



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

2nd Session

Day 35

12th Assembly

HANSARD

FRIDAY, JUNE 19, 1992

Pages 672-690
Pagination reflects print edition

The Honourable Michael Ballantyne, Speaker

FRIDAY, JUNE 19, 1992

Pages 672 - 690

MEMBERS PRESENT Hon. Titus Allooloo, Mr. Arngna'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, Mr. Nerysoo, Hon. Dennis Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Hon. Tony Whitford, Mr. Zoe

ITEM 1: PRAYER

--- Prayer

SPEAKER (Hon. Michael Ballantyne): Good morning. Orders of the day for Friday, June 19, 1992. Item 2, Ministers' statements. Ministers' statements. Item 3, Members' statements. Mr. Arvaluk.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Book, "Our Link To The Past"

MR. ARVALUK: Thank you, Mr. Speaker. I would like to state to the Members my appreciation for the book that was produced by the elders of Coral Harbour, entitled, in Inuktitut, "Sivulliptinnit Qaujimajariaqitavut," and in English, "Our Link to the Past." The elders that participated in this project were Annie Netser, Emma Natatok, Irsuktuk Eetuk, Kanayuk Bruce, Mikitok Bruce, Nadleopar Kudluk, Omayualuk Eetuk, Tooma Netser, Qupiruaq Takunagak, Sekoliak Paliak, and Tomassie Nakoolak. One other elder, Maggie Nakoolak, did participate, but, sadly, she passed away during production. She had wanted to write more, but her failing health prevented this. The book was dedicated to her memory and her wish that this project be carried on.

This book symbolizes the passing of knowledge from one generation to the next. Each of the elders expressed that they must seek different means and medias to pass along the tradition, culture and language to their children and their grandchildren and that much more begs to be documented before all is lost to time immemorial.

I am proud that before becoming an MLA I participated as a co-ordinator; Suzie Emiktowt as editor; Ikkummuk Evaloakjuk as editor and typist; Atteetah Evaloakjuk, editing and typing; Clara Ell, artwork; and Fraser Hope with computer graphics and layout.

The community education council of Coral Harbour provided the support since the conception of this project. I thank each and every one who helped make this happen. Thank you, Mr. Speaker.

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

Member's Statement On Edmonton Journal Article On NWT Waterfalls

MR. LEWIS: Thank you, Mr. Speaker. It is still very unclear which way this government is going to go with its economic development programs. But since it is Friday, I will start off on a good note by commending the Department of Economic Development and Tourism for a full-page exposure yesterday in the gardening section of the Edmonton Journal, section C7. It is about the driveable wilderness, an adventure of a lifetime. There is a map of this waterfalls route, which includes visions of Alexandra Falls, the 34 metre drop, Louise Falls, Lady Evelyn Falls near Kakisa, and Whittaker Falls. This water will, in the words of some wise elders, 'fall forever.' Being an optimist, I believe that there will be people around for just as long to witness these wonderful spectacles. So I think they are on the right track, that we do have some beautiful things to show people, and we should not be too shy to take a full page like this, because I think we only pay for half of it. Some good copywriter from that department has written the article, and we have only paid for half the page, so I think it is a good thing to do. Thank you.

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

Member's Statement On Joseph Idlout Of Pond Inlet

MR. GARGAN: Thank you, Mr. Speaker. I rise today to speak about an Inuit hunter and trapper from Pond Inlet named Joseph Idlout. Mr. Idlout will be familiar to all Canadians. Along with Elijah Erkloo, a former Member of this House, he was one of the young Inuit hunters who was featured on the back of an old Canadian two dollar bill. Mr. Speaker, on January 6 of this year, I watched a television documentary, "Between Two Worlds", that detailed the life of Mr. Idlout from his early years in Pond Inlet to the time of his death in Resolute in 1968. Mr. Speaker, I was deeply touched by the struggle and the ultimate tragedy of his life. I decided at that time I would not speak about Mr. Idlout's life because I felt it may have been more appropriate for an Inuit Member to speak of one of their own.

However, Mr. Speaker, last week my father passed away in Fort Providence. At that time, I began to think once again of Mr. Idlout and of all northern aboriginal people, be it Inuit, Dene or Metis, of his or my father's generation. It was this generation of aboriginal people that had to bridge the gap between the traditional lifestyle and the modern world. Unfortunately, Mr. Speaker, the adjustment came at a very dear price, not just in terms of human life but in the loss of dignity, identity, culture and tradition for people. It was leaders like Mr. Idlout and my father who struggled to keep our tradition and culture alive and well. Mr. Speaker, I personally would like to express my gratitude to this generation of our people. No one can truly measure what their struggle meant to my generation and future generations to come. Thank you.

MR. SPEAKER: Thank you, Mr. Gargan. Mr. Pudluk.

MR. PUDLUK: Thank you, Mr. Speaker. I know a number of the Members have a difficult time pronouncing names and forget what the real name is. I am not against you, Mr. Gargan. It is not "Oodlak". It is Joseph Idlout. I just wanted to make that correction. Thank you.

MR. SPEAKER: That would fall under the category of a language point of order. Members' statements. Ms. Mike.

Member's Statement On Possible Uses For Sharks

Page 673

MS. MIKE: Thank you, Mr. Speaker. The honourable Members will recall I have spoken previously about my constituents' effort to develop a successful turbot fishery off the east coast of Baffin Island. Since the outset of this project, Pangnirtung fishermen have found that in addition to the ground fish, a large number of Greenland sharks are also included in the incidental catch. Mr. Speaker, these sharks damage the long line fishing gear used by our fishermen, resulting in increased operating costs. More important than that, perhaps, is the fact that hundreds and hundreds of pounds of shark must be left on the ice to spoil. Throughout history, Inuit have been the world's greatest conservationists, Mr. Speaker. It goes against our cultural values to see this waste take place with one of nature's creatures. If we are to take the lives of these fish, then we should be able to make use of them as our elders made use of animals and fish they harvested in traditional times.

This is made even more unfortunate by the fact that markets do exist that would enable Inuit to harvest and sell shark products. This would be one way in which we might make sure that these animals did not die without a purpose. Mr. Ipeelee Kilabuk, who served in this House so well for many years, realized this, and he repeatedly called on the former Minister of Economic Development to make some initiatives in identifying market opportunities for shark products. Over and over, the response was that the department was working on it, but virtually no progress was ever made.

Mr. Kilabuk was promised, for instance, that Pangnirtung fishermen would be trained in salting and drying techniques that would reduce the costs for shipping the sharkskins. He was told the arrangements were being made with an American tannery to produce exotic leather. He was told that research was being carried out to investigate the international sale of market shark meat. In each case, Mr. Speaker, I believe the department failed to follow up....

MR. SPEAKER: Me. Mike, your allotted time has expired.

MS. MIKE: I seek unanimous consent to conclude my Member's statement

MR. SPEAKER: Are there any nays? There are no nays; please continue, Me. Mike.

MS. MIKE: I know that this year again many sharks were caught in the long lines of our turbot fishermen, damaging costly equipment and reducing operational efficiency. Again this year Inuit fishermen are saddened by the fact that they had no choice but to leave hundreds of shark carcasses stacked on the ice to spoil because no market has been developed. I will be doing everything I can do to convince our current Minister of Economic Development and Tourism to make a serious effort to resolve this continuing problem. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. For Members' information, the flags have been moved; the penalty clock is now in full view.

---Laughter

Mr. Koe.

Member's Statement On 1992 Inuit Circumpolar Conference

MR. KOE: Thank you, Mr. Speaker. I would like to make a statement on the upcoming Inuit Circumpolar Conference. As the co-ordinating agency for the 1992 Inuit Circumpolar Conference, the Inuvialuit Regional Corporation would like to thank the Government of the Northwest Territories, the Government of Canada, Inuvik Town Council and residents for their financial and kind support of the conference. The theme of the conference is "One Arctic, One Future."

The Inuit Circumpolar Conference general assembly and elders conference will take place in Inuvik and Tuktoyaktuk during the week of July 20 to 24. There will be about 900 delegates related to the conference in Inuvik and Tuk and an estimated number of about 2000 tourists which will be in the region at that time,

The Inuvialuit Regional Corporation and myself would like to extend an invitation to everyone to come up to the conference, not only for the sessions that will deal with self-government, economic development social and health concerns but to also enjoy the many cultural activities to be performed by people coming from Greenland, Alaska, Chukotka and Canada. Chukotka is in Russia.

Each evening will feature a gala event of entertainers. On Monday they will have Canada night; Tuesday will be Alaska night; Wednesday will be Inuvik day, and they will also have the rock band from Quebec called Kashtin; Thursday is Greenland night; and Friday Chukotka night and a grand finale.

Other activities that will occur during the conference will be a northern games demonstration and food; Amway's Masters of the Arctic carving exhibit; Prince of Wales Northern Heritage cultural travelling exhibit; the Great Northern Arts and Music Festival and the Western Arctic Crafts Society exhibits....

MR. SPEAKER: Mr. Koe, your time has expired.

MR. KOE: Mr. Speaker, I seek unanimous consent to finish my statement.

MR. SPEAKER: The honourable Member is seeking unanimous consent. Are there any nays? There are no nays. Proceed, Mr. Koe.

MR. KOE: Thank you, Mr. Speaker. If you plan to be at the conference and you have a few hours to spare, we are looking for volunteers. Please lend a hand and make our guests feel welcome. We wish to see you all in the Mackenzie Delta. Qujannamiik. Mahsi cho.

MR. SPEAKER: Thank you, Mr. Koe. Members' statements. Mrs. Marie-Jewell.

Member's Statement On Denial Of Educational Leave

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. Now that I can see the clock, I will take time for a Member's statement. Mr. Speaker, my Member's statement is basically an indication of concerns that have been expressed by constituents over the past couple of months. It is my understanding that individuals who have asked for an extension of educational leave - all educational leave has been denied by the government and by the appropriate departments. I have one individual, particularly, who has successfully obtained a BSW, bachelor of social work, over the past few years and has one year to go for an MSW, Master of Social Work, and unfortunately this request has been denied, not only through the Department of Social Services, I believe, but in conjunction with the Department of Education. This individual is a Metis, does not have status, and cannot look at other sources of funding. Mr. Speaker, I would urge the government to ensure that they give every opportunity to Metis people who want to pursue their avenue of education and to consider their potential of utilizing our own resources, once they obtain their degrees, and what benefit it is to all Northerners. I would strongly urge the government to look at these requests and consider all benefits that we derive as Northerners when they are deliberating their decision. Thank you.

MR. SPEAKER: Thank you, Mrs. Marie-Jewell. Members' statements. I have Mr. Pudlat next.

Page 674

Member's Statement On Rehiring Interpreter In Sanikiluaq

MR. PUDLAT: (Translation) Mr. Speaker, I stand today because of a concern from my constituency. I stand because of a concern of the people of Sanikiluaq. They previously had an interpreter who used to be with Social Services, and the person she worked with speaks only English. The people are interested in rehiring the interpreter within that department since the person who is the social worker cannot speak Inuktitut, and a lot of the constituents in that riding cannot speak English. They are interested in rehiring the interpreter, who is an Inuk, and I stand on that point today. It is causing a great concern because there are many unilingual people in that

riding. That is my statement under Members' statements. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Pudlat. Members' statements.

Item 4, returns to oral questions. Mr. Alloofoo.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question O563-12(2): Catering Services Contract, Thebacha Campus

HON. TITUS ALLOOFOO: Thank you, Mr. Speaker. I have a return to question O563-12(2), asked by Mrs. Marie-Jewell on June 18, 1992, concerning the catering services contract for Thebacha Campus. Arctic College treated the bid for the contract for Thebacha Campus cafeteria food services as a request for proposals rather than a tender. The college issued an advertisement the same day that the bid documents were made available. The documents were prepared according to the procedures for a request for proposals, which allows them to be evaluated on several criteria. The college determined that these procedures would allow a better evaluation of the bids for the cafeteria food services contract.

A request for proposals does not contain an overall price. As a result, the bid prices for the components of the cafeteria food services contract were not announced. The names of the bidders were announced and recorded at the opening of the bids on June 2, 1992.

Later, one of the bidders complained that all bidders should have been informed of the bid prices. Arctic College reassessed the criteria contained in the documents. The college decided the criteria only determined the eligibility of the bidders and that the decision on the contract would be based on price. A letter announcing the per-meal bid prices is being sent today to all the bidders.

MR. SPEAKER: Thank you. Returns to oral questions. Item 5, oral questions. Mrs. Marie-Jewell.

ITEM 5: ORAL QUESTIONS

Question O575-12(2): Difference Between Proposal Call And Tender Call

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. I would like to ask the Minister of Education to clarify for me, in his return to me today he indicated that

Arctic College treated the bid for a proposal rather than a tender. Can he clarify what the difference is between a proposal call and a tender call?

MR. SPEAKER: Mr. Alloofoo.

Return To Question O575-12(2): Difference Between Proposal Call And Tender Call

HON. TITUS ALLOOFOO: Thank you, Mr. Speaker. The proposal call does not include the overall price of the contract. Arctic College Thebacha Campus sent out a proposal call for the contract. As a result, the tender prices were not made public. Today there will be letter sent to all bidders stating the bid prices per meal.

MR. SPEAKER: Mrs. Marie-Jewell.

Supplementary To Question O575-12(2): Difference Between Proposal Call And Tender Call

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. I would like to ask the Minister, when the proposal call went out, why did the advertisement specifically read "invitation to tender" and not "request for proposals" as the Minister is stating?

MR. SPEAKER: Mr. Alloofoo.

HON. TITUS ALLOOFOO: I will have to take that question as notice.

MR. SPEAKER: Question has been taken as notice. Oral questions. Ms. Mike.

Question O576-12(2): Federal Survey On Alcohol And Drugs In The NWT

MS. MIKE: Thank you, Mr. Speaker. My question is to the Minister of Social Services. I am aware that Health and Welfare Canada recently published a comprehensive report on alcohol and other drugs used by Canadian youth. I was interested to note that the report did not include any information about the NWT or the Yukon. The report's authors stated that due to special sampling requirements, separate surveys will be conducted in the NWT and the Yukon. Can the Minister indicate to this House whether his department is working with the federal Health and Welfare directorate to ensure that these separate surveys will be completed?

MR. SPEAKER: Mr. Whitford.

HON. TONY WHITFORD: Thank you, Mr. Speaker. I would like to take the question as notice so I can get the details for the Member.

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

Question O577-12(2): Increase In Power Rates

MR. PUDLAT: (Translation) Thank you, Mr. Speaker. I would like to direct my question to the Minister of the NWT Power Corporation. They said a study was being conducted and there would be an increase in the rates even before the study is completed. Will it come into effect after the study is completed? I am just wondering if my understanding is correct in regard to that. The rates are being studied at this time in the NWT, and I am wondering if that will come into effect before the study is completed. Thank you.

MR. SPEAKER: Ms. Cournoyea

Return To Question O577-12(2): Increase In Power Rates

HON. NELLIE COURNOYEA: Mr. Speaker, I am just not quite clear on what the Member is asking. There is a study on the rates being conducted now which will be deliberated by the Public Utilities Board. There has been a rate increase, and the two can be done in different stages, so I am just not quite clear. There has been a rate increase, and to my understanding the rate increase has been put forward, and a study to look at the rate structure is going ahead. One does not hold up the other. I think that is the question.

Page 675

MR. SPEAKER: Mr. Pudlat.

Supplementary To Question O577-12(2): Increase In Power Rates

MR. PUDLAT: (Translation) Mr. Speaker, I did not make myself too clear. The increase, six per cent, will it come into effect before the study is completed? I apologize, will the six per cent come into effect before the study is completed? Thank you, Mr. Speaker.

MR. SPEAKER: Ms. Cournoyea.

Further Return To Question O577-12(2): Increase In Power Rates

NELLIE COURNOYEA: Mr. Speaker, the six percent rate increase has been set now, so the increase has

taken place. After the study or review, it could be rolled back, at which time people will get their money back if they have paid more. It was an estimation put in, and it is in place now. After the PUB looks at the information, and if it is only four percent, there will be readjustments for people who have paid six per cent

MR. SPEAKER: Oral questions. Mr. Koe.

Question O578-12(2): Recommendations Of Traditional Knowledge Working Group

MR. KOE: Thank you, Mr. Speaker. In the spring of 1991, a report was prepared entitled, "The Traditional Knowledge Working Group," and I believe this report was tabled in this Assembly. Also, at the time the previous Minister announced the intention to establish a traditional working group in the Northwest Territories, the Department of Culture and Communications was directed to co-ordinate the efforts of the traditional knowledge working group. Also, at this time, I would like to thank the Dene Cultural Institute, the Metis Heritage Association, the Inuvialuit Social Development Program, the Inuit Cultural Institute, the Government of the Northwest Territories, and others involved.

My question is to the Minister of Culture and Communications. What is the Minister doing with the recommendations that were made in this report?

MR. SPEAKER: If I could just interject, I wonder if the honourable Members, when they are posing a question, would try to keep their preamble short; and any thank you's should probably go in a Member's statement. Honourable Minister.

Return To Question O578-12(2): Recommendations Of Traditional Knowledge Working Group

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. The Member is correct that in October 1989, the previous Government Leader, Dennis Patterson, established the working group on traditional knowledge. Last March, my department was requested by the executive director of the Dene Cultural Institute to hold back on taking any action until after members of the group had the chance to re-gather and consider their recommendations in light of the Strength at Two Levels report. She indicated that they might want to change some of the recommendations, or redirect some emphasis. Thank you.

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

Supplementary To Question O578-12 (2):
Recommendations Of Traditional Knowledge Working
Group

MR. KOE: Mahsi, Mr. Speaker. There are many good recommendations made, quite a few of them. My question to the Minister is, does the traditional knowledge working group still exist?

MR. SPEAKER: Mr. Alloofoo.

Further Return To Question O578-12(2):
Recommendations Of Traditional Knowledge Working
Group

HON. TITUS ALLOOFOO: Mr. Speaker, I believe they were dissolved right after the report was made, but I am told that the executive director of the Dene Cultural Institute is able to put together the former members quite quickly to do the work that they feel is necessary in terms of the changes that have happened with the government and also the restraint and the report of Strength at Two Levels. Thank you.

MR. SPEAKER: Supplementary, Mr. Koe.

Supplementary To Question O578-12(2):
Recommendations Of Traditional Knowledge Working
Group

MR. KOE: Have the Dene Cultural Institute or members of the traditional knowledge working group applied for any funding from this government to continue their work?

MR. SPEAKER: Mr. Alloofoo.

Further Return To Question O578-12(2):
Recommendations Of Traditional Knowledge Working
Group

HON. TITUS ALLOOFOO: Thank you, Mr. Speaker. To my knowledge, no.

MR. SPEAKER: Oral questions. Mr. Arvaluk.

Question O579-12(2): Teacher Education Program, Keewatin

MR. ARVALUK: Thank you, Mr. Speaker. My question is to the Minister of Education. I have received a copy of his letter to Mr. Kusugak, who is also a second year student of KTEP, Keewatin

Teacher Education Program, and he stated in his letter that he was hopeful they would find a way to provide financial support to enable 10 students to enrol in the program in September. Can the Minister tell this House what is the status of talks with his department and the Keewatin Divisional Board of Education and Arctic College in light of this letter?

MR. SPEAKER: Mr. Alloofoo.

Return To Question O579-12(2): Teacher Education
Program, Keewatin

HON. TITUS ALLOOFOO: Thank you, Mr. Speaker. I have directed my officials to have a meeting with the Keewatin Divisional Board to find ways in which we might be able to put some more resources into Keewatin teacher training. Up to this point I do not know what the department has done in terms of meeting with the Keewatin Divisional Board as I directed them to do. I will get back to the Member with detailed information as to how the assessment is being conducted.

MR. SPEAKER: Supplementary, Mr. Arvaluk.

Supplementary To Question O579-12(2): Teacher
Education Program, Keewatin

Page 676

MR. ARVALUK: Thank you, Mr. Speaker. Can the Minister also tell me, in the event that there is no funding found among those three departments and agencies, has he been talking with the Minister of Personnel to try to have the students to continue their second year of the program?

MR. SPEAKER: Mr. Alloofoo.

Further Return To Question O579-12(2): Teacher
Education Program, Keewatin

HON. TITUS ALLOOFOO: Thank you, Mr. Speaker. Up to this point I have not been communicating with the Minister of Personnel to see if we could find resources. Generally the resources come from the Department of Education to educate teachers. This year we put additional resources into the Keewatin since the divisional board did not want to fund the teacher training or contribute to teacher training. As a result of the recent events, the divisional boards informed me that they may be able to put two students through this teacher education program. To address the rest of the students who want to go into second year teacher training, I have asked my

department to find ways in which we could do this, but this would have to be resolved between my department and the divisional board.

MR. SPEAKER: Mr. Pudluk.

Question O580-12(2): Grise Fiord Polar Bear Quota

MR. PUDLUK: Thank you, Mr. Speaker. The Minister for Renewable Resources is not in the House today, but I will ask the Government Leader this question. This year Greenland hunters were caught by Renewable Resources catching polar bears in the Canadian ice. Those polar bear skins have been taken away from the Greenland hunters. Grise Fiord has a concern that the polar bear caught by the Greenland hunters will affect their polar bear quota.

MR. SPEAKER: Ms. Cournoyea.

HON. NELLIE COURNOYEA: Mr. Speaker, I will take that as notice and provide a response.

MR. SPEAKER: The question has been taken as notice. Ms. Mike.

Question O581-12(2): Plans For Power Delivery In Nunavut

MS. MIKE: Thank you, Mr. Speaker. My question is for the Minister responsible for the NWT Power Corporation. This corporation provides essential service to consumers in both the eastern and western areas of the NWT. Now is the time, however, to consider the structure that will be used to replace the current power corporation in Nunavut following division. Can the Minister indicate what planning she has initiated to identify the best way to meet the power delivery needs of communities in an independent Nunavut territory?

MR. SPEAKER: Ms. Cournoyea.

Return To Question O581-12(2): Plans For Power Delivery In Nunavut

HON. NELLIE COURNOYEA: Mr. Speaker, there has been no specific plan to divide the Power Corporation. The facility requirements in the communities are programmed over a 10-year period in trying to put in or upgrade plants that serve the community. This is done as a total package presently. At the appropriate time that a Nunavut government is in place or the process begins, that would be the

appropriate time for these types of discussions to begin.

The planning that is in place is to provide a good service to all communities in the NWT, and hopefully if we do that, however it is divided, whatever each territory takes over or each separate corporation would be advanced and in good condition and be a viable facility and be something that can last a community, according to the needs of the community. So what we are planning to do is just to build a good corporation with good facilities, and hopefully, when the time comes, if there is a decision to divide and have another corporation, those assets will be meaningful and will be of value to the new corporation. So we are continuing our 10-year plan and trying to put those facilities in place.

MR. SPEAKER: Mrs. Marie-Jewell.

Question O582-12(2): Denial Of Educational Leave

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. I would like to ask the Minister of Education if he could advise this House as to why educational leave requested by employees of appropriate departments was denied?

MR. SPEAKER: Mr. Allooooloo.

Return To Question O582-12(2): Denial Of Educational Leave

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. To my knowledge, that was because the resources available for educational leave were reduced because of the restraint measures that the government had to take this year. As for specific employees, if the Member wishes, I would provide her with detailed information of any requests made to the government that were denied.

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

Supplementary To Question O582-12(2): Denial Of Educational Leave

MRS. MARIE-JEWELL: Mr. Speaker, the Minister indicates that because of restraint measures, educational leave requests were denied. Does he feel that the investment of northern people to pursue educational goals is not a priority of this government?

MR. SPEAKER: Mr. Minister.

Further Return To Question O582-12(2): Denial Of Educational Leave

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. It is a priority with our government to educate the northern people for positions they could hold in government. But because of restraint measures government had to take this year, I requested the department to put together more effective and more efficient programs. Since we are short of funds, we have to be more effective and more efficient. So, Mr. Speaker, I have asked my department to see if we could be innovative, to direct the educational leave or educational assistance that we provide to the students, and my department is working on that today. Thank you.

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

Supplementary To Question O582-12(2): Denial Of Educational Leave

MRS. MARIE-JEWELL: Mr. Speaker, can the Minister advise this House as to whether or not any educational leave was granted?

Page 677

MR. SPEAKER: Mr. Allooloo.

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I would have to take that question as notice because I do not know who got educational leave granted this year. Thank you.

MR. SPEAKER: The question has been taken as notice. Oral questions. Mr. Bernhardt.

Question O583-12(2): Contract For Group Home Services In Cambridge Bay

MR. BERNHARDT: Thank you, Mr. Speaker. I have a question for the Minister responsible for Social Services. In the Kitikmeot Region, we have a group home in Cambridge Bay under the guidance of Social Services. It is my understanding that once again a BC firm was awarded the contract for the care of the children. Also, the staff is from BC. I know of two native groups who had also bid on this contract yet were not given the contract even though their bids were much lower than the firm in BC. My question is, Mr. Speaker, why was the northern preference policy not applied in this case?

MR. SPEAKER: Mr. Whitford.

HON. TONY WHITFORD: Thank you, Mr. Speaker. I would like an opportunity to review that matter with our department. I will take that question as notice.

MR. SPEAKER: The question has been taken as notice. Mr. Koe.

Question O584-12(2): Levels Of Financial Assistance To Post-Secondary Students

MR. KOE: Thank you, Mr. Speaker. I have a question for the Minister of Education. I understand that the Department of Education has changed policies, reducing levels of financial assistance for students wishing to continue post-secondary education in the 1992-93 school year. Has the department changed their policies affecting the levels of financial assistance to post-secondary students?

MR. SPEAKER: Minister of Education, Mr. Allooloo.

Return To Question O584-12(2): Levels Of Financial Assistance To Post-Secondary Students

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. The Member is correct that I have asked the department to see if we could be more comparable to federal programs that are thought to be more adequate than our program. To this day the program has not changed. The department is looking at the two programs, the NWT program and the federal program, to see how we could be more efficient in terms of delivering student financial assistance to students who are taking advantage of this program. Thank you.

MR. SPEAKER: Supplementary, Mr. Koe.

Supplementary To Question O584-12(2): Levels Of Financial Assistance To Post-Secondary Students

MR. KOE: To the same Minister, if none of these policies have changed, then why are students being refused financial assistance for post-secondary education?

MR. SPEAKER: Mr. Allooloo.

Further Return To Question O584-12(2): Levels Of Financial Assistance To Postsecondary Students

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. The programs that assist students are being reviewed at this point.

The only answer I could give at this point in terms of refusing students financial assistance is the fact that we are short of money this year, Thank you.

MR. SPEAKER: Supplementary, Mr. Koe.

Supplementary To Question O584-12(2): Levels Of Financial Assistance To Post-Secondary Students

MR. KOE: If there have been no changes to the policies, then I am a little confused as to why people who qualify are not getting any assistance. I understand the financial implications, but there are some capable and qualified students. Why are they not getting assistance to continue and finish their degrees?

MR. SPEAKER: Mr. Allooloo.

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I would like to take the question as notice. As I mentioned before, we are not providing financial assistance to those who are qualified because we have no money, but I would like to get back to the Member with a clearer answer, so I will take the question as notice. Thank you.

MR. SPEAKER: Thank you. If the question is taken as notice, there is not any need for an explanation after the fact as to why. Oral questions. Mr. Pudluk.

Question O585-12(2): Expeditions To North Pole

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. Under Members' statements, I made a Member's statement regarding the expeditions to the North Pole. I would like to ask the Minister of Economic Development a question. In the comments I made, I mentioned that there were only two people. I wonder if they were made aware, or if the Minister is aware if those two people are still up around the North Pole. Thank you.

MR. SPEAKER: Mr. Patterson.

Return To Question O585-12(2): Expeditions To North Pole

HON. DENNIS PATTERSON: Mr. Speaker, the two remaining members of the Weber-Malakhov expedition turned back some 20 kilometres short of the North Pole last week, to walk back to Ward Hunt Island. Mr. Speaker, I know the Member is concerned about the costs of the earlier search for the third member of the expedition who walked back earlier, and I can inform the Member that the organizers of

the expedition in Ottawa have been informed by the RCMP, following the expenses incurred earlier, that the expedition members were on their own from then on as far as support from the RCMP was concerned; so they went further with the knowledge and the clear understanding that the RCMP will not be responsible for any further costs associated with any rescue mission that may be necessary. Thank you.

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

Question O586-12(2): Vacant Deputy Minister Positions

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. I have a question for the Government Leader with respect to the several vacancies for the deputy ministers in the government here in headquarters. Several positions have been vacant for a few months. Could the Government Leader inform the House when she intends to fill some of these vacancies? Thank you.

Page 678

MR. SPEAKER: Ms. Cournoyea. Return To Question O586-12(2): Vacant Deputy Minister Positions

HON. NELLIE COURNOYEA: Mr. Speaker, in the very near future we will be considering that. We have gone through the process to inform and work with the working group on implementation of some of the consolidations. It will be very soon, this summer, probably before August. Thank you.

MR. SPEAKER: Oral questions. Mr. Koe.

Question O587-12(2): Concerns Of Great Slave Lake Fishermen

MR. KOE: Thank you, Mr. Speaker. I have a question regarding the Great Slave Fishermen's Association. Recently the Great Slave Lake fishermen met with the Government Leader and the Minister of Economic Development. Can the Minister of Economic Development advise us what the government is doing to assist the fishermen in resolving their concerns regarding the Freshwater Fish Marketing Corporation?

MR. SPEAKER: Mr. Pollard.

Return To Question O587-12(2): Concerns Of Great Slave Lake Fishermen

HON. JOHN POLLARD: Thank you, Mr. Speaker. There is a division among the commercial fishermen on Great Slave Lake, and it centres around mostly the size of the operation between the "A" licences and the "B" licences. The department did a study last year, Mr. Speaker, and the breakeven point for some of those B fishermen would have been around \$1.20 a pound. FFMC over the last few years have not been paying, or the fishermen have not been receiving, more than 50 or 55 cents a pound. It is a question of logistics. Simply, a B fisherman with a skidoo and a sleigh cannot haul enough fish off that lake to make a living. The B fishermen account for less than 10 per cent of the quota on Great Slave Lake. So there are some A fishermen who are making money and a lot of B fishermen who are not making a lot of money. They can lose up to \$4000 in a winter.

Mr. Speaker, there has been discussion between the Department of Economic Development and Tourism and Renewable Resources that these people who are not catching a lot of fish and are doing it in some ways in a traditional style should be moved over to Renewable Resources, and that discussion is still continuing.

We realize that we have a problem. Part of it can be addressed by some of us moving over to Renewable Resources. Part of it can be addressed if we are able to find markets for those fish that are presently culled or not purchased by FFMC - and there is a considerable amount of waste in that regard. So we are investigating that one. What we would like to see to end the problems is that the two groups of fishermen get together; that is, the fishermen's federation and the other group, and resolve their differences. That would be the best thing, in my opinion.

MR. SPEAKER: Supplementary, Mr. Koe.

Supplementary To Question O587-12(2): Concerns Of Great Slave Lake Fishermen

MR. KOE: Thank you, Mr. Speaker. Is the Minister doing anything to try to get these two groups together to meet?

MR. SPEAKER: Mr. Pollard.

Further Return To Question O587-12(2): Concerns Of Great Slave Lake Fishermen

HON. JOHN POLLARD: Mr. Speaker, Mr. Stoodley, with the fishermen's federation, has advised me that

he is prepared to get his board of directors together to meet with Mr. Ross and his group. Mr. Ross is somewhat hesitant, but I will be talking to him again, and hopefully a meeting can be arranged in the next 30 days.

MR. SPEAKER: Mrs. Marie-Jewell.

Question O588-12(2): Shortage Of Electrical Inspectors

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. I have a question for the Minister responsible for Safety and Public Services. At a recent constituency meeting there was a concern expressed with respect to the lack of electrical inspectors to inspect construction areas. I recognize the problem of lack of electrical inspectors; however, I support the process they use in respect to inspecting. Since restraint is tight, would the Minister consider a contract process and concept with respect to recruiting electrical inspectors so a community does not have to wait for four months before an inspector goes into a community to inspect construction sites?

MR. SPEAKER: Mr. Patterson.

Return To Question O588-12(2): Shortage Of Electrical Inspectors

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I do appreciate that the Member understands that with financial restraint it is not always possible to hire more people, and I would like to thank her for the suggestion that electrical inspection services could be provided through contract. It is not something that has been considered up to this point, but I do appreciate the suggestion and I will look into it and see what might be possible to speed up the timing for needed electrical inspections through that method.

MR. SPEAKER: Oral questions. Item 6, written questions. Mr. Nerysoo.

ITEM 6: WRITTEN QUESTIONS

Question W38-12(2): Statistics On The NWT Power Corporation

MR. NERYSOO: I have a written question to the Minister responsible for the NWT Power Corporation. Would the Minister responsible for the NWT Power Corporation provide the following information:

1) What has been the total increase in the operating requirements for the NWT Power Corporation since the transfer to the Government of the NWT? 2) What has been the total number of layoffs or reduction in person years in the NWT Power Corporation since the Government of the NWT took over this responsibility? Would the Minister break this down into community or regional reductions? 3) Would the Minister provide this House with the total amount of financial and human resources that were initially transferred to the NWT? 4) What was the initial breakdown for contract services to the NWT Power Corporation? 5) What is the current dollar amount of financial resources being used for contract services? 6) Would the Minister indicate the businesses involved in these contracts, locations of head offices and northern offices for these contractors? 7) Would the Minister provide a calculation of the total amount of dollars remaining in the northern economy through contract services? 8) Would the Minister provide a breakdown of all of these contracts into regions and communities?

Page 679

MR. SPEAKER: Mr. Koe.

Question W39-12(2): Availability Of Financial Assistance For Post-Secondary Students

MR. KOE: This is a written question to the Minister of Education. I have been receiving complaints about students who have been refused financial assistance to continue postsecondary education. Would the Minister please provide the following information:

1) What programs are available to students to continue postsecondary education in the 1992-93 school year? 2) What students have been approved for financial assistance programs for the 1992-93 school year? 3) What students have been refused assistance? 4) For the students who are receiving assistance, what programs are they taking, and at what educational institution? 5) Also, what levels of assistance are they receiving and under what programs/policies were they approved?

Question W40-12(2): GNWT Employees On Education Leave In 1992-93

Mr. Speaker, I have another written question to the Minister of Education. Would the Minister of Education please provide the following information:

1) What Government of the NWT employees have applied for educational leave in the 1992-93 school year?

2) Which of these employees have been approved?

3) What courses are they attending, to which educational institution are they going, and for how long?

MR. SPEAKER: Mr. Lewis.

Question W41-12(2): Summer Student Employment With The GNWT

MR. LEWIS: Mr. Speaker, it is a question to Mr. Kakfwi, Minister of Personnel. Would the Minister indicate how many summer students were employed by the government this summer and how this compares with previous years?

MR. SPEAKER: Written questions. Mr. Nerysoo.

Question W42-12(2): Operation Of Information Centre In Dawson City, Yukon

MR. NERYSOO: Thank you, Mr. Speaker. This is a written question to the Minister of Economic Development and Tourism. Would the Minister indicate who or what company received the contract for operating the information centre in Dawson City, Yukon?

MR. SPEAKER: 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. Item 11, reports of committees on the review of bills. Item 12, tabling of documents. Mr. Arvaluk.

ITEM 12: TABLING OF DOCUMENTS

MR. ARVALUK: Mr. Speaker, I would like to table Tabled Document 53-12(2), Our Link to the Past, The Passing of Tradition from One Generation to Another.

MR. SPEAKER: Thank you, Mr. Arvaluk. Tabling of documents.

Item 13, notices of motions. Item 14, notices of motions for first reading of bills. Mr. Patterson.

ITEM 14: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

**Notice Of Motion For First Reading Of Bill 30:
Workers' Compensation Act**

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I give notice that on Monday, June 22, 1992, I shall move that Bill 30, An Act to Amend the Workers' Compensation Act be read for the first time. Thank you.

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

Item 15, motions. Item 16, first reading of bills. Mr. Pollard.

ITEM 16: FIRST READING OF BILLS

**First Reading Of Bill 28: Interim Appropriation
Act, No. 2, 1992-93**

HON. JOHN POLLARD: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nunakput, that Bill 28, An Act Respecting Interim Appropriations for the Government of the Northwest Territories for the Fiscal Year Ending March 31, 1993, No. 2, be read for the first time.

MR. SPEAKER: The motion is in order, Mr. Pollard. All those in favour? Opposed? The motion is carried.

---Carried

Mr. Pollard.

**First Reading Of Bill 29: Supplementary
Appropriation Act, No. 1, 1992-93**

HON. JOHN POLLARD: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nunakput, that Bill 29, Supplementary Appropriation Act, No. 1, 1992-93, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: The motion is in order, Mr. Pollard. All those in favour? Opposed? The motion is carried.

---Carried

First reading of bills.

Item 17, second reading of bills. Item 18, consideration in committee of the whole of bills and other - Mr. Pollard.

HON. JOHN POLLARD: Mr. Speaker, I would request unanimous consent to return to second reading of bills, Thank you.

Page 680

MR. SPEAKER: The honourable Member is seeking unanimous consent. Are there any nays? There are no nays. Proceed, Mr. Pollard.

ITEM 17: SECOND READING OF BILLS

**Second Reading Of Bill 28: Interim Appropriation
Act No. 2, 1992-93**

HON. JOHN POLLARD: Thank you, Mr. Speaker, I move, seconded by the honourable Member for Nunakput, that Bill 28, An Act Respecting Interim Appropriations for the Government of the NWT for the Fiscal Year Ending March 31, 1993, No. 2, be read for the second time. Mr. Speaker, this bill would make interim appropriations for the fiscal year ending March 31, 1993.

MR. SPEAKER: The motion is in order, Mr. Pollard. To the principle of the bill. The question is being called. All those in favour? Opposed, if any? The motion is carried.

--- Carried

Bill 28 has had second reading. Mr. Pollard.

**Second Reading Of Bill 29: Supplementary
Appropriation Act, No. 1, 1992-93**

HON. JOHN POLLARD: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nunakput, that Bill 29, Supplementary Appropriation Act, No. 1, 1992-93, be read for the second time. Mr. Speaker, this bill would make supplementary appropriations for capital expenditures by the Government of the Northwest Territories for the fiscal year ending March 31, 1993. Thank you, Mr. Speaker.

MR. SPEAKER: The motion is in order, Mr. Pollard. To the principle of the bill. The question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 29 has had second reading. Bills 28 and 29 have had second reading, and accordingly the bills stand referred to committee of the whole.

Second reading of bills. Item 18, consideration in committee of the whole of bills and other matters: Tabled Document 9-12(2), Strength at Two Levels; Tabled Document 10-12(2), Reshaping Northern

Government; Motion 6-12(2), Discussion on Sobriety Clause in Contribution Agreements; Committee Report 10-12(2), Special Committee on Constitutional Reform Report on the Multilateral Conferences on the Constitution; Bill 2, An Act to Amend the Engineering, Geological and Geophysical Professions Act; Bill 3, An Act to Amend the Medical Care Act; Bill 6, Purchasing Management Association Act; Bill 18, An Act to Amend the Young Offenders Act; Bill 19, An Act to Amend the Real Estate Agents' Licensing Act; Bill 20, An Act to Amend the Nursing Profession Act; Bill 28, An Act Respecting Interim Appropriations for the Government of the Northwest Territories for the Fiscal Year Ending March 31, 1993, No. 2; Bill 29, Supplementary Appropriation Act, No. 1, 1992-93, with Mr. Nerysoo in the chair.

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

CHAIRMAN (Mr. Nerysoo): The committee will come to order. Mr. Pollard.

HON. JOHN POLLARD: I would suggest Bills 2, 6, 18, 19 and 20, Mr. Chairman.

CHAIRMAN (Mr. Nerysoo): Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: We were going to suggest Bills 2,3, 6, 18, 19 and 20, in that order, unless there appears to be a problem in dealing with Bill 3 today.

CHAIRMAN (Mr. Nerysoo): Mr. Pollard.

HON. JOHN POLLARD: I was informed this morning that the standing committee on legislation would prefer that we did not deal with Bill 3 this morning.

CHAIRMAN (Mr. Nerysoo): Is it the wish of the committee that we are dealing with Bills 2, 6, 18, 19 and 20? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. We will deal with Bill 2 after a short recess.

--- SHORT RECESS

Bill 2, Engineering, Geological And Geophysical Professions Act

I would like to call the committee to order. We are dealing with Bill 2, An Act to Amend the Engineering,

Geological and Geophysical Professions Act. Mr. Patterson.

Minister's Opening Remarks

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I have some opening comments. The purpose of this bill is to amend the Engineering, Geological and Geophysical Professions Act to remove the requirement that the by-laws of the professional association be approved by the Minister. The by-laws would now come into effect with the approval of the membership of the professional association. This amendment was requested by the president of the professional association in order to allow the association to amend its by-laws without the delay inherent in having the Department of Justice review the by-law.

The act covers the recognition of the association, the set-up of the governing council, practice, registration, permits, fees, discipline, liability, and offenses and punishment. By-laws cover the internal workings of the association, qualification for membership, categories of membership and a code of ethics for the professions.

The government is moving toward removing the requirement to have a government official, whether it be the Commissioner or the Minister, review the by-laws of professional associations. This amendment allows the association the freedom to manage its affairs without government involvement.

The crucial elements of the governing of the practice and professional association, such as discipline and offenses, remain in the act. Thank you.

CHAIRMAN (Mr. Nerysoo): Mr. Arngna'naaq.

Comments From The Standing Committee On Legislation

MR. ARNGNA'NAAQ: Thank you, Mr. Chairman. The standing committee on legislation reviewed Bill 2 at its public meeting on May 27, 1992. The standing committee received a submission from the NWT Association of Professional Engineers, Geologists and Geophysicists, as part of its public review. The association representative indicated full agreement with the amendments included in Bill 2. The standing committee was grateful to the Minister of Justice, the Hon. Dennis Patterson, for appearing to present the bill and to respond to Members comments and questions.

The committee felt that the amendment included in Bill 2 was straightforward, and Members were generally supportive of the concept that the Minister should not have to approve each of the by-laws of this self-regulating professional association.

In reviewing this bill, Members of the standing committee questioned the Minister about the process for disciplinary review and asked for assurances about public and government access to the association's by-laws. But generally, there was committee support for this amendment to the Engineering, Geological and Geophysical Professions Act, and, with that in mind, the standing committee on legislation carried a motion on May 27th that Bill 2 should be reported to the House as ready for committee of the whole.

CHAIRMAN (Mr. Nerysoo): General comments. Is it the wish of the committee to go clause by clause?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Nerysoo): Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Nerysoo): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Nerysoo): Does the committee agree that Bill 2 is ready for third reading?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. We will deal with Bill 6, Purchasing Management Association Act. Mr. Patterson.

Bill 6, Purchasing Management Association Act

Minister's Opening Remarks

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. Purchasers are men and women who consult with clients, prepare specifications, send out tenders, negotiate with suppliers and get the right

product at the right place, at the right time and at the right price. Sixty-eight hundred purchasers in Canada belong to the Purchasing Management Association of Canada. They progress through courses and job experience to achieve five levels of purchasing expertise. The top level is called certified purchasing professional. This title means that the person has passed a series of exams and has satisfied a national board that he or she is fully qualified to carry out all purchasing functions with the highest degree of expertise.

The purpose of this bill, Mr. Chairman, is to recognize in the Northwest Territories the designation of certified professional purchaser, called CPP, and to create an offence for the misuse of the designation. It will protect the public against misuse of the designation and give the public a way to judge the competency, education and ethical practice of a purchaser. Large amounts of corporate funds are spent by purchasers.

Purchasers are also responsible for the expenditure of large amounts of public funds. There must be some degree of assurance that these funds are being spent wisely and in the corporate or public interest.

If I may, Mr. Chairman, I would like to give an example. Say a person comes to town looking for a job; he is nicely dressed and speaks well; people believe in him; he says he is a certified purchasing professional. Maybe he even has some good looking diplomas. So the co-op hires him to do their purchasing for sealift. Because they believe he is a certified purchasing professional, nobody watches his work closely. He places an order for 10 snowmobiles that are to be shipped by sealift. He orders them by model number only, and accepts the delivery schedule of the supplier. Only five machines meet the sealift deadline, and he does not have them inspected until they arrive in the community. The machines do not meet the specifications with the options initially ordered. These machines are rejected by the client and returned to the co-op at their cost. The co-op now has a very upset client. It has to pay for five machines sitting on a dock in Montreal. It has extra machines in inventory, and the client has no machines at all. The phoney purchaser has cost the co-op a lot of money through his incompetence, but they have no legal stand for charging the person with an offence.

This bill is needed in order to protect the interests of all employers by recognizing the CPP designation and standards of performance it establishes. Without this legislation in the NWT, anyone can hold themselves out as a CPP, and the only recourse would be for the

association to write them a letter asking them to stop. Unless this legislation is put in place, any unscrupulous person could say they are a CPP and cause harm to their employer or the public through reckless agreements with suppliers or unnecessary expense.

Six provinces have protected the CPP designation through legislation. They have agreed that the Purchasing Management Association's code of ethics and enforcement procedure are of the highest calibre. They have also recognized that the association is recognized by its 53 districts and branches and is the single largest group of both private and public sector purchasers. I believe it is important that this government adopt this legislation, particularly since our widespread communities and the state of communications sometimes make it difficult to check thoroughly on someone's qualifications. Thank you.

CHAIRMAN (Mr. Nerysoo): Thank you. Mr. Arngna'naaq.

Comments From The Standing Committee On Legislation

MR. ARNGNA'NAAQ: Thank you, Mr. Chairman. The standing committee on legislation completed its review of Bill 6, Purchasing Management Association Act, at a public meeting on Tuesday, May 26, 1992. The standing committee was grateful to the Minister of Government Services, the Hon. John Ningark, for presenting the bill at this meeting and for responding fully to the questions and comments raised by Members. Although no public witnesses appeared before the standing committee to comment on this bill, the Minister was accompanied by the past president of the NWT district of the Purchasing Management Association, who is active as well on the national executive. Also present was the procurement manager in the Department of Government Services, who has also been active in the association. These gentlemen were able to brief the standing committee on some of the more specific considerations related to the role of the Purchasing Management Association in the Northwest Territories and the purpose of the proposed legislation.

Bill 6 would create a new statute that would recognize the Purchasing Management Association of Canada and give that organization the authority to set requirements and grant the designation of certified professional purchaser. The idea behind establishing the CPP designation is that it will identify persons who have met national standards by completing the

extensive training and certification process. It provides employers, most of whom probably will be government departments and agencies, with an assurance that procurement and purchasing professionals holding the designation have been schooled in the most effective and efficient procedures as well as ethical standards in their field. This bill would create an offence for persons who might attempt to use this designation without permission and would establish a fine of up to \$1000 upon summary conviction.

Page 682

The standing committee on legislation understands that this bill is strongly supported by the NWT district of the Purchasing Management Association of Canada. This professional organization presently has some 65 to 70 members. About 60 per cent of these people work for government. The organization has been quite active in the training and professional support of native workers wishing to enter the purchasing profession. The standing committee on legislation found that this bill was technically sound and recognized the advantages inherent in establishing an offence for the illegitimate use of the CPP designation.

At the same time, our public review of this bill led to some discussion on a number of larger issues which may also apply to similar legislation dealing with professional bodies. The standing committee noted, for instance, that this was a bill that would have a direct effect on a relatively small number of people. Members of the committee were generally supportive of the Purchasing Management Association's efforts to develop and foster a professional core and agreed with the concept that establishing the designation in law would convey the government's recognition of the CPP as a symbol of purchasing excellence.

At the same time, though, the standing committee was also cognizant of the fact that the number of territorial statutes has increased steadily to the point where there is a fairly massive body of law on the books. While this is not inherently bad, this government, over its term in office, should be mindful of the need to carefully consider whether each legislative initiative is of sufficient significance to the people of the NWT to justify the decision to enact the law. Clearly, it will be difficult for every public professional affiliation, no matter how hard-working they are, no matter how valuable their contribution has been to the Northwest Territories, to have their own establishment act.

The standing committee on legislation concluded that this consideration was not sufficiently significant to proceed with amendments or further delay the passage of Bill 6. However, if the intent of legislating in this area is to recognize the existence of a professional association which self-regulates and acts on behalf of purchasers, the Minister and the PMAC

may wish, in their own good judgment, to come back to this point at some time in the future and add some other words which recognize that in the Territories the NWT district organization acts on behalf of the Purchasing Management Association of Canada.

These comments are brought forward to the House, Mr. Chairman, not to oppose the proposed Purchasing Management Association Act but rather to provide some guidance that the government should take into account when proceeding to legislate the affairs of professional organizations in the Northwest Territories.

With those comments, Mr. Chairman, I wish to report that on May 26, 1992, the standing committee on legislation passed a motion to report Bill 6 to the Legislative Assembly as ready for consideration by the committee of the whole. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Nerysoo): General comments. Is it the wish of the committee that we go clause by clause?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. Clause 1, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 3, purchaser. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Nerysoo): Clause 4, non-purchaser. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 5, offence. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 6, evidence. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Is it agreed that Bill 6 is ready for third reading?

Page 683

SOME HON. MEMBERS: Agreed.

--Agreed

Bill 18, Young Offenders Act

CHAIRMAN (Mr. Nerysoo): Bill 18, An Act To Amend the Young Offenders Act. Mr. Whitford.

Minister's Opening Remarks

HON. TONY WHITFORD: Thank you, Mr. Chairman. I propose legislation that will allow the territorial government to recover funds from the federal government which have been spent in order to implement the Young Offenders Act. When the federal government legislated the Young Offenders Act, there was an agreement that the cost of implementation would be cost-sharable at a rate of 50 per cent. In order for costs of accommodation to be shared, the place of residence of a young offender had to be designated by the Commissioner of the NWT.

A number of facilities were used that were not designated before use, usually due to an urgent need for placement. By the time that these facilities were later designated, costs had been incurred that could not be shared. Once retroactive designation occurs, the cost for these non-designated facilities may be recovered.

After the cost-sharing agreement was reached, the federal government placed a cap on the amount that could be recovered. That cap was limited by how much had been spent during a previous year of expenditure. The base year was 1988-89. Should we be successful in obtaining this amendment, discussions will commence with the federal government to provide retroactive payment for claims which have been rejected thus far. If successful, this will also increase the ceiling which has been imposed based upon the 1988-89 expenditures.

A second part of the proposed amendment will allow the Minister of the department responsible for the care of young offenders to designate residences. This will significantly strengthen ministerial accountability by bringing the authority to designate closer to the Department of Social Services, and the department's ability to respond to the unique circumstances of the North will be increased. Outpost camps and alternative placements can be utilized so that young offenders can be kept closer to their home community. It will also give the Department of Social Services the flexibility to move quickly to designate a facility and will avoid the use of non-designated facilities in the future. The federal government has been consulted on this amendment and is in agreement. Those end my comments. Thank you.

CHAIRMAN (Mr. Nerysoo): Thank you, Mr. Minister. Mr. Arngna'naaq.

Comments From The Standing Committee On Legislation

MR. ARNGNA'NAAQ: Thank you, Mr. Chairman. The Minister stated Bill 18 would amend the Young Offenders Act to allow the director of corrections to designate open custody facilities for young offenders. This amendment could make it possible for this government to take advantage of a federal/territorial cost-sharing program and recover a retroactive claim for dollars from the Government of Canada.

The standing committee was grateful to the Minister of Social Services, the Hon. Tony Whitford, and his officials for appearing at a public meeting of the

committee on May 27, 1992. During this review the standing committee considered the proposed legislation from a range of perspectives. Questions were raised, for instance, about the government's liability for matters related to young offenders housed in non-designated open custody facilities since 1984. Committee will, no doubt, be interested in tracking any implications which arise from the fact that young offenders were, for a time, held in custody in facilities for which we had no statutory authority to designate. The standing committee also considered the process through which negotiations with the federal government would not proceed and questioned why the matter of cost-sharing young offenders costs in this manner had not been addressed earlier.

Members will continue to be interested in the negotiations for recovery of cost shared funding dollars which may have been lost without this amendment. While these matters are related to this bill, it should be neither necessary nor possible for the standing committee on legislation to do anything more than to raise these comments as an expression of general interest.

However, additional concerns were identified during the committee's public review and resulted in a motion which amended Bill 18. The first of these concerns related to the question of whether it is most appropriate for decisions about the designation of open custody facilities to be made by the director of corrections, or by the Minister. Members of the standing committee on legislation felt it was important that territorial young offenders' legislation be fashioned in such a way so as to ensure it was the Minister who would be held accountable for decisions related to the designation of facilities.

The committee has expressed its concern on a number of occasions about placing the statutory authority for critical regulatory activities with senior bureaucrats rather than the Members of cabinet. While it is quite appropriate for the Minister to delegate responsibility for decisions in these areas, the laws should be clear that it is the Minister who should be held accountable. The place where that accountability is exercised is here, in this Legislative Assembly. Honourable Members of the House are interested in ensuring the good government of the NWT, and those whom we have selected to form our Executive Council are responsible to the Assembly for their decisions. It is for this reason that the standing committee took the position that it should be the Minister who has the responsibility to determine which places or classes of places can be designated as

open custody facilities for young offenders. There should be provisions which allow the Minister to delegate this decision-making authority where necessary, but the legislation must recognize that it is the Minister who accepts final responsibility for these decisions.

Members of the standing committee also noted that Bill 18 contained proposed amendments to section 28 of the existing legislation. One of these amendments would have added proposed subsection 28.(1.2) to illustrate the sorts of places which the Minister may wish to designate as open custody facilities.

Members noted that the types of places listed in proposed subsection 28. (1.3) included a private residence, a community residential centre, a group home, a child care institution, or a forest or wilderness camp. However, the standing committee on legislation was concerned that the bill seemed to exclude any reference to outpost camps. Since custodial placement of young offenders in outpost camps can be viewed as an excellent rehabilitative option, Members of the committee were of the opinion that this was an admission that should be reversed.

Mr. Chairman, as you are aware, the new legislative process adopted by the 12th Assembly allows changes to be made to the substance or wording of bills while they are at the committee stage. This is what happened with Bill 18. A motion was passed during the public meeting on May 27th to stand down consideration of the relevant clause, and an amendment to the bill was prepared. Later that same day, the standing committee reverted to again consider Bill 18, at which time a motion to amend clause 2 was made and carried.

Page 684

This motion changed the bill to make it clear that it is the Minister's responsibility to designate open custody facilities; to grant the Minister authority to delegate the powers and duties associated with the designation of open custody facilities while still making it clear that it is a ministerial responsibility; and to add outpost camps to illustrative listing of the types of places which could be designated as open custody facilities.

Mr. Chairman, under our new legislative process, bills can be amended by a motion of the standing committee only if the Minister concurs with the amendment. In this case, the Minister concurred with the committee's motion to amend Bill 18. As a result, the bill which honourable Members see before them

in committee of the whole has been reprinted and differs from the version that was voted on at second reading. It now contains those changes that were made to the designation authority and the inclusion of outpost camps.

The standing committee on legislation was satisfied with the amended substance of the bill and with the position taken by the Minister during the review process. On May 27th, the standing committee carried a motion to report Bill 18 to the House as amended for consideration by committee of the whole. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Nerysoo): Thank you. General comments? Mr. Zoe.

MR. ZOE: Thank you, Mr. Chairman. Our chairman of the standing committee on legislation has indicated that some Members were concerned in regard to liability. Does the Minister know if there are any liability implications that could occur to our government because of the oversight of the government, in not designating those facilities?

CHAIRMAN (Mr. Nerysoo): Mr. Minister.

HON. TONY WHITFORD: Thank you, Mr. Chairman. Although the possibility exists, there has been no reference at all over the years to any indication that this may be possible.

CHAIRMAN (Mr. Nerysoo): Mr. Zoe.

MR. ZOE: Mr. Chairman, some of the committee Members that attended the legislation committee hearings requested the Minister and his department to research to see if there is going to be any implication with regard to liability to this government.

CHAIRMAN (Mr. Nerysoo): Mr. Minister.

HON. TONY WHITFORD: Thank you, Mr. Chairman. Any indication that we have indicates that there have been no problems expressed. There has to be someone coming forward with some complaints to spark any kind of an inquiry.

CHAIRMAN (Mr. Nerysoo): Mr. Zoe.

MR. ZOE: Mr. Chairman, I realize that one has to come forward if they are going to sue our government for not having a facility -- if a young offender escaped and has been convicted, he could sue our government for being placed in a facility which was not designated. We wanted the Minister's department

to research whether or not anyone has been unlawfully charged for escaping -- especially young offenders - and to see if there are any possible cases. That is the information requested of the Minister, and I was hoping to hear it in his opening remarks. The chairman of the standing committee on legislation made reference to it.

CHAIRMAN (Mr. Nerysoo): Mr. Minister.

HON. TONY WHITFORD: Thank you, Mr. Chairman. A cursory review has indicated no flags to continue looking at any complaints.

CHAIRMAN (Mr. Nerysoo): Mr. Zoe.

MR. ZOE: Mr. Chairman, I hate to put words into the Minister's mouth, but is the Minister saying the research that they have conducted indicates that there are no cases for liability purposes that they can see?

CHAIRMAN (Mr. Nerysoo): Mr. Whitford.

HON. TONY WHITFORD: To the best of my knowledge, yes.

CHAIRMAN (Mr. Nerysoo): Is it the wish of the committee that we go clause by clause?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 2. Agreed? Mr. Zoe.

MR. ZOE: Under clause 2, subclause 28.(1.4), with regard to private residence, could the Minister indicate to the House under what circumstances would the private residence be designated as a facility?

CHAIRMAN (Mr. Nerysoo): Mr. Minister.

HON. TONY WHITFORD: Because of our uniqueness in the Territories, some communities may not have facilities that could otherwise be designated as a facility, and it might be necessary to use a private residence for that purpose. In addition to that, we have the uniqueness of having elders wishing to

take some responsibility for looking after young people. This would be one instance where a private residence would be designated.

CHAIRMAN (Mr. Nerysoo): Mr. Zoe.

MR. ZOE: Mr. Chairman, if that is the case, then prior, to giving the designation to a private residence, do the private residence people need to obtain a business licence from the municipalities?

CHAIRMAN (Mr. Nerysoo): Mr. Minister.

HON. TONY WHITFORD: Thank you, Mr. Chairman. I am not sure if this would be the same as operating a business. I think this is different, but the facility would be reviewed by Social Services to ensure that it meets the standard that is to be set for a designated facility. As to whether or not they need a business licence, some municipalities may have different requirements. But I am informed this is not the case.

Page 685

CHAIRMAN (Mr. Nerysoo): Mr. Zoe.

MR. ZOE: If the private residence is designated as a facility for open custody for youth, I would assume it is a business venture where they are providing service. Various municipalities have by-laws that govern activities within their municipalities, for instance, here in the city of Yellowknife. Is the Minister saying that the Minister can designate a private residence here in the city without those people going to city hall to acquire a business licence? What if that area is zoned residential?

I am having problems with how they are going to adhere to the other laws, especially with the Cities, Towns and Villages Act and the Hamlet Act. Has the department taken a serious look at how they are going to deal with acquiring a business licence?

CHAIRMAN (Mr. Nerysoo): Mr. Whitford.

HON. TONY WHITFORD: Thank you, Mr. Chairman. I sense the context of what the honourable Member is trying to convey, but I think that in some areas there is no such requirement for business licences, and I think that business licences are issued in areas of profit making more than public services, and I do not see this as a profit-making venture. It is something that falls outside of that category, and I see no need for obtaining business licences -- certainly not in advance. If an institution or a group wishes to get together to form a co-operative or something like that

in order to make profit off of this particular service, then I suspect they would have to comply with the business requirements of that community; but, in general, I do not see that as a requirement.

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

MR. ZOE: Mr. Chairman, if you designate a private residence, you are providing a service to the community for open custody of the use. I will give you an example. There is a music company here in town which was using its private residence to provide a service to the community; it ran into problems with city hall. I have a concern because it is not only here in Yellowknife but in other municipalities where a business could run into that same problem if it is designated as an open custody facility. I am just asking the department if they have done any research into this type of matter. It appears, from the comments I am hearing from the Minister and his officials, that this type of thing was not even considered. It could be considered as a business venture, so there might be some conflicting situation here between what the honourable Member is trying to do and the other laws that we have in place governing businesses.

CHAIRMAN (Mr. Nerysoo): Thank you. Mr. Whitford.

HON. TONY WHITFORD: Thank you. Mr. Chairman, I do not know if there would be much difference between boarding under these conditions as there would be in a private home or other things that may be seen as appropriate for the well-being of the individuals. It would be no different than boarding an Akaitcho Hall student. It is not a money-making venture. I do not think it is in conflict with what the Member is trying to get at as business. It is not looked at as establishing a business. In cases where they are establishing a facility for more than one person, or people are doing it as a business venture, there are requirements which they would have to comply with.

CHAIRMAN (Mr. Nerysoo): Thank you. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Thank you, Mr. Chairman. I am somewhat astounded that the Minister would not be thinking of it as a business and is comparing it to open custody as at Akaitcho Hall. Open custody is for children that have gone through the courts, and that have done wrong in the society. In my opinion, Akaitcho Hall is a facility trying to encourage students to pursue their education, and there is no comparison with it. Mr. Chairman, I wanted to state that for the record, but I wanted to ask the Minister, in respect to

pursuing this act to amend the Young Offenders Act, what provisions has his department taken in regard to addressing the insurance component that will be needed in these private homes? Is he indicating that as a department they will assist these individuals to address the insurance component so that they can comply with this act?

CHAIRMAN (Mr. Nerysoo): Thank you. I am going to allow the question, but I do want to remind Members that we are dealing with a specific clause. Some of the questions that are being asked are more of a general nature that should have been asked originally under general comments. I just want you to be aware and cognizant of that. Mr. Minister.

HON. TONY WHITFORD: I guess the short answer would be yes, there would be some assistance in acquiring insurance.

CHAIRMAN (Mr. Nerysoo): Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Mr. Chairman, I felt that my remarks were appropriate under clause 1.3 in respect to the class or place of facility designated, and I know now that the current places designated require insurance to cover those particular courses. Now that he is changing this act accordingly, I want to know whether or not they are going to absorb the costs. I did not really get an answer from the Minister. Can he state yes or no? Thank you.

CHAIRMAN (Mr. Nerysoo): The clause that you are referring to is clause 2, subclause 28.(1.4). The same matter is in the new, reprinted bill. It is subclause 28.(1.3) in the bill you have and subclause 28.(1.4) in the reprinted legislation, so it is the same issue. Mr. Whitford.

HON. TONY WHITFORD: Thank you, Mr. Chairman. Yes, there are provisions available for obtaining insurance for the facilities through Storefront for those persons who are not able to obtain it on their own through their own means.

CHAIRMAN (Mr. Nerysoo): Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Mr. Chairman, I was not going to pursue this, but if the Minister is indicating that Storefront is to look after individuals to obtain insurance, I was under the impression that Storefront availability for insurance access was to be only for groups, organizations or non-profit societies. Has the policy been changed to allow for individual members to access this insurance? Thank you.

CHAIRMAN (Mr. Nerysoo): Mr. Whitford.

HON. TONY WHITFORD: Thank you, Mr. Chairman. Yes, the information I have is that it is capable of dealing with individuals as well.

CHAIRMAN (Mr. Nerysoo): Clause 2. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Mr. Chairman, would the Minister be willing to provide to the Members the criteria that allows for individuals to access this insurance opportunity in the event that they want to look at pursuing contracts or pursuing tenders with his department?

CHAIRMAN (Mr. Nerysoo): Thank you. Mr. Minister.

HON. TONY WHITFORD: Yes, Mr. Chairman. I will endeavour to have that done.

CHAIRMAN (Mr. Nerysoo): Clause 2. Are there any other questions? Mrs. Marie-Jewell.

Page 686

MRS. MARIE-JEWELL: Mr. Chairman, I have one other question under clause 2. With respect to the opinion of the director as to what facilities are suitable for open custody, can clarification be given to the Members as to what criteria the director will use that, in his opinion, are suitable for open custody?

CHAIRMAN (Mr. Nerysoo): If I may, there is a new, reprinted bill, and I want to be sure all Members have a copy of the reprinted bill because the standing committee had requested, as Mr. Arngna'naaq indicated, an amendment to that particular section. It deals with ministerial responsibility. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Thank you, Mr. Chairman. I apologize. I have just come to see that when they put in my amended bill, they did not take out my old bill; so I was referring to the old bill.

CHAIRMAN (Mr. Nerysoo): Thank you. Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Does the committee agree that Bill 18 is ready for third reading?

SOME HON. MEMBERS: Agreed.

--- Agreed

Bill 19, Real Estate Agents' Licensing Act

CHAIRMAN (Mr. Nerysoo): Thank you. Bill 19, An Act To Amend The Real Estate Agents' Licensing Act. Mr. Patterson.

Minister's Opening Remarks

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I have some opening comments about this bill. It contains an amendment to the Real Estate Agents' Licensing Act which will provide that a security other than a bond may be provided by an agent to the Superintendent of Real Estate when the agent applies for, or wishes to obtain, an agent's licence. This alternative security will be in the amount of \$25,000, the same as the bond. It also adds powers to make regulations respecting those other securities.

Mr. Chairman, applicants for a real estate agent's licence, in addition to other requirements, must furnish a bond in the amount of \$25,000. The bonds are issued by insurance companies for an annual premium. Although consultations over the amount of the bond and the wording of the bond form took place with a representative of the insurance industry prior to the legislation coming into force, real estate companies experienced some difficulty in obtaining the required bond. This was partly due to the newness of the legislation, but also companies that had been in business for less than two years found that insurance companies were not interested in writing this type of bond. Another factor is the small number of insurance companies licensed in the NWT who are prepared to write this type of bond.

This amendment will permit the superintendent of real estate to accept another form of security which may be more easily accessible to the agent. Regulations will prescribe the form of security which will be acceptable as well as any conditions respecting the

forfeiture or surrender of such security and the payout of money as a result of the forfeiture or surrender.

An irrevocable letter of credit from a financial institution is one alternative which the local industry would prefer over the bond. Firstly, they can be obtained locally from a bank, and the criteria used by banks is slightly different from that used by insurance companies. They are also a little cheaper to obtain, and the government can access the funds more quickly than with a bond in the event of a claim. Bonds issued by insurance companies are also subject to a two-year discovery period, which means that no money can be obtained until the two year period has expired, but letters of credit can be drawn on by the government by simply a letter once the government is satisfied there is a legitimate claim. This amendment will not lessen consumer protection available with a bond. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Nerysoo): Thank you. Mr. Arngna'naaq.

Comments From The Standing Committee On Legislation

MR. ARNGNA'NAAQ: Thank you, Mr. Chairman. The standing committee on legislation dealt with these proposed amendments to the Real Estate Agents' Licensing Act at its public meeting on May 27, 1992. Bill 19 would amend the existing act to deal with the types of securities that can be posted by persons who apply for a real estate agent's licence. Currently, real estate agents must furnish a bond in the amount of \$25,000 to cover certain classes of loss to customers. The standing committee understands that due to limitations within the insurance industry here in the Northwest Territories, some real estate companies and agents have encountered practical difficulties in finding firms capable of, or interested in, writing the required bond. The committee recognized that in certain cases it would be easier for an agent to obtain other forms of liquid security, such as a letter of credit from a lending institution. Bill 18 would amend the Real Estate Agents' Licensing Act to provide that these alternative forms of security would be posted by current or prospective agents. The amount of the alternative security would be required to be \$25,000, the amount that is necessary when someone currently posts a bond. This amendment would not eliminate the option of using a bond if that was the form of liquid security the agent wished to furnish; however, it would allow the government superintendent of real estate to approve and accept other forms of credit in addition to the bond. The types of acceptable alternatives to

bonding would be established in regulations made under the Real Estate Agents' Licensing Act, and all bonds and other securities would be in the hands of the government superintendent of real estate.

Mr. Chairman, the standing committee on legislation appreciated the appearance of the Minister of Safety and Public Services, the Hon. Dennis Patterson, at its public meeting on May 27. The Minister and his officials presented the bill for committee consideration and responded to Members' comments and questions. Members of the standing committee spent a good deal of time with the Minister to consider whether protection presently afforded the public under the existing legislation might be compromised through the use of alternative forms of security by real estate agents. In the end, Members were satisfied that this bill would make licensing requirements more flexible for agents while still maintaining a very adequate level of public protection.

Mr. Chairman, at its public meeting on May 27 the standing committee on legislation carried a motion to report Bill 19 to the Legislative Assembly as ready for committee of the whole. Thank you, Mr. Chairman.

Page 687

CHAIRMAN (Mr. Nerysoo): Thank you. Are there any general comments? Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Thank you, Mr. Chairman. First of all, I want to commend the Minister for bringing forth this change. I have had numerous concerns expressed to me by real estate agents in respect to, at times, the inability to secure a bond, the difficulty in obtaining a bond, and using such an easier method in basically obtaining the same type of collateral in respect to a bank credit line or other types of methods, producing the same results. However, I did want to ask the Minister, under what criteria do they use the limit of \$25,000? Is it necessary to use an amount of \$25,000?

CHAIRMAN (Mr. Nerysoo): Mr. Minister.

HON. DENNIS PATTERSON: Mr. Chairman, I appreciate the Member's comments. The figure is arbitrary, but it was set looking at the real estate market and the average transactions involved, and it was also set in consultation with the insurance industry when the bill was first introduced. It is an arbitrary figure, but it was felt it would provide adequate protection considering the size of most transactions.

CHAIRMAN (Mr. Nerysoo): Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Mr. Chairman, since that is an arbitrary figure, and looking at a general transaction, I guess I have some concern in agreeing with that. When you look at the smaller communities that may have transactions that may not cost as much in respect to real estate, I wonder if there can be some kind of flexibility in the regulation that may want to be flexible in the amount that is set forth. It may not be \$25,000. I know that in the smaller communities the transaction to do real estate would not get near \$25,000. I wonder if this type of concern can be taken into consideration.

CHAIRMAN (Mr. Nerysoo): Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I should point out that this bond actually covers the agent and not just a particular transaction. So it could be, heaven forbid, if you had problems with an agent involving several transactions, that you could have complaints that would be larger than the liabilities involved with a single transaction.

It would be possible to consider variations, as she has suggested, considering that there may be different situations between communities, since this figure is actually set out in regulations and in fact it will be regulations that will spell out the detailed requirements for a bond. So we have a bit of flexibility to make adjustments, if they are appropriate in a particular situation, through regulations. So it is an easier method of making changes to respond to those concerns than if it were a current legislative change. So that flexibility is there if required in future.

CHAIRMAN (Mr. Nerysoo): Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Mr. Chairman, I recognize that this covers the agent, and I also recognize that in addition to this, agents carry insurance to cover whatever concerns or problems they may have, as an additional protective measure. However, my fundamental concern is the fact that we ask these agents to carry on and to acquire this amount for a bond in order to do their transactions. What I am basically saying is that these transactions in the smaller communities may not require that full amount of bond coverage for an agent. I would like to know if the Minister would consider some flexibility in comparison to the larger communities like Yellowknife where \$25,000 is acceptable and could possibly be the cost. But I doubt very much that the cost would be that in the smaller communities, and therefore it is an

extra impediment on the agent to access this bond requirement of \$25,000.

CHAIRMAN (Mr. Nerysoo): Mr. Minister.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. Yes, we could review that question with regard to smaller communities. There are real estate agents in Fort Smith, Iqaluit and Hay River where there is a different real estate market. So I am certainly prepared to review the appropriateness of this amount, looking at the nature of transactions in those smaller communities.

CHAIRMAN (Mr. Nerysoo): General comments. Is it the wish of the committee that we go clause by clause?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): The bill as a whole. Mrs. Marie Jewell.

MRS. MARIE-JEWELL: Mr. Chairman, can I get clarification that this act comes into effect the day the Commissioner passes it in this House?

CHAIRMAN (Mr. Nerysoo): Mr. Minister.

Page 688

HON. DENNIS PATTERSON: Mr. Chairman, the Member is correct. It is proclaimed by order of the Commissioner, and I can assure the House that this will be done as soon as possible. It is a matter of getting the Commissioner to sign an order, and it will be done as soon as possible after third reading.

CHAIRMAN (Mr. Nerysoo): Thank you. The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Does committee agree that Bill 19 is ready for third reading?

SOME HON. MEMBERS: Agreed.

--- Agreed

Bill 20, Nursing Profession Act

CHAIRMAN (Mr. Nerysoo): Bill 20. Ms. Cournoyea.

Minister's Opening Remarks

HON. NELLIE COURNOYEA: Thank you. I would like to introduce a bill to amend the Nursing Profession Act, Bill 20. The purpose of the proposed amendment is to facilitate the recruitment of qualified nurses to meet the needs of the Northwest Territories health care system and to allow the board of directors of the Northwest Territories Registered Nurses Association to monitor more closely newly recruited nurses. The Nursing Profession Act authorizes the Northwest Territories Registered Nurses Association as a self-governing professional body for registered nurses in the Northwest Territories. The board of directors of the NWTRNA is responsible for evaluating the academic qualifications and the practice experience of applicants, for examining applicants for membership in the association, and for issuing certificates of registration which allow nurses to

practise in the Northwest Territories as registered nurses.

The act provides for the board of directors of the NWTRNA to grant a temporary certificate of exemption from registration to a qualified nurse who is registered in another jurisdiction and who is in the process of becoming registered in the Northwest Territories. This temporary exemption certificate allows a nurse to be employed as a nurse in the Territories while preparing to take the qualifying examinations of the Canadian Nurses Association testing service and having her or his qualifications reviewed by the NWTRNA's board of directors. The proposed amendments will permit the NWTRNA board of directors to decide the term of a temporary exemption certificate and to renew a temporary exemption certificate up to a total time of two years. The act now authorizes the board to issue a temporary exemption certificate only for a fixed term of two years and does not permit the board to grant a temporary exemption certificate for a time less than two years nor to renew a temporary exemption certificate.

The amendment will also allow the NWTRNA board of directors to attach any terms and conditions to a temporary exemption certificate that the board considers appropriate.

In addition, by removing the requirement that the NWTRNA seek the Commissioner's approval for the association's bylaws, the proposed amendments would bring the act into conformity with the general practice that self-governing bodies assume responsibility for their by-laws.

Those are the opening statements, Mr. Chairman.

CHAIRMAN (Mr. Nerysoo): Thank you. Mr. Arngna'naaq.

Comments From The Standing Committee On Legislation

MR. ARNGNA'NAAQ: Thank you, Mr. Chairman. The standing committee on legislation reviewed Bill 20 at its public meeting on May 25, 1992. This bill would amend the Nursing Profession Act to change some elements of the process through which nurses in the Northwest Territories are issued temporary certificates of exemption. The certificates allow qualified nurses who are registered in other jurisdictions to practise nursing while they are in the

process of becoming registered in the Northwest Territories.

Bill 20 would also amend the Nursing Profession Act by removing the requirement that the Commissioner of the Northwest Territories must approve the nurses association's by-laws.

The standing committee was assisted in its review of this bill by the Minister of Health, the honourable Nellie Cournoyea, and her officials.

Mr. Chairman, the standing committee spent some time exploring the levels of legal authority that should be given to self-regulating professions. Members were concerned that there should be sufficient accountability of professions to the public. There is always room for concern when you talk about a professional association monitoring and disciplining itself, and this is something about which the committee felt the government should remain aware. Generally, the standing committee found the proposed amendments appropriate and passed a motion on May 25 to report that this bill is ready for consideration by committee of the whole. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Nerysoo): Are there any general comments? Mr. Arvaluk.

MR. ARVALUK: Thank you, Mr. Chairman. I have just a straight question, actually, to the Minister. What is the present requirement? In other words, how many months does the nurse from other jurisdictions have to be in the NWT before she is registered?

The reason I am asking the question is that there is a requirement for not more than 24 months. That is two years. What is the present length right now before that nurse can be registered?

CHAIRMAN (Mr. Nerysoo): Thank you. Madam Minister.

HON. NELLIE COURNOYEA: Mr. Chairman, the act now in its statement authorizes the board to issue a temporary exemption certificate only for a fixed term of two years, and it does not permit the board to grant a temporary exemption certificate, for less than two years, so if they put out a temporary certificate, the way it reads now, it is for two years. The desire is to have the option that if they only need it for three months, then they can have it for three months. It is to be able to give them less than two years, but presently it is two years.

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

MR. ARVALUK: Thank you, Mr. Chairman. However, with this new act, this requirement no longer will be necessary. How am I going to be assured that these nurses will be certified in other jurisdictions before they are hired with that exemption in the North?

Page 689

CHAIRMAN (Mr. Nerysoo): Madam Minister.

HON. NELLIE COURNOYEA: I am having a little problem in understanding the question. If the question is, how can we be assured that the nurses are qualified? they would have had to have their certification showing that they have passed all their legitimate exams to be authorized to work in this capacity, so you would not even be considered unless that was so. That is my understanding.

CHAIRMAN (Mr. Nerysoo): Mr. Arvaluk.

MR. ARVALUK: Thank you, Mr. Chairman. I am referring to clause 3, clause (3.1), employment. A person who holds a temporary exemption certificate may be employed. In other words, they do not need to be certified in the North to be certified because this act will allow them to have a certificate of exemption. If there is no certificate required for the Northwest Territories for that period of time, at least can we be assured that they will be certified when they are coming in from another jurisdiction, by that jurisdiction?

CHAIRMAN (Mr. Nerysoo): Thank you. Madam Minister.

HON. NELLIE COURNOYEA: Mr. Chairman, I would like to have the opportunity to bring in the official from the department because I want to be very clear. That question was asked before, and my understanding is that they have to be certified, but to give you the proper answer in detail I would like an official to be brought in.

CHAIRMAN (Mr. Nerysoo): Thank you. Is it the wish of the committee, then, that we invite the official to assist Madam Minister? Is that agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Sergeant-at-Arms, could you assist the witness? Madam Minister, would you introduce the witness please?

HON. NELLIE COURNOYEA: The witness is the assistant deputy minister, Elaine Berthelet.

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

MR. ARVALUK: I guess my concern here is, I think the question was asked and the answer was that nurses have to be qualified to practise in the NWT. In the past, we made a practice of having registered nurses to practise, especially in the small communities because there are no doctors. When they are coming into the NWT from other jurisdictions, say Manitoba, going to a small community in the Keewatin, would they at least have to be registered nurses registered in that jurisdiction before they are accepted to work in the NWT, to qualify under clause (3.1)?

CHAIRMAN (Mr. Nerysoo): Ms. Berthelet

MS. BERTHELET: Thank you, Mr. Chairman. Yes, the nurse coming from another jurisdiction within Canada would be required to show evidence that she has received registration in that province and is a member in good standing. The information would be exchanged between the province from which she is coming, and the NWT Registered Nurses Association, who would review that information.

CHAIRMAN (Mr. Nerysoo): Thank you. Are there any general comments? Is it the wish of the committee that we go clause by clause?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Nerysoo): Thank you. Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Clause 4, continuation of existing temporary certificates of exemption. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. Clause 5, computing remaining months of eligibility. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. Clause 6, when applications pending. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. Is it agreed that Bill 20 is now ready for third reading?

SOME HON. MEMBERS: Agreed.

--- Agreed

CHAIRMAN (Mr. Nerysoo): Thank you. I would like, on behalf of the committee, to thank the witness, Ms. Berthelet, for all the answers she has given. Thank you.

That concludes the business that was agreed to. What is the wish of the committee? Mrs. Marie-Jewell.

MRS. MARIE-JEWELL: Mr. Chairman, I move that we report progress.

CHAIRMAN (Mr. Nerysoo): Thank you. The motion to report progress is in order and is not debatable. All those in favour of the motion? All those opposed? The motion is carried.

--- Carried

I will now rise and report progress.

ITEM 19: REPORT OF COMMITTEE OF THE WHOLE

DEPUTY SPEAKER (Mr. Ludy Pudluk): Item 19, report of committee of the whole. Mr. Nerysoo.

MR. NERYSOO: Mr. Speaker, your committee has been considering Bills 2, 6, 18, 19, and 20, and wishes to report that Bills 2, 6, 18, 19 and 20 are now ready for third reading. Mr. Speaker, I move that the report of the chairman of committee of the whole be concurred with.

MR. DEPUTY SPEAKER: Thank you. Is there a seconder to the motion? Mr. Koe. The motion is in order. All those in favour? Those opposed? The motion is carried.

--- Carried

Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Speaker, I seek consent to return to Item 2 on the order paper, Ministers' statements, to make an emergency statement.

MR. DEPUTY SPEAKER: The honourable Member is seeking unanimous consent to return to Item 2, Ministers' statements. Are there any nays? There are no nays. Proceed, Mr. Patterson.

ITEM 2: MINISTERS' STATEMENTS Ministers' Statement 68-12(2): Word From Federal Minister of Labour Re Back-To-Work Legislation, Giant Mine

HON. DENNIS PATTERSON: Thank you, Mr. Speaker, and thank you, honourable Members. Mr. Speaker, I have just received word from the Hon. Marcel Danis, federal Minister of Labour, that he has considered my request for the introduction of back-to-work legislation with respect to the Royal Oak/Giant Mines labour dispute. The Minister informed me that he has concluded that it would not be appropriate or feasible to adopt the course of introducing back-to-work legislation in the House of Commons. He did assure me that he will urge the parties to resume meaningful negotiations, and in that connection, he informed me that he has received an undertaking from the employer that they are prepared to return to the bargaining table. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Item 20, third reading of bills. Item 21, Mr. Clerk, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, there will be a meeting of the Management and Services Board at 2:00 p.m. this afternoon; on Monday morning at 9:00 a.m., of the standing committee on finance; at 10:30, of the ordinary Members' caucus.

ITEM 21: ORDERS OF THE DAY

Orders of the day for Monday, June 22, 199

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
16. First Reading of Bills: Bill 30
17. Second Reading of Bills
18. Consideration in Committee of the Whole of Bills and Other Matters: Tabled Document 9-12(2), Tabled Document 10-12(2); Motion 6-12(2); Committee Report 10-12(2) Bills 3, 28 and 29
19. Report of Committee of the Whole

20. Third Reading of Bills: Bills 2, 6, 18, 19 and

21. Orders of the Day

MR. DEPUTY SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:30 p.m., Monday, June 22, 1992.

--- ADJOURNMENT