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The Honourable Michael Ballantyne, Speaker

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Pages 91 - 99

MEMBERS PRESENT

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

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Michael Ballantyne): Good morning. Orders of the day for Friday, February 21, 1992.

Item 2, Ministers' statements. Item 3, Members' statements. Mrs. Marie-Jewell.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Injustice To Women In Justice System

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. Mr. Speaker, I rise today to speak out on the injustice in how women are treated by the justice system. Mr. Speaker, last week a prominent Inuit leader was given an absolute discharge after being found guilty of sexual assault. Mr. Speaker, whether the sexual assault was deemed to be sexual touching, or whatever, the point I want to make is the fact that a woman was subjected to a gesture that she did not consent to, and a gesture that is totally unacceptable to today's society.

Mr. Speaker, in my opinion, giving an absolute discharge after being found guilty of sexual assault sends out a message that there is a double standard in the justice system. It sends out a message that prominent leaders are not subjected to the justice system even though they are found guilty. This appears to say that leaders can be considered above the law, and I do not agree with that.

Mr. Speaker, it is my hope that the Minister of Justice ensures that he makes every effort to ensure that women are treated more fairly through our system of justice than we are now subjected to in our society today. Thank you.

---Applause

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

Member's Statement On Hardships Resulting From Deaths In Nunavut Region

MR. PUDLAT: (Translation) Thank you, Mr. Speaker. At the beginning of this month we became aware of a death, due to a fire, in the Koukdjuak area of the Nunavut region. There were also other deaths at the beginning of the month in Sanikiluaq due to a fire. This is a sad story, and it causes hardship.

Just after my election, some weeks ago, my uncle died. This occurred when I was present, but I had to travel. These things cause great hardship, and I wish to express my apologies to the people who are experiencing hardship in the Nunavut region. We have to keep going, and we have to keep working hard in spite of these difficulties. Thank you, Mr. Speaker.

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

Member's Statement On Staff Sergeant Al Kirbyson

MR. LEWIS: Thank you, Mr. Speaker. Today, I would like to pay tribute to a former constituent of mine who now lives in Hay River. Staff Sergeant Al Kirbyson is well known to many Members, and I would like to point out to Members, Mr. Speaker, that the staff sergeant is known throughout the Northwest Territories as the heart and soul of the Royal Canadian Mounted Police. This particular individual has shown exactly the nature of the work of a staff sergeant who hopes to have a good team of people to get the very difficult work of police enforcement done. He is a person of great humour and great leadership ability at that level.

Just over a week ago he demonstrated that the old style RCMP officer is something, perhaps, that has been lost, so what he did was to take a whole bunch of people out on the lake, on the land if you like, and the lake, and showed them that when they left Hay River and went to some of the more isolated places in the Northwest Territories they would have to face conditions which they have never faced in their lives before, even as part of their police training.

I understand that this exercise has been very, very widely acknowledged as a good example of something, perhaps, that has been lost over the last

20 years and which he is trying to reintroduce as a way of initiating young police constables into the realities of northern life, and learning about northern lifestyles and learning how to survive and operate on the land.

So today, Mr. Speaker, I would like to acknowledge the work of the old-fashioned, old style policeman such as Al Kirbyson, who has contributed so much to our society in the past. Thank you.

MR. SPEAKER: Members' statements. Item 4, returns to oral questions. Mr. Whitford.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question O39-12(2): Cost Of Repairs To Yellowknife Correctional Centre.

HON. TONY WHITFORD: Thank you. Mr. Speaker, I have a return to an oral question that was asked by Mr. Gargan on February 14, 1992, Valentine's Day. Mr. Speaker, in answer to the honourable Member for Deh Cho, I am pleased to reply to his question regarding the cost of repairs for the damage caused to the Yellowknife Correction Centre. The total cost of reconstruction is \$363,920. The project is on schedule and on budget so far. The scope of the work to be done is more than the simple replacement of what was destroyed. Building by-laws have changed since the Yellowknife Correctional Centre was first built, and it cannot be restored exactly as it was originally constructed, thank heavens. Care is being taken to ensure that appropriate standards are being met in the reconstruction.

The scope of the work was increased to add cameras

Page 92

in the dormitory areas. In order to protect both staff and inmates, the dormitories will be monitored by a remote control surveillance system. This should provide a deterrence to the kind of disturbance that occurred on New Year's Eve, because correctional officers will be able to see what is going on at all times. Other safety features were designed to improve staff access to parts of the building.

Negotiations with the insurance company are ongoing at the present time, and the final recovery will not be known until the work is completed. Public discussion of the amount that may be recovered from the insurer is premature. Speculation about the amount to be recovered could jeopardize the final settlement. My officials suggest that it is safe to say that the amount

recovered for the building itself will not exceed \$365,000. There is also discussion regarding the replacement of furniture and equipment, transportation costs, staff overtime, and the RCMP expenses which were related to the incident, which will contribute to the final recovery from the insurance company.

Mr. Speaker, I also have another return to a question asked by Mr. Todd. Am I permitted to make it while he is not here?

MR. SPEAKER: You are permitted. Whether he would appreciate it is his decision, but you are definitely permitted to make it.

HON. TONY WHITFORD: Perhaps I will wait until Mr. Todd returns to the House.

MR. SPEAKER: Returns to oral questions. Item 5, oral questions. Mr. Dent.

ITEM 5: ORAL QUESTIONS

Question O112-12(2): Demographic Information Re Clients For Public Housing

MR. DENT: Thank you, Mr. Speaker. I have a question for the Minister responsible for the NWT Housing Corporation. I recently requested some basic demographic information about clients for public housing, just to gain some understanding for the local authorities and the housing associations we are serving.

I was looking for information such as the proportion of clients on social assistance, proportion of family incomes below the poverty line, proportion of incomes between \$30,000 and \$40,000 a year, et cetera. I was advised that such information is not available. I think we all agree that government should be able to assess the success of their programs to ensure the programs are reaching the people to whom they are aimed. I do not believe the Housing Corporation can assess the success of those programs without some basic demographic information being provided back to them.

Therefore, I would like to ask the Minister to institute a policy requiring local housing authorities and housing associations to report some of the basic demographic information back to the Housing Corporation. Thank you.

MR. SPEAKER: Minister responsible for the Housing Corporation, Mr. Morin.

Return To Question O112-12(2): Demographic Information Re Clients For Public Housing

HON. DON MORIN: Thank you, Mr. Speaker. I agree with the Member that such information should be forwarded to the Housing Corporation so that it can be retained on file. I will look into seeing how this may be achieved. Thank you.

MR. SPEAKER: Oral questions. Mr. Gargan.

Question O113-12(2): Financing Construction Of New Warehouse, Fort Providence

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my first question to the Minister for Housing with respect to the warehouse that was to have been built last fall. The site chosen was an old public housing unit that was converted to a warehouse and was moved in order to build a new warehouse. The warehouse was supposed to have been started last fall and got as far as site development, but the money was never allocated for that. I am wondering whether or not it was because of the lateness in construction that it was deferred. Or, is it that the budget for this program has been deleted?

MR. SPEAKER: Mr. Morin.

Return To Question O113-12(2): Financing Construction Of New Warehouse, Fort Providence

HON. DON MORIN: Thank you, Mr. Speaker. The warehouse Mr. Gargan is speaking about was postponed because the tender call received only one submission. Due to the lateness of the tender -- the bid was \$411,000, which exceeded the budget figure. Attempts to negotiate with the contractor were unsuccessful. At the present time, the Housing Corporation is looking at the availability of facilities in Fort Providence. We are also looking at a method of construction that will bring the cost down. Thank you.

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

Supplementary To Question O113-12(2): Financing Construction Of New Warehouse, Fort Providence

MR. GARGAN: Mr. Chairman, I also have a copy of two letters that have been written to the hamlet council of Fort Providence as well as a copy of a letter that was written to the band council. The letters were from the Housing Corporation, inquiring whether or not the hamlet office or the band council have a facility that they might be able to use. In both cases,

they do not have the warehouse space the housing association requires. While I realize the Housing Corporation is looking at alternatives, there does not seem to be any space available for the corporation to utilize. I would like to ask the Minister whether or not the budget allocation for the warehouse exists, or could the corporation consider building a new warehouse this coming year?

MR. SPEAKER: Mr. Morin.

Further Return To Question O113-12(2): Financing Construction Of New Warehouse, Fort Providence

HON. DON MORIN: Thank you, Mr. Speaker. I requested, a while back, to find out if there was any other space that we would have in Fort Providence. I wanted to be satisfied that there was not a duplication of services in the community. I wanted to make sure that DPW is maximizing their warehouse, and find out if the Housing Corporation could have used it. But what I find out is that they are indicating that all the facilities that are in Fort Providence now, are being used to their maximum. So the other alternative we have, because of the high cost of the tender, is that there is a discussion on the tender method. The Housing Corporation can possibly do a project management function using local labour provided by a joint venture of the local economic development arm of the band, DIGAA Enterprises and Snowshoe Inn Limited, and a local business contractor.

If this method of construction is used, we can also

Page 93

incorporate some community training into it. Then all we have to do is make sure that we can bring it in within budget. That is in the process, and that money has not been lost. Thank you.

MR. SPEAKER: Oral questions. Mr. Pudlat.

Question O114-12(2): Shortage Of Staff Housing, Baffin

MR. PUDLAT: (Translation) Mr. Speaker, I want to direct my question to the Minister of DPW or NWT Housing Corporation. Both the government and the housing associations are in great need of housing. Will there be any more government staff houses built in the NWT, especially for the teachers that are recruited up north? Recently, when I was in Sanikiluaq, I noticed that there were teachers, two teachers, that shared one house. Will DPW or the Housing Corporation provide more housing to the

NWT? There are a lot of people who want to work up here. I am wondering if there will be any more housing provided. Thank you.

MR. SPEAKER: Which Minister would like to take that one? Mr. Kakfwi.

HON. STEPHEN KAKFWI: Mr. Speaker, it is well known that the number of staff houses that the territorial government has available in the Baffin has not been sufficient to meet their requirements; they have teachers and other government employees. Having said that, I do not know the exact number of units that are going to be going into those communities at this time. I would have to provide that to the Member, and I will do that in writing. Thank you.

MR. SPEAKER: Thank you. Oral questions. Mr. Lewis.

Question O115-12(2): Inmates Voting In Elections

MR. LEWIS: I would like to address this question to the Minister of Justice. In light of the Supreme Court ruling that people who are in jail must be given the same right as other Canadians to vote in elections, does he intend to bring forward a change in our Elections Act so that when the plebiscite vote takes place, the people in jail will be allowed to vote?

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

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, the recent court ruling did concern federal prisoners in federal penitentiaries, and I am having an analysis done by my department which will advise me as to whether or not that ruling should apply to territorial prisoners in territorial correctional facilities. Mr. Speaker, as soon as I get that analysis, which I have asked for immediately following the decision, I will inform Members of the House of the possible implications for prisoners in territorial facilities in the Northwest Territories. Thank you.

MR. SPEAKER: Oral questions. Oral questions. Ms. Mike.

Question O116-12(2): Delay In Response To Question Re Manager, Medical Travel

MS. MIKE: (Translation) Thank you, Mr. Speaker. I would like to direct my question to the Minister of Health. On Friday, February, 14, I asked the Minister to provide two documents relating to the new

manager of medical travel position which his department is recruiting according to recommendations in the Beatty report. Recognizing that Rule 56(2) of this House states that a Minister shall respond to any written question without unnecessary delay, and recognizing that the documents are probably sitting in a file right outside his deputy minister's office, will the Minister explain to the House why he has taken so long to provide this information?

MR. SPEAKER: Mr. Whitford.

Return To Question O116-12(2): Delay In Response To Question Re Manager, Medical Travel

HON. TONY WHITFORD: Thank you, Mr. Speaker. I am not delaying my reply to the honourable Member. The request is being reviewed because you just cannot let go of any documents without making sure that confidential information is not going to be disclosed. At the present time, we are undertaking to prepare a response.

MR. SPEAKER: Oral questions. Supplementary, Ms. Mike.

Supplementary To Question O116-12(2): Delay In Response To Question Re Manager, Medical Travel

MS. MIKE: (Translation) Thank you, Mr. Speaker. Would the Minister make a commitment to dispatch one of his officials to run next door to the departmental offices in the Centre Square to get copies of those documents, so that he can table them as soon as we reach Item 12 on the order paper?

MR. SPEAKER: Mr. Whitford.

Further Return To Question O116-12(2): Delay In Response To Question Re Manager, Medical Travel

HON. TONY WHITFORD: No.

MR. SPEAKER: Oral questions. Supplementary, Ms. Mike.

Supplementary To Question O116-12(2): Delay In Response To Question Re Manager, Medical Travel

MS. MIKE: (Translation) Why not?

MR. SPEAKER: Mr. Whitford.

Further Return To Question O116-12(2): Delay In Response To Question Re Manager, Medical Travel

HON. TONY WHITFORD: Thank you, Mr. Speaker. I was going to say, "Because."

---Laughter

Because of the concerns that I raised in the first part of my question.

MR. SPEAKER: Oral questions. Supplementary, Ms. Mike.

Supplementary To Question O116-12(2): Delay In Response To Question Re Manager, Medical Travel

MS. MIKE: Thank you, Mr. Speaker. What question?

MR. SPEAKER: Mr. Whitford.

Further Return To Question O116-12(2): Delay In Response To Question Re Manager, Medical Travel

HON. TONY WHITFORD: My apologies, Mr. Speaker. It was my first response, rather than my question.

MR. SPEAKER: Oral questions. Mr. Gargan.

Question O117-12(2): Toilet Tissue Restraint

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Finance, Mr. Pollard. Mr. Pollard wrote a letter to his staff regarding additional financial restraint measures. The first measure of restraint is that toilet paper is limited to two sheets per function.

Page 94

---Laughter

This may be further reduced by 50 per cent if the condition so warrants. I would like to know at what point ministerial approval is required for the use of additional paper.

MR. SPEAKER: Minister of Finance, your reply is being recorded and will be read across the country.

Return To Question O117-12(2): Toilet Tissue Restraint

HON. JOHN POLLARD: Mr. Speaker, as the Member well knows, anything outside of the policies I have issued has to go to the Government Leader's office. I think the clearance would be at the fifth sheet, sir.

MR. SPEAKER: Oral questions. Mrs. Marie-Jewell.

Question O118-12(2): Unorganized Workers As Part Of Mining Safety Committee

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. I have a question for the Minister of Safety. Yesterday, the Minister indicated there were some problems in developing, facilitating and co-ordinating the mining safety committee that he proposes to deal with in the Mining Safety Act. As well, he said there are problems with organized labour. He stated that an unorganized worker may be influenced by management. Organized labour is having a difficult time allowing an unorganized labourer to be a participant on the committee. Mr. Speaker, I would like to ask the Minister whether he deems it necessary, and whether or not he feels strongly enough that it is important, critical and imperative that an unorganized worker should be a part of this mining safety committee.

MR. SPEAKER: Mr. Patterson.

Return to Question O118-12(2): Unorganized Workers As Part Of Mining Safety Committee

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, rather than describing the two workers' representatives on the committee as being from organized and unorganized labour alone in those terms, I prefer to think of the workers' representatives as being from two distinct and different classes of mines in the Northwest Territories. People who happen to be from unorganized workplaces would include the majority of mines in the Northwest Territories, all the mines that are remote from Yellowknife, mines that are fly-in operations with generally different shift schedules, mines that use different mining methods and different technology than the mines in Yellowknife, as well as mines that happen to be generally above the tree line and in the eastern part of the Territories, as opposed to the West.

Mr. Speaker, in attempting to have a mining safety bill committee that was reflective of all the workers in the Northwest Territories, I felt that someone from that category of mines -- that is, the remote mines, the fly-in mines, the newer mines, et cetera -- would provide a balance to the committee to ensure that all workplace situations were represented in developing the new bill. It was not just that they were organized or unorganized. That was my thinking in structuring this committee. As I indicated yesterday, it has

caused strong opposition from the two major mining unions in the Northwest Territories -- CASAW, Canadian Association of Smelter and Allied Workers, and Steel, United Steelworkers of America -- who informed me, yesterday, that they will not participate in this exercise because of those objections that I outlined yesterday. That is my problem at the moment, Mr. Speaker. Thank you.

MR. SPEAKER: Oral questions. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O118-12(2): Unorganized Workers As Part Of Mining Safety Committee.

MRS. MARIE-JEWELL: Mr. Speaker, since the Minister indicated that the two mining unions have decided not to participate in this committee that will assist in formulating the amendments that are necessary to safety of the workers of the mines, and since the Minister had indicated in December that this committee would begin its work in January, what other alternatives is he now going to use to address amendments that are needed for safety of the workers in amending the Mining Safety Act? Thank you.

MR. SPEAKER: Mr. Patterson.

Further Return To Question O118-12(2): Unorganized Workers As Part Of Mining Safety Committee

HON. DENNIS PATTERSON: Yes, thank you. Mr. Speaker, since I just learned yesterday of the unwillingness of CASAW and Steel to nominate a workers' representative to this committee, I have not as yet had a chance to figure out where we go from here; but I can tell the Member that there is one trade union that represents mine workers that is willing to participate in this exercise, and that is the UNW. They do represent a smaller proportion of workers than CASAW and Steel, but they have indicated they are willing to participate with the committee as it is structured, and they have nominated a person who could represent organized workers on that committee. So I could conceivably still structure the committee with an organized worker sitting in representing the UNW, although CASAW and Steel have indicated they are boycotting this exercise. I am going to consult later today with representatives of the Chamber of Mines to see what advice they might give me on this difficult situation.

Another option, rather than proceeding with the committee as originally intended, would be to still conduct an exercise to rewrite the Mining Safety Act using an independent chairperson or an independent person -- and there have been several good people nominated -- who would consult as widely as possible with those interested parties that would participate and do an exercise of that kind, which then would be presented to the House and could then have a public consultation process through the standing committee on legislation.

Those are the two main options I am looking at, Mr. Speaker, and I will keep the House informed as I formulate the next steps with advice from my cabinet colleagues. Thank you.

MR. SPEAKER: Oral questions. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O118-12(2): Unorganized Workers As Part Of Mining Safety Committee

MRS. MARIE-JEWELL: Mr. Speaker, I would like to ask the Minister, what was the purpose of formulating this new consultative process which would include two representatives from industry? His proposal was to include two representatives from industry, one representative each from unionized and non-unionized labour, and now he anticipates to follow through on this process with only the UNW and not CASAW or the Steel union from the mines.

MR. SPEAKER: Mr. Patterson.

Page 95

Further Return To Question O118-12(2): Unorganized Workers As Part Of Mining Safety Committee

HON. DENNIS PATTERSON: Well, Mr. Speaker, I did not say that. The honourable Member asked me what I was going to do now, and I said one option would be to go ahead with the committee with the unionized nominee from a union that is willing to participate in the exercise. That is the UNW. That is one option, I said. The other option would be some other process for developing the bill which could take advantage of an independent person that had been identified to be chairman of this committee. So I am looking at two clear options, one which would be a consultative process involving workers in industry. Another would be more of a process of consulting

stakeholders through an independent expert on mining safety, and I have not fastened on a particular option at this point, Mr. Speaker. Thank you.

MR. SPEAKER: Oral questions. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O118-12(2): Unorganized Workers As Part Of Mining Safety Committee

MRS. MARIE-JEWELL: Mr. Speaker, I would like to ask the Minister, what was his purpose in making such a statement in the House? I would like to quote from Hansard on Wednesday, December 11, 1991. It says, "Mr. Speaker, the new consultative process will take place under the auspices of a mine safety bill committee that will have an independent chairman who is knowledgeable in mining, two representatives from industry, and one representative from each unionized and non-unionized labour. We expect this committee to begin its work in January." Now he states that he will only go with the UNW and overlook and not worry about the participation of CASAW or the Steel union that represents mine workers.

MR. SPEAKER: Mr. Patterson.

Further Return To Question O118-12(2): Unorganized Workers As Part Of Mining Safety Committee

HON. DENNIS PATTERSON: Mr. Speaker, I will say it again. I have not determined what I will do next. Yesterday, CASAW and Steel said they were boycotting the process; they are not going to participate. I have one union that is willing to participate, the UNW. One option, which I have not yet selected, and on which I am awaiting further advice from interested persons, would be to go ahead with the committee with the union that is willing to participate. The others are refusing to participate, and there does not seem to be much that I can do about it, after having worked hard to try to get them to buy into the process. However, Mr. Speaker, that is only one option.

Another option would be to recognize that because of the refusals of the two major unions in the Northwest Territories to participate, I would recognize that the committee, as envisioned, simply will not work; therefore, I would have to go back to the drawing board and develop a bill in some other manner. The process was designed to involve workers and industry in coming up with a mining safety bill, but if the

workers will not participate, then, obviously, the committee is not going to work.

What I want to make clear to the honourable Member is, in light of these developments yesterday I am now going to have to figure out a course of action which will result in a new mining safety act because everybody -- union, organized and unorganized industry, and our government -- recognizes that the present bill is dated and in need of updating and modernization. My object is to get a new mining safety bill, and I will continue to work hard in that direction. Thank you, Mr. Speaker.

MR. SPEAKER: Oral questions. Mr. Pudluk.

Question O119-12(2): Freezing Of Resolute Bay Pipeline

MR. PUDLUK: Thank you, Mr. Speaker. Would the Minister of DPW give me an update on the freezing of the Resolute Bay pipeline?

MR. SPEAKER: Minister responsible for Public Works, Mr. Morin.

Return to Question O119-12(2): Freezing Of Resolute Bay Pipeline

HON. DON MORIN: Thank you, Mr. Speaker. The pipeline from the reservoir had a valve that failed to close at the proper time; so the water would not return and keep circulating, and that is the reason that it froze. It is my understanding that it has been fixed now. Thank you.

MR. SPEAKER: Supplementary, Mr. Pudluk.

Supplementary To Question O119-12(2): Freezing Of Resolute Bay Pipeline

MR. PUDLUK: Mr. Speaker, I do not have the how, where, when and why, but they have been working on it. Is it in operation now?

MR. SPEAKER: Mr. Morin.

HON. DON MORIN: Thank you, Mr. Speaker. I will take this supplementary as notice and provide an answer today.

MR. SPEAKER: The question is taken as notice. Oral questions. Mr. Pudlat.

Question O120-12(2): Upgrading Of Lake Harbour Airstrip

MR. PUDLAT: (Translation) Mr. Speaker, when I was here in December, I asked a question and received a response from the Minister of Transportation with regard to the airstrip. We travel to Iqaluit and believe our airstrip has to be worked on in Lake Harbour. We know the airstrip is not smooth. I would like to know if upgrading of the Lake Harbour airstrip is in the plan for next year.

MR. SPEAKER: Mr. Allooloo.

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I will take the question as notice.

MR. SPEAKER: The question has been taken as notice. Oral questions. Mrs. Marie-Jewell.

Question O121-12(2): Purpose Of Mining Safety Committee

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. I have a question for the Minister responsible for Safety. Mr. Speaker, in 1991 there was a health and safety committee to address the amendments to the Mining Safety Act. Everyone knows the Mining Safety Act is archaic. Could the Minister advise this House what the purpose is in formulating the new mining safety committee to address the act?

MR. SPEAKER: Minister responsible for Safety and Public Services, Mr. Patterson.

Page 96

Return to Question O121-12(2): Purpose Of Mining Safety Committee

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, the committee that the honourable Member refers to was chaired by the chief mining inspector. There was a perception on the part of both workers and industry that it was essentially inappropriate that the government should have, through its chief mining inspector, such a strong involvement in the formulation of the review of a bill which had been developed inhouse by the government itself. When I began to look at the need to develop a new mining safety bill, it became quite clear to me that one of the reasons why the consultation process hither to had been condemned by a number of parties was that there was the perception that it was being done "too close to the chest," as it were. The government was, in effect, asking one of its own senior employees to chair a committee reviewing a bill that has been developed by that same department. So I determined that a

better way of developing a more credible process, which I then hoped would result in participation and co-operation of all stakeholders, would be to remove the government as chair of the committee and instead install an independent chairperson with no particular axe to grind, credible to all parties and credible to the government. That approach was well received when I consulted with industry and labour before I made the announcement in this House, and I still think that principle is an acceptable approach. Thank you.

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

Supplementary To Question O121-12(2): Purpose Of Mining Safety Committee

MRS. MARIE-JEWELL: Mr. Speaker, it appears that the Minister is concerned about perception. Mr. Speaker, I feel that it is the government's responsibility to ensure that the Mining Safety Act is followed and adhered to. So, as the Minister is indicating that he wants to lessen, or not so much as worry about, his responsibilities, but more deal with perception and how to get along in following through with this, can the Minister tell me, does he not feel that it is the government's responsibility to ensure that the Mining Safety Act is followed?

MR. SPEAKER: Mr. Patterson.

Further Return To Question O121-12(2): Purpose Of Mining Safety Committee

HON. DENNIS PATTERSON: Well, Mr. Speaker, it was a little bit more than perceptions that I was concerned about. There were demonstrations and very strong condemnation of the consultation process to date, particularly on the part of the workers and their representatives and their trade unions, so I felt that it was appropriate to make a fresh beginning and take a new approach, and the idea of having someone independent, knowledgeable in the industry, credible to the government, industry and labour, to steer a consultation process is not a new one. I want to emphasize to the honourable Member that there was no intention to abrogate the responsibilities. I would, as Minister responsible, have the final say in approving the chairperson, who would have to be someone we would trust to be competent and knowledgeable in mine safety, and the committee would be appointed by the Minister and would report its work to this House through the Minister.

So there was no attempt to dodge the issue, Mr. Speaker. I rather felt that a new approach could

result in a process that would be credible to all concerned. Thank you.

MR. SPEAKER: Oral questions. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O121-12(2): Purpose Of Mining Safety Committee

MRS. MARIE-JEWELL: Mr. Speaker, I would like to ask the Minister, since he indicated that he was going to ensure that they have an independent chairman who is knowledgeable, and since to date he has not appointed an independent chairman who is knowledgeable, how long does he anticipate it will be before he will be able to get this committee formulated to address the archaic Mining Safety Act?

MR. SPEAKER: Mr. Patterson.

Further Return To Question O121-12(2): Purpose Of Mining Safety Committee

HON. DENNIS PATTERSON: Well, Mr. Speaker, first of all, with reference to the archaic Mining Safety Act, the honourable Member will know that I have introduced amendments this session, which have proceeded now to second reading, which will update the act, particularly the penalty section, and improve it on the interim basis. So, with the co-operation of all Members of this House, we will have a bill that at least has improved penalties and some of the other recommendations that flow from the coroner's inquest of over a year ago.

Now, Mr. Speaker, as to the Member's second question, when do I expect the committee to get going, I am all ready to appoint the committee. I have got excellent nominees for chairperson, for representatives of industry and for representatives of the remote fly-in mines. I have perceived a lot of interest and good nominees. My problem, Mr. Speaker, is that as of yesterday, despite many meetings and much effort on my part, I am told that CASAW and Steel are boycotting the process and will refuse to nominate someone to fill the one seat set aside for organized labour. There will be little point in appointing a committee without someone from that sector sitting on the committee, in my opinion. I am stuck with this problem which finally came to a head yesterday. I am going to work manfully to resolve it, Mr. Speaker. If I can find a way to resolve this problem in the next few days, I will appoint the committee. If not, I will still take advantage of those excellent nominees and proceed with some process

to develop a new bill. I am hoping that, by next fall, we may be able to present new legislation to this House if all goes well. Thank you.

MR. SPEAKER: Oral questions. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O121-12(2): Purpose Of Mining Safety Committee

MRS. MARIE-JEWELL: Mr. Speaker, I would like to ask the Minister whether or not he will be able and willing to give this House a commitment that this committee will be formed during this session. Thank you.

MR. SPEAKER: Mr. Patterson.

Further Return To Question O121-12(2): Purpose Of Mining Safety Committee

HON. DENNIS PATTERSON: I will try and explain where I am at right now, Mr. Speaker. I was all set to appoint the committee, but the main organized unions representing mine workers in Yellowknife have said they are not going to participate. My dilemma now is, do I go ahead with the committee, with CASAW and Steel boycotting it? Do I take advantage of the Union of Northern Workers' willingness to nominate a person from organized labour even though they

Page 97

represent a rather small proportion of the organized mine workers? Or, do I admit that because of the boycott, the concept of the committee will not work, and go back to the drawing board with a new approach? Until I resolve this question of principle, Mr. Speaker, I cannot say for sure that the committee will be appointed and go ahead. I hope to have this resolved in the next couple of days. As I promised, I will keep the House informed. This session, for sure, Mr. Speaker, I will let you know whether I believe the committee can be constituted, albeit without participation by CASAW and Steel, or whether I feel I have to come up with another process to get a new bill developed. Thank you.

MR. SPEAKER: Oral questions. Mr. Pudlat.

Question O122-12(2): Legal Implications For Courtroom Interpreters

MR. PUDLAT: (Translation) Mr. Speaker, I direct my question to the Minister of Justice. I know it is a serious situation when you are accused of a crime

and have to appear in court. I wonder if you are aware of how the court interpreters run their business. I wonder if the Minister can tell me what the law is for court interpreters?

MR. SPEAKER: Mr. Patterson.

HON. DENNIS PATTERSON: I am sorry, Mr. Speaker. I listened carefully, but I could not understand the Member's question.

MR. SPEAKER: Mr. Pudlat, please restate your question.

MR. PUDLAT: (Translation) I apologize. I did not make myself clear, Mr. Speaker. My question was concerning your interpreters. What laws do we have with regard to interpreters? I have found an interpreter who was charging someone and was the interpreter in the case of the person she was charging. I wonder, are interpreters allowed to be interpreters in cases like that? this has been very damaging. My question is, what does the law state concerning the function of an interpreter during court hearings? I assume I have made myself understandable. Thank you.

MR. SPEAKER: Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I do understand the Member's question, but I am not aware of the situation he described. I will look into the matter and get back to the honourable Member, so I will have to take the question as notice. Thank you.

MR. SPEAKER: The question is being taken as notice. Oral questions. Mr. Arngna'naaq.

Question O123-12(2): Enforcement Of Business Incentive Policy, Kivallivik

MR. ARNGNA'NAAQ: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Public Works. As the Minister indicated that he would like to ensure that contracts are awarded to contractors who maximize northern employment, I would like to ask the Minister if he knows whether the policy is being met in the Keewatin Region. Thank you, Mr. Speaker.

MR. SPEAKER: Minister of Public Works, Mr. Morin.

Return To Question O123-12(2): Enforcement Of Business Incentive Policy, Kivallivik

HON. DON MORIN: Thank you, Mr. Speaker. As far as I know the policy is being met.

MR. SPEAKER: Supplementary, Mr. Arngna'naaq.

Supplementary To Question O123-12(2): Enforcement Of Business Incentive Policy, Kivallivik

MR. ARNGNA'NAAQ: Mr. Speaker, there are some contracts which were awarded in my riding of Kivallivik, and I believe this policy is not being met. I would ask the Minister if he would look into this matter in my area. Thank you, Mr. Speaker.

MR. SPEAKER: Mr. Morin.

Further Return To Question O123-12(2): Enforcement Of Business Incentive Policy, Kivallivik

HON. DON MORIN: Thank you, Mr. Speaker. I would like to thank the Member for bringing this to my attention. As everyone knows, the business incentive policy depends on the responses from the communities. If communities are aware that contractors are not following the policies and not hiring locally, the only way we find out is if someone brings it to our attention. I would like to thank the Member and we will check into this. Thank you.

MR. SPEAKER: Oral question. Oral questions. Mr. Arngna'naaq.

Question O124-12(2): NWT People Without Birth Certificates

MR. ARNGNA'NAAQ: This is a new question, Mr. Speaker. This question is directed, I think, to the Minister of Justice. There are a number of people in the Northwest Territories who do not have birth certificates, and they are past the age of 16. I would like to know if there is anything being done for these people.

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

Return To Question O124-12(2): NWT People Without Birth Certificates

HON. DENNIS PATTERSON: Mr. Speaker, the problem that the Member is referring to comes from custom adoptions, I believe, where delays in the process for formally approving a custom adoption have often meant years where a person is without even the most basic documentation, such as a birth certificate, social insurance number, and the like. I would like to assure the honourable Member that this

problem has been brought to my attention, and I have asked my department to look at ways of solving this problem through legislative amendments to the Vital Statistics Act. It seems to me the solution, Mr. Speaker, is to grant birth certificates, even pending the formal and final approval of a custom adoption, so that these children are at least given birth certificates. We are proceeding with that, and I know that when the bill comes to the standing committee on legislation, after it has been approved by cabinet, the chairman will give it speedy consideration. Thank you.

MR. SPEAKER: Oral questions.

Item 6, written questions.

Item 7, returns to written questions. Mr. Clerk.

ITEM 7: RETURNS TO WRITTEN QUESTIONS

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, return to Question W5-12(2), asked by Mrs. Marie-Jewell on February 18, 1992, to the Minister of Renewable Resources regarding a meeting to establish formal negotiations of an NWT/Alberta interim water quality agreement.

Page 98

Return to Question W5-12(2): Meeting To Establish Formal Negotiations Of An NWT/Alberta Interim Water Quality Accord

Hon. John Ningark's return to Question W5-12(2), asked by Mrs. Marie-Jewell on February 18, 1992: The other government officials from Alberta and the Northwest Territories that attended the meeting on February 12, 1991 to establish the arrangements for negotiating the interim water quality accord were: Stu Lewis, director, policy and planning, Renewable Resources, GNWT; John Donihee, Legal Counsel, Justice, GNWT; Peter Melynchuk, assistant deputy minister, Alberta Environment; and Ron Thumlurt, assistant deputy minister, federal Intergovernmental Affairs, Alberta.

MR. SPEAKER: Returns to written questions.

Item 8, replies to Opening Address.

Item 9, petitions.

Item 10, reports of standing and special committees.

Item 11, reports of committees on the review of bills.

Item 12, tabling of documents. Item 13, notices of motions. Mr. Lewis.

ITEM 13: NOTICES OF MOTIONS

Notice Of Motion 3-12(2): Tabled Document 12-12(2), Plebiscite Direction, To Committee Of The Whole

MR. LEWIS: Thank you, Mr. Speaker. I give notice that on Monday, February 24, 1992, I will move, seconded by the honourable Member for Nahendeh, that Tabled Document 12-12(2), Plebiscite Direction, be moved into committee of the whole for consideration. Thank you.

MR. SPEAKER: Notices of motions. Mr. Lewis.

Notice Of Motion 4-12(2): Membership Of The Special Committee On Health And Social Services

MR. LEWIS: Mr. Speaker, I give notice that on Monday, February 24, 1992, I will move, seconded by the honourable Member for Kivallivik, that Mr. Dent, Mr. Koe, Mrs. Marie-Jewell, Mr. Nerysoo and Mr. Pudluk be appointed as Members of the special committee on health and social services. Thank you.

MR. SPEAKER: Notices of motions.

Item 14, notices of motions for first reading of bills.

Item 15, motions.

Item 16, first reading of bills.

Item 17, second reading of bills. Item 18, consideration in committee of the whole of bills and other matters: Ministers' Statement 10-12(2), Education Dispute; Tabled Document 9-12(2), Strength at Two Levels; Tabled Document 10-12(2), Reshaping Northern Government, with Mr. Nerysoo in the chair.

ITEM 18: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Nerysoo): I would like to call the committee to order. If Members recall, we were dealing with the matter Ministers' Statement 10-12(2), Education Dispute. There was a point of order raised by Mr. Allooloo. I would like to proceed with a ruling on that particular point of order before we commence the business of the committee.

Chairman's Ruling

Prior to proceeding with committee of the whole, I would like to provide my ruling on the point of order raised by Mr. Allooloo yesterday during the discussion on Ministers' Statement 10-12(2). The point of order was raised by Mr. Allooloo after a statement was made by Mr. Koe during his remarks on the Minister's statement where he indicated that the Minister of Education, Mr. Allooloo, was receiving bad advice from his advisors. Mr. Koe alleged that the Minister was told by his advisors not to meet with the president of the Northwest Territories Teachers' Association. Mr. Allooloo's point of order was that the Member for Inuvik was making some allegations that were not true concerning that statement.

I have reviewed the unedited Hansard on this matter and find myself in a difficult position, as the chairman cannot be expected to know whether a Member or Minister is providing information that is correct. I would assume that no Member would provide information to the House that was not factual, as it would be a point of order if a Member did make an unsubstantiated allegation against another Member, an official or a witness, or impute false unavowed motives to another Member. I would hope that this is not the case in this matter.

To put the matter to rest, I quote citation 494 of Beauchesne's sixth edition:

"It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted. It is not unparliamentary temperately to criticize statements made by Members as being contrary to the facts, but no imputation of intentional falsehood is permissible. On rare occasions this may result in the House having to accept two contradictory accounts of the same incident."

The Chair feels that this is the case in this matter and trusts Members will be guided to ensure that any statements made are factually correct and do not offend the rules of debate in this House. If any statements made yesterday by either Mr. Koe or Mr. Allooloo were not correct, I would expect that the Member concerned would correct the facts and appropriately apologize to the House. Thank you.

If I might call the committee back to order, we were dealing with the matter of Ministers' Statement 10-12(2). What is the wish of the committee? Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Thank you, Mr. Chairman. Since Mr. Koe is not in the House today to deal with the ongoing deliberations of the education dispute on the tabled document, I move to report progress.

CHAIRMAN (Mr. Nerysoo): The motion is in order. It is a non-debatable motion. To the motion. All those in favour? All those opposed? Motion is carried.

---Carried

In this case I will rise and report progress.

ITEM 19: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: Item 19, report of committee of the whole. Mr. Nerysoo.

MR. NERYSOO: Mr. Speaker, your committee has

Page 99

been considering Ministers' Statement 10-12(2), Tabled Document 9-12(2), and Tabled Document 10-12(2), and wishes to report progress. Mr. Speaker, I move that the report of the chairman of committee of the whole be concurred with.

MR. SPEAKER: Seconder to the motion? Mr. Dent. The motion is in order. All those in favour? All those opposed? The motion is carried.

---Carried

Item 20, third reading of bills. Item 21, orders of the day. Mr. Clerk.

CLERK OF THE HOUSE:

Mr. Speaker, meetings for Monday morning, February 24: 9:00 a.m. there will be a meeting of finance, and 10:30 a.m. of the ordinary Members' caucus.

ITEM 21: ORDERS OF THE DAY

Orders of the day for Monday, February 24, 1992.

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. Reports of Committees on the Review of Bills
12. Tabling of Documents
13. Notices of Motions
14. Notices of Motions for First Reading of Bills
15. Motions: Motion 3-12(2) and Motion 4-12(2)
16. First Reading of Bills: Bill 14
17. Second Reading of Bills: Bill 15
18. Consideration in Committee of the Whole of Bills and Other Matters: Ministers' Statement 10-12(2); Tabled Document 9-12(2) and Tabled Document 10-12(2)
19. Report of Committee of the Whole
20. Third Reading of Bills
21. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:30 p.m., Monday, February 24, 1992.

---ADJOURNMENT

MONDAY, FEBRUARY 24, 1992