the Standing Committee on Economic Development and Environment for any opening comments. Mr. Vanthuyne.

**MR. VANTHUYNE:** Thank you, Mr. Chair. I don't have any opening comments at this point. I did share some brief comments when I announced the

report to Committee of the Whole the other day. I will leave it to other Members if they have any opening comments at this point in time. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. Any further questions from committee? Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. First off, I have a confession to make. I am passionate about this bill. This is the first time that the Environmental Rights Act has been through a review in 29 years. There have only been four requests under the act. It is not very well used; I don't think it's terribly well promoted. Of the four requests, there has only ever been one investigation carried out. I helped make that request with a friend, Chris O'Brien, about emissions from the Giant Mine.

Because this area of environmental rights is evolving over time, and certainly a number of other jurisdictions have adopted environmental rights right into the constitution, 149 of 193 countries have done that. Unfortunately, the bill that we have before us is really only making some minor improvements to what we have in place.

I will say that it does extend the basis for investigations, court actions, to acts of omissions, but there is now a significant harm test. You have to show that something has significant effects on the environment before an investigation or a court action might be permitted. There is to be a State of the Environment Report and a statement of environmental values. Those are improvements, but it's not a rights-based or obligation-based approach.

This really doesn't even deliver on the promises that were made by the department during the public consultations. What was promised were things like an environmental registry, a method for the public to propose policies, programs, agreements, initiatives, and a period for public comment on these things, and in some cases, even a response from the department. There was to be a definition of the right to a healthy environment, public trust was to be defined, and an obligation placed on our government to basically take care of the environment. There is to be dispute resolution incorporated into the bill, and investigations would initially be carried out by inspectors.

There was a lot more promise than what has been delivered in the bill. Committee did look at this and tried to find some ways to make some improvements in areas that we could, and I am pleased to say that most of the recommendations from committee have been incorporated into the bill. Those do include things like how to better define some criteria that can be considered in terms

of defining significance, some principles that can help the Executive Council in drafting the statement of environmental values. These are well-accepted environmental principles. The statement of environmental values is to go through a public review now, similar to that that was contemplated for the state of the environment reports. There have been some improvements made to the bill. There are still some areas that I would recommend some further improvements on.

Although they didn't receive committee support, I brought them to the floor of the House. I also indicated my willingness to work with the Minister and the department on further improvements, and I look forward to discussing those a little later when we get to the bill itself, Mr. Chair. I think that it is important for the public to know that we did receive significant amount of public concerns, submissions around how to improve this, and committee has done its best to try to do that within the scope of the bill that is before us. I look forward to further opportunities to improve this bill. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Any further questions, committee? Mr. Vanthuyne.

COMMITTEE MOTION 185-18(3):  
STANDING COMMITTEE ON ECONOMIC  
DEVELOPMENT AND ENVIRONMENT REPORT  
ON THE REVIEW OF BILL 39: ENVIRONMENTAL  
RIGHTS ACT - PUBLIC AWARENESS  
CAMPAIGN, CARRIED

**MR. VANTHUYNE:** Thank you, Mr. Chair. We have some motions. I move that this committee recommends that the Department of Environment and Natural Resources undertake a public awareness campaign of the Environmental Rights Act, including plain language materials on how the public can avail themselves of the various protections and provisions of the act. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. The motion is on the floor and is being distributed. The motion is in order. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. Earlier in my opening comments, I mentioned that this is not a terribly well-used piece of legislation: four requests in 29 years, only one of which resulted in an investigation. I think that it is important that we give citizens tools to help protect the environment. This bill will help improve that, but we also have to do, I think, a much better job in communicating what sort of rights citizens have under the Environmental Rights Act and promote those rights and how people can follow up on them, whether it's requests

for investigations, taking action themselves through the court system.

There are a number of things that people can do and follow up. They can be engaged and involved in the preparation of the statement of environmental values, review the State of the Environment Report. Hopefully, at some point in the future, we may have an environmental registry. This motion will ensure that the department, hopefully, will take a stronger role in promoting what is in the bill and the environmental rights that it creates so that people can exercise those rights. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed?

---Carried

Mr. Vanthuyne.

COMMITTEE MOTION 186-18(3):  
STANDING COMMITTEE ON ECONOMIC  
DEVELOPMENT AND ENVIRONMENT REPORT  
ON THE REVIEW OF BILL 39: ENVIRONMENTAL  
RIGHTS ACT - REGISTRY FOR REPORTING  
REQUIREMENTS IN ENVIRONMENT AND  
RESOURCE MANAGEMENT BILLS, CARRIED

**MR. VANTHUYNE:** Thank you, Mr. Chair. I move that this committee recommends that a registry be created to capture all of the reporting requirements found in the various environment and resource management bills, allowing the public a one-window access point to information. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. The motion is on the floor and has been distributed. The motion is in order. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I mentioned earlier how the department, in carrying out the public consultations that went into the development of the bill, had said that they were contemplating the development of an environmental registry.

Ontario has such as registry already in place, and has had it in place for more than a decade. This is one place on the Ontario government website where any individual can go and find important decisions that are made with regard to the environment; proposals for policies, programs, new regulations, draft regulations; and there is an opportunity for the public to comment on these, so we already have a model or a system that works in another jurisdiction. Apparently, the department

heard some concerns about duplication with the Land and Water Board registries or the review board public registry. That is not what I think this contemplates. Those registries do a great job of informing people of decision-making proceedings under the Mackenzie Valley Resources Management Act.

What we are talking about is areas of GNWT jurisdiction, things like the Forest Act or the Environmental Protection Act, where GNWT has specific authority and makes decisions, issues permits and so on. That is where these things could be located because right now there is not much access to some of that information, although, through committee's development review of a number of the resource management bills, there will now be registries for mining, for public lands. All of those could be combined and put into an environmental registry, providing some greater coordination and maybe even some cost savings. That is what the purpose of this is, to ask the department to further consider this idea of an environmental registry and how to allow our citizens to have more information about important decisions made about the environment and maybe even a chance to comment on decisions before they are made or drafts of things before the decisions are made. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Vanthuyne.

COMMITTEE MOTION 187-18(3):  
STANDING COMMITTEE ON ECONOMIC  
DEVELOPMENT AND ENVIRONMENT REPORT  
ON THE REVIEW OF BILL 39: ENVIRONMENTAL  
RIGHTS ACT - GOVERNMENT RESPONSE TO  
RECOMMENDATIONS, CARRIED

**MR. VANTHUYNE:** Thank you, Mr. Chair. I move, to the extent it is possible before the dissolution of the 18<sup>th</sup> Assembly and for the public record, that the government provide a response to these recommendations, even of a preliminary nature, that committee may publicly disclose. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. The motion is in order and has been distributed. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Vanthuyne.

COMMITTEE MOTION 188-18(3):  
STANDING COMMITTEE ON ECONOMIC  
DEVELOPMENT AND ENVIRONMENT REPORT  
ON THE REVIEW OF BILL 39: ENVIRONMENTAL  
RIGHTS ACT - ANTI-SLAPP LEGISLATION,  
CARRIED

**MR. VANTHUYNE:** Thank you, Mr. Chair. I maybe should have read that previous motion last. A little out of order, but I will get us back on track. Thank you, Mr. Chair. I move that this committee recommends that the Government of the Northwest Territories begin work on anti-SLAPP legislation for introduction during the life of the 19<sup>th</sup> Legislative Assembly. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. The motion is on the floor and has been distributed. The motion is in order. To the motion. Mr. Testart.

**MR. TESTART:** Thank you, Mr. Chair. For those who are not acronym-savvy, SLAPP stands for "strategic litigation against public participation," and this is the use of the courts, essentially, to silence criticism or public advocacy of a project or a policy or something that a private interest does not want to be criticized about. A number of Legislatures are considering similar legislation. The British Columbia Legislature has since passed an anti-SLAPP bill, and it received all-party support in their Legislature.

This is a really important issue. It is imperative that we protect the public's interest to be able to raise differences of opinion without intimidation from those with the means to take SLAPP actions against members of the public. I strongly support this recommendation. It does not flow directly from the bill itself, but, during our consultations, it became very imperative to the public and the nature of this bill around ensuring rights to citizens to get the government to look into problems in the environment. It is consistent with the idea that there should not be obstacles to the public raising concerns and raising their voices when they see something wrong in their community, so I think this is a very important and worthy initiative of our successor Assembly, and I hope to see this legislation come forward. Thank you.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Testart. Next, we have Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. Actually, I do not have any comments, but I do support the motion. Thank you.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Vanthuyne.

COMMITTEE MOTION 189-18(3):  
STANDING COMMITTEE ON ECONOMIC  
DEVELOPMENT AND ENVIRONMENT REPORT  
ON THE REVIEW OF BILL 39: ENVIRONMENTAL  
RIGHTS ACT – COORDINATION OF  
REPORTING, CARRIED

**MR. VANTHUYNE:** Thank you, Mr. Chair. Lastly, I move that this committee recommends that the Department of Environment and Natural Resources coordinate to the highest possible degree the required report under the Environmental Rights Act with reporting requirements found in other environmental legislation for which it is responsible. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Vanthuyne. The motion is on the floor and has been distributed. The motion is in order. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. Earlier, I mentioned that one of the improvements in the bill is going to be a state of the environment report that is required. There is state of the environment reporting already taking place, pursuant to the Mackenzie Valley Resources Management Act, part 6, and I guess committee felt that it was important to coordinate these sort of state of the environment reporting efforts no matter what piece of legislation they may be carried out under. Under the proposed forest act, there was supposed to be a state of the forest report, as well. ENR does a good job at pulling these sorts of efforts together. In fact, the Cumulative Impact Monitoring Program, which does do the tracking that feeds into the state of the environment report under the MVRMA, that program is now housed within ENR. I am sure that folks talk back and forth and so on, and maybe those individuals may actually be responsible for doing some of the reporting related to the state of environment report under this new bill, so committee felt it was important to make this recommendation about coordination and

collaboration and doing these reports moving forward. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Thank you, committee. Do you agree that you have concluded consideration of Committee Report 27-18(3), Report on Bill 39, Environmental Rights Act?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you. Thank you, committee. We have concluded consideration of Committee Report 27-18(3), report on Bill 39, Environmental Rights Act. Thank you, committee. Committee, we have agreed to consider Bill 39, Environmental Rights Act. I will now ask the Minister of Environment and Natural Resources to introduce the bill. Minister.

**HON. ROBERT MCLEOD:** Thank you, Mr. Chair. I am here to introduce Bill 39, the Environmental Rights Act. This bill takes steps to modernize and broaden the existing Environmental Rights Act in the Northwest Territories. The bill provides broader rights to:

- request an investigation, including clearer timelines and responsibilities of the Minister;
- prosecute an offence;
- bring forward an action; and
- protect employees who have engaged in processes under the Environmental Rights Act.

The bill also requires Executive Council to prepare a statement of environmental values and ensure that departments and select public bodies consider that statement in their decision-making.

Environment and Natural Resources has developed this bill through a partnership process with a technical working group that is comprised of Indigenous governments and organizations. Valuable input was also received from a stakeholder advisory committee, public engagement, consultation with Indigenous governments and organizations, and other Government of the Northwest Territories departments.

The department appreciates all comments and recommendations provided through the Standing

Committee of Economic Development and Environment review process. The department is confident that the bill has become stronger with their amendments.

To ensure the public is aware of these modernizations to the Environmental Rights Act, the department will actively promote it through our regular communication methods.

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

**CHAIRPERSON (Mr. Blake):** Thank you, Minister McLeod. I will now turn to the chair of the Standing Committee on Economic Development and Environment, the committee that considered the bill, for opening comments. Mr. Vanthuyne.

**MR. VANTHUYNE:** Thank you, Mr. Chair. I do not have additional comments at this time, other than comments provided previously when I presented the report. I will leave it to other Members, if they care to share comments. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you. Minister McLeod, would you like to bring witnesses into the Chamber?

**HON. ROBERT MCLEOD:** Yes, I would, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister McLeod. Sergeant-at-Arms, please escort the witnesses into the Chamber. Minister McLeod, please introduce your witnesses.

**HON. ROBERT MCLEOD:** Thank you, Mr. Chair. To my left, I have Dr. Erin Kelly, assistant deputy minister of Environment and Climate Change. To my right, I have Ms. Cherie Jarock, legislative counsel. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you. I will now open the floor to general comments on Bill 39. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. In my earlier remarks, I mentioned how, during the development of the bill, the public consultations that were held, there were a number of items that the departmental staff had raised, maybe even some expectations, dare I say, because those were brought to the attention of standing committee during the review of the bill. There were expectations raised around an environmental registry, that there would be methods to propose policies, programs, agreements, initiatives, maybe even an ability to comment on those, as well, when they became posted to the environmental registry.

Through the environmental registry, there was some discussion of the ability to make public comments on items that were posted there,

including draft regulations. There was to be a definition of a right to healthy environment. Public trust was to be established and an obligation placed on GNWT. There was to be dispute resolution. Investigations would be carried out by inspectors.

That is not what people found in the bill when they started to review it. Can someone explain to me why those concepts, those items were dropped or not incorporated into the bill before us? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Dr. Kelly.

**DR. KELLY:** Thank you, Mr. Chair. As the Minister mentioned in his opening remarks, we used a partnership approach to drafting these bills. We worked with a technical working group and a stakeholder advisory group. While there were ideas that were presented in our legislative proposal, we worked on what ultimately ended up in the bill with those groups. Some of the things that the Member mentioned were not put in there for various reasons. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Dr. Kelly. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. Is the department then contemplating bringing any of these items back into the Environmental Rights Act in the future? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Dr. Kelly.

**DR. KELLY:** Thank you, Mr. Chair. We think that in the future, there would be an opportunity to have a look at the Environmental Rights Act specifically related to the registry that the Member brought up. We will be doing amendments to the Environmental Protection Act. That will be considered through that process. It is anticipated that there would be a registry through that bill. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Dr. Kelly. Mr. O'Reilly.

**MR. O'REILLY:** Great. Thanks, Mr. Chair. I am really pleased to hear that, that the idea of an environmental registry may still be alive. I mentioned that the current act started off as a private Member's bill back in 1990 or 1991. It has been around for 29 years. Requests have only happened four times under it and an investigation only once. When could we expect that the next review of this bill will take place? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Minister McLeod.

**HON. ROBERT MCLEOD:** Thank you, Mr. Chair. I believe that the next Assembly decided that this was something that they wanted to have a look at this; maybe towards middle to the end of the Assembly, then it is a decision that they would make. As the Member pointed out before, this has been around since 1990, I think he said. Last time it may have been used was 1991, been used four times. I think we have strengthened the bill a bit. We don't know how many more times it may be used because of some of the additions. The next Assembly, when they come in, they can make a determination if they want to have another look at the Environmental Rights Act. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister McLeod. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I appreciate the Minister's remarks. Of course, we can't bind a future Assembly to do anything. Given that this act has only really ever received comprehensive review in 29 years, hopefully, we can find other ways to ensure that we keep up to date and have best practices here with regard to environmental rights.

Along those lines, one of the recommendations from standing committee was that the department perhaps can and should find better ways to promote environmental rights with the use of the current act and the changes that we are going to bring forward for consideration shortly. How can the department better promote environmental rights and the use of the rights as defined through this legislation? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Dr. Kelly.

**DR. KELLY:** Thank you, Mr. Chair. The department will use communications tools to alert the public to the amended act. There are multiple ways that we can do that through the web and other methods. We will take an approach that will get this information out to the public. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Dr. Kelly. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. That information the department is looking to put on its website perhaps to better promote this, will that include maybe a plain-language version of how a request for environmental investigations can be made and other provisions in the bill? Is that the sort of thing that would get promoted in plain language? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Minister McLeod.

**HON. ROBERT MCLEOD:** Thank you, Mr. Chair. The Environmental Rights Act, there would be a lot of technical talk that is in there. I think we would owe it to the general public to prepare a plain-language summary as to some of the contents of the Environmental Rights Act. It would be very technical, so we would work to prepare a plain language summary. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister McLeod. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. Those are all of the general questions and comments that I have for now. I look forward to the clause-by-clause review. I have a few items that I may speak to there. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Next, we have Mr. McNeely.

**MR. MCNEELY:** Thank you, Mr. Chair. In the whole area of consultation, engagements, feedback, publication and awareness, environmental protection, it leads me up to a few comments and highlighting some of the initiatives undertaken by the Sahtu Regional Organization in the area of just recently preserving the Rampart Wetlands. There is a stewardship training program under way, and the recognition of the Great Bear Lake biosphere is another initiative.

The jobs related to preservation and environmental stewardship give me comfort that it's a collaborative effort. This department has engaged with several organizations, including the PW Technical Working Group. That venue is being utilized and exchanging of information and incorporating concerns moving ahead for environmental rights protection. I am confident that this work has done its job in collaboration with stakeholders. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. McNeely. I'll take that as a comment. General comments? Does committee agree that there are no further comments?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you. Can we proceed to a clause-by-clause review of the bill?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you. Committee, we will defer the bill number and title until after consideration of the clauses. There are 24 clauses in the bill. We will consider the clauses individually. Please turn to page 5 of the bill. Clause 1.

---Clauses 1 through 17 inclusive approved

**CHAIRPERSON (Mr. Blake):** Clause 18. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I have some questions that I would like to ask the Minister on clause 18.

This is the part of the bill where a statement of environmental values would be created by the Executive Council. Section 18, though, provides that a Minister of a department or an agency shall take every reasonable step to ensure that a statement of environmental values prepared or amended under section 17 is considered whenever decisions that might significantly affect the environment are made by the department or body. Can someone explain to me how that determination of significantly affect the environment will be made? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Dr. Kelly.

**DR. KELLY:** Thank you, Mr. Chair. The decision would be made by the Minister or the deputy Minister. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Dr. Kelly. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. While I appreciate the response, that is not what I actually asked. I said: how will the decision be made? Is there a set of criteria? How will a determination be made, whether something significantly affects the environment? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Dr. Kelly.

**DR. KELLY:** Thank you, Mr. Chair. The Minister or deputy Minister, on a case-by-case basis, would take into account what was relevant to that decision. Criteria are not in any other corresponding legislation or bills from any jurisdiction. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Dr. Kelly. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. That is interesting, because there is now some significance criteria actually incorporated into the bill as a result of an amendment that the Minister accepted during clause-by-clause review. Clause 9 has now been amended, providing some criteria for the Minister to consider when determining whether something is likely to cause significant harm to the environment. They include, as now provided for in the bill, magnitude of the effect; geographical area of the affect; duration of the effect; degree of reversibility of the effect; nature of the effect; likelihood that the affect will occur; sensitivity of the receiving

environment; and any other factors that the Minister considers relevant.

This was not something that the committee itself had cooked up. These were developed by the Mackenzie Valley Environmental Impact Review Board to help guide them in making significance determinations, and they have been in use now for a while. We felt it was helpful to have some kind of criteria to help make that kind of decision. The Minister has now accepted those criteria in making a determination about whether there is going to be significant effects, harm to the environment, and whether an investigation should be carried out into it.

I guess what I am hearing, though, is that the Ministers and the heads of departments, in deciding whether something significantly affects the environment, there are no criteria. It is all going to be decided on a case-by-case basis. I am not sure that that is a great place for us to be.

I am not sure if my friends at the witness table have anything else that they would like to add. I am hoping that we can probably move beyond just a case-by-case decision. Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Dr. Kelly.

**DR. KELLY:** Thank you, Mr. Chair. In discussions with the technical working group and stakeholder advisory group, it was determined that having the flexibility for the Minister and deputy to consider whatever factors they felt necessary at the time was the way to go. We have agreed for criteria specific to investigations, but not for these decisions. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Dr. Kelly. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I guess I don't agree, and I'll be bringing forward a motion, if I may, then, with regard to clause 18.

**CHAIRPERSON (Mr. Blake):** Thank you. Mr. O'Reilly.

COMMITTEE MOTION 190-18(3):  
BILL 39: ENVIRONMENTAL RIGHTS ACT –  
CLAUSE 18, DEFEATED

**MR. O'REILLY:** Thank you, Mr. Chair. I move that Bill 39 be amended by:

(a) renumbering clause 18 as subclause 18(1), and striking out "Minister of a department or" and substituting "Minister of a department referred to in paragraph 17(1)(a) or the" in that renumbered subclause; and

(b) adding the following after renumbered subclause 18(1):

(2) For the purposes of subsection (1), in considering whether a decision might significantly affect the environment, the Minister or deputy head shall consider the factors set out in paragraphs 9(2.1)(a) to (h).

Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. The motion is in order. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. What this does is say that, in deciding how to implement the statement of environmental values that is adopted by Cabinet, Ministers and I believe it's deputy heads shall consider the factors that the Minister has already agreed to use in determining whether an investigation is going to be carried out. So this is not saying that they have to make a decision in a certain way. You just have to consider these things in determining whether something has the potential to significantly affect the environment, so I think this is helpful guidance. It does not restrict how a Minister or deputy head carries out their duties with regard to implementing the statement of environmental values. I think this is helpful guidance on how they can carry out that work. I do not think this takes away from anything that they have to do. It just helps them make those kinds of decisions in a systematic way, so I hope that the Minister and the department will accept this. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion. Minister McLeod.

**HON. ROBERT MCLEOD:** Thank you, Mr. Chair. When ENR reads the proposed clauses together as worded, the clauses would require the Minister or the deputy head to apply the criteria provided in the motion when considering all decisions the GNWT makes. This would include large decisions as well as minor decisions. If on the basis of the criteria it is deemed that the decision would significantly affect the environment, the Minister would then have to consider the statement of environmental values. For example, prior to making any decision, including every meeting requiring duty travel or every purchase of paper, the criteria in the proposed motion would have to be applied, and, if it is concluded that the decision might significantly affect the environment, the statement of environmental values would need to be considered. This would affect the timelines of actions, which is not conducive to efficient and effective business or emergency response, such as medical travel or deploying fire retardant.

As currently stated in the reprint of Bill 39, the GNWT would be required to consider the statement of environmental values in relation to decisions that might significantly affect the environment. Criteria do not need to be applied to all decisions for this to occur. No other corresponding legislation or bill in any jurisdiction requires all decisions to be assessed with legislative criteria. Requiring every Minister or deputy head to consider a list of criteria for every decision they make or that is made within their departments creates an unnecessary burden on all GNWT departments and several agencies. The GNWT does not have the capacity to carry out this motion, and, as such, we will not be supporting this motion. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Minister McLeod. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I think the Minister has misunderstood what the amendment is all about. As I understand it, this is not about making these criteria apply to any decision or action; it's about how the statement of environmental values is applied. Something has to be determined to significantly affect the environment; this is not about applying those criteria to every single decision that the government has to make. So I guess I would like to seek the advice of the law clerk in understanding how this amendment can be interpreted, whether it would apply to all decisions that the government makes, or is this method of determining significance and how the statement of environmental values would then be applied? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly.

**DR. KELLY:** Mr. Chair, just to respond to Mr. O'Reilly's question, the intention of the motion as drafted, in my understanding, is to assist in the identification of decisions that might significantly affect the environment, and it is expressly linked to section 18, so it is intended, as drafted, to provide guidance in the identification of decisions for which the statement of environmental values would need to be considered. Thank you.

**CHAIRPERSON (Mr. Blake):** Okay. Next on the list we have Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. So I don't want to put words in the Minister's mouth, but I think what the Minister was saying was that these criteria, in the Minister's view, would have to be applied to any decision or action taken by the government. Is that the case? As I understand it, these would help determine what decisions might significantly affect the environment, and only then would the statement of environmental values come into play. Would these criteria apply and be required to be

considered for every single government decision and action undertaken in the future? Thanks, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Okay. Thank you, Mr. O'Reilly. Thank you, committee. We will just take a two- to three-minute break here and resume shortly.

---SHORT RECESS

**CHAIRPERSON (Mr. Blake):** Thank you, committee. We decided to double check a couple of things here, but we will continue with a question by Mr. O'Reilly to the clerk, law clerk. Sorry, Mr. O'Reilly. With all the commotion there, could you restate the question, if there is one for the law clerk?

**MR. O'REILLY:** Thank you, Mr. Chair. Sorry for this. Would there be a requirement for every GNWT decision, action, to consider all of these criteria? Sorry. Would these criteria require their consideration the way this has been drafted in every single decision, action, taken by GNWT? Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. Law Clerk.

**LAW CLERK:** Thank you, Mr. Chair. What the clause is intended to do is to help identify those types of decisions that might significantly affect the environment. Whether it would apply to every single decision made by the Government of the Northwest Territories, I mean, I think it is pretty fair to say that some decisions would just clearly have no significant environmental impact at all. I would have difficulty seeing why a Minister would need to have to apply the criteria in every case. I think the intention of the clause is to assist in identifying those types of decisions where there may be some doubt as to whether there is a significant environmental effect, and the criteria in 2.1 are intended to assist the decision-maker in identifying what those decisions might be.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Law Clerk. Mr. O'Reilly.

**MR. O'REILLY:** Thanks. I would like to close, if I could, then. The intent of this was to try to be helpful.

**CHAIRPERSON (Mr. Blake):** Sorry, Mr. O'Reilly. We just had one hand up. We will let Mr. Nakimayak go, and then, you can do your closing. Mr. Nakimayak.

**MR. NAKIMAYAK:** Yes, thank you, Mr. Chair. I am sitting here and I am reading this, and I am thinking: what about forest fires or other types of emergencies that will occur around the Northwest

Territories? I am just using that as an example. I think adding something like this would just be another layer and likely slow the process if it involves infrastructure around some sensitive areas. I have an issue with this. For that reason, I won't support this. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Nakimayak. Next, we have Mr. O'Reilly closing.

**MR. O'REILLY:** Thanks, Mr. Chair. I accept the interpretation from the law clerk about how this would be applied. This would, in my view, not be applied to every decision. This is meant to be helpful guidance in determining those matters that would significantly affect the environment where the statement of environmental values would come into play. I don't think this takes away from anybody's decision-making authority. It is about trying to provide some assistance in how the statement of environmental values will actually work in practise. Using the criteria that the Minister has already accepted in another part of the bill. Thanks, Mr. Chair.

Mr. Chair, I would request a recorded vote. Thank you.

**CHAIRPERSON (Mr. Blake):** Thank you, committee. The Member has requested a recorded vote.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. As I mentioned, the Member requested a recorded vote. All those in favour, please rise.

RECORDED VOTE

**COMMITTEE CLERK OF THE HOUSE (Ms. Franki-Smith):** The Member for Frame Lake, the Member for Deh Cho, and the Member for Nahendeh.

**CHAIRPERSON (Mr. Blake):** All those opposed, please rise.

**COMMITTEE CLERK OF THE HOUSE (Ms. Franki-Smith):** The Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Sahtu.

**CHAIRPERSON (Mr. Blake):** All those abstaining, please rise.

**COMMITTEE CLERK OF THE HOUSE (Ms. Franki-Smith):** The Member for Yellowknife North.

**CHAIRPERSON (Mr. Blake):** Thank you, committee. The results of the recorded vote: all those in favour, three, all those opposed, eight, abstaining, one. The motion is defeated.

---Defeated

Clause 19.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Agreed. Mr. O'Reilly.

COMMITTEE MOTION 191-18(3):  
BILL 39: ENVIRONMENTAL RIGHTS ACT –  
CLAUSE 19, DEFEATED

**MR. O'REILLY:** I move that clause 19 of Bill 39 be amended by a), striking out "and" at the end of English version of paragraph (d), and substituting semi-colon; b), striking out the period at the end of paragraph (e) and substituting "and"; and c), adding the following after paragraph (e); (f) the steps which were taken to prepare or amend a statement of environmental values under section 17; and (g) the steps that were taken to ensure that a statement of environmental values prepared or amended under section 17 was considered in decisions where required by this act. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. The motion is in order. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. The purpose of this motion is to add a couple more items to the list of subject matter for the annual report that the Minister is going to table in the Legislative Assembly. Right now, the Minister will report on investigations, prosecutions, actions, the disposition of any money, convictions for offences under this act, so it is a very short list of what is to be reported on. What has happened here is some improvements to the bill as I mentioned earlier. One of the big improvements, in my view, and I want to give the department credit for this is this idea of a statement of environmental values. That is to be developed now through a public process by the executive council, is to help guide decision-making in the future, maybe on a case-by-case basis.

How is anybody supposed to know how that is actually implemented? The purpose of this is to get the Minister to provide some information on how the statement of environmental values is actually implemented. Standing committees have spent a lot of time reviewing a number of bills before us, and in some cases, creating long lists of items to be included in annual reports to make sure that the public is informed, that there is a record of important decisions and things that are done under legislation. Because this is an important addition to

the bill, I felt it was something that can and should be added to the annual report requirements. I don't think this has to be an exhaustive list of every time the statement of environmental values have been used. It can and should be at a high level to give the public some confidence that the statement of environmental values is actually being used and implemented in some fashion.

The motion would require that there would be some documentation around the steps to prepare or amend the statement of environment values, and then, how it is actually being implemented or used. I think this is, again, a helpful amendment that would improve understanding of how the act, the bill, when it comes into force, is actually being used. I expect and look towards all of my colleagues to support this improvement. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion?

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I would request a recorded vote. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you. Question.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. The Member has requested a recorded vote. All those in favour, please rise.

RECORDED VOTE

**DEPUTY CLERK OF THE HOUSE (Ms. Franki-Smith):** The Member for Frame Lake, the Member for Deh Cho, the Member for Yellowknife North, the Member for Kam Lake, the Member for Nahendeh.

**CHAIRPERSON (Mr. Blake):** All those opposed, please rise.

**DEPUTY CLERK OF THE HOUSE (Ms. Franki-Smith):** The Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Sahtu.

**CHAIRPERSON (Mr. Blake):** All those abstaining, please rise. The results of the recorded vote: 5 in favour, 8 opposed, no abstentions.

---Defeated

---Clauses 19 through 22 inclusive approved

**CHAIRPERSON (Mr. Blake):** Clause 23. Any motions? Mr. O'Reilly.

COMMITTEE MOTION 192-18(3):  
BILL 39: ENVIRONMENTAL RIGHTS ACT –  
PRECEDING CLAUSE 23, DEFEATED

**MR. O'REILLY:** Thank you, Mr. Chair. I move that Bill 39 be amended by adding the following immediately preceding the heading preceding section 23:

Review of Act

22.2 (1) This act must be reviewed by the Minister within 18 months after the commencement of the 20<sup>th</sup> Legislative Assembly.

(2) the Minister shall table in the Legislative Assembly a report on the results of a review conducted under subsection (1) at the earliest opportunity.

Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. The motion is in order. To the motion. Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. In my remarks earlier I mentioned that this bill has been in place for 29 years. It is not very well-used. What has happened in those 29 years is that the concept of environmental rights has evolved. I mentioned how 149 of 193 countries in the world now have constitutional recognition of environmental rights in one form or another. Unfortunately, Canada is not one of those countries.

I also talked about how expectations were raised by the department during the public consultations of the bill around matters like definitions of a right to healthy environment, public trust, and so on. That would certainly, in the eyes of some of the people who appeared before the standing committee, create an expectation that there might be more of a rights-based approach to environmental rights in this bill. That is not really what we got, but certainly, around the world, this is an area of evolving law, and a lot of jurisdictions are moving towards this environmental rights-based approach.

Given that this bill has only very infrequently, only once, ever been reviewed, this is an area of evolving law that some things were promised and perhaps not delivered, committee felt, or at least I felt, that it would be important to put a checkpoint in the future where there could be some reconsideration of the review of the bill or the act and its implementation to allow for a considered review of it and see if further improvements could be made.

This would require a review in 2025, six years down the road. It is a one-time review, all at the Minister's discretion, and would require that the Minister table a report in the House. This doesn't have to be a huge onerous exercise, maybe even not as onerous as the exercise that the department went through in proposing the changes in what is before us.

As a one-time review in this area of evolving law, I would hope that Members would see fit to agree that this is something reasonable to insert into the bill.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion. Mr. Testart.

**MR. TESTART:** Thank you, Mr. Chair. I, too, support this motion. It was a motion that cooperatively and collaboratively developed by the committee. Unfortunately, it did not make it through the committee's public clause-by-clause review of the bill, but it has been kindly brought forward by my colleague, the honourable Member for Frame Lake.

This is exactly, as he says, a one-time review to check in on the health of the act, and it is important because the public who came out to speak with the committee, and who the department engaged in developing the bill, had very high expectation of what this legislation ought to look like, and as I have said before, I think that this is a good way to take a private Member's bill and make it more like a public bill, with greater linkages to the entire apparatus of government and updating it so that it can be of better use to people in 2019.

That being said, the expectations of the public were that this would be a rights-based exercise that was firmly entrenched in that concept and that the rights that the act guarantees were stronger and more tied to a right to a healthy environment. I think that there is a lot of merit in that idea. That wasn't really the intention of this bill, and even though those things are mentioned, the explicit intention was not to do that.

I think that there is a real need to satisfy the public's interests in seeing this legislation be further developed, and this is a good motion to get us there. It's not the next government, so the 19<sup>th</sup> Assembly is not being called on to review this; it's the 20<sup>th</sup>. That is enough time for this to play out, for the department to see how it has been working, and to look at those issues that were left on the cutting room floor, so to speak. It is not overly onerous on government. It is not overly onerous on the Legislative Assembly. Legislative Assembly reviews things like this all the time.

I see no problem with this. I think that it is a good way of keeping track of something that, again, the public was very interested in. I always feel bad, as a legislator, when we are sitting in front of an audience, and they have a lot of ideas about how to improve how the government's laws work or how the governments work, and they're just outside of the scope of the bill, so we want to be able to address it, but we just can't. I think that this is good opportunity to, again, go back and check in on that and make sure that we are capturing adequately what the public wants to see from their laws in their territory. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Testart. Next, we have Mr. Nakimayak.

**MR. NAKIMAYAK:** Thank you, Mr. Chair. We don't know what the priorities of this government are going to be or who is going to be here in five or six years. Mind you, we haven't even moved on to the next government. We have gone through mid-term reviews during a very busy time at this Assembly and noticing other Assemblies going through the same thing. We have four years to conduct our work.

At the same time, too, we are putting this on a government who will likely have very different priorities. Our situation with climate change and all that will be totally different then. I wouldn't say I guarantee, but I am sure that something like this will come up during those times in some significant cases with climate change and events around our territory with wildfires and all that.

I think that this is just putting on extra work to a government down the road, and I think that, from my point of view, Members or committees can decide to pull this up if they want to during that Assembly for that sake, knowing that it will get busier and busier as legislators, as MLAs representing our regions. I don't support this. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Nakimayak. Next we have Mr. McNeely.

**MR. MCNEELY:** Thank you, Mr. Chair. I can't support this bill for various reasons, but I will just highlight, looking at the bill here, the introduction to the bill. "Bill 39, Environmental Rights Act, recognizes the right to protect the integrity, biological diversity, and productivity of the ecosystems in the Northwest Territories and to provide residents with the tools and processes needed to ensure these rights are protected by the GNWT."

As my previous colleague mentioned, adding layers would, at the end, make it cumbersome. I am very fond of seeing practical exercises or practical

examples which really give you confidence the paperwork and the legislation that we see in this building being practised and implemented.

I am on the mailing list for the Deline Got'ine Government, and I just recently, earlier today, got a compliment brief report through a video of the Deline Got'ine Government that initiated the Deline 2019 Kids' Eagle Workshop held out on the land for a week. There was private. There were corporate sponsorships, including ENR contributing to that initiative.

It is working over there. I am seeing it on paper here. That is what I really love about this job. When you apply your resources, led by regulation and the principles of legislation to do what is best in protection as stewards of our land. Given something that is already working, I would rather not add more layers of bureaucracy to that already-working system. Thank you, Mr. Chair.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. McNeely. Any further questions committee? Mr. O'Reilly.

**MR. O'REILLY:** Thanks, Mr. Chair. I am disappointed that the Minister didn't see fit to respond for the record on the department's position. This is not about adding extra layers. This about adding a one-time review six years into the future on a bill that has been reviewed once in 29 years. It is about ensuring that we keep environmental rights up to standards that our citizens expect, ensuring that we consider whether we have adopted best practices or not. This is not about creating extra work. It is about providing a checkpoint.

Committee has spent a lot of time reviewing other bills where we have actually built in reviews. Cannabis Bill, something brand new, we built in a mandatory review. Access to Information and Protection of Privacy, built in a mandatory five-year review. This is an area that is evolving, as well. This is a bill that can and perhaps should have been a lot better. Again, I am disappointed that the Minister didn't see fit to provide the departmental response, Cabinet's response on this. I think I know where it is going. Mr. Chair, I would request a recorded vote. Thank you.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. O'Reilly. To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRPERSON (Mr. Blake):** Question has been called. The Member has requested a recorded vote. All those in favour, please rise.

RECORDED VOTE

**CLERK OF THE HOUSE (Ms. Franki-Smith):** The Member for Frame Lake, the Member for Deh Cho, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Wiilideh, the Member for Nahendeh.

**CHAIRPERSON (Mr. Blake):** All those opposed, please rise.

**CLERK OF THE HOUSE (Ms. Franki-Smith):** The Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Sahtu.

**CHAIRPERSON (Mr. Blake):** All those abstaining, please rise. The results of the recorded vote: six in favour, eight opposed, zero abstentions. The motion is defeated.

---Defeated

Clause 23.

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Agreed. Thank you. We will now return to the bill number and title, Bill 39: Environmental Rights Act. Does committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you, committee. Does committee agree that Bill 39 is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Agreed. Thank you, committee. Bill 39 is now ready for third reading. Does committee agree that this concludes our consideration of Bill 39?

**SOME HON. MEMBERS:** Agreed.

**CHAIRPERSON (Mr. Blake):** Thank you. Thank you, Minister McLeod. Thank you to your witnesses. Sergeant-at-Arms, please escort the witnesses from the Chamber. Thank you, committee. What is the wish of committee? Mr. Testart.

**MR. TESTART:** Thank you, Mr. Chair. I move the chair rise and report progress. Thank you.

**CHAIRPERSON (Mr. Blake):** Thank you, Mr. Testart. The motion is in order to rise and report progress. All those in favour? Agreed.

---Carried

I will now rise and report progress.

**MR. SPEAKER:** May I have the report, Member for Mackenzie Delta?

### Report of Committee of the Whole

**MR. BLAKE:** Mr. Speaker, your committee has been considering Committee Report 27-18(3): Standing Committee on Economic Development and Environment Report on Bill 39: Environmental Rights Act; Committee Report 28-18(3): Standing Committee on Economic Development and Environment Report on the Review of Bill 25: An Act to Amend the Workers' Compensation Act; Committee Report 30-18(3): Report on the Review of Bill 56: Legislative Assembly and Executive Council Act and Draft Code of Conduct; Bill 56: An Act to Amend the Legislative Assembly and Executive Council Act, No. 2; Bill 25: An Act to Amend the Workers' Compensation Act; Bill 39: Environmental Rights Act and would like to report that consideration of Committee Report 30-18(3) is concluded with five motions adopted, that consideration of Committee Report 27-18(3) is concluded with five motions adopted; that consideration of Committee Report 28-18(3) is concluded; and that the Bill 56 is ready for third reading; that Bill 25 is ready for third reading; that Bill 39 is ready for third reading. Mr. Speaker, I move to the report of Committee of the Whole be concurred with. Thank you.

**MR. SPEAKER:** Masi. Do I have a seconder? Member for Nunakput. The motion is in order. All those in favour? All those opposed? The motion is carried.

---Carried

Mahsi. Item 23, third reading of bills. Madam Clerk, orders of the day.

### Orders of the Day

**COMMITTEE CLERK OF THE HOUSE (Ms. Franki-Smith):** [Translation] Orders of the day for Monday, August 19, 2019, 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 the Commissioner's 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
18. First Reading of Bills
19. Second Reading of Bills
20. Consideration in Committee of the Whole of Bills and Other Matters
  - Bill 42, An Act to Amend the Petroleum Products Tax Act
  - Bill 43, An Act to Amend the Income Tax Act
  - Bill 46, Public Land Act
  - Committee Report 29-18(3), Standing Committee on Economic Development and Environment Report on the Perceptions Held by Northern Businesses toward the Government of the Northwest Territories' Procurement Processes
  - Minister's Statement 151-18(3), New Federal Infrastructure Agreement
  - Minister's 158-18(3), Developments in Early Childhood Programs and Services
  - Minister's 211-18(3), Addressing the Caribou Crisis
  - Tabled Document 442-18(3), 2030 NWT Climate Change Strategic Framework 2019-2023 Action Plan
21. Report of Committee of the Whole
22. Third Reading of Bills
  - Bill 25, An Act to Amend the Workers' Compensation Act
  - Bill 39, Environmental Rights Act
  - Bill 56, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2

## 23. Orders of the Day

[Translation ends.]

**MR. SPEAKER:** Masi, Mr. Clerk. [Translation] This House stands adjourned until Monday, August 19, 2019, at 1:30 p.m. [Translation ends]

---ADJOURNMENT

The House adjourned at 2:13 p.m.

