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The Honourable Michael Ballantyne, Speaker

TUESDAY, DECEMBER 10, 1991

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MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Antoine, Mr. Arnngna'naaq, Mr. Arvaluk, Hon. Michael Ballantyne, Mr. Bernhardt, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, Ms. Mike, Hon. Don Morin, Hon. Dennis Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mr. Todd, Hon. Tony Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Michael Ballantyne): Orders of the day for Tuesday, December 10, 1991. Item 2, Ministers' statements. Mr. Kakfwi.

ITEM 2: MINISTERS' STATEMENTS

Ministers' Statement 5-12(1): Community Transfer Initiative

HON. STEPHEN KAKFWI: Thank you. Yesterday the Government Leader indicated that cabinet agrees with the general direction of the report, "Strength At Two Levels," and in particular the major emphasis the report places on transferring significantly more authority, responsibility and resources to communities. These transfers will give community residents more control over their own lives and will also create more local jobs.

We know that MLAs and communities will judge our performance on this item more than on any other issue and, on behalf of my cabinet colleagues and our Government Leader, I want to state very clearly that community self-government is and will be a major priority. The Ministry of Intergovernmental and Aboriginal Affairs is taking the lead role in implementing community transfer agreements. A community transfer committee, made up of deputy ministers and chaired by my deputy minister, is in place to oversee this process. A full-time working group which will report to the committee is being established, and each department will be instructed to work closely with them. Regional directors will also be closely linked to the process.

However, we know that this project will not succeed if it is shaped and driven by headquarters. Community and aboriginal leaders and Members of this House have a critically important role to play. We have some ideas, but we need your views and your active involvement to make this initiative work.

Our goal is to help interested communities establish much stronger governments at the community level. This is not a simple matter. Each of our communities is unique, and each may have its own problems and

priorities. What we must do, together, is develop an approach that has some basic guidelines and consistencies yet is flexible enough to accommodate the differing needs of interested communities.

Some communities may be ready to assume broad responsibilities; others may want to focus on one or two program areas; others may want to start by consolidating, under one roof, the responsibilities being currently exercised in the community before they assume new ones; and still others may want to continue as they are now. I must also stress that we can only deal with a reasonable number of communities at any one time.

One important issue we must come to grips with, especially with the chiefs and band councils in Dene communities, is the role aboriginal self-government should play in this initiative. While this is a question we are willing to address, it is not one for which we have the answers. We will be seeking your advice on this sensitive but important issue.

The community transfer committee is in the process of developing a comprehensive strategy for implementing community transfer agreements. A kick-off phase will give us an opportunity to inform northern residents about our intentions and to seek advice from community and aboriginal leaders, and MLAs, on the major elements of the strategy. A somewhat longer pre-negotiation phase will provide the government and interested communities with time to properly prepare themselves for negotiations.

We are serious about making community self-government a major focus of our term of office. We are prepared to go one step further and commit this government to making every effort possible to incorporate aspirations for aboriginal self-government into policies and a process for implementing community self-government.

Implementing community transfer agreements will be no simple task. The lack of success in past years bears this out. However, with the advice and active participation of MLAs, aboriginal and community leaders, I am certain that important changes in the areas of community and aboriginal self-government will be realized during the term of this government. Thank you.

MR. SPEAKER: I would like to take this opportunity to welcome to the Assembly, sitting in the gallery, Mr. Louis Pilakapsi, who is the acting president of Tungavik Federation of Nunavut.

---Applause

Ministers' statements. Mr. Allooloo.

Ministers' Statement 6-12(1): Seat Belt Usage

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I would like to bring to Members' attention that seat belt usage in the Northwest Territories has increased this year to 68.9 per cent from the previous level of 39 per cent in 1990, and 10 per cent in 1989.

At the same time, fatalities in the Northwest Territories have dropped from the 1989 rate of 4.2 per 10,000 vehicles to a low of 1.5 per 10,000 vehicles at the end of 1990; a rate equal to the lowest in Canada.

I would encourage all residents of the Northwest Territories to buckle up in order to achieve the national objective of a 95 per cent seat belt usage rate by 1995. Combined with other safety measures, this will assist us in preventing the unnecessary deaths of the motorists and pedestrians who use our roadways. Qujannamiik.

MR. SPEAKER: Thank you. Ministers' statements. Mr. Whitford.

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Ministers' Statement 7-12(1): Youth Initiatives Program

HON. TONY WHITFORD: Thank you, Mr. Speaker. Mr. Speaker, the youth initiatives program provides support directly to young people on issues related to the concerns of alcohol and drug prevention and intervention. I am pleased to announce that through this program there will be a booth for the youth initiatives program at the community-based Careers and Trades Occupation Fair being held tomorrow, Wednesday, December 11, 1991, at the Explorer Hotel in the Katimavik Rooms.

The student council of Akaitcho Hall, in conjunction with students attending school in Yellowknife from the various regions, have been working together setting up the display booth for this event. A poster and a booklet entitled "A Guide to Programs and Services for Young People in the Northwest Territories" will be distributed at this fair. The Department of Social Services is pleased to assist the youth of the Northwest Territories to participate in drug-free, fun-filled events.

I encourage my colleagues, my constituency members and everyone else to take part in this career fair and to stop by their booth, thereby showing support for their worthwhile venture. Thank you.

MR. SPEAKER: Thank you, Mr. Whitford. Ministers' statements. Mr. Zoe.

Motion to Move Ministers' Statement 5-12(1): To Committee Of The Whole, Carried

MR. ZOE: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that the Ministers' Statement 5-12(1), entitled "Community Transfer Initiative" presented by the Minister for Intergovernmental and Aboriginal Affairs, be moved into committee of the whole.

MR. SPEAKER: The motion is in order at any time. All those in favour of the motion? Opposed? The motion is carried.

---Carried

Ministers' statements. Government Leader.

HON. NELLIE COURNOYEA:

Mr. Speaker, I would like to mention to the House that Mr. John Ningark will not be attending the session today because of a family illness. He asked me to express his apologies.

MR. SPEAKER: Ministers' statements. Item 3, Members' statements. Mrs. Marie-Jewell.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Government Leader's Commitment To Open Government

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. Mr. Speaker, as the chairperson of the ordinary Members committee, I have taken the responsibility to advise the government that on November 15, 1991, the Government Leader indicated a commitment, and I quote: "...to a more open style of government and greater ordinary Member involvement in decision-making."

Yesterday, Mr. Speaker, the Government Leader read a statement entitled "Living Within Our Means" and advised the Members of this House of significant changes to the organization of this government, such as the consolidation of the petroleum, oils and lubricants program under the NWT Power Corporation. After announcing these major changes, the Government Leader subsequently tabled the Beatty report in this House.

Mr. Speaker, although the ordinary Members of this House generally support the Beatty report, we are concerned with some of the recommendations. There was no discussion and no opportunity for their views to be known or expressed prior to the announcement yesterday. And if this government is truly dedicated to a more open style of government, it would have provided the ordinary Members of this House an opportunity to express those concerns prior to announcing its recommendations in the House yesterday.

Due to these recent developments, Mr. Speaker, the ordinary Members of this House feel that the intention

of the Government Leader is contradictory to the Government Leader's statement on a more open style of government. Thank you, Mr. Chairman.

MR. SPEAKER: Members' statements. Mr. Arvaluk.

Member's Statement On Acting President Of TFN

MR. ARVALUK: (Translation) Thank you, Mr. Chairman. As you have heard, the TFN president was accused before the court. I do not want to state that again, but the acting president, Louis Pilakapsi, is capable and he has been with TFN for a long time. This is not going to affect the activities of the TFN and their ultimate goals and objectives.

I think the MLAs from Nunavut will have to welcome him and keep open the lines of communication and to accept him as such. I do not want anybody in this House thinking that TFN is going in a different direction than before. They are still going to be working for us, and by no means have their responsibilities been lessened. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Arvaluk. Members' statements. Mr. Arngna'naaq.

Member's Statement On Community Elections

MR. ARNGNA'NAAQ: The hamlet elections were held yesterday in the communities of Baker Laker and Arviat, as well as the election for the Keewatin Inuit Association. I would like to take this opportunity to congratulate those people who were elected to those respected councils. At a time when the people in the NWT are looking for a change, we, as Members of this Legislature, are responding to their requests by taking the report, "Strength at Two Levels", seriously. I only hope that the implementation will be at a pace that is acceptable to the communities.

I would also like to congratulate those people who were elected to the community education councils in my constituency of Baker Lake and Arviat. They play a very important role in the NWT because education is the first step in the development of any country or community.

I know those people who were elected will work in the best interests of their respective communities. I made it a commitment during my campaign, Mr. Speaker, to work together with the community organizations and will gladly give myself to the people and the organizations of Baker Lake and Arviat. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Members' statements. Members' statement.

Item 4, returns to oral questions. Item 5, oral questions. Mr. Todd.

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ITEM 5: ORAL QUESTIONS

Question O8-12(1): Involvement Of Ordinary Members In Implementation Of Beatty Report Recommendations

MR. TODD: Mr. Speaker, there has been a great deal of comment, both in the Government Leader's statement yesterday and in Mr. Kakwi's statement today, of the need to involve ordinary MLAs as it relates to the Beatty report. However, there seems to be no reference as to the specifics of how MLAs are going to be involved. Therefore, will the Government Leader commit today to involving ordinary MLAs or a committee of MLAs to be directly involved now with cabinet in developing a phased implementation strategy which will reflect consensus of this House?

MR. SPEAKER: Madam Government Leader.

Return To Question O8-12(1): Involvement Of Ordinary Members In Implementation Of Beatty Report Recommendations

HON. NELLIE COURNOYEA: Mr. Speaker, I think I mentioned before that we are putting together an implementation process which is almost complete and will be presented to the ordinary Members to ensure the involvement of all MLAs.

MR. SPEAKER: Oral questions. Mr. Arvaluk.

Question O9-12(1): Additional Nurse For Chesterfield Inlet

MR. ARVALUK: Thank you, Mr. Speaker. I will direct this to the Minister of Health. The council of the hamlet of Chesterfield Inlet felt that the workload for a single nurse stationed in the community of 331 is overwhelming, especially when she is on call for 24 hours a day, seven days a week. We feel that the well-being of the nurse is very important, and it would be less stressful for the nurse if there were two nurses stationed in the community. I would like to ask the Minister of Health if this letter, written November 19, 1991, has been responded to.

MR. SPEAKER: Minister of Health, Mr. Whitford.

HON. TONY WHITFORD: Mr. Speaker, I have not seen the letter, and if I could get a copy of that letter, I will endeavour to follow up on the request of the Member for some attention to be paid to that problem he has outlined in Chesterfield Inlet.

MR. SPEAKER: The question is taken as notice.

Oral questions. Mr. Todd.

Question O10-12(1): Incorporating Petroleum, Oil And Lubricants Program With Power Corporation

MR. TODD: In the Government Leader's statement yesterday, it was clear to this House that the government intends to incorporate the POL, petroleum, oil and lubricants program, with the NWT Power Corporation. We are told in the speech that this incorporation is to gain greater efficiencies. On what basis did we determine that the Power Corporation has the ability to take on greater responsibilities, as there was little or no review done of the Power Corporation during preparation of the Beatty report?

MR. SPEAKER: Minister responsible for the Power Corporation, Ms. Cournoyea.

Return To Question O10-12(1): Incorporating Petroleum, Oil And Lubricants Program With Power Corporation

HON. NELLIE COURNOYEA: Mr. Speaker, the suggestion for turning the POL over and incorporating it with the Power Corporation has been on the books for a number of years. The former standing committee on finance had made that recommendation. We are now conducting the strategy on how that is going to be incorporated.

MR. SPEAKER: Mr. Zoe.

Question O11-91(1): Snare Lake Winter Road

MR. ZOE: Thank you, Mr. Speaker. My question is directed to the Minister of Transportation, a follow-up on yesterday's question. Would the Minister advise the House before the end of this week, Friday, if the government will be putting in a winter road to Snare Lake?

MR. SPEAKER: Minister of Transportation, Mr. Alloo.oo.

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I would hope I would have a bit more time for the department to assess what is needed to be shipped to Snare Lake. But if the Member wants to know by the end of this week, I will attempt to do that, Mr. Speaker. Thank you.

MR. SPEAKER: The Minister is taking the question as notice. Oral questions. Oral questions. Mrs. Marie-Jewell.

Question O12-12(1): Legislation To Protect Privacy Of Social Assistance Clients

MRS. MARIE-JEWELL: Mr. Speaker, this question will be directed to the Minister of Social Services. Last summer when the Department of Social Services was somewhat in an uproar -- I even believe it was called a "Social Services scandal" -- there were three social workers, specifically Ann Enge, who had released a lot of confidential documents, with the assistance of Priscilla Hamann and Marjorie Sakundiak. These particular social workers, in my opinion, acted in a very unprofessional and unethical manner.

Mr. Speaker, recognizing that the current Social Services Minister is related to two of those workers, it probably would be difficult for him to address the issue. However, Mr. Speaker, to avoid future confidential information such as social assistance files being released to the public, will the Minister introduce legislation such as a privacy act for social assistance clients to be protected in the future?

MR. SPEAKER: Minister of Social Services, Mr. Whitford.

HON. TONY WHITFORD: Thank you, Mr. Speaker. I think the House had been moving toward a freedom of information act, and now I hear we want a confidentiality act. I think the Member would recollect my concerns expressed last year when this debate was taking place about the privacy of government and individuals. I hear what she is saying, and I think that the government will take the question seriously and review its necessity.

I do not wish to respond entirely to the Member's allegations of my being related to everybody -- I have a lot of relatives around, but it does not hinder me from doing my work. I will take the question seriously, and I will put it to the government to take a look at and see where this can apply.

MR. SPEAKER: The Minister is taking the question as notice. Oral questions. Mr. Antoine.

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Question O13-12(1): Funding For Chiefs' Salaries

MR. ANTOINE: Thank you, Mr. Speaker. My question is to, probably, the Minister of Aboriginal Rights, and it is with regard to chiefs' salaries. During the week of November 18 in Fort Rae at the Dene leadership meeting, six of the present cabinet Members were present at the meeting where the chiefs requested funding for chiefs' salaries. What is the Minister of Aboriginal Rights doing about this? Mahsi.

MR. SPEAKER: Madam Government Leader.

HON. NELLIE COURNOYEA: Mr. Speaker, I had a meeting with Bill Erasmus after the meeting that took place in Fort Rae. I asked Mr. Erasmus to come with a proposal, and I am waiting to receive that so we can consider it. Thank you.

MR. SPEAKER: Oral questions. Mr. Gargan.

Question O14-12(1): First Class Travel For Expo '92 Personnel

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Economic Development and Tourism. Mr. Speaker, last year we approved four million dollars to have the Department of Economic Development and Tourism develop a plan for Seville, Spain, and I understand we do have some liaison officers that do travel back and forth between the Northwest Territories and Seville, Spain. I would like to ask the Minister why the liaison people are travelling first class when we are in a difficult situation financially.

MR. SPEAKER: Minister of Economic Development and Tourism, Mr. Pollard.

HON. JOHN POLLARD: Mr. Speaker, I am not aware that they are travelling first class, but I will look into it and get back to the House. Thank you, Mr. Speaker.

MR. SPEAKER: The Minister has taken the question as notice. Oral questions. Mr. Zoe.

Question O15-12(1): Interest Rate Guidelines For Business Loans And Guarantees Fund

MR. ZOE: Thank you, Mr. Speaker. I will direct my question to the same Minister. I would like to ask him a question pertaining to the Business Loans and Guarantees Fund regarding its interest rate guidelines. Mr. Speaker, the bank rate is now the lowest it has been for the past number of years. It is my understanding that the Business Loans and Guarantees Fund interest rates are fixed on a quarterly basis where the rate is adjusted to two per cent below the prime rate. Is the rate adjusted automatically on a quarterly basis, or is it adjusted only upon application by the client?

MR. SPEAKER: Minister of Economic Development and Tourism, Mr. Pollard.

Return To Question O15-12(1): Interest Rate Guidelines For Business Loans And Guarantees Fund

HON. JOHN POLLARD: Mr. Speaker, the rate is Royal Bank plus two per cent, not less two per cent. We set that every 90 days. This is the rate somebody would get if they applied in a particular 90-day period.

With regard to changing the rates for people who have loans with the Government of the Northwest Territories, they have to apply to have their loans rewritten. When they do that, Mr. Speaker, they have to be a client in good standing. Also, they have to be prepared to pay the legal costs of registering any future securities. Thank you, Mr. Speaker.

MR. SPEAKER: Mr. Zoe, supplementary.

Supplementary To Question O15-12(1): Interest Rate Guidelines For Business Loans And Guarantees Fund

MR. ZOE: Mr. Speaker, my understanding is that it is not automatically adjusted on a quarterly basis. Is this what the Minister indicated?

MR. SPEAKER: Mr. Pollard.

Further Return To Question O15-12(1): Interest Rate Guidelines For Business Loans And Guarantees Fund

HON. JOHN POLLARD: Mr. Speaker, we adjust the rate that we loan money at each 90 days; every three months. It is based on Royal Bank plus two per cent, sir. If there is an existing loan that a client has with us at a particular rate that he or she received in a particular 90-day period, and they want to change that rate because, as the Member says, the rate has gone down, then they must apply to the department to reregister that loan. Thank you, Mr. Speaker.

MR. SPEAKER: Oral questions. Supplementary, Mr. Zoe.

Supplementary To Question O15-12(1): Interest Rate Guidelines For Business Loans And Guarantees Fund

MR. ZOE: Mr. Speaker, I am having a difficult time here. Why does the Business Loans and Guarantees Fund not offer the floating rate options like the banks do? Why was this not considered when we put this program in?

MR. SPEAKER: I am not sure if it is fair to ask the Minister what was considered when the program was first put in. Mr. Pollard, would you like to try to answer the question?

Further Return To Question O15-12(1): Interest Rate Guidelines For Business Loans And Guarantees Fund

HON. JOHN POLLARD: Mr. Speaker, under the Northwest Territories Business Credit Corporation Act, regulation 51(i), it can be done by making interest rates to certain classes of loans or to particular loans. I would think that we may be able to look at a floating interest rate, although some clients prefer to be locked in at a particular rate so they at least know what their payments are going to be. But

certainly, if the Member wants us to look at it, we will do so.

MR. SPEAKER: Oral questions. Mr. Koe.

Question O16-12(1): GNWT Approval Of Gwich'in Final Agreement

MR. KOE: Mr. Speaker, my question is directed to the Government Leader to clarify the government's position in regard to the approval of the Gwich'in final agreement. The final agreement, if approved, will position the Gwich'in to benefit from economic development, especially in areas of resource management and resource development and allow the Gwich'in to become major stakeholders in development of their area.

This is a simple statement of the positive impacts of the land claim, but it is apparent that the Government of the NWT takes a narrow vision of some of these benefits and is keen on the negative impacts of the government's budget, in particular, in the negotiations of their implementation plan seek only assurance that the land claim obligations will be carried out. Some of these are within the mandate of the GNWT, yet this government refuses to accept any financial burden over and above existing programs and services.

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There is an agreement that these negotiations for a general principle protecting the GNWT's position, that all incremental costs will be paid by the Government of Canada. Is this government willing to take a leap of faith, based on a general principle that the Government of the NWT has no land claim financial obligation, and approve the Gwich'in final agreement?

MR. SPEAKER: Thank you. Mr. Koe, your preamble went on a little bit too long. I would ask Members if they would be short and to the point with their preamble and get to the question. Madam Government Leader.

HON. NELLIE COURNOYEA: Mr. Speaker, I would like to take the question under advisement and answer it tomorrow.

MR. SPEAKER: The Government Leader is taking the question as notice. Oral questions. Mr. Lewis.

Question O17-12(1): Undated Letter Of Resignation From Hon. John Pollard

MR. LEWIS: Thank you, Mr. Speaker. My question is to the Government Leader. I know Mr. Pollard is a man of his word because I served with him for four years. Would the Government Leader confirm that he did hand her his undated letter of resignation when he took his seat in the cabinet?

MR. SPEAKER: Madam Government Leader.

Return To Question O17-12(1): Undated Letter Of Resignation From Hon. John Pollard

HON. NELLIE COURNOYEA: Yes, Mr. Speaker, he did, and I am prepared to table it in the House.

MR. SPEAKER: Mr. Lewis, supplementary.

Supplementary To Question O17-12(1): Undated Letter Of Resignation From Hon. John Pollard

MR. LEWIS: Thank you, Mr. Speaker. I would like to ask the Government Leader, because I believe she needs to have this kind of clout in our kind of government -- would she tell this House whether other Members of her cabinet have taken Mr. Pollard's lead to give her an undated letter of resignation following Mr. Pollard's example?

MR. SPEAKER: Madam Government Leader.

Further Return To Question O17-12(1): Undated Letter Of Resignation From Hon. John Pollard

HON. NELLIE COURNOYEA: Thank you, Mr. Speaker. I have received from one other Member the indication that he plans to proceed in giving me a letter the same as Mr. Pollard, however, we have been very busy and I have not been hounding anyone to give me the letter. We have one coming and the others have not, at this time, given me a letter.

MR. SPEAKER: Further supplementary, Mr. Lewis.

Supplementary To Question O17-12(1): Undated Letter Of Resignation From Hon. John Pollard

MR. LEWIS: Thank you, Mr. Speaker. Would the Government Leader make a formal request to every Member of her cabinet to follow Mr. Pollard's example that they would, in fact, give her an undated letter of resignation?

MR. SPEAKER: Madam Government Leader.

Further Return To Question O17-12(1): Undated Letter Of Resignation From Hon. John Pollard

HON. NELLIE COURNOYEA: Mr. Speaker, I think Mr. Pollard has indicated to the rest of the Members that he did give the letter and they were shown a copy of the letter, and we have discussed the issue. I would hope at this time that this would be coming voluntarily, and I would appreciate if I did not have to give a formal request in writing because we have discussed it, and I feel confident that these letters will be forthcoming. Thank you.

MR. SPEAKER:

Oral questions. Oral questions. Mr. Koe.

Question O18-12(1): Job Requirements, NWT Power Corporation

MR. KOE: Thank you, Mr. Speaker. My question is for the Minister responsible for the NWT Power Corporation. The Power Corporation, previously the Northern Canada Power Commission, has over the years employed many northern residents in supervisory and management roles. Would the Minister table in this House the current job requirements for community or area superintendents?

MR. SPEAKER: Minister responsible for the Power Corporation, Ms. Cournoyea.

Return To Question O18-12(1): Job Requirements, NWT Power Corporation

HON. NELLIE COURNOYEA: Mr. Speaker, yes.

MR. SPEAKER: Oral questions. Mr. Koe.

Question O19-12(1): Job Requirements Prior To Transfer Of NWT Power Corporation To GNWT

MR. KOE: A new question to the same Minister. Would the Minister include the original job requirements for community or area superintendents prior to the transfer of Northern Canada Power Commission to the Government of the Northwest Territories?

MR. SPEAKER: Ms. Cournoyea.

Return To Question O19-12(1): Job Requirements Prior To Transfer Of NWT Power Corporation To GNWT

HON. NELLIE COURNOYEA: Mr. Speaker, if I can find it and if we do have it. It should be recognized that a lot of times, in the transfer from federal to territorial responsibility, these documents are not transferred along with the transfer. However, I will make my best effort. If I can find it I will table it. Thank you.

MR. SPEAKER: Oral questions. Mr. Gargan.

Question O20-12(1): Tabling Of Report Re Disturbance At Yellowknife Correctional Centre

MR. GARGAN: Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Social Services and is with regard to the riot at the Yellowknife Correctional Centre on January 1, 1991. On at least four occasions during the eighth session of the 11th Assembly, you requested the Minister of the day to table the complete report of the investigation into the disturbance at YCC. An Executive summary of this report was tabled on March 20, 1991, but we still have not seen the report

he was seeking, Mr. Speaker. My question to the new Minister is this: Will the Minister now table the complete report on the investigation into the January 1, 1991, disturbance at the Yellowknife Correctional Centre?

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MR. SPEAKER: Minister of Social Services, Mr. Whitford.

Return To Question O20-12(1): Tabling Of Report Re Disturbance At Yellowknife Correctional Centre

HON. TONY WHITFORD: As I used to say from across the floor, Mr. Speaker, "Good question." I guess we see things differently here. Now we are on the other side, the shoe is on the other foot. The honourable Member will be pleased to know that I have read parts of that report and I will tell you it is pretty dry reading. It is not something that is going to make good news.

---Laughter

There is nothing that you do not already know that the honourable Minister from last year has not already told the House. Maybe the names could be concealed or initialled or something like that to prevent any breach of confidentiality or privacy. I will review that situation and take a look at seeing whether I will table the report in its entirety, but I will tell you it is not that great.

MR. SPEAKER: I take it the question is taken as notice, Mr. Whitford. Oral questions. Mr. Dent.

Question O21-12(1): Implementation And Impact Of Combining Petroleum Oil Lubricants With Power Corporation

MR. DENT: Mr. Speaker, my question is for the Government Leader. Given the indication that we have had some discussion previously of combining POL with the NWT Power Corporation, could the Government Leader clarify how far along the implementation plans are right now and, specifically, what the impact is? Does this mean that POL positions are looking at being moved to Hay River, or has that been considered yet?

MR. SPEAKER: Madam Government Leader.

Return To Question O21-12(1): Implementation And Impact Of Combining Petroleum Oil Lubricants With Power Corporation

HON. NELLIE COURNOYEA: Mr. Speaker, the overall implementation plan on how we are going to proceed with the tasks that have been mentioned up to this point in time should be complete soon. At this point in time, there has been no decision on moving

any positions anywhere. The review, study, or the gathering of information is taking place right now. There has been no decision on what the process is, or what is going to be done at this point in time in terms of where the work force is best assigned, but the indications are that there is no intention of moving positions elsewhere.

MR. SPEAKER: Oral questions. Mr. Lewis.

Question O22-12(1): Implementation Of Beatty Report Recommendations In Relation To Constitutional Development In Western Arctic

MR. LEWIS: Mr. Speaker, in the 11th Assembly, we commenced two things: the government established the review of government resulting in the Beatty report; and the Assembly set up a commission to look at constitutional development in the Western Arctic. I would like to ask the Government Leader if it is her intention to wait for that commission report dealing with constitutional arrangements in the West before she begins to reorganize all the government, which may be very severely impacted by that commission report?

MR. SPEAKER: Madam Government Leader.

Return Question O22-12(1): Implementation Of Beatty Report Recommendations In Relation To Constitutional Development In Western Arctic

HON. NELLIE COURNOYEA:

Mr. Speaker, we are starting the process now in terms of consolidation of the work force of the Northwest Territories government. This issue, to my understanding, has no impact on the broad constitutional discussions that are going on. If communities are not prepared at this point in time to take on added responsibility, that has to be done at the community level. These discussions will take some time to be put into place. I believe that some communities want to proceed as quickly as possible because they believe the best place for decision-making and accountability is at the community level. In consolidating some of the departments, I hope that at that point in time we will be able to ease far better the aspirations of the communities in terms of taking over responsibilities. At this point in time, the process is getting into place. Perhaps the commission will have its recommendations before we move significantly in terms of community transfers, but at this point in time I believe these things are two different issues. Thank you.

MR. SPEAKER: Oral questions. Supplementary, Mr. Lewis.

Supplementary Question O22-12(1): Implementation Of Beatty Report Recommendations In Relation To Constitutional Development In Western Arctic

MR. LEWIS: Since the commission has yet to report to this Assembly indicating how, in fact, arrangements will be made for the delivery of government in the Western Arctic, on what basis has the Government Leader assumed that this commission will have no impact on what the government is proposing in the Beatty report which talks about two levels of government? On what basis has she made that assumption?

MR. SPEAKER: Government Leader, Ms. Cournoyea.

Further Return Question O22-12(1): Implementation Of Beatty Report Recommendations In Relation To Constitutional Development In Western Arctic

HON. NELLIE COURNOYEA: Mr. Speaker, it does not really matter what we do as a total central government agency. Communities have indicated for a long time that they want the programs and services, as much as possible, to be done at a community level. Some people have a little bit of a different idea but they want that at a community level. If there are other forums, regarding the politics of that community government, it does not take away from the fact that communities say they are the best people to take over much of the responsibilities and programs and services that relate to the people. I see the attempt to reach the aspirations of community people to be a positive approach; that it would only complement further responsibility in terms of the political make-up that the commission will be making recommendations on. Thank you.

MR. SPEAKER: Mr. Lewis, your second supplementary.

Supplementary To Question O22-12(1): Implementation Of Beatty Report Recommendations In Relation To Constitutional Development In Western Arctic

MR. LEWIS: Thank you, Mr. Speaker. Will the Government Leader commit to this House today that she will not move toward the allocation of powers which could have a constitutional impact, before we have had a chance to see

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what it is that this commission recommends to this House about constitutional arrangements in the Western Arctic?

MR. SPEAKER: Madam Government Leader. Further Return To Question O22-12(1): Implementation Of Beatty Report Recommendations In Relation To Constitutional Development In Western Arctic

HON. NELLIE COURNOYEA: Mr. Speaker, my understanding is that at this phase the commission is talking about very broad principles of political evolution in the Western Arctic. I believe that there are a lot of concerns here that life has to go on. These political discussions will take place on an ongoing basis. The recommendations of the commission also takes into consideration -- I am very sure -- what we are doing as a government to support the day-to-day initiatives and desires of communities. I believe while we are proceeding these things will be taken into consideration. But I do not believe that the lives of people at the community level, what they want to do, how they want to carry on their lives, should be stopped. These things gradually work in; people exercise their responsibilities, and they are far better to be brought into a political responsibility, which is exactly what will happen once those broad principles have been established by the commission. Thank you.

MR. SPEAKER: Oral questions. Mr. Gargan.

Question O23-12(1): Workers' Compensation For Hunters And Trappers

MR. GARGAN: I would like to direct my question to the Minister responsible for the Workers' Compensation Board. Mr. Speaker, under section 10(1) of the Workers' Compensation Board, it describes the occupations of hunters and trappers as "principally engaged in hunting and trapping." But under the regulation it also puts a price tag on what that means. In other words a person has to make over \$10,000 in order for them to be principally engaged in hunting and trapping. I would like to know why the Minister or the department has chosen to put a price tag on what "principally engaged" means, since the definition does not necessarily restrict it to only money. I think it is a way of life for aboriginal people and I do not think there should be a price tag on it. Why did they decide to put \$10,000 on it in order for a hunter or trapper to be eligible for compensation?

MR. SPEAKER: I am not sure if that is within the knowledge of the Minister, but if Mr. Patterson would like to attempt it.

Return To Question O23-12(1): Workers' Compensation For Hunters And Trappers

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, I am not sure that the definition of "principally engaged in hunting and trapping" is being applied precisely the way the honourable Member suggests; for example, by a dollar figure. However, I would like to explain that, as I understand it, the previous government had made a policy decision that there should be some limits on the definition of "principally engaged in hunting and trapping" because the previous interpretation of the

policy had been that the only question that was asked, in order to determine whether a person was principally engaged in hunting and trapping for purposes of being eligible for WCB coverage, the only question that was asked was, "Does this person have a general hunting licence?" I am sure the honourable Member will agree that not every general hunting licence holder is a person who is an active hunter or trapper.

So Mr. Speaker, it was felt that there was a need to give the definition a little more precision because a completely open-ended definition could expose the government to considerable, and perhaps, open-ended kinds of financial obligations.

Mr. Speaker, I will tell the honourable Member that I am aware this issue needs to be paid attention to. I think it is also tied up with the whole question of support for hunters and trappers, which I know the Minister of Renewable Resources is also concerned about dealing with, and I will assure the honourable Member -- I am not trying to take the question as notice -- that it is an issue that I want to pursue in my connection with my new responsibilities for the WCB, but also in consultation with the Minister of Renewable Resources and perhaps other departments of our government that are concerned about this issue.

MR. SPEAKER: Supplementary, Mr. Gargan.

Question O24-12(1): Membership On Workers' Compensation Board

MR. GARGAN: Mr. Speaker, I would like to ask the Minister responsible for Workers' Compensation whether any of the Members of the board are of aboriginal descent?

MR. SPEAKER: Minister responsible for the Workers' Compensation Board, Mr. Patterson.

Return To Question O24-12(1): Membership On Workers' Compensation Board

HON. DENNIS PATTERSON: Mr. Speaker, I have not asked that particular question. I can tell the honourable Member who the current Members of the Workers' Compensation Board are, but I am not aware of their ethnic origin.

MR. SPEAKER: For the record, that was a new question to the Minister. Oral questions. Mr. Gargan, supplementary to that question. I understood that the Minister was not taking it as notice.

Supplementary To Question O24-12(1): Membership On Workers' Compensation Board

MR. GARGAN: I am aware that there are no aboriginal people on the board, but those are non-aboriginal people who have drafted up a regulation on "principally engaged", without really any consultation with aboriginal organizations, or for that matter, hunters and trappers. If you read the document, you need to be a lawyer to do that. Most people have limited education. I would like to ask the Minister if he can assure me that aboriginal people will be consulted, including Members of this House, when the definition of "principally engaged" is worked on.

MR. SPEAKER: Minister responsible for the Workers' Compensation Board, Mr. Patterson.

Further Return To Question O24-12(1): Membership On Workers' Compensation Board

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I have not enquired as to the ethnic origin of members of the Workers' Compensation Board, and I am not sure he is correct that there are no aboriginal members on the board, but I do not know for sure. His question as to Members of the Assembly being consulted in the process of dealing with the issue of definition of hunters and trappers for the purpose of WCB coverage, I would want to assure the honourable Member that I will consult Members of this Assembly as I deal with this issue, along with other Ministers of this government. I will keep Members informed and I will seek their views.

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MR. SPEAKER: Mr. Gargan, supplementary.

Supplementary To Question O24-12(1): Membership On Workers' Compensation Board

MR. GARGAN: Mr. Speaker, I would like to ask the Minister if he could provide the Members of this House with the names of the people who are serving on the Workers' Compensation Board and where they come from.

MR. SPEAKER: Mr. Patterson.

Further Return To Question O24-12(1): Membership On Workers' Compensation Board

HON. DENNIS PATTERSON: Yes, Mr. Speaker.

MR. SPEAKER: Mrs. Marie-Jewell.

Question O25-12(1): Disciplining Government Employees For Releasing Confidential Information

MRS. MARIE-JEWELL: Mr. Speaker, since I advised the Minister of Social Services that three particular workers, Ann Enge, Priscilla Hamann and Marjorie Sakundiak, had acted in a very unprofessional and

unethical way in releasing documents, I would like to ask the Minister of Personnel whether he will consider taking steps in respect to looking at the releasing of the documents and why the conduct of work ethics was not used by these particular workers, in particular, the breach of confidential information. Will the Minister of Personnel advise this House on whether steps will be taken by labour relations to avoid the release of confidential information of this sort in the future by civil servants?

MR. SPEAKER: I just want to make the House aware of the fact that I am having a little problem with the question because some of the information contained in the question may not be in the general knowledge of all Members, and there are some inferences contained within the question. So I will ask if the Minister would like to respond to the question, keeping in mind I am having a little bit of difficulty with it. Mr. Kakfwi.

Return To Question O25-12(1): Disciplining Government Workers For Releasing Confidential Information

HON. STEPHEN KAKFWI: Mr. Speaker, during the summer, as a Member of the last cabinet I was a little involved and interested in the goings on by the media and the union and all the politicking that went on at the expense of certain individuals. I know at the time I had looked at whether or not certain staff may or may not be acting properly in the course of their jobs. It was my view at the time that nothing that was brought to my attention warranted any action on the part of government. I left it at that and there is nothing to suggest it should be revisited at this time.

MR. SPEAKER: Mrs. Marie-Jewell, supplementary.

Question O26-12(1): Directive On Breach Of Confidentiality

MRS. MARIE-JEWELL: Mr. Speaker, will the Minister be able to advise this House whether or not there is a directive in respect to work ethics used by civil servants regarding breach of confidentiality?

MR. SPEAKER: Minister of Personnel, Mr. Kakfwi.

HON. STEPHEN KAKFWI: Mr. Speaker, if there is a directive I am not aware of it and I am not sure of the total parameters the directive would cover. I know that within the Department of Personnel there are certain restrictions placed on members, staff of the department. I am not aware of the directives that would govern the behaviour and conduct of members of the different departments, like Justice, Social Services, Health. I will have to take the question as notice and get back to the Member.

MR. SPEAKER: The question is taken as notice. Mr. Todd.

Question O27-12(1): Internal Review Of NWT Power Corporation

MR. TODD: Mr. Speaker, given the previous discussions by the Government Leader with respect that there have been ongoing discussions regarding the transfer of POL and the Power Corporation being amalgamated, at any point over the short period of time that the Power Corporation has been turned over from the federal government to the territorial government, has there been an internal review done to determine the efficiency of the Power Corporation?

MR. SPEAKER: Minister responsible for the Power Corporation, Ms. Cournoyea.

Return To Question O27-12(1): Internal Review Of NWT Power Corporation

HON. NELLIE COURNOYEA: Mr. Speaker, the Power Corporation in itself continues to review what they have been doing since the turnover, mainly because it is a new responsibility. At the first outset, in looking at the employees who were employed in many small communities, to upgrade their salaries to the jobs they are doing, because we found at the beginning that a lot of the people that are working at the community level were grossly underpaid, and compensated for the work they were doing. On a continuing basis the board themselves have gone into looking at how they are operating, how they can do things better, as well as when there are changes in the relationship with the Public Utilities Board, and they are continually looking at how the Power Corporation is operating as well. Thank you.

MR. SPEAKER: Oral questions. Mr. Gargan.

Question O28-12(1): Funding For Fort Providence Church

MR. GARGAN: (Translation) Thank you, Mr. Speaker. I would like to direct my question to the Minister of Culture and Communications. On the committee that I represent in Fort Providence I made a motion and had asked for \$25,000 to help them out with this project. Last Thursday they said they had changed their mind and they said that they cannot supply them with the \$25,000 toward this project. Now that they cannot get this \$25,000 the community will not have a church. With Christmas coming on they will not have any Mass for the people. We have been working on this project for a long time now, and they have changed their mind and said they will not help them with the funding.

MR. SPEAKER: Quite a long question, Mr. Gargan. Mr. Allooloo.

Return To Question O28-12(1): Funding For Fort Providence Church

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I understand that the previous Government Leader had agreed to give the \$25,000 for the church in Fort Providence. Up to today we have been told by the Financial Management Board that they will not approve the \$25,000 this year because of the budget.

MR. SPEAKER: Supplementary, Mr. Gargan.

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MR. GARGAN: (Translation) Thank you, Mr. Speaker. I would like to ask a supplementary question to the Minister of Culture and Communications. I have worked on this project for almost 20 years. What he had to say was not very hard to say. I wonder if the Minister had really worked toward that and if he had told cabinet that.

MR. SPEAKER: Mr. Allooloo.

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I do not really understand the question that has been asked. Thank you.

MR. SPEAKER: Mr. Gargan, would you like to try that one again?

Supplementary To Question O28-12(1): Funding For Fort Providence Church

MR. GARGAN: Mr. Speaker, all I said is that I have worked just about three years on this whole issue of the church in Fort Providence, and I realize that there is a new Executive and there is a restraint. But what I have also asked the Minister responsible is whether or not he made a point to his other colleagues to make an argument on my behalf to the Executive Council so that it could be approved. I do not know whether he has consulted with his colleagues on the circumstances leading to the request, and so I would like to ask the Minister whether or not he did, in fact, consult with his Executive Members to make an argument on my behalf so that the community might be able to receive \$25,000, which is not very much, from the original \$150,000.

MR. SPEAKER: Mr. Allooloo.

Further Return To Question O28-12(1): Funding For Fort Providence Church

HON. TITUS ALLOOLOO: Thank you for the clarification, Mr. Speaker. Because of the 90 days freeze on capital projects, I am told that I cannot come forward for funding for capital projects. After the 90 day period is over, I am willing to come to my cabinet colleagues to see if they would approve such funding. Thank you.

MR. SPEAKER: Oral questions. Supplementary, Mr. Gargan.

Supplementary To Question O28-12(1): Funding For Fort Providence Church

MR. GARGAN: Mr. Speaker, I realize that there is a freeze, but the request was made prior to the government's position on putting on a freeze. The other issue is that there was also an agreement signed by the community, which I believe the Minister only had to sign and then the transaction is completed, but I guess, while the community did sign, and before it got to the Minister, the government decided to establish a position on restricting expenditures. I think that in this case the government would view that as one of the bases for maybe approving the \$25,000. I would like to ask the Minister whether he would consider that.

MR. SPEAKER: Last supplementary, Mr. Gargan. Mr. Alloo.oo.

Further Return To Question O28-12(1): Funding For Fort Providence Church

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I just stated that we will look at the project again after the 90-day period is over. Thank you.

MR. SPEAKER: Mr. Zoe.

Question O29-12(1): Freeze On Capital Projects

MR. ZOE: Thank you, Mr. Speaker. In light of the comments made by the honourable Member for Amittuq responding to my colleague, I would like to direct my question to the Minister of Finance. Is it true what the Minister is saying that all approved capital projects for 1991-92 are frozen within the 90-day period? I sit on the standing committee on finance and I was not informed that this was the case. Is this something new?

MR. SPEAKER: Minister of Finance, Mr. Pollard.

Return To Question O29-12(1): Freeze On Capital Projects

HON. JOHN POLLARD: Mr. Speaker, in this case I think my colleague meant to say a contribution which was \$25,000 for the church in Fort Providence. Capital projects are not frozen, although I would advise the House that contracting departments, all departments of the government, are advising us of projects that are budgeted for this year that have not been started. FMB will be looking at that next week, Mr. Speaker.

MR. SPEAKER: Mr. Todd.

Question O30-12(1): Freeze On Contributions

MR. TODD: My question would be to Mr. Pollard. Did I hear you say that all contributions are frozen?

MR. SPEAKER: Minister of Finance, Mr. Pollard.

Return To Question O30-12(1): Freeze On Contributions

HON. JOHN POLLARD: Mr. Speaker, in this particular instance the FMB turned down the submission by the Minister with regard to the church in Fort Providence. Not all contributions are frozen, but they are going up to Ministers, and they may go on to the Government Leader's office and be approved there. Thank you, Mr. Speaker.

MR. SPEAKER: Mrs. Marie-Jewell.

Question O31-12(1): Legislation To Protect Women In Divorce Cases

MRS. MARIE-JEWELL: Mr. Speaker, I have a question for the Minister of Justice. In our jurisdiction we do not have any legislation in respect to protection of women when it comes to the area of divorces. Women sometimes help their spouses build up businesses, and there is basically no protection that allows them a 50 per cent settlement made in their favour. I would like to know if the Minister of Justice will consider formulating legislation to ensure that women are protected and recognized when they assist their spouses in building businesses or whatever, and do it basically by working; or sometimes spouses live on the women's salaries, and when their businesses come to fruition and divorces are in process, there is currently nothing to protect the interests of the women. Would it be possible for this type of legislation to be considered for women to fall back on in the event of a divorce case.

MR. SPEAKER: Minister of Justice, Mr. Patterson.

Return To Question O31-12(1): Legislation To Protect Women In Divorce Cases

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I am sure the honourable Member knows that the Minister of Justice previous to myself had commissioned a review of what are called "gender equality issues" relating to the justice

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system. There is a special advisor to the Minister of Justice now doing extensive public consultation before submitting recommendations to the government on how women can be treated more fairly in all aspects of the justice system. I do expect that this very issue that the honourable Member has raised will undoubtedly be the subject of

recommendations of the special advisor in this very important area of matrimonial property.

However, Mr. Speaker, to answer the Member's question shortly, succinctly, yes, I will be open to considering whether our legislation can be improved or new legislation can be developed to meet the concerns expressed by the honourable Member; and I will rely on advice that I expect to receive from the special advisor on gender equality on that issue.

MR. SPEAKER: The time allotted for question period has expired. We will go on to Item 6, written questions.

Item 7, returns to written questions.

Item 8, replies to Opening Address.

Item 9, petitions.

Item 10, reports of standing and special committees. Mr. Koe.

ITEM 10: REPORTS OF STANDING AND SPECIAL COMMITTEES

Committee Report 1-12(1): Report Of The Standing Committee On Agencies, Boards And Commissions

MR. KOE: I would like to make the report on interim measures for the management of board appointments. This report is from the standing committee on agencies, boards and commissions of which I am the chairman. The standing committee on agencies, boards and commissions met on Friday, December 6, 1991. The committee discussed the establishment of a comprehensive work plan for the review of selected boards and agencies, and a further report on this matter may be forthcoming later in the session.

Members of the standing committee, however, took special note that sections of the "Strength at Two Levels" document outlined prospective courses of action for the reorganization, downsizing and elimination of certain government-created boards and agencies. While both general and specific recommendations contained in the report may have some merit, the standing committee wishes to ensure that the government does not proceed with decisions in this area without the benefit of committee review and discussion of all relevant options. To this end, the standing committee has requested advance notification from the Government Leader of any plans to modify existing boards, agencies or commissions.

Further, the standing committee wishes to ensure that appointments of board members not proceed in a fashion that might later limit the capacity of the Legislative Assembly and the cabinet to make structural changes necessary to improve our system of boards and agencies.

For that reason, the standing committee on agencies, boards and commissions recommends that the Government of the NWT postpone filling membership vacancies in all government-created boards and agencies until after March 31, 1992; and further, that where it is clearly in the public interest to appoint or reappoint members of boards and agencies, that these appointments be made for the shortest possible term.

Motion To Move Committee Report 1-12(1), Report Of The Standing Committee On Agencies, Boards And Commissions, To Committee Of The Whole, Carried
Mr. Speaker, that concludes this report by the standing committee on agencies, boards and commissions. I move, seconded by Mr. Lewis, the honourable Member for Yellowknife Centre, that the report of the standing committee on agencies, boards and commissions on interim measures for the management of board appointments, be received by the Assembly and referred to the committee of the whole.

MR. SPEAKER: Your motion is in order. All those in favour? Opposed? The motion is carried.

---Carried

Reports of standing and special committees. Mr. Arngna'naaq.

Committee Report 2-12(1): Report Of The Standing Committee On Legislation

MR. ARNGNA'NAAQ: Thank you, Mr. Speaker. At various points during the 11th Legislative Assembly, certain fundamental shortcomings were made apparent in the process used by the House and its committees to review and enact legislation. Most significant among these was the fact that the standing committee on legislation most commonly reviewed proposed legislation as draft bills submitted by the government as confidential documents for in camera consideration behind closed doors. The opportunity for the people of the NWT to review and provide input into their government's legislative initiatives was extremely limited as a result.

There were several logistical difficulties as well, particularly with respect to ensuring that the standing committee on legislation received draft legislation six weeks in advance of the first day of the session in which bills were to be introduced. Time pressures were created by the need to deal with bills before short sessions prorogued. In camera debates in the closed standing committee meetings often left issues unresolved so that Members could deal with them as public matters during committee of the whole consideration and raised questions about the efficiency of the committee's role in the legislative process.

Frequently, concerns were raised about the 11th Assembly's process for dealing with Private Members' bills, primarily with respect to difficulties in adequately considering input from the cabinet and from the public. At the same time, Mr. Speaker, procedures for reviewing statutory regulations were not well established. Through committee reports and Ministers' statements, both ordinary Members and the Executive Council recognized that clearly the legislative process during the 11th Assembly had to be improved.

At its meeting on January 17, 1991, the 11th Assembly standing committee on legislation passed a motion to research alternative strategies for dealing with bills. While an unprecedented legislative workload during the final session and the dissolution of the House precluded final completion of this project by the 11th Assembly, Members of the current standing committee on legislation considered the legislative process during a meeting on December 2 and 3, 1991, and have now completed the review initiated by their predecessors.

This report contains the results of that review and proposes significant changes to the manner in which the 12th Legislative Assembly should undertake the review and passage of bills into law. A discussion paper is appended to our report to

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provide further details into the proposed revision of the legislative process.

At its meeting on December 3rd the standing committee on legislation agreed that the following principles should be adopted to guide the House in its consideration of legislation for the people of the NWT:

1) A central purpose of the Legislative Assembly is to achieve the passage and amendment of any and all territorial statutes necessary for the public interest and for the practise of good government. Legislation must be fair to all and framed in a durable, practicable and understandable fashion.

2) The process developed for review and passage of proposed legislation must reflect the consensus nature of the system of government embraced by the people of the NWT and should be sensitive to the diversity of people throughout our jurisdiction. This means that among Canadian parliamentary bodies the legislative process of the NWT Legislative Assembly will have unique qualities arising from the distinct social and political characteristics of our jurisdiction.

3) All people of the NWT have a direct interest in the body of legislation which governs their respective pursuits. Accordingly, the public should have a voice with regard to both the principle and substance of any proposed law. The process followed for the passage of legislation must allow ready public access and

input into the consideration given proposed amendments and new statutes by the Members of the Legislative Assembly.

4) Persons who speak one official language of the NWT should have opportunities to participate in the legislative process equal to those who speak any other official language.

5) The process used by the Legislative Assembly for the review and passage of legislation should be carried out in the most effective and cost efficient manner possible.

8) Within the Legislative Assembly, the wishes, priorities or decisions of any one standing or special committee are not to be considered paramount to those of any other standing or special committee.

9) It is both the privilege and the responsibility of the Executive Council to maintain exclusive jurisdiction over the drafting and preparation of government bills. Similarly, it is the prerogative of the Executive Council to assign relative priorities to any initiatives on its legislative agenda and to exercise its own discretion over when to give notice of their introduction to the House.

With these principles in mind, it is proposed that the 12th Assembly establish two separate tracks for dealing with proposed legislation. Track one, standard legislative procedure; track two, the tabling of legislative action papers. Each track will serve a different legislative process.

Motion To Move Committee Report 2-12(1), Report Of The Standing Committee On Legislation, To Committee Of The Whole, Carried

Mr. Speaker, that concludes this report by the standing committee on legislation. I move, seconded by Mr. Brian Lewis, the honourable Member for Yellowknife Centre, that the report of the standing committee on legislation on the review of the legislative process for the 12th Legislative Assembly be received by the Assembly and referred to the committee of the whole. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Your motion is in order. All those in favour of the motion? Opposed, if any? The motion is carried.

---Carried

Reports of standing and special committees. Item 11, tabling of documents. Mr. Patterson.

ITEM 11: TABLING OF DOCUMENTS

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. With your permission, I would like to table four documents. In accordance with the Statute Revision Act, I wish to table Tabled Document 4-12(1), Volume III, Supplement to the Revised Statutes of the Northwest Territories, 1988. I wish to table Tabled Document 5-12(1), The Northwest Territories

Law Foundation, Ninth Annual Report for the Fiscal Year Ending June 30, 1991. I wish to table Tabled Document 6-12(1), Northwest Territories Legal Aid 1990-91 Annual Report. Finally, Mr. Speaker, I wish to table Tabled Document 7-12(1), Annual Report of the Northwest Territories Workers' Compensation Board for the year ending December 31, 1990. Qujannamiik.

MR. SPEAKER: Tabling of documents. Mr. Pollard.

HON. JOHN POLLARD: Thank you, Mr. Speaker. Mr. Speaker, I wish to table Tabled Document 8-12(1), Interim Financial Report of the Government of the Northwest Territories for the Year Ended March 31, 1991. Thank you, Mr. Speaker.

MR. SPEAKER: Tabling of documents. Tabling of documents. Item 12, notices of motions. Mr. Lewis.

ITEM 12: NOTICES OF MOTIONS

Notice Of Motion 21-12(1): Appointment To Standing Committee On Rules, Procedures And Privileges

MR. LEWIS: Thank you, Mr. Speaker. I give notice that on Thursday, December 12, 1991, I will move the following motion, and it has to do with appointments to the standing committee on rules, procedures and privileges: Whereas it is

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desirable to have a cabinet Minister as a Member of the standing committee on rules, procedures and privileges; now therefore, I move, seconded by the honourable Member for North Slave, that the Hon. Dennis Patterson be appointed as a Member of the standing committee on rules, procedures and privileges; and further, that not withstanding Rule 88(2), the Hon. Tony Whitford may attend as an alternate Member only in the absence of the Hon. Dennis Patterson.

MR. SPEAKER: Notices of motions. Notices of Motions. Mr. Zoe.

Notice Of Motion 22-12(1): Terms Of Reference For The Standing Committee On Rules, Procedures And Privileges

MR. ZOE: Mr. Speaker, I give notice that on December 12, 1991, I will move the following motion: I move, seconded by the honourable Member for High Arctic, that the following terms of reference for the standing committee on rules, procedures and privileges be approved. The standing committee on rules, procedures and privileges may, on its own authority: a) examine the rules, procedures, practices and powers of the Legislative Assembly; and the standing committee shall: a) inquire into such matters

as may be referred to it by the Legislative Assembly, the Speaker, the Management Services Board, a standing or special committee, or by caucus; b) inquire into matters of privilege as they may arise; and c) establish its quorum to be three Members including the Chair.

Mr. Speaker, at the appropriate time I will be seeking unanimous consent to proceed with my motion today.

MR. SPEAKER:

Notices of motions. Notices of motions. Mr. Gargan.

Notice Of Motion 23-12(1): Walk-In Freezer For Kakisa

MR. GARGAN: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Thursday, December 12, 1991, I will move the following motion: Now therefore, I move, seconded by the honourable Member for Kivallivik, that the Legislative Assembly recommends that the community of Kakisa's need for a walk-in community freezer be considered a priority for inclusion in the Department of Renewable Resources' five year capital plan; and further, that the long-awaited policy concerning community freezers be formalized by the cabinet. Thank you.

MR. SPEAKER: Notices of motion. Notices of motion. Mrs. Marie-Jewell.

Notice Of Motion 24-12(1): Serving Of Alcohol At Government-Sponsored Functions

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. On Thursday, December 12, 1991, I give notice that I will move the following motion: Whereas the problem of the abuse of alcohol is affecting many individuals and families in our society in the Northwest Territories; and whereas if individuals continue only to talk about alcohol abuse and take no concrete action; and whereas it is critical that every action should be taken by elected officials to play their part; and whereas the Legislative Assembly and the Government of the Northwest Territories should not be providing alcohol free of charge at sponsored events; and whereas public funds should not be used to provide alcohol free of charge to people attending government-sponsored functions; now therefore, I move, seconded by the honourable Member for Baffin Central, that this Legislative Assembly adopts a policy that public funds should not be used to provide alcohol at government or Legislative Assembly events. Thank you.

AN HON. MEMBER:

Hear, hear!

---Applause

MR. SPEAKER: Thank you. At the notice of motion stage, the "whereases" are not necessary, just the resolution. Notices of motions. Mr. Gargan.

Notice Of Motion 25-12(1): Establishment Of A Tax Reform Commission

MR. GARGAN: Mr. Speaker, on Thursday, December 12, 1991, I will move the following motion: Now therefore, I move, seconded by the honourable Member for Thebacha, that this Legislative Assembly support the establishment of a tax reform commission for the Northwest Territories; and further, that the Minister of Finance and cabinet prepare a prospective terms of reference for a tax reform commission to be presented for approval to the Legislative Assembly during the second session. Thank you.

MR. SPEAKER: Notices of motions. Notices of motions. Item 13, notices of motions for first reading of bills. Mr. Pollard.

ITEM 13: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

Notice Of Motion For First Reading Of Bill 1: Supplementary Appropriation Act, No. 2, 1991-92

HON. JOHN POLLARD: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Thursday, December 12, 1991, I shall move that Bill 1, Supplementary Appropriation Act, No. 2, 1991-92, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Notices of motions for first reading of bills. Mr. Patterson.

Notice Of Motion For First Reading Of Bill 3: Adoption Of The French Version Of Statutes And Statutory Instruments Act

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Thursday, December 12, 1991, I shall move that Bill 3, An Act to Amend the Adoption of the French Version of Statutes and Statutory Instruments Act, be read for the first time. Thank you.

MR. SPEAKER: Notices of motions for first reading of bills. Mr. Pollard.

Notice Of Motion For First Reading Of Bill 2: Borrowing Authorization Act

HON. JOHN POLLARD: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Thursday, December 12, 1991, I shall move that Bill 2, Borrowing Authorization Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Notices of motions for first reading of bills.

Notices of motions for first reading of bills. Item 14, motions. Mr. Lewis.

ITEM 14: MOTIONS

MR. LEWIS: Mr. Speaker, I seek unanimous consent to deal with my motion on the appointments to the standing committee on rules, procedures and privileges.

MR. SPEAKER: Unanimous consent is being requested. Are there any nays? There are no nays. Proceed, Mr. Lewis.

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Motion 21-12(1): Appointment To The Standing Committee On Rules, Procedures And Privileges, Carried

MR. LEWIS: Thank you. Mr. Speaker:

WHEREAS the striking committee did not name all the Members to compose the standing committee on rules, procedures and privileges;

AND WHEREAS the cabinet has normally suggested a Minister to sit on this committee;

AND WHEREAS it is desirable to have a cabinet Member as a Member of the standing committee on rules, procedures and privileges;

NOW THEREFORE, I move, seconded by the honourable Member for North Slave, that the Hon. Dennis Patterson be appointed as a Member of the standing committee on rules, procedures and privileges;

AND FURTHER, that notwithstanding Rule 88(2), the Hon. Tony Whitford may attend as an alternate Member only in the absence of the Hon. Dennis Patterson.

MR. SPEAKER: Your motion is in order, Mr. Lewis.

AN HON. MEMBER:

Question.

MR. SPEAKER: Question is being called. All those in favour? Opposed? The motion is carried.

---Carried

Motions. Mr. Zoe.

MR. ZOE: Mr. Speaker, I am seeking unanimous consent to proceed with my motion today with regard to the terms of reference of the standing committee on rules, procedures and privileges.

MR. SPEAKER: Unanimous consent is being requested. Are there any nays? There are no nays. Proceed, Mr. Zoe.

Motion 22-12(1): Terms Of Reference For The Standing Committee On Rules, Procedures And Privileges, Carried

MR. ZOE: Thank you. Terms of reference for the standing committee on rules, procedures and privileges:

WHEREAS it is required by Rule 95(2) that the terms of reference for all standing committees shall be approved by the Legislative Assembly;

AND WHEREAS the standing committee on rules, procedures and privileges has considered the matter of their terms of reference;

AND WHEREAS the standing committee is now prepared to present their terms of reference to the Legislative Assembly;

NOW THEREFORE, I move, seconded by the honourable Member for High Arctic, that the following terms of reference for the standing committee on rules, procedures and privileges be approved: the standing committee on rules, procedures and privileges may, on its own authority:

a) examine the rules, procedures, practices and powers of the Legislative Assembly, and;

The standing committee shall:

a) inquire into such matters as may be referred to it by the Legislative Assembly, the Speaker, the Management Services Board, a standing or special committee, or by caucus;

b) inquire into matters of privilege as may arise and;

c) establish its quorum to be three Members including the Chair.

MR. SPEAKER: Your motion is in order, Mr. Zoe. All those in favour of the motion? All those opposed? The motion is carried.

---Carried

Motions. Government Leader, Ms. Cournoyea.

HON. NELLIE COURNOYEA: Mr. Speaker, I seek unanimous consent to deal with the motion to table "Strength at Two Levels."

MR. SPEAKER: Unanimous consent is being requested. Are there any nays? There are no nays. Proceed, please.

Motion 18-12(1): Tabled Document 3-12(1), "Strength At Two Levels," To Committee Of The Whole, Carried

HON. NELLIE COURNOYEA:Mr. Speaker:

I MOVE, seconded by the honourable Member for Hay River, that Tabled Document 3-12(1), "Strength at two Levels-Report of the Project to Review the Operations and Structure of Northern Government and Appendices," be moved into committee of the whole for discussion.

MR. SPEAKER: The motion is in order. To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER: Question has been called. All those in favour? Those opposed? The motion is carried.

---Carried

Motions. Item 15, first reading of bills.

Item 16, second reading of bills. Item 17, consideration in committee of the whole of bills and other matters. The House will resolve into committee of the whole to discuss Ministers' Statements 2-12(1) and 5-12(1), Committee Reports 1-12(1) and 2-12(1), and Tabled Document 3-12(1), with Mr. Pudluk in the chair.

ITEM 17: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Pudluk): Does this committee wish to deal with the first Minister's statement? I would like instruction before I go any further. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Mr. Chairman, we would like to deal with Tabled Document 2-12(1) as well as the Beatty report.

CHAIRMAN (Mr. Pudluk): Does this committee agree that we deal with Ministers' Statement 2-12(1) and Tabled Document 3-12(1) together? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk):

We will take a 15 minute break.

---SHORT RECESS

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Ministers' Statement 2-12(1): And Tabled Document 3-12(1)

CHAIRMAN (Mr. Pudluk): The committee will come back to order. General comments on Tabled Document 3-12(1) and Ministers' Statement 2-12(1). Member for Thebacha.

MRS. MARIE-JEWELL: Thank you, Mr. Chairman. The committee is appreciative of the fact that these two documents are placed into committee of the whole for further consideration.

I would like to indicate a couple of concerns with respect to the process that we want to use. First of all, we would like to discuss some of the comments with respect to the Government Leader's statement and, with that, be able to go over the report entitled "Strength at Two Levels" for further consideration if the committee so agrees.

Mr. Chairman, there have been a few concerns on the Government Leader's statement, and I should indicate to committee Members and MLAs that now is the time to bring forth your concerns with respect to the Minister's statement.

CHAIRMAN (Mr. Pudluk): Please proceed.

MRS. MARIE-JEWELL: Very quickly, Mr. Chairman, I will advise the government of some of the concerns. The main concern was the fact that there have been priorities set for restructuring government, both moving the POL, to the NWT Power Corporation and consolidating the departments of Health and Social Services, as well as the remaining programs under the Department of Government Services being under the Department of Public Works.

We are not saying as a committee that we disagree with what the government is doing, and we do not want to get involved in the details of government decision-making, but we have concerns with respect to the process of implementation. What we want to know is, where are we allowed to express our views on the "Strength at Two Levels" report to indicate to the government what is acceptable and what is not acceptable with respect to the recommendations to be implemented?

Also, we would like to indicate to the government that with these implementations we would like to see some type of strategy formulated. We recognize the Government Leader's intention is to try to allow us to be involved in the process of recommending forms of action; however, it appears that the opportunity is not

there and is not available for the Members. They are somewhat concerned about it.

With that, Mr. Chairman, I would like to leave the opportunity for Members to be able to discuss their concerns with respect to the Minister's statement, "Living Within Our Means," and their concerns with respect to "Strength at Two Levels." Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. Are there any further general comments? Madam Government Leader, do you wish to respond?

HON. NELLIE COURNOYEA: No, Mr. Chairman. I am prepared to listen to what the concerns are and what the issues are. I just want to say that we have taken the report and certain structural actions to try to put together an implementation team. The implementation team will be structured in some way so that MLAs can be involved on an ongoing basis in what is happening in implementing the "Strength at Two Levels" report.

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Todd.

MR. TODD: I am not sure how committee of the whole works, but my overriding concern is to make sure there is a structure. I do not mean to make it cumbersome for you, but I just want to ensure that the benefits of the implementation of the report do trickle down to the appropriate places whether it is small communities, et cetera. For example, could there be provision in the implementation group for three MLAs to work this thing through or could you have regional representation?

It does not have to get cumbersome. It could be three or four of us on this side. You must be meeting on a regular basis and developing some types of strategies. It seems to me that we are not going to solve all the problems of this report today, and I am certainly not about to try to address it. It has to be addressed over a period of time. If it is going to be addressed over a period of time and have maximum benefit for northern people, then I think there has to be some provision for ongoing input by this side of the House.

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Arvaluk.

MR. ARVALUK: Thank you, Mr. Chairman. I have no really big objection to the statement made by the Leader of the government this morning, nor do I have any strong objections to the document, "Strength at Two Levels." I read it through and made a couple of thousand notes. The only general concern I have is that not too long ago the government had a project called "Devolution of the Government." When that happened, the regional groups such as Keewatin Regional Council or divisional boards of education became rather active and strong in the deliberation of that devolution program. We have been seeing in the

last few years that the government is again taking back the power from the regional organizations to Yellowknife.

In "Strength at Two Levels," would the communities or community governments in this document, if they are active, become rather strong in the deliberation of their local programs such as housing, social services and health? When things like that become complicated, the leaders become more sophisticated and really work hard at that. I wonder if, in the near future when the government finds out that the communities are becoming too strong, would they not want to take that back again to Yellowknife like they did to the regional organizations? That is the only concern I have. If we implement this in any way, I do not want to turn around and say to my constituents that we have to take it back because they are getting too strong.

CHAIRMAN (Mr. Pudluk): Mr. Todd.

MR. TODD: Perhaps I can approach it in a different way. Today I am not about to suggest to you that we can solve all the problems and say this is good and this is bad within the Beatty report. But there are some obvious things that bounce out at us, that say, "Hey, there is something wrong with this report." How do we find the mechanism where we can contribute to what we feel are some weaknesses within the report?

Let me give you an obvious example, to me anyway, from a regional perspective, bearing in mind there is a need to cut costs, as Mr. Pollard said, and a need to bring departments together and we are all philosophically and very much in agreement. On page 142 of the Appendices it talks about a simple example of health services, and it talks about moving people from the Keewatin to Yellowknife. Maybe this is more cost effective, but I will tell you now, if you went into the Keewatin and tried to sell that, it simply would not sell. There needs to be a mechanism for debate or for input to determine if this is a wise or unwise move.

From a political perspective, if I supported this at this particular juncture, I would, in blunt terms, be -- well it would

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not be acceptable, let us put it that way. I am just using it as an example because it is just one that jumps out at me. The concern would be, in the Keewatin, that they just want to fill the Yellowknife hospital because it is not full enough. However, I thought we were moving toward the division of the Territories. We have historically dealt with Winnipeg. Have they done a cost analysis of this? Is this the right thing to do? We have linkages; maybe we require our own; maybe we should go to Iqaluit.

I know all these questions are going to be asked on this particular subject, and Mr. Chairman, I am only using it to illustrate a point. There are a number of situations in this report, besides this health issue, that I need to know what mechanism we are going to use, if we are allowed, to negotiate and to ensure that the recommendations and the changes that come about will be, in the eyes of me as an ordinary MLA or this side of the House, in the best interests of the constituents of the North.

CHAIRMAN (Mr. Pudluk): Madam Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, the discussion on how we move ahead on community transfers can be brought up in this Legislative Assembly at any time; and as we are moving along, some areas in the report that evidently cannot be implemented will be falling off very quickly. We are setting up a community transfer committee which will be under the direction of Minister Kakfwi, and a process is going to be set up so that everyone knows here the general principles of how we are going to get these discussions going. So we can try to work in a mechanism where the MLAs would be involved.

This has not been written down, but what I had thought was that, particularly when a community came forward and wanted to take over a program or a menu of responsibilities, the MLA that is representing that community should be involved on a continuing basis on that takeover. That falls out right away, and we have not put out our communication package so we do not really know how many people are interested, but we know that some communities will not be interested at all, and some might have more interest than the other.

But certainly in terms of the MLAs, I did anticipate that if there was something happening within their constituency that they would be involved as well as, for example, the mayor. We can try to build up a more immediate input from MLAs on the issues of community transfers. So I will try to work that. We have not finished the mechanism of how we are going to do it. We have just announced it, and we have done some work on it. There is a committee to deal with that, and we certainly can work in more involvement if that is desired. We are open to suggestions on how you feel you want to track that on a day-to-day basis. I realize maybe some of the concerns might be that during the time that we are not meeting as a Legislative Assembly, where questions can be brought forward, that there will be things happening that may not allow you to be involved. So we can set up a mechanism to do that with more involvement, and we are certainly open to suggestions on that.

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Zoe.

MR. ZOE: Thank you, Mr. Chairman. I would like to make some remarks on the government's emphasis on community transfer agreements. The Hon. Stephen Kakfwi early today briefly acknowledged the concern that band councils may have respecting the question of aboriginal self-government and the government's new initiative respecting the Beatty report's recommendation of community transfer agreements. My comments today will revolve around this concern that the Hon. Stephen Kakfwi acknowledged respecting aboriginal self-government and the community transfer agreements.

As the government is aware, the long sought-after constitutional guarantee of the right to aboriginal self-government may be close at hand. The federal government has now stated quite clearly that the entrenchment of the right to aboriginal self-government is being very seriously considered. If this constitutional entrenchment takes place in the near future, it would accomplish two very important objectives that aboriginal people across Canada have been working very hard at. These two objectives are: 1) it would enable aboriginal communities to escape half-political arrangements which have stressed individual rights, welfare and municipal structures; 2) it would expand the powers and authority base traditionally exercised by aboriginal governments and make allowance for new forms of aboriginal government.

My region, the North Slave, recently made a presentation to the NWT Commission for Constitutional Development. Prior to this presentation we held a two-day meeting with leaders from across the North Slave to flesh out an initial position on constitutional and political development. At this meeting, Mr. Chairman, one of our elders, Alex Arrowmaker, pointed out that we already have the institutions for self-government in Tli Cho region. "We do not want anything new," he said. "We want to keep what we have now." In other words, we do not need any new structures imposed on us by a new constitution. What we want is a structure which recognizes our existing institutions as the instrument of self-government.

Aboriginal Self-Government Should Come About Through Negotiation With Federal Government

Mr. Chairman, the people of my region want aboriginal self-government. Our understanding of the government's proposed community transfer agreements is that it will be a delegated form of municipal self-government. The Tli Cho people of my region, North Slave, are simply not prepared to get locked into, at this time, the government's new form of delegated authority in light of the potential constitutional entrenchment of what we believe to be a pre-existing and independent aboriginal right to self-government. In other words, the Tli Cho people do not believe that self-government should be imposed by either the Government of the Northwest Territories,

through the community agreements or by the various methods available presently through direct negotiations with the federal government.

What the Tli Cho people are saying in effect, is that if the right to self-government is entrenched in the Canadian constitution, aboriginal people in the Northwest Territories could negotiate directly with the federal government in order to gain and exercise decisive control over, and to redesign where necessary, the activities, institutions, financial arrangements required to meet the challenges of economic development, health, education, social services, resource management and any number of common concerns in their communities and on their land.

The Government of the Northwest Territories approach to community self-government, through the proposed community transfer agreements, seems to be, according to the Tli Cho people of the North Slave region, just a continuation of delegated power from the Government of the Northwest Territories. Although communities will be given the right to decide not to accept a responsibility that the Government of the Northwest Territories is ready to give it, it does not have the fundamental right to decide for itself what responsibilities it wants. That is the right we expect in a constitution for the western Northwest Territories.

We are now engaged in redefining who we are through the

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commission for constitutional development process, and the government is at the same time attempting to short-circuit this process by introducing a form of self-government at a municipal level that may be totally rejected by aboriginal communities as an acceptable model for community and regional self-government. The status of the government's proposed community transfer agreements should be exactly that, a proposal for discussions within the constitutional development process. It should not be anything more, certainly not a municipal form of self-government that the government is committed to implementing. Mahsi cho.

CHAIRMAN (Mr. Pudluk): Thank you. Government Leader.

Responsibility Given Only If Community Wants It

HON. NELLIE COURNOYEA: In terms of the aboriginal self-government, when the report was done it was not asked to look at political issues or new political structures such as those that might be contemplated in division or aboriginal self-government. The report was simply asked to look at how great a responsibility for government programs might be placed in the hands of people at the

community level, and the community transfer is a means of achieving that.

Now if people do not wish to move ahead, if your group does not wish to move ahead, that is a decision of your communities. We are not here to place before you or shove some responsibilities at a community level if you do not wish to take it. If the communities are offered and they wish not to take part, that is entirely up to them. They may be exploring other things that are far more important or far-reaching and do not wish to participate at this time; that is up to the communities that you represent. I want to make that very clear, that every region may not be the same or that every community may not be the same. We are trying to address the simple issue of the complaints and the concerns that we get from community people in terms of their desires to run their own lives at the community level.

I just want to make sure that you know, if you are placed in the position here before the Legislative Assembly of taking the stand that the people you represent do not wish to take part in this community transfer and wish to wait until some other negotiations go on at a higher level or with the federal government, that is entirely up to the communities you represent. We do not wish to impose upon communities or groups who want to take a political stand in terms of determining a longer-term objective that they do have; however, in many communities, people are saying that they want to take as much of a responsibility as possible. We realize as a government that not everybody, not every community or area, is ready to proceed, and we are willing and quite open to accommodate whether people wish to move faster or slower or not at all.

CHAIRMAN (Mr. Pudluk): Thank you. Further general comments? Member for Kitikmeot.

Progress Must Be Slower In The Kitikmeot

MR. BERNHARDT: Thank you, Mr. Chairman. To this report, "Strength at Two Levels". The region that I represent, the Kitikmeot, is new to this sort of ball game. We are what you would call different from the Dene people because just recently we moved from isolation to a community called Coppermine, and Bernard Harbour went dead; Reid Island went dead; so everyone moved to Coppermine. I would like to see this document go at a slower pace for us people who are new to the idea of self-government, because if we rush with this program, half the people will not understand what self-government is. How can we tackle issues -- with a birthrate higher than the rest of Canada -- if we are unable to sustain a livelihood for our younger people, our children who are growing up? And most important, if we are unable to deliver good services such as education at the post secondary level, matriculated students who will be well-schooled in the field of professionalism such as doctors,

lawyers, town planners -- for me, this is the only solution, to realize self-government will become a reality sooner or later. I would like to see it come when I am still alive. I would like this government to take its time on it and not rush through it because we are looking at all kinds of situations, all kinds of dilemmas.

Canada is confused about the killing of Meech Lake, division, the Polar Commission and who knows what other commissions there will be. It is going to be very complicated to understand which way we are going. But I realize we have to work on this sort of government. I think it is a very good, positive way of bringing our people to govern their own concerns, to make their own decisions at the local level and not be too far removed nor to be dependent on bureaucrat positions to make our decisions which will affect us in the end. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. Madam Government Leader.

HON. NELLIE COURNOYEA: What we are doing now is setting up a process so that people know how they can work toward more control and take over more of the programs and responsibility. It is a process that is going to be set up. Whether people take advantage of that process can take as long as they want. So if a community is not ready or feels that they are not ready, it may be that some communities will want to take over, for example, the drug and alcohol program or some programs that are more relevant. Every community will be different.

Right now, there are many communities asking for more involvement, for example, in the correction of juveniles. These things are very important to people. We are just setting up a mechanism so that when a community comes forward and says they wish to take over these programs, then we know and are able to accommodate the negotiations for the takeover.

Again, I want to say we are not suggesting to move any quicker than the communities are willing to move.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Keewatin.

Involvement Of MLAs

MR. TODD: While I acknowledge the concerns expressed by my colleague, Mr. Bernhardt, and I am sympathetic about it, I am not as much of a philosopher. I am more of a practitioner. My concern is regarding the process of who makes the decision regarding the phasing in of these responsibilities. To me, there is a contradiction going on in the sense of this report at the regional level. On the one hand, we are saying we need more involvement by MLAs. It says so right here in the report. On the other hand, this report clearly says we need to change the role of

regional directors. God help us. They want to give the regional directors more responsibility and, believe it or not, have them report to cabinet.

That reinforces with me that too many decisions are going to be made at the centre, and not enough are going to be made where the problems occur. Surely, on the one hand we want MLAs to be more involved in the decision-making -- and it has been said on a number of occasions by the people in this House -- but on the other hand they say this option is strongly recommended. Are we not, in fact, going back to the way it

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was 20 years ago by saying the regional directors are going to be the instrument in the region and are going to report directly to cabinet? Where do we fit in?

CHAIRMAN (Mr. Pudluk): Government Leader.

HON. NELLIE COURNOYEA: Presently, the regional directors report to cabinet. I do not know that every little item in this report has to be taken as the word of the Bible. As we move along, there are items in there that may not be applicable because, at the time, we did not design or tell the study group to deal with all of the departmental responsibilities under this government. There are things that we may flesh out. Some things may not be appropriate. We are not saying at this time that 100 per cent of this report is going to be acceptable or workable. We are setting up the instruments to move toward making sure that the programs and responsibilities in the stages of turnover are met in a process. Thank you.

CHAIRMAN (Mr. Pudluk): Further comments. Member for Keewatin.

MR. TODD: However, Mr. Chairman, it does say -- and I think this has a significant impact on the changes that come out of it -- that the regional directors should perform a strong role in relation to the new priorities attached to community transfers. It says they should be key members of the GNWT's implementation group for community transfers. We are not suggesting we approve it en masse, but this does have a significant impact in terms of the concerns that my friend here has, and the concerns that I have with respect to the phasing and priorities at the regional level. That is all I am trying to say. You know the old saying, "to be forewarned is to be forearmed." I am really saying that I do not see this as a small matter. I see this as a fundamental instrument of delivery of the recommendations and priorities that you as a cabinet are going to establish. Again, this particular individual reports directly to cabinet with no line responsibilities to the departments, as I understand it. You may want to change that. I do think it is important, and I will

address the issue later on in the coming weeks. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. Government Leader.

Role Of Regional Director

HON. NELLIE COURNOYEA: In terms of the regional director, I would like to make one comment. I would expect that when we set the process in gear, and when the process is set up, the regional director will have to be on the team as well. Otherwise, if there are a number of community transfers in any given region, I would expect the regional director to be supportive of that because the communities are indicating that they want to move ahead with these community transfers. How this will work out, I do not know. In addition to that, if they are reporting through the structure of a committee to make sure the community transfers happen -- because this is what happened before. We did not have a process where you can accommodate the community transfers. As a result, there were many different directions, and the people who wanted to move for more takeover felt that what the region was saying was something different from the priorities set by this government.

CHAIRMAN (Mr. Pudluk): Thank you. Supplementary, Member for Keewatin.

MR. TODD: I do not wish to plug it to death today, but all I am asking is, where within the transfer process do the MLA and municipal leader fit in?

CHAIRMAN (Mr. Pudluk): Thank you. Madam Government Leader.

HON. NELLIE COURNOYEA: I have not sat down and looked at the total process and structure, but we know and recognize that MLAs and municipal leaders have to be involved, so we will come back as soon as we have completed the process structure and have it presented. If we are not in session, it will be sent out to all the Members as soon as it is completed.

CHAIRMAN (Mr. Pudluk): Member for Deh Cho. Report Does Not Address Communities' Aspirations

MR. GARGAN: Mr. Chairman, I have not had an opportunity to read the report itself and I do not know whether this is the Beatty report, and I have not read that either. I have just been skimming through the document itself and Members here, as well as the Executive, have been responding basically, I would presume, to the report itself.

Again I am saying that the aspirations of the communities have not really been addressed. I see this report as another report generally geared toward the prime body concept, and we are still the administrative arms of this government.

I had an opportunity to listen to the Western Constitutional Commission in some of the communities and some of the presentations, and what I keep hearing is perhaps at odds with what this report is all about. I believe some of the communities are saying that if we have the creation of Nunavut and a new territory, then this is what the Western Arctic could be facing with regard to the delivery of government in the Western Arctic. Never mind the national agenda. I am afraid that if we only accept this as a document to offer to the communities, I would think that most of the communities will not consider it.

You might also have a different view from the communities where they have signed an agreement in principle for land claims. Those are the communities that do have a different agenda based on extinguishment of rights. So again we have a situation where perhaps this document would be acceptable to them. But if you look at the Deh Cho region, which I am not referring to with regard to the Deh Cho constituency -- the region itself is composed of 10 communities -- they have gone through a lot of pressures since this government came to be. They also had pressures before government started moving up here. In fact, 1992 would be 500 years since we have been exercising and responding to pressures that still exist. Another pressure is a whole new document, again to create an existing government, or perhaps just giving it the self-government definition. It certainly sounds good, but I do not think it reflects the aspirations of the communities.

In the communities now, I think what we are hearing is that communities are saying, "We do have an inherent right. We did have rights before, 500 years ago; and we have been taking care of ourselves, perhaps not in the ways that the western culture wants us to, but we survived for over 30,000 years. I think if you give us the opportunity, we could prove to you that we probably could survive for another 30,000 years without having that kind of an institution again being imposed on the communities."

I realize what Nellie is saying, that this is only an offer to the communities and the communities do not have to accept it, or they can accept it at the pace they want to; but Nellie has not said anything else other than that. This is the only offer that she is giving the communities, no other opportunities that may exist.

CHAIRMAN (Mr. Pudluk): Member for Deh Cho, we would prefer if you would use the last name instead of the first name. Thank you. Proceed.

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MR. GARGAN: My apologies to the Government Leader, Mr. Chairman, but my feeling is that we do have a document here that the communities will be

responding to, and I would presume that the response would not be as good if these documents were the government's position on self-government, and we have two other documents here on the aboriginal definition of self-government. Perhaps then we might be able to put the two documents together to come up with one common goal, but I do not see it happening yet. I just wanted to mention that.

I recognize that there is an urgent need to start giving more responsibility to the communities, but also at the same time we should be able to suggest to the communities what they see as a more effective or efficient delivery of core programs to the communities.

Reducing Number Of Civil Servants

I also wanted to mention, and I do not know whether it is mentioned in the Government Leader's statement, but I have not seen too much mention about what happens to the people that are civil servants in the Northwest Territories right now, and whether or not there are any plans to reduce the civil service and divert more responsibilities through attrition where the positions are freed up and transferred to the regions or to the communities. I would say that even if, Mr. Chairman, we cut the civil servants today or tomorrow, life will still go on in the communities. The local education authorities will still operate under the existing moneys that they have, and social services will still operate. It is not as if because we cut the civil service the communities are going to be helpless. In fact, I think it would motivate the communities more to start taking on more responsibilities.

The point, Mr. Chairman, is that because we have a large civil service population -- I think it is 163 per thousand in the Northwest Territories -- and the Yukon is the second highest where I think it is 112 per thousand, but that is still high. I would think that if we were to seriously look at decentralizing to the communities or to the regions the sooner it has to be there in the reduction of the people that in the communities are called "caretakers" -- I guess in Yellowknife you call them civil servants. I think it is time that we look seriously at what we are trying to implement, not only developing positions on it but actually doing something to reduce the dependency on the institutions that have been thrived on by western culture for a very long time.

CHAIRMAN (Mr. Pudluk): Excuse me, Member for Deh Cho, you have had your 10 minutes. Do Members agree to let him continue?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Mr. Gargan

MR. GARGAN: Thank you, Mr. Chairman. I know where my community is coming from, I know where the regions are coming from. I also recognize where the government is coming from too. I would hope that somewhere in the next four years we will be able to say that we must reduce the public service and give all the responsibilities to the communities. I believe that is the only way we could see more production on the way you spend your money, as opposed to the way it is now. We do have a lot of program moneys, a lot of capital moneys that go in supporting the public service. The more positions or money you free up, the more programs you will be able to offer the communities. I believe as it devolves you just have a more healthy environment.

The North is the only place in Canada that that opportunity exists. Most of the southern institutions do not have that opportunity. The aboriginal people still deal directly with Ottawa. Over here we do have a large native population that has to depend a lot on the public service for their programs. But that does not mean that if tomorrow the public service dissolved that the aboriginal people are going to be left out in the cold. The federal government is still there to take those responsibilities back if they need to be addressed. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Madam Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, it just appears that the honourable Member in his last part was really supporting the report on "Strength at Two Levels," and really that is what we are trying to address. Until such time as we start dealing with the community in a respectable format, where they are not going to get into a process and find out half way there that it falls apart -- now the area is defined to put a process where, when communities come forward as they negotiate the programs and responsibilities they want, they get the resources to deal with that. It could be put in a block form or it could be in a manner that allows them to set some of their priorities and change things around.

Federal Guidelines Must Be Observed

Certainly we cannot offer that in all things because we are somewhat tied with some other federal guidelines that we have to deal with. But when you are talking with the community, as you go along, all those things will be fleshed out. In the end they might say they want all these things, but there is a bigger question we want asked politically and constitutionally. But at least at that point in time they are able to address and look at the programs and services they feel they can deliver to their own people in that community.

I believe that if we do not start, we will never answer that question. We will never be in a position to do

anything. It will all be just a discussion, and you will still have the communities complaining saying, "We do not want the regional level. What do you have there at a regional board? What are they doing? They go to a meeting and they come home and do not even tell us what is going on at the meetings."

If you want to build a strong Nunavut government, Denendeh government, you have to start dealing with people at the community level so they become familiar. They are going to make mistakes. We all know that. But the more familiar they are with dealing with their own affairs in a practical sense, not in a theoretical sense, in a practical day-to-day sense -- because in order to live for another 30,000 years, these programs will still be around and somebody is still going to have to work at them -- the more we put at the community level, the more people will have an opportunity to reflect themselves in how those programs are delivered.

That is the opportunity we are offering. If people want to wait until a more theoretical constitutional issue is settled, that is up to them. But in the meantime, these are just practical, everyday programs that people have right now, that are generally managed at a board level or at a central headquarters level. I believe as we go along, the resources that are needed and required at a community level have to be negotiated into their responsibility. We are not asking people to take over responsibilities without the resources to do the job. Yes, there is going to be an effect on the overall government delivery system. But at the same time, if you do not start building at the community level, you are going to still be sitting around here 10 years later trying to explain to our communities what these programs are all about that we are

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sitting around here talking about. So that is an invitation to take part at the community level and to build that strength at that community base.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Deh Cho.

MR. GARGAN: Mr. Chairman, this is only one option that the government has offered and the only option. All I am suggesting is that we should be open to other options besides this because we do have the national agenda in which aboriginal organizations are working toward self-government. We cannot lose sight of that.

We have to devolve a lot more issues to the regional level. I agree with the Government Leader on that. I am suggesting that to free up more resources you have to free up more person years. Even if you cut the civil servants in half now, this government saves at least \$300,000. You could complete the highway to Yellowknife: you could have a better airport. You

need \$30 million to complete all the housing inventories of the people of the North.

I am suggesting that there are ways of making that work now if the government is serious about devolving resources and responsibilities to the communities. But it also might mean a reduction in the civil servants. Thank you.

CHAIRMAN (Mr. Pudluk): Madam Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, all we can give is what the territorial government has. We cannot deliver a broader constitutional answer to a question. All we are doing is dealing with the programs and services and the jurisdiction that is here now and giving an offer to the communities.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Kivallivik.

MR. ARNGNA'NAAQ: Thank you, Mr. Chairman. I have read a large portion of this document. I have not completed reading it but I do like what I have read. I do hope that we will be able to work at implementing at least portions of this document. I believe that a good majority of the people here, the MLAs here, like what they read in this document and when people of the Northwest Territories see this, or have gone through this document, they will also like the idea.

My immediate concern is that the communities which would like to enjoy the abilities they will be given under this document, will be given the time to go through the document to see whether they even approve of the document. At this point, the cabinet has been formed in a very similar structure as recommended by this document and that has been done on the assumption that the majority of the MLAs here will agree with the report. The other concern that I have is the pace at which these programs will be implemented has to be considered, and have to believe that the Government Leader has indicated that it will be at a pace which will be acceptable to a good majority.

Mr. Chairman, the Government Leader has also indicated that portions will be implemented and others will not be implemented. I understand there will be a committee formed on the implementation of these programs. I would like to know, and maybe it does not have to be answered now, but I would like to know how our involvement in this implementation will impact -- how our participation in the implementation of this will be addressed. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. Member for Yellowknife Centre.

"Strength At Two Levels" Represents Government Platform

MR. LEWIS: Thank you, Mr. Chairman. This report, "Strength at Two Levels," is really the platform of the government. If you recall four years ago when the last government was formed and Mr. Patterson took everybody off into the bush somewhere, and they came up with the "Direction for the 1990s," nine or 10 principles, if you like, that would guide the government for the next four years. I will not bore people with going through that list of that particular platform. What we have here is something similar, in a sense, that was set up for the last government and inherited by this government, and it represents the platform, if you like, of where this government really wants to go. This is the priority of the government because it is the first bit of business that we are dealing with here. It represents the government plan during the term of this Assembly.

Having said that, what makes this a little bit different is in keeping with our commitment to consensus government, the Government Leader has said this really is where the government wants to go and before we even talk about it and discuss it, we have had a statement from the Minister indicating the strength of the commitment of our government to the report by indicating what things are going to happen.

I am going to be very brief today, Mr. Chairman. One of the strengths of consensus, of course, is that you are obviously involved with an awful lot of people and people have a feeling that they have a sense of ownership of whatever it is they are involved in, because when you make something and there are all kinds of hands on the tools that create it, then you think, "Boy I made that. I helped to polish that up and it looks good and I am proud of it." The problem when you do that, and that is the weakness of it, is that it can take forever. I remember years ago there was -- I am talking about my own field now in education, many years ago, everybody was committed to the idea of discovery learning. Kids were going to really have a sense of owning their knowledge because some boring person was not going to tell them anything. They were going to find out for themselves. All these young people were going to discover everything, every mechanical principle, every principle of mathematics. They would discover it, but we found out after awhile if you go about things in that fashion, you are going to still be there when you are 90. You still do not know your multiplication tables because you have not found it; you have not discovered it yet. That is one of the weaknesses, if you like, of taking that approach that you are going to discover everything for yourself.

It is similar with consensus. The weakness of it is that you have to look at all the ways in people in which people want to contribute to making something work so they have this feeling that they own this particular program or this particular process. The Minister has realized this, obviously, by setting a fast pace, saying,

"Look, we have to get on with it and if we allow consensus to drag this down, it is not going to go anywhere." It is the same with everything we have ever tried to do. Suddenly, with everybody being involved and everybody having his two bits worth in, slowly the momentum gets dragged down and gets dragged down.

I have seen Mr. Kakfwi, for example, demonstrate his impatience about trying to get things done and he has mentioned it in this House. I will not quote him today, but he has mentioned several times the frustration, because he is a person who wants to get things done.

If you are going to involve everybody in trying to get things done, then I will guarantee that although you want to start off at this fast pace to get an agenda accomplished within a certain time frame, then it will only be done if things are

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absolutely clear, how far we can go, what the deadlines are, what is reasonable. I can tell you now, Mr. Chairman, that it is not simply just a matter of saying, "This is what communities want; let us just do it." Just one simple thing and I will leave it at this. I know that in developing legislation, some of those bits of legislation have taken years and years and years just to get a simple piece of legislation done, because of the process that you have to go through so that everybody feels comfortable about that legislation, that really does what we want that legislation to do. We have committed ourselves in this chamber to an even greater and more open process of involvement in the creation of legislation. We have said that we are not going to just simply get a piece of legislation and say that is it; we are going to just sit down here and pass it. What we have said, is that there is going to be a process in which the public is going to be involved in legislation. If all you are going to do in this follow up to this report, is say, "Well we will have a contribution agreement and we will just make a deal if you like and you have it for this week or for next week. We will not worry about legislation; we will just ignore all that. We will just make a few deals here and there to get things going." Then that really does not give you the degree of stability and certainty and a sense of development that we have always felt ourselves committed to in this chamber.

So Mr. Chairman, what I am trying to tell the government, I suppose, is that in order to do all these things -- because this is a massive undertaking, a complete restructuring of things really -- we cannot really make it work unless it is hand in glove with some kind of legislative program. You simply cannot just sit down and make deals and agreements; that is just not good enough.

Everything we have done over the past 20 years, I suppose, has been on the basis of recognizing that

this is a Legislative Assembly. What we do basically is to work as legislators; we make laws for the people that we represent. So everything that goes on in the Territories is done on the basis of law, not on deals, and if we are going to make this work we have to be sure that we have some kind of legislative framework so that we can, in fact, make this happen. It has been my experience to date that laws, if they are going to be workable and successful, cannot just be made at the snap of a finger or at the drop of a hat. It involves an awful lot of painstaking hard work, very, very time consuming, and from what I have been able to gather so far, the things that we have heard in just a few days indicate that we would like things to be done with speed so that momentum will not be lost; but at the same time we are told that we are going to operate even more by consensus by involving more and more people, and when you do that you are automatically going to slow things down at a pace that people can manage and feel comfortable with.

I could go on at length, but I appreciate the Ministers' long experience in government, their understanding of it, the nature of the problem that has to be overcome, but it is the weakness of consensus that things we really want to do, very often will take a long, long time, and you cannot do it overnight; it is not in the nature of our system. Thank you.

CHAIRMAN (Mr. Arvaluk): Thank you, Mr. Lewis.

Madam Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, it has been a number of years that the whole discussion on who makes decisions, who controls or how can programs better apply and reflect people, has been going on. This has been an ongoing discussion. The consultative process has been going on from as far back as when I first came here in 1979, and before that. The concern of us being with a government system that is very difficult to manoeuvre through to reach a goal, has been discussed. That is one of the reasons that we commissioned this report, to consolidate the thinking of people at the community level, in this Legislative Assembly, of some of the cabinet Ministers, deputy ministers who were involved, people at all regions who were involved. We made sure that the teams that were on here reflected the various regions and communities and people involved in the process.

This document is a consolidation of the thinking of a great number of people who were consulted and talked to, and all I am trying to say is that it appears to me, from my reflection, that it is a very clear document. It may not cover everything that we wished it to cover, but it gives us a very clear direction on which is the best way to go in dealing with peoples' concerns and issues that were brought up over the many, many years.

Community self-government was one that a number of communities were involved with, but it was so difficult to make the decisions that will allow them to take over the programs they wanted to take over, they just gave up because they said that the government was too complex -- who is making the decision; why cannot we take this over; how can we do it this way? There was no framework for them to achieve their goals. Certainly there has been a great deal of discussion while these people went and discussed at various levels what it is that people feel the most concern about regarding this government; why we are not doing what they want us to do; why they feel that we are a bad government; why they feel that we are not being able to deliver the types of things they want at a pace they want.

I see this as us keeping up with the communities. It is not for us to sit here and say, "Holy crow, we are giving something to the communities." The communities are fed up with waiting; they are very tired of being told, "Go to this department, go to that department; it is over here where the decision should be made; it is that office you should go to." They are saying, "Why can we not run the programs at the community level the way we want them? This is our idea; this is what we want to do." That is really just addressing that.

I am trying to put together a program of implementation where people, when they want to do something, can get it done. Thank you.'

CHAIRMAN (Mr. Arvaluk): Thank you, Ms. Cournoyea. Mr. Lewis, you want to answer that response.

MR. LEWIS: Thank you, Mr. Chairman. I would just like to ask the Government Leader, does she recognize that this report, in fact, takes us all the way back to the very beginning when this government was set up, and the very first department that was set up by this government, which was given a priority when it was set up, was the Department of Local Government. The decision was made that that would be a priority in setting up this government, right from the floor up, and since then we have lost control completely because consensus government has taken us all over the place. At the beginning we had this focus. Did she realize that we are back to where we started more than 20 years ago?

CHAIRMAN (Mr. Arvaluk): Ms. Cournoyea.

HON. NELLIE COURNOYEA: Mr. Chairman, that was a fundamental concern right from the beginning. We did form community governments and we went so far. We gave them water, sewage, garbage and roads. We gave them that responsibility. For some reason, I do not know why, we stopped. We should have continued and maybe we would be where the communities want to be now. The intent was good, it

was there; what they have now is up and running. The community has an ownership to those programs on how they are conducted. They handle the funding and within certain

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means they are setting a priority. What they want now is to extend those responsibilities. I do not know why it quit, I do not know why it came to a stop when it did, because I remember back at one time when people wanted to go on and it looked like the central agency or someone said, "No, that is too much, you cannot have a relationship with the aboriginal people in terms of community self-government."

I am sure some Members here were involved in developing community government a long time ago, but we did stop. The same question is there by the communities, "We want to take over more of those responsibilities."

CHAIRMAN (Mr. Arvaluk): Mr. Todd.

MR. TODD: I would caution you and say, "But let us remind ourselves of the pace at which the communities want to take over these responsibilities." It is important to remind ourselves of that. One of the concerns I have of a more practical discussion would be that given that we are looking at this Beatty report, and some shrinking of dollars as Mr. Pollard has said, there is a requirement to look at ways of cutting and at some ways of saving money, it may be -- and I do not want to complicate the issue even more -- that we have to take a hard look as we phase in and implement this report of the kinds of policies on the ways and means in which we spend money.

If there is less money out there, then maybe we have to find ways and means to make sure there is more money of the less money spent in the North. Are you with me? It may be that, in my opinion, when we take a look at the phasing in and the implementation of this, parallel with that we should be taking a hard look at the kind of spending policies, if you want, and by that I mean things like Buy North only, things like negotiated contracts with DPW as has been done by the Minister of Public Works to my understanding, those kinds of things, I think, have to go hand in hand, if you like, with the phasing in of some of this stuff. Do you understand what I am trying to say? If we have less money, then we had better make sure the less money we have the more of it sticks in the North because we will only have compounded an already difficult situation. I hope that makes sense.

CHAIRMAN (Mr. Arvaluk): Thank you. Madam Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, in setting up the implementation of this type of discussion, or the implementation of these

consolidations or of community government, it is expected that at that time, these very points will come up.

CHAIRMAN (Mr. Arvaluk): Any further comments? Member for Thebacha.

MRS. MARIE-JEWELL: Mr. Chairman, I just wanted to ask the Government Leader with respect to some of the comments in her statement. She indicated, on the second page, consolidating the Department of Health and the Department of Social Services into one department in order to improve co-ordination and efficiency in responding to the health and social services needs of northern residents. Since they are organizing themselves to set priorities for the restructuring of those departments, how is this going to be done? What is going to be eliminated through the restructuring process?

CHAIRMAN (Mr. Arvaluk): Thank you. Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, this will be determined through the implementation committee on how that is going regarding the people who are involved with the two departments. I think there are some very obvious things that are very clear such as duplication, overlapping in certain programs, the decision-making in moving back and forth between different levels of support for individuals. But this will be done through the implementation process.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Thebacha.

MRS. MARIE-JEWELL: Mr. Chairman, is that the same with respect to all the programs dealing with education, employment and culture into one department, in addition for POL to be under the NWT Power Corporation, and Government Services taking the Department of Public Works? Will all this proposed restructuring go to the implementation committee for further review?

CHAIRMAN (Mr. Pudluk): Thank you. Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, the whole program of consolidation does go through an implementation process or an implementation committee to implement.

CHAIRMAN (Mr. Pudluk): Thank you. Are there any further general comments? Member for Thebacha.

MRS. MARIE-JEWELL: Thank you, Mr. Chairman. Can the Government Leader advise us as to who is on the implementation committee? Do they have a time frame as to when they can give this House the strategy they want to look at implementing in respect of some of the recommendations?

CHAIRMAN (Mr. Pudluk): Thank you. Government Leader.

HON. NELLIE COURNOYEA: To the degree that we formalized the committees and to the degree that we have identified people, yes, I will have to bring it back. In terms of the strategy, I know that the strategy is being worked out. But I can let the honourable Member know exactly where those are. I cannot tell right today.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Thebacha.

MRS. MARIE-JEWELL: Mr. Chairman, I would like to know if the Government Leader is able to advise us who is on the implementation committee? What is the implementation consisting of?

CHAIRMAN (Mr. Pudluk): Thank you. Government Leader.

HON. NELLIE COURNOYEA: I will give her what I have. I do not have it here because we presently do not have everything ironed out. It is being worked on a day-to-day basis. I will deliver to the Member what I have up to today at 5:00 o'clock because I am not quite sure what has been set and what has yet to be worked on.

CHAIRMAN (Mr. Pudluk): Thank you. The Minister will provide you with that information later on. Member for Thebacha.

MRS. MARIE-JEWELL: Thank you. Mr. Chairman, I would like to make comments with respect to the "Strength at Two Levels" report. In reviewing the document, Mr. Chairman, I found, I believe, some errors in the document. I will point out some of those areas as we go through the document in more detail. However, I do want to let the government know that the document basically phased the idea of strengthening the two levels at the community level in respect of a more co-operative effort toward dealing with government on program deliveries and allowing the community, if they so choose, to take over control of many of the responsibilities that can be delivered in a community.

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The concept is good in theory as I indicated in one of our committee meetings. However, I am somewhat concerned about the fact that many of the communities in the North may not want it and they may not be ready for it. They may not be ready for the responsibility and the task at hand. I stated and eluded to the fact that government has just come into the North some 30 years ago. Prior to our generation, the aboriginal people in the North were totally self-sufficient. I believe government has invaded many of

the responsibilities of an individual over the time frame. People have taken away a lot of the responsibilities thus resulting in less self-sufficiency by individuals.

I am somewhat concerned that even when you think of the small responsibility of child care there is concern or an expectation by the public that government should provide child care. I recognize that, as well as the need for assistance by single parents, by all means. But at the same time, I fully respect individuals and I know that I, as a mother, would like to feel that it is my total responsibility to determine what type of child care I want for my children, or if I want any assistance from government with respect to child care. I do not like to feel that child care is there and we should use it. It should be used by people who need it. The opportunity should be made available for people in need of it.

When you look at how government has dealt with individuals, aboriginal people in particular, they have come in over the years giving everything to the communities. They have given them an enhanced lifestyle. They have given them many things in life that make it easier for them to live. As they keep giving, the expectations become greater. Now they find themselves in a financial position where they have a difficult time recognizing that they are going to keep on being able to give the community the level of service that they are currently able to deliver. I know the "Strength at Two Levels" report says that they are giving more responsibility to the communities. I find that if you give more responsibility to the communities, you are no doubt going to put a lot more pressure on the community itself. I am somewhat concerned that communities may not be ready, but I would like to know if the government does decide that -- I know it is not going to be in the term of this government to be able to devolve as much responsibility as they want or as much as the report states. I take this report as somewhat like a blueprint or a plan of action that government can look at maybe over the next 10 years, not something that can be done right away. I feel that it is very critical to let the public know that this report and the recommendations in this report, even though some of them can be implemented, the time frame for the recommendations to be implemented is critical, to be able to formulate it into a strategy and phase it throughout the North at an appropriate timetable that is acceptable, not only to this House and to the government, but to the North in itself and particularly, to some of the communities that may not want to take over many of these responsibilities.

The other concern that I have in respect to this report is the fact that it goes from the community level of government to the level of -- to the level of central government and it leaves out, basically, the regional government concept. I would like to know from the Government Leader, what the intention of the

government is with respect to how they are going to deal with regional councils and regional governments even though they are in our municipal acts, and what their intention of support is for regional councils even though it has not been addressed in this report. Some regional councils have been very strong in giving some type of direction towards government and looking after the communities that they represent. Although I do not believe all regional councils are as strong as others because of the fact that there have been wrong signals sent out to many regional councils.

I would like to basically know from the Government Leader, if they are going to continue to support regional councils or are they just going to allow regional councils to be a forum that gives opportunity for different communities at one point in time to gather together to discuss their concerns of commonalities? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, we were over at the Baffin Regional Council where there were some 35 people gathered together from the very different agencies that were around and they asked me about whether we were going to give more funding, and also asked the question whether we would transfer the programs for that region to the regional council, and I said no. I believe that if the communities have a desire once they are running their programs to give more strength to a common body, they will, but that should come from within those communities to endorse that body or that group or it could be just a meeting area so they can determine that level. At this point in time, I think they will continue as they are but I believe the communities should have a greater say and probably have the resources if they want to put toward a regional council of some sort, but right at this point in time, I believe that this process should allow the communities to say what they want in a regional body. I do not think we should impose another body on them or strengthen it until we decide where the communities are going.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Thebacha.

MRS. MARIE-JEWELL: Thank you. I just basically wanted to know what type of support this government intends to give regional councils in light of the report that we have received, "Strength at Two Levels?"

CHAIRMAN (Mr. Pudluk): Thank you. Government Leader.

HON. NELLIE COURNOYEA: We do not intend to give them any more support than we presently are giving them, and I believe as we go along in the report, dealing with boards and agencies and the

multitude of committees, that we will be co-operatively working with the committee on agencies, boards and commissions.

CHAIRMAN (Mr. Pudluk): Thank you. Any further general comments or questions? Member for Thebacha.

MRS. MARIE-JEWELL: Thank you, Mr. Chairman. I guess further comments in respect to the report itself. When I looked over the report -- I do not know if it is appropriate now or if we are just on general comments, that we will get into the actual document of the report to question some of the recommendations. I know we are on general comments overall, but I do not know when the committee decides to actually go into the report. I did want to ensure from the Government Leader on the report itself, like I had stated, where committees or communities are not basically ready, will they be considered giving a certain time frame, but also in conjunction with the government, be able to agree on a phase-in period of taking over these responsibilities in accordance to the recommendations of the report? Thank you.

CHAIRMAN (Mr. Pudluk): Yes, we are on general comments and some questions have been asked. I think this committee will allow us to go through the recommendations later on. I think that will be more appropriate. Government Leader.

HON. NELLIE COURNOYEA:
I guess, in answer to the

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Member's question, yes.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Thebacha

MRS. MARIE-JEWELL: Thank you, Mr. Chairman, I will reserve my further comments or questions until we actually get into the document. I cannot stress the importance of how the expectations of the public level are, and how unready some communities may be in wanting to take over these responsibilities and also stress the fact that this report may just want to be used as a blueprint for government, and also stress to the government that they should not expect to implement the recommendations in their term of government, because I think some of these recommendations will take longer than four years to actually implement. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. Member for Baffin Central.

MS. MIKE: Thank you, Mr. Chairman. I have a question. It says on page 182 that the community agrees to provide services that comply with the

eligibility criteria, standards, and other requirements as set out in territorial and federal legislation and regulations. If one of my communities were to be ready to take over social services, does this mean that they negotiate with the territorial government and if the negotiations go through that the community would have to adhere to the legislation and regulations from federal and territorial governments?

CHAIRMAN (Mr. Pudluk): Thank you. Government Leader.

Necessity Of Adhering To Federal Guidelines

HON. NELLIE COURNOYEA: Unfortunately, Mr. Chairman, basically they would have to adhere to about the same regulations we do because it is a relationship between the federal and territorial government. There are some aspects in a federal legislated program and we receive funding for that program. We have to adhere to the guidelines. As much as possible we want to give the communities flexibility to move around their priorities, but at this point in time, we cannot move outside of some of the federal guidelines that are set.

Basically, within the territorial legislation, what we have done is incorporated some of that legislation because we have to, because we would not get the money unless we do, until such time as the territorial, Northwest Territories or Nunavut or Denendeh have the resources to raise their own revenues. It is difficult when you are receiving money from any other agency, as we do as a territorial government, not to abide totally by those guidelines because that is the basis that they put those certain programs out.

As much as we would like to say we are totally independent as the Northwest Territories government, we are not. We have to adhere to many of the guidelines that are set to receive the funding.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. The honourable Member for Baffin Central.

MS. MIKE: The reason why I asked that, for example, is that one of my communities wanted to negotiate the delivery of social services programs. For a number of years there have been questions put forward to the Legislative Assembly to find out if some of the social service funding could be reallocated to make-shift employment in the community before a recipient can be eligible to receive assistance. That kind of cost could not be negotiated.

CHAIRMAN (Mr. Pudluk): Thank you. Madam Government Leader.

HON. NELLIE COURNOYEA: I think that even the previous Minister responsible for Social Services, as well as the present one, was trying to grapple with

being more flexible, to see whether the territorial government or local government uses the money in the best way possible. We would like to see some of those changes as well. We have a standing invitation to meet with Mr. Mulroney in terms of our formula funding and some of the other issues. I would like to say at that time that we would like more flexibility, because I know the communities would want that as much as we do.

I think it gives us no end of concern when we would like to operate programs that reflect the requirements or the needs and aspirations of the people. We are tied to a framework that is determined by the federal funding policy.

I believe this is a good opportunity to address those issues and see what flexibility there can be. If there is no flexibility, the concern would be the same sitting around here as it would be for a community. So I cannot say positively, "Yes, we will get around all the hurdles we have in delivering all the social programs." We are suffering from it right here at the territorial level as much as the communities would. Hopefully, we can work and identify some of those key issues as we go along.

CHAIRMAN (Mr. Pudluk): Thank you. Further general comments? The honourable Member for Nahendeh.

Community Government Structure A Matter Of Concern

MR. ANTOINE: Thank you, Mr. Chairman. I just want to make a few comments on the document, "Strength at Two Levels." As you all know, my name is in the report. I was involved from February until June in putting together the operation, organization and management portion of this report. I would just like to say that I did not see the final report until everybody else received it. I was not familiar with the final version to clear up our situation.

My understanding of this report was to make recommendations to the government as a blueprint for this new government on how to approach government programs and services into the communities. The intent of this document was to take it to the doorstep of the communities. The community government structure had a lot of concern about it during my involvement with the report because as a Dene coming from a community in the western part of the Northwest Territories -- we have difficulty in some communities where there are different structures. For example, in Fort Simpson there is a village council, a band council and a Metis local, so it is very difficult to figure out what programs and services go with which structure. The Constitutional Commission that is going around is there to address and try to clear up this problem. It coincides with this report. The intent of this document was not to describe what community

self-government should look like, but rather to make recommendations on what should go into the communities rather than describing what the community should look like. I would like to leave it at this. Mahsi.

CHAIRMAN (Mr. Pudluk): Thank you. Any further general comments? The honourable Member for Inuvik.

Lack Of Trained Northerners To Assume Responsible Positions

MR. KOE: Thank you, Mr. Chairman. Generally, I support the report, "Strength at Two Levels." Many aspects, recommendations and research that went into it provide a very stern review of how things are done. There are a couple of things I want to make note of, and I will be addressing these as we get into detail.

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One is regarding the public service and the recommendation for developing a home-grown public service as well as the need to refocus or revitalize the affirmative action program. The report goes into some detail about the lack of Northerners and the lack of availability of trained northern people to assume responsible positions in this government. Yet, in another section, the report talks about the education of northern people. There is a recommendation to reduce some of the services, grants and benefits to northern people. This does not make sense to me. On one hand you are suggesting increasing the training of our people, and on the other hand you are recommending reducing what there is in terms of how this training is done. This is one area we have to look at. Maybe there is a middle ground.

Another area I have a concern about, and will be raising at the appropriate time, is health benefits, especially to non-status and Metis people. There are some recommendations in the report that they be seriously considered. I assume it means the requests that have been made to the previous government, and I believe it is on the agenda of this government. I read that to mean that those requests not be approved. I hope that they be considered and that we try not to establish different classes of aboriginal people in the Northwest Territories.

These are a couple of comments I wanted to make at this stage. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. (Translation) The honourable Member for Baffin South.

MR. PUDLAT: (Translation) I have not yet read this report. Today is the first time I was able to read the report. These are just my general comments, and

later on, as I read it more deeply, I will have further comments.

I also have concerns about what the government is going to be able to do in the communities. Regarding "Strength at Two Levels," as MLAs we represent the communities. If we are not clear on how our government is going and how the programs are going, I also have this concern. We will have to be very careful how we are going to represent our communities and their concerns. I would also like to read "Strength at Two Levels," and there is no doubt that I will be involved as we progress through this report.

I just wanted to make general comments at this time, and I will pay attention and read the report further. I understand what has been discussed today, as we discussed the report, but I have not read it thoroughly. Therefore, I just have general comments at this time. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Yellowknife Frame Lake.

MR. DENT: Thank you, Mr. Chairman. I, too, like most of the Members here, generally support the report, "Strength at Two Levels." I admit there are some areas that, I think, once we get into a more detailed review of it, we will need to examine closely; and we have to deal with the concerns of the other people around the table. I think it is important to remember, too, as the Government Leader said, that 10 years ago we were in much the same position and we have not been able to achieve a devolution of government. I think that many people in the North want to see that. I think it is important that we do not get ourselves into a situation where 10 years from now we are sitting around saying that nothing has happened. It is important that we move on the report quickly, and I hope the government has the will to ensure that the concerns of the MLAs are dealt with in a timely fashion.

Clear And Concise Timetable For Implementation Important

We have to be able to sit down and make sure that we can achieve a resolution of the concerns that are felt around the table for the various areas, so that a clear and concise implementation timetable can be proposed and agreed to and supported by a clear majority of us; otherwise we will not be able to proceed. I think it is not only important for the future of the Territories and being able to deal with such things as our fiscal problems right now, but it is also important because this report has some implications for people at certain levels of employment in the government. I think that a lot of those people right now are fairly nervous as to what their future may be, and I think we owe it to them to deal with this situation and come up with a clear program for implementation.

I hope that the Government Leader has a timetable in mind that will see this Legislature coming to an agreement on a timetable, and especially in terms of dealing with some of the people that may be losing their jobs. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. Madam Government Leader.

HON. NELLIE COURNOYEA: Mr. Chairman, I think that in trying to reach the objectives and the general thrust of the "Strength at Two Levels" report, we have been very much concerned in terms of the problems that would come around with having some people feeling that their jobs will just not be here. We have had several meetings with deputy ministers in terms of putting forth our framework so that they could pass down to their various responsibilities what we are going to do. I think it has to be said that people get treated fairly and with respect, and we have tried to make sure that we send that message down the lines.

I believe that we have quite a vacancy rate as well, so the impact may not be as drastic as some people fear out there. Certainly the turnover rate in a lot of our government institutions is very high, and it has always concerned me that even at a community or regional level sometimes when the community is dealing with, "Where are we going to put our many educated young people; where are they going to go; how are they going to be involved; how are they going to get those jobs?" the impediment is sometimes when people say that it is impossible because these jobs are filled. To a great extent the turnover in those jobs is immense, and what we should be doing instead, while we are going to the community transfer, we should be dealing in the schools as well, telling the schools at a very early stage, "You have four nurses here. You need about 10 financial people in this community. You have so many RCMP officers. You have all this, and the turnover is there."

I do not think that the people who are moving toward taking over those job functions should have a fear that there is going to be somebody in the way and somebody is going to be there forever, because they are not. I think that in the foreseeable future, because of the rollover, there is room for a lot of people; and we are not threatening people about their jobs. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. Member for Keewatin Central.

MR. TODD: Thank you, Mr. Chairman. It is correct that we must ensure that the civil service feels it is being treated fairly, but the balancing argument to that is to ensure that the people out there in the communities are equally being treated fairly, and in my opinion at this juncture they simply are not.

CHAIRMAN (Mr. Pudluk): Thank you. Are there any further general comments? If not, what does the committee wish to

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do now? Ministers' Statement 2-12(1) and Tabled Document 3-12(1), is this matter concluded now? Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. What does the committee wish to do now? Give me some direction. Member for Inuvik.

MR. KOE: By reporting progress on this today, does that mean that we are not going into the details of the report itself? I am not clear here.

CHAIRMAN (Mr. Pudluk): Does this committee agree that this discussion has concluded? This item will still be on the discussion paper if we do not conclude discussion today. The honourable Member for Inuvik.

MR. KOE: If I heard Members correctly, they want to conclude this. I am not in agreement because it is my understanding that we will be getting into more detail on some of the substance of the report.

CHAIRMAN (Mr. Pudluk): Thank you. Madam Government Leader.

HON. NELLIE COURNOYEA: When it was asked whether Members agree that this is concluded, everyone said, "Agreed." So this finishes the report, unless you bring it back for further discussion, but once you say "conclude", it is finished.

CHAIRMAN (Mr. Pudluk): I would like to remind Members that it was not clear for new Members what "concluded" really means and what the procedure is. The honourable Member for Keewatin.

MR. TODD: I am not sure how you define "conclude" in the rules, but I would like to see continued discussion on this report. I do not know what mechanism we need to use to do it. Somebody help us. That is what I would like to see. Thank you.

CHAIRMAN (Mr. Pudluk): Government Leader.

HON. NELLIE COURNOYEA: In that case, we agree that we do not conclude the discussion and it gets left on the order paper to come up as a result of people's requests.

CHAIRMAN (Mr. Pudluk): Does the committee agree? Member for Inuvik.

MR. KOE: I move that we report progress on this issue.

CHAIRMAN (Mr. Pudluk): Thank you. The motion is not debatable. All those in favour? All those opposed? Carried.

---Carried

I will rise and report progress.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: Item 18, report of committee of the whole. Mr. Chairman.

MR. PUDLUK: Mr. Speaker, your committee has been considering Ministers' Statement 2-12(1) and Tabled Document 3-12(1), and wishes to report progress. Mr. Speaker, I move that the report of the chairman of the committee of the whole be concurred with.

MR. SPEAKER: Is there a seconder to that motion? Mr. Dent. The motion is in order. All those in favour? All those opposed? The motion is carried.

---Carried

Item 19, third reading of bills. Item 20, Mr. Clerk, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, meetings for this evening: at 7:00 p.m., a meeting of the Nunavut caucus. Meetings for tomorrow morning: at 9:00 a.m., of the ordinary Members; at 10:00 a.m., of the standing committee on finance; and at 11:30 tomorrow, a caucus briefing on the Polar Commission.

ITEM 20: ORDERS OF THE DAY

Orders of the day for Wednesday, December 11, 1991.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions

10. Reports of Standing and Special Committees
11. Tabling of Documents
12. Notices of Motions
13. Notices of Motions for First Reading of Bills
14. Motions: Motions 19-12(1) and 20-12(1)
15. First Reading of Bills: Bill 4-12(1)
16. Second Reading of Bills
17. Consideration in Committee of the Whole of Bills and Other Matters:
Ministers' Statements 2-12(1) and 5-12(1);
Committee Reports 1-12(1) and 2-12(1); and
Tabled Document 3-12(1)
18. Report of Committee of the Whole
19. Third Reading of Bills
20. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:30 p.m., Wednesday, December 11, 1991.

---ADJOURNMENT