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The Honourable Michael Ballantyne, Speaker

WEDNESDAY, SEPTEMBER 9, 1992 DAY 42

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MEMBERS PRESENT: Hon. Titus Allooloo, Mr. Antoine, Mr. Arngna'naaq, Mr. Bernhardt, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mrs. Marie-Jewell, Ms. Mike, Hon. Don Morin, Mr. Nerysoo, Mr. Ningark, Hon. Dennis Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mr. Todd, Hon. Tony Whitford, Mr. Zoe

ITEM 1: PRAYER

--- Prayer

SPEAKER (Mr. Pudluk): Come to order. I would like to take this opportunity to welcome you back to the continuation of the Second Session of the Legislative Assembly. I think the summer is over, and it seems to have been too short for some of us. I look forward to a productive session so that I can get back home again to enjoy the fall, before the snow comes to the Northwest Territories.

I have the honour of being Speaker for the next three days while the Honourable Michael Ballantyne is representing us at the International Meeting on Democracy in the province of Quebec. I would request that you be kind to me, and I will be kind to you.

Before proceeding to the orders of the day I would like to inform the House that I have received the following communication from Her Honour the Deputy Commissioner:

"Mr. Speaker, I wish to advise that I recommend to the Legislative Assembly of the Northwest Territories, the passage of Bill 33 - Appropriation Act, No. 2, 1992-93 during the second Session of the 12th Legislative Assembly." Signed, Helen Maksagak, Deputy Commissioner. Item 2, Ministers' statements. Mr. Kakfwi.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 82-12(2): Update On National Constitutional Reform Negotiations

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. The first Ministers and aboriginal leaders of Canada met in Charlottetown on August 27 to confirm the elements of the historic national constitutional reform package.

The package was negotiated over the last six months by federal, provincial, and territorial governments, along with the four national aboriginal organizations.

Because of the participation by the territories, the aboriginal peoples, and eventually Quebec, they found a package they believe truly represents the results of a Canada round of constitutional negotiations.

I wish to take this opportunity to thank Members of the Special Committee on Constitutional Reform, our team of advisors and officials for their dedication and assistance through these long months of negotiations.

Members will recall that the Northwest Territories participation in constitutional negotiations was based on five elements: one, constitutional recognition of an inherent right to aboriginal self-government; two, eliminating the effects of the constitution amending formula on territories which want provincial status; three, ensuring territorial participation, public and private meetings, and conferences on constitutional, economic and aboriginal matters; four, recognizing territorial interests in proposals for the Canadian economic union and mechanisms for decentralization of the federation; and five, territorial involvement in the reform senate in Supreme Court nominations.

The inherent right to self-government will be entrenched in the constitution, and, furthermore, aboriginal institutions will be recognized as a third order of government in Canada.

This element of the reform package is without a doubt the most remarkable and historic achievement, in that the Indian, Inuit and Metis communities of Canada will soon have the constitutionally recognized means to chart their future within confederation.

Mr. Speaker, for the past decade territorial governments have worked towards removal of the amending formula provisions which required the consent of existing provinces before a new province could be created. This part of the constitution will be changed to allow territories to deal directly with the federal government to establish a new province through an act of parliament alone.

With three exceptions, new provinces will enter confederation with full amending formula voting privileges. Existing provinces will have to approve giving new jurisdictions the ability to participate in votes under the general and unanimity provisions of

the amending formula, and in initiating the constitutional amendment.

On the related amending formula issue of extension of provincial boundaries into existing territories, the section of the constitution dealing with this matter will be repealed. A new provision requiring the consent of the territory affected will be included in the constitution.

The third element of our committee's terms of reference involves seeking assurances that the territories would be participants in future talks on aboriginal, constitutional and economic matters. On this matter, a political accord will guarantee that the territories will be invited to all First Ministers' Conferences on the constitution and the economy.

Territorial participation in negotiations and conferences on aboriginal matters will be entrenched in the constitution.

Mr. Speaker, the constitutional reform process did not just deal with high profile issues, like aboriginal self government and provincialism, it also addressed measures which are intended to improve the Canadian economic union, in particular, removing barriers to inter-provincial trade.

While the reform package contains a commitment to the free movement of goods, services, people and capital in a political accord, the details of implementing the principle, including exemptions for developing jurisdictions and to the timing for phasing out trade barriers, will be addressed at a future First Ministers' conference.

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Finally, the constitution will be changed to give the territories the same rule as provinces in recommending nominations for Supreme Court vacancies.

With respect to the senate, existing and future territories, including Nunavut, would be guaranteed one senator each in the reform senate. However, existing provinces and parliament will have to approve increasing the number of senators to six when a new province is created.

In conclusion, some significant achievements have been made for the north, for Inuit, Dene, Metis, but most important for Canada. However, these achievements and possibly Canada as we know it, would be lost if support for constitutional amendments

cannot be attained from provincial legislatures and parliament as prescribed in the amending formula.

The same circumstances apply to support from the aboriginal community, for the package which their leaders have negotiated.

There will be a vigorous campaign in the coming months to educate the Canadian public on the merits of the reform package. Furthermore, all Canadians will have the opportunity to vote on a package in the national referendum on October 26. Today referendum questions are being debated in the House of Commons, and the Quebec National Assembly.

The proposed question for most Canadians will be, do you agree that the constitution of Canada should be amended on the basis of the agreement reached on August 28, 1992?

Reports from Quebec indicate that a similar straightforward question will be used in their October 26 referendum. Plans are already under way in the north to enumerate voters, establish offices for distribution of information on the reform package and referendum, and prepare for the vote on October 26.

Mr. Speaker, thank you for the opportunity to update the House on this matter. I will be tabling a more detailed special committee report later this Session. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Kakfwi. Ministers' statements. Mr. Pollard.

Ministers' Statement 83-12(2): Budget Address

HON. JOHN POLLARD: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Thursday, September 10, I will deliver the budget address. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Ministers' statements. Item 3, Members' statements. Member for Thebacha.

Minister's Statement 82-12(2): Moved Into Committee of the Whole

MRS. MARIE-JEWELL: Mr. Speaker, I would like to move that Ministers' statement, update on national constitutional reform negotiations, be moved into Committee of the Whole.

MR. SPEAKER: Do you have a seconder?

MRS. MARIE-JEWELL: Sorry, Mr. Speaker. Yes, Member from Mackenzie Delta.

MR. SPEAKER: Thank you. Motion in order. All those in favour? Down. Opposed? Motion is carried. That Minister's statement 82-12(2) will be put into the Committee of the Whole later on. Member's statements. Mr. Gargan.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement on Oil Spill on the Mackenzie River

MR. GARGAN: Thank you, Mr. Speaker. On August the 26, around 5:00 p.m., a very serious incident occurred on the Mackenzie River. About a half mile downstream from Fort Providence a barge being towed by the N.T.C.L. vessel M.V. Jack MacNiven was observed by local residents as damaged and leaking oil.

Mr. Speaker, this could have been a serious environmental mishap. The barge was carrying a total of 830,000 litres of light fuel, diesel. At 11:00 a.m., on the morning of August 27, I chartered an aircraft and flew over the accident site. I was very concerned by what I saw. A crudely constructed containment boom had been placed around the damaged barge but was clearly ineffective in holding back the oil against the swift river currents. From my vantage point it was clear that the oil was dispersing quickly.

I observed evidence of the spill extending down several sub-branches of the Mackenzie as far as Millis Lake. The total dispersal of the oil seemed to me to cover an area approximately forty miles long. I have maps of the affected area and will make them available for honourable Members and interested members of the public to look at.

I was particularly concerned to see concentrations of oil in shallow and weedy sections of Millis Lake. Mr. Speaker, this was not only my concern. During the time I was in the air I saw no signs of any action from the federal agencies who have responsibility for the management of this sort of environmental problem. I understand that the accident was reported to the Government of the Northwest Territories spill line and promptly passed along to the Canadian Coastguard and the Federal Fisheries and Oceans personnel. However, it is my opinion that these federal agencies, from the beginning, took an approach that was less than serious.

The Department of Fisheries and Oceans was not on the scene until mid-afternoon of the following day and I am not sure how extensive their water sampling procedures were. I even understood that the Department's spill specialist was in Tuktoyaktuk. Again, as I surveyed the situation from the air, I observed no coastguard supervision of the site, even though the containment boom was clearly failing to retain the oil spill. I must say, Mr. Speaker.

MR. SPEAKER: Mr. Gargan, your time has been expired. You have to ask for unanimous consent. Mr. Gargan.

MR. GARGAN: Mr. Speaker, I would like to get the unanimous consent to continue my statement.

MR. SPEAKER: The Member is asking for unanimous consent to continue on with Members' statements. Are there any nays? There are no nays. Mr. Gargan.

MR. GARGAN: Thank you. Honourable Members, Mr. Speaker. I must say, Mr. Speaker, that the response from the territorial government official is to be commended. I contacted the Honourable Dennis Patterson, Minister of Health, around noon on August the 27, shortly after returning from air survey.

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I was impressed with how quickly our cabinet swung into action as the acting government leader, the Honourable John Pollard, called a meeting of the Ministers to deal with this matter.

I was also glad my honourable colleague from Nahendeh was available to attend the meeting and participate in the coordination of this government's response. I am aware that the Minister of Renewable Resources, the Honourable Titus Allooloo and the Minister of Transportation, the Honourable Tony Whitford, acted swiftly to travel to the site and make observations of the damage. One thing has troubled me about our government's procedures in this regard, however. I was informed by the acting government leader that none of the Ministers were aware of the incident until after my August 25 telephone call to Mr. Patterson.

It seems that while there may be well-developed channels of communication information for environmental crises to agencies and officials, assistance for advising the responsible Ministers may have been lacking. I intend to explore the

communications procedure both within the relevant territorial departments and with the federal agencies in question over the next several days.

Mr. Speaker, I would like to conclude my statement by commenting that, in my view, neither the federal agencies nor N.T.C.L. have given this matter appropriate attention over the days that followed. I am aware that there has been inadequate consultation with hunters and trappers from my region with respect to the observations made by the spill areas. I am also concerned that the attitude of both the federal agencies and the transportation company has been to purposely down-play the potential seriousness of the spill.

It seems that the company has tried to come across as saying it was only a relatively small spill and it will all evaporate. So it is no big deal. Wrong, Mr. Speaker. This is a big deal. Not only for this government, which will be faced with a series of difficult decisions about the approval of northern development of the years to come, but it is also a big deal for traditional aboriginal people who hope to rely on the land, waters and animals the Creator entrusted us to look after. We have been the custodians of this land for centuries before there was ever a transportation company or before there was a federal government.

The apparent lack of concern shown by these parties and their willingness to treat this matter as a minor everyday risk offends the role that we play as curators and defenders of our natural surroundings. I will be urging our government to follow up on this issue with additional testing and with the establishment of a firm agreement and regulations geared towards ensuring a more adequate response to such environmental crises. Thank you Mr. Speaker.

--Applause

MR. SPEAKER: Thank you, Mr. Gargan. Member's statements. Mr. Zoe.

Member's Statement on Joint Agreement Between Dogrib Nation and the Northwest Territories Power Corporation

MR. ZOE: Thank you, Mr. Speaker. Mr. Speaker, I rise today with exciting news of our recently signed joint agreement between the Dogrib Nation and the Northwest Territories Power Corporation. The intent of the commercial agreement is to explore opportunities for hydroelectric development in the

Dogrib region comprising the communities of Rae Edzo, Lac La Martre, Rae Lakes and Snare Lake. Mr. Speaker, due to the continuing growth in electrical demand and potential industrial development in the North Slave region, the Dogrib Nation and the Power Corporation feel that there are some excellent opportunities now to explore hydroelectric supply options and thereby break the region's growing dependence on diesel generated electrical power.

If they are successful in their negotiations with the NWT Power Corporation, and I have every reason to believe they will be, the Dogrib Nation will not only be the first aboriginal group to construct and own a hydroelectric utility in Canada, but to our knowledge, in the world. On behalf of the Dogrib Nation, I want to personally thank the Government Leader, her officials and the Board of Directors of the Power Corporation for the support they have provided the Dogrib Nation toward their goal of economic growth, more jobs and better standard of living. In short, self-sufficiency, particularly with respect to this very unique project, not only for the Dogrib region, but the Northwest Territories as a whole. In saying this, Mr. Speaker, the Dogrib people also know that access to capital is not necessarily a panacea for the alleviation of poverty. Our research, and experience, inform us that access to financial capital is more often the consequence of successful political development. This is why they are embarked on a mission to negotiate a self-government and land claim agreement with the federal government. Mr. Speaker, I would like to say in closing that the hydroelectric project we are discussing here is purely a commercial venture, and should not take away from a critical necessity of government infrastructure...

MR. SPEAKER: Mr. Zoe, your time has been expired. You have to ask for unanimous consent, Mr. Zoe.

MR. ZOE: Mr. Speaker, I seek unanimous consent to conclude.

MR. SPEAKER: The Member is asking for unanimous consent to continue on with Member's statements, are there any nays? Proceed, Mr. Zoe.

MR. ZOE: Mahsi. In particular, a renewed winter road program and air strip for Snare and Rae Edzo, health, housing, education, and both traditional and industrial economic development activities necessary to alleviate that unemployment situation in the Dogrib regions. Mr. Speaker, I want to close by again, thanking the government leader for her visionary

thinking, and support she has demonstrated with respect to the discussions under way with the NWT Power Corporation, and the Dogrib Nation, over hydroelectric development in the Dogrib region. Mahsi.

MR. SPEAKER: Thank you, Member for Slave Lake. Members' statements, Member for Nahendeh.

Member's Statement on Oil Spill on the Mackenzie River

MR. ANTOINE: Mahsi, Mr. Speaker. I am concerned about the Northwest Transport Company Limited barge that spilled over 12,000 litres of diesel fuel into the Mackenzie River on August 26 as well, this is a serious matter to me and my constituents since we live down the river from that spill, and the communities of Jean Marie River, Fort Simpson, and Wrigley. Mr. Speaker, the short term damage to the environment in these particular cases is unknown to me at this time. Hopefully, there will not be any adverse long term damage from this spill. Mr. Speaker, this accident could clearly be much worse since the barge was carrying over 830,000 litres of diesel. However, this accident clearly illustrates the need for territorial watch strategy to deal with the transport of dangerous goods on waterways throughout the north. Many of our northern communities are located on major waterways. Our people still rely heavily on the resources from these waterways for food, water, and transportation. The spillage of oil, and other dangerous goods, threaten the delicate ecological balance that exists on many of our rivers and lakes. It is time for this government, and the federal government, to initiate a review of the current policies dealing with environmental accidents. The development of a comprehensive policy, or strategy, for the transportation of dangerous goods on waterways throughout the Northwest Territories should be a priority. This strategy should be developed in close consultation with all effected communities, and should include a review of current regulations to insure that they are strong enough to minimize the possibility of accidents, to develop an emergency response action plan to deal with environmental accidents in an efficient and effective manner. In closing, Mr. Speaker, I would like to commend the honourable Member from Deh Cho for his prompt response to the spill on Mackenzie River. I am sure that the actions of this Member, and the Members of the government at that time helped to minimize the effect of the potentially dangerous and tragic situation. Mahsi Cho.

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

Member's Statement on Oil Spills in the North

MR. PUDLAT: (Translation) I was going to say that in regards to oil spills, I would like to make a comment. I know that this happens once in a while, but in the north, we often see spills also near Iqaluit and Pangnirtung, so I heard about this spill just after it happened, and I was told that I should not be concerned, but because I know it will have an effect on the food and the environment, I think we should be concerned about it. I just want people to look at this as being important, and it should be looked into more carefully because it will affect the food, and I just want people to look at this as an important issue. I was told that I should not be concerned about it, but I know it is hazardous to our health. Thank you.

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

Member's Statement on GNWT Hire North Policy

MR. TODD: Thank you, Mr. Speaker. On June 29, this House passed a significant motion recommending the development of a hiring north policy for public service positions within the Government of the NWT. I rise today to express my support for this principal. The hiring practice followed by this, and previous governments, has appeared at least to me to favour the southern transient population for far too long. It is now time to see the people of the Northwest Territories manage the public service on behalf of the government.

---Applause

With the July 29 motion, this House gave the cabinet direction to develop a policy that would make it standard practice to hire long term northerners. Under circumstances where specific expertise is presently not available within our northern workforce, it may be necessary to consider other candidates. The decision to advertise and recruit from southern Canada should be the exception rather than the rule, no different than the tendering of contracts. Hence to this, where managers choose southern recruitment solely for the sake of expediency such as the secretarial competition in Inuvik with the regional health board, to me, borders on ridiculous. This decision to recruit southern candidates should

become a political, rather than a bureaucratic judgement. Consideration should be given to hiring southerners only on a term basis, and only with a formal plan for eventual replacement by northern workers. Mr. Speaker, during the debate on June 29 my honourable colleague from Mackenzie Delta stated that it is incumbent on this Assembly to provide all northern people with hope that they can find permanent employment as a result of their efforts to obtain a sound education and develop a professional career. Now is the time to make hope a reality. Thank you.

---Applause

MR. SPEAKER: Thank you. Members' statements. Member for Thebacha.

Member's Statement on Fort Smith Health Centre

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. Mr. Speaker, residents of Fort Smith have been, for many years, proud of our Fort Smith Health Centre. It provided medical services upon which we have always felt that we could depend upon. It is true that within the past year or so, certain inefficiencies and strange relationships in the health centre boardroom have been recognized. However, there has been little to suggest that patient care, or the smooth operation of the facility has been in any way compromised. That is why the people of our community have been dismayed and frustrated by the actions of the newly appointed Minister of Health. In an attempt to respond to reports about internal communications, and difficulties within the board, the Honourable Dennis Patterson appointed a public administrator to operate and manage the facility. In doing so, Mr. Speaker, he sent a signal to the public that whenever a board gets to be problematic, the best way to address the problem is to encourage resignations from the board members and leave the problem for the Department of Health to fix up. Heaven forbid, Mr. Speaker.

AN HON. MEMBER: Shame, shame.

MRS. MARIE-JEWELL: Far worse, he created suspicion, innuendo and misinformation within my constituency in respect to the adequacy of medical care provided by the health centre. By failing to indicate the basis for his appointment of a public administrator, and by his subsequent actions, I believe that the Minister has created an environment which has reduced the peoples' confidence in a facility that we were once proud of. There is no

alternative now but to request that the Commissioner establish an inquiry under section two of the Territorial Public Inquiries Act. The public inquiry should deal with all aspects of the operations of the Fort Smith health centre. The central factor in this problem has been the unprecedented harassment of one of the medical staff, a man, who unlike most of the Minister's officials, has made a long term commitment to living and working in our community. I am absolutely astounded and dismayed by the Minister's...

MR. SPEAKER: Excuse me, Member for Thebacha, your time has expired. Member for Thebacha.

MS. MARIE-JEWELL: Thank you, Mr. Speaker. I seek unanimous consent to continue with my Member's statement.

MR. SPEAKER: The Member is asking for unanimous consent to continue with this statement. Are there any nays? No nays. Member for Thebacha.

MS. MARIE-JEWELL: Thank you, honourable colleagues. Mr. Speaker, I am absolutely astounded and dismayed by the Minister's latest decision to refer to a Saskatchewan based report which makes unfair allegations about this valued professional to a closed-door investigative tribunal established under the Medical Professions Act. The secretive and costly process can only serve to escalate concerns and frustrations within my constituency. At a public meeting on September 3, where at least 100 people attended from all across the community, agreed that this is not the appropriate procedure. They called, unequivocally, for a public enquiry. Mr. Speaker, I have written both to the Minister and the Commissioner with my request for a public enquiry. I want Members of the House to know that I will continue to pursue this critical issue in this House on behalf of my constituents. Thank you.

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---Applause

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

Member's Statement on GNWT Construction Dollar

MR. NINGARK: Thank you, Mr. Speaker. We are aware that this government is going through fiscal restraint and financial hard times. The present situation called for streamlining and cutting back in

our taxpayer's money. One of the ways I would like to suggest to the House, and to the people of the NWT, is that we should look at the fundamental part of dealing with the problem. One is stopping the leakage of the GNWT construction dollar. Later today, I will be asking the government about this issue. We, as elected by the people of the NWT, must ensure that the money, especially during economic times, stays in the NWT. The people of the NWT in our communities, take full advantage of and benefit from the money that belongs rightfully to the people of the NWT. Mr. Speaker, as I mentioned earlier, one of the ways of dealing with economic times is ensuring that money stays in the NWT, and I intend to make that known during the next few weeks. Thank you.

--Applause

MR. SPEAKER: Thank you. Members' statements. Item 4, return to oral questions. Mr. Morin.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return to Question O551-12(2): Release for Public Disclosure of Bid Prices from Tenders

HON. DON MORIN: Thank you, Mr. Speaker. I have a return to an oral question asked by Jeannie Marie-Jewell on June 17, 1992, release for public disclosure of bid prices from tenders. Sealed tenders are opened in the public and certain information is announced about the bids. The contract regulations state: "Upon the tenders being publicly opened, the chairperson shall announce whether or not security, if required, was furnished with the tender; the name of the person who submitted the tender; and the amount of the tender, and he shall record that information in a register which shall be signed by him and a witness."

The contract regulations do not provide similar instructions for the public opening of requests for proposals. Requests for proposals are evaluated on several criteria, not just on price. They do not contain an overall price, therefore, the bid price is not announced. It would be misleading to do so. For requests for proposals, only the name of the bidder and the information about the security is announced and recorded. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Item 4, returns to oral questions. Item 5, oral questions. Mr. Todd.

ITEM 5: ORAL QUESTIONS

Question O711-12(2): Hire North Policy - Status of Motion

MR. TODD: Thank you, Mr. Speaker. My question is to the Minister of Personnel. On June 29 this Assembly passed a motion brought forward by the honourable Member for Mackenzie Delta, recommending that development of a hire north policy for public service positions. The motion further recommended that the Minister of Personnel should report back to this House during the September session on the status of the policy. Will the Minister indicate, to date, what progress has been made by the government in preparing this important policy.

MR. SPEAKER: Thank you. Mr. Kakfwi.

Return to Question O711-12(2): Hire North Policy - Status of Motion

HON. STEPHEN KAKFWI: Mr. Speaker, I will have a statement on that before the end of the week. Thank you.

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

Question O712-12(2): Request for Priority Planning Capital Projects

MR. PUDLAT: (Translation) Thank you, Mr. Speaker. To the government leader, I was very happy when you approached the communities regarding the capital projects, and I am wondering if you have received answers to the question you asked the communities regarding capital projects. Thank you.

MR. SPEAKER: Thank you. Ms. Cournoyea.

Return to Question O712-12(2): Request for Priority Planning Capital Projects

HON. NELLIE COURNOYEA: Mr. Speaker. We are pleased with the response from the communities, but I will refer the question to the Minister of Finance.

MR. SPEAKER: Thank you. Minister for Finance.

HON. JOHN POLLARD: Thank you Mr. Speaker. Mr. Speaker, as Members know, this was a new process that we tried this year and I will be honest and say that I was kind of crossing my fingers to see if it would work. From the responses that we received from the communities, and other parties that we sent a questionnaire out to, has been very positive and

remarkably, Mr. Speaker, when we collated the things together with what the departments wanted to do, we were very close. There will be a further consultation with communities before the actual budget is put together, but yes, we did receive good response and it seems to be working well. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Oral questions. Member for Natilikmiot.

Question O713-12(2): Amount of G.NWT Construction Dollars Awarded in NWT for 1992-93

MR. NINGARK: Thank you, Mr. Speaker. In light of my Member's statement, I suggested that other ways of dealing with economic times is stopping the linkage with the G.NWT construction dollar. I would like to ask the government leader, Madam Government Leader, I would like to know, how much of the G.NWT construction dollar during the fiscal year 1992-93 was awarded in the NWT? I also recognize that we still have a few months to go through and how much of that money was awarded to the contractors outside of the NWT? Thank you.

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MR. SPEAKER: Thank you. Madam Premier.

Return to Question O713-12(2): Amount of GNWT Construction Dollars Awarded in NWT for 1992-93

HON. NELLIE COURNOYEA: Mr. Speaker, I know that in our attempts to try to respond to the communities and keep the amount of dollars in the Northwest Territories, we are making some progress. On the exact dollar figure, I will refer the question to the Minister responsible for construction projects, the Minister responsible for the Department Public Works.

MR. SPEAKER: Thank you. Mr. Morin.

HON. DON MORIN: Thank you, Mr. Speaker. I will get that information for the honourable Member by the end of the week. Thank you.

MR. SPEAKER: Thank you. The Minister is taking that question as notice. Oral questions. Mr. Gargan.

Question O714-12(2): Oil Spill on Mackenzie River

MR. GARGAN: Mr. Speaker. I have got your copy of the details, according to the government, on what occurred after the spill which happened in Fort Providence on August the 26. It was not until the next day that the Minister of Renewable Resources,

around 10:30, was advised of the spill. I would like to ask the Minister whether or not he was informed of the spill at that time, at 10:30, or whether or not he was informed of it after I informed the government of the spill?

MR. SPEAKER: Thank you. Mr. Alloofoo.

Return to Question O714-12(2): Oil Spill On Mackenzie River

HON. TITUS ALLOOFOO: Thank you, Mr. Speaker. In response to the Member's question. Yes, my office was notified on August 27 around 10:35 in the morning. If my memory serves me right, I remember we were in an Executive Council meeting all morning that day. I got into my office about 11:30, and the notice was on my desk. The barge ran aground at about 5:45 on August 26, and was reported at 8:05 by Evelyn Krutko, who is our renewable resource officer, as soon as she was told. She, along with the R.C.M.P., went down to the spill area as soon as they could, by boat, and reported back again to the spill line.

The volume, the perceived volume at the time, was about 2,790 gallons, that is about 62 - 45 gallon drums. Later, we were told that the spill was a little over a 1000 gallons, which translates to about 24 - 45 gallon drums. Yes, Mr. Speaker, my office was noticed at 10:35. Thank you.

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

Supplementary to Question O714-12(2): Oil Spill on the Mackenzie River

MR. GARGAN: Mr. Speaker, it was around 11:00, or 1:00, in the afternoon of the 27 that the Ministers and the honourable Member from Nahendeh met on the course of action to be taken. It was following that, that there was a charter into Providence. I would like to ask the Minister, between the time of 10:35 and that time, what kind of action did his Department take when he was informed that there was a spill? Did he wait until the Executive met to discuss it, or did he take action right away?

MR. SPEAKER: Thank you. Mr. Alloofoo.

Further Return to Question O714-12(2): Oil Spill On Mackenzie River

HON. TITUS ALLOOFOO: Thank you, Mr. Speaker. As soon as the spill was noticed on August 26, 1992,

at 5:45, the first report that came out was from our office at 8:05 that night. At 8:15 the spill line notified Bob Loutitt, who is the Canadian Coastguard, the lead agency in responding to spills in water from ships. At 8:15, at the same time, N.T.C.L. reported this is on August 26 to spill line that they were transferring fuel and moving the barge to a safer area. At 8:20 the spill line notified the Canadian Coastguard with a second report of that day. At 9:00 the Renewable Resources officer and the R.C.M.P. officer, as I indicated earlier, went down to the site by boat when the N.T.C.L. was transferring fuel from the punctured tank.

The following day, at 8:30 in the morning, the pollution control division, which is my Department, distributed the three reports received from GNWT agencies and communities, these are Fort Smith region, emergency measures organization, Fort Smith Renewable Resource Superintendent, Municipal and Community Affairs lands division, Department of Transportation, and Hamlet of Fort Providence.

At 9:23, on August 27, Fort Providence Renewable Resource Officer took a tour, by helicopter, the boom had been put in place around the barge and evidence of sheen was found about 25-30 miles downstream. Islands near spill site showed the presence of oil at the water line.

At 10:30, Mr. Speaker, the Fort Providence Renewable Resource Officer returns from the helicopter site tour, then at 11:18 the Fort Providence Renewable Resource Officer faxed results of helicopter river inspection to the Pollution Control Division of my department. At 11:40, the Government of the Northwest Territories emergency measures organization contacted Pollution Control Division of my department for information to provide to the Executive regarding a press release.

At 11:47, the spill update from the Fort Providence Renewable Resource Officer was distributed by the Pollution Control Division to spill line signatories and GNWT contacts. At 11:59 requested information was faxed to emergency measures organization. At 12:15, a meeting was called by the Acting Government Leader, Honourable John Pollard, to discuss the spill events and the events that took place after that. Thank you.

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

Supplementary to Question O714-12(2): Oil Spill on The Mackenzie River

MR. GARGAN: Thank you, Mr. Speaker. I asked the Minister whether or not he took any course of action when, at 10:35, the Minister of Renewable Resources offices advised of the spill.

Were you advised of the spill at that time and did you take the appropriate action to ensure that there was not too much damage, did you wait until the Cabinet met at 12:15, or did you wait until that time to take the necessary action?

MR. SPEAKER: Thank you. Mr. Allooloo.

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Further Return to Question O714-12(2): Oil Spill on Mackenzie River

HON. TITUS ALLOOLOO: Mr. Speaker, my office was notified by my department at 10:35 and at that time the Executive was meeting in the Executive boardroom, as soon as I got into my office the report was on my desk. Right after that, the Acting Government Leader called a meeting of all our players to inform all of us what had been happening at Fort Providence. Thank you.

MR. SPEAKER: Thank you. Oral Questions. Member for the Baffin Central. Excuse me, Mr. Gargan, the last supplementary.

Supplementary to Question O714-12(2): Oil Spill on The Mackenzie River

MR. GARGAN: Mr. Speaker, I would like to ask my final supplementary to the Minister of Renewable Resources. There were a couple of people on the river, Ernie and Walter Bonnetrouge who reported the incident to the Wildlife Officer in Fort Providence around eight o'clock. N.T.C.L. reported the spill around 8:15, but the spill occurred around five o'clock in the afternoon.

I would like to ask the Minister whether or not N.T.C.L. reported it between that three hour period when the spill was on, or did they only act after the Wildlife Officer made his observation.

MR. SPEAKER: Thank you. Mr. Allooloo.

Further Return to Question O714-12(2): Oil Spill on The Mackenzie River

HON. TITUS ALLOOLOO: Mr. Speaker, my information tells me that the first report that came out from N.T.C.L. to spill line at 8:15, the spill occurred at 5:45, and there was nothing reported prior to that by N.T.C.L., although the first report to spill line was done at 8:05 by Renewable Resource Officer. Thank you.

MR. SPEAKER: Oral questions. Member for Baffin Central.

Question O715-12(2): Reason for Testing Fishing in Iqaluit Area

MS. MIKE: Thank you, Mr. Speaker. I have a question for the Minister of Economic Development and Tourism. Honourable Members may be aware that three exploratory fishing vessels have been working to evaluate the potential of the in shore fishery on coastal waters in the Iqaluit area.

This has not resulted in any promising findings for the commercial development of this fishery. Mr. Speaker, I now wonder why the decision was made to put a priority on testing the in shore fisheries potential around Iqaluit instead of expanding our knowledge of zones where a viable harvest has already been demonstrated.

My question is, can the Minister of Economic Development and Tourism indicate why this summer's test fishing efforts were concentrated in the Iqaluit area rather than more promising sea beds in other regions of the Baffin coast?

MR. SPEAKER: Thank you. Mr. Pollard.

Return to Question O715-12(2): Reason for Testing Fishing in Iqaluit Area

HON. JOHN POLLARD: Mr. Speaker, the exploration in Frobisher Bay was the start of a project that is going to take a couple of years, at least, to look around for promising fishing areas off the coast. It is just a start, I admit that we have not found anything as yet in Frobisher Bay, we will be moving to other areas and it will be a systematic search Mr. Speaker. Thank you.

MR. SPEAKER: Thank you. Supplementary, Member for Baffin Central.

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Supplementary to Question O715-12(2): Reason for Testing Fishing in Iqaluit Area

MS. MIKE: Supplementary Mr. Speaker, I understand that on October 30, 1990 Mr. Pollard was in the House when the honourable Member for Iqaluit made the following statement "I am convinced that the in shore fishery in the waters of Iqaluit and other Baffin communities, Pangnirtung already has a good turbot fishery under way, offers good potential for appropriate jobs for unemployed Inuit in my constituency. I am also confident that test fishery will produce results. I am certain that there are great renewable marine resources in our waters, scallops, shrimps, char, turbot and cod".

Can the Minister indicate how much his decision to target Iqaluit as a site for exploratory fishing was influenced by Mr. Patterson's enthusiasm over Frobisher Bay fishery and potential jobs for his unemployed constituents?

MR. SPEAKER: Thank you. Mr. Pollard.

Further Return to Question O715-12(2): Reason for Testing Fishing in Iqaluit Area

HON. JOHN POLLARD: Mr. Speaker, number one I did not select the areas that vessel would fish, or that those vessels would fish, that was done locally in Iqaluit by the E.D.A. board. Secondly, Mr. Patterson at no time has approached me and tried to influence me with regards to the location that exploration should be done in the Baffin. Thank you Mr. Speaker.

MR. SPEAKER: Thank you, oral questions. Supplementary, Member for Baffin Central.

Supplementary to Question O715-12(2): Reason for Testing Fishing in Iqaluit Area

MS. MIKE: Mr. Speaker, corrections please, I hope that I did not give an impression that he influenced you. My question was, at the time when Mr. Patterson made that statement, how much influence did he have in getting this test fishery going in Iqaluit?

MR. SPEAKER: Thank you. Mr. Pollard.

Further Return to Question O715-12(2): Reason For Testing Fishing In Iqaluit Area

HON. JOHN POLLARD: Mr. Speaker, as I said, I do not select the areas that they are going to fish, and with all respect to Mr. Patterson, I was not influenced at all by what he said. It is not something that I get involved in as to where that vessel would fish, and I have no influence in that regard. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Final supplementary Member for Baffin Central.

Supplementary Question O715-12(2): Reason For Testing Fishing In Iqaluit Area

MS. MIKE: Thank you, Mr. Speaker. Final supplementary for the Minister of Economic Development and Tourism. Would the Minister table a detail plan for future test fishing activities including a summary of consultation used in identifying target sights for exploratory fishing?

MR. SPEAKER: Thank you. Mr. Pollard.

Further Return to Question O715-12(2): Reason for Testing Fishing In Iqaluit Area

HON. JOHN POLLARD: Mr. Speaker, I will endeavour to get that information and table it in the House. Thank you.

MR. SPEAKER: Thank you. Oral questions, Mr. Todd.

Question O716-12(2): Agreements Under the Medical Care Act

MR. TODD: Thank you, Mr. Speaker. My question is for the Minister of Health. The honourable Members will recall this House dealt this session with a bill to amend the Medical Care Act. As amended, the act now allows the Department of Health to make arrangements with physicians for payment on other than a fee for service bases. Fortunately, the Standing Committee on Legislation insisted the provisions should be included in the Medical Care Act, which would require the Department of Health to obtain approval from the effected health or hospital boards for finalizing any agreements with the doctors. Can the Minister of Health tell this House whether or not the Director of Medical Insurance has entered into any agreements under the Medical Care Act to pay physicians on other than a fee for service basis.

MR. SPEAKER: Thank you. Mr. Patterson.

Return to Question O716-12(2): Agreements Under the Medical Care Act

HON. DENNIS PATTERSON: Mr. Speaker, no I cannot tell the House. I would have to take the question as notice, and get back as soon as I can. Thank you.

MR. SPEAKER: Thank you. The question has been taken as notice. Oral questions. Mr. Ningark?

Question O717-12(2): Completion of Arena in Gjoa Haven

MR. NINGARK: Thank you, Mr. Speaker. My question is directed to the Minister of Municipal and Community Affairs, on behalf of the people of Gjoa Haven. The people of Gjoa Haven are getting extremely anxious to know if the proposed hockey arena is going to be completed without having to have new activities between phase one and phase two. I would like to get assurance, and comfort, from the Minister if the project will be completed without having to have new activities between phase one and phase two. Are we going to be able to see the arena completed within this fiscal year? Thank you.

MR. SPEAKER: Thank you. Mr. Alloo.oo.

Return to Question O717-12(2): Completion of Arena in Gjoa Haven

HON. TITUS ALLOOLOO: Yes, Mr. Speaker.

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

Question O718-12(2): Transfer Jurisdiction of Indians

MR. NERYSOO: Mr. Speaker, on July 2 of this year, 1992, I received a letter from Mr. Whitford with regard to the question of legal opinion on the matter of transferring of jurisdiction for aboriginal people to this government. Now, the honourable Member indicated to me in the letter that a legal opinion does exist on this particular matter, and in fact, he indicates that the Government of the Northwest Territories legal counsel states that although the right to legislate the Northwest Territories is federal, the federal government has delegated this authority to the Territorial Legislative Assembly through the Northwest Territories Act, in section 91 of the Constitution Act. Now this includes delegating the authority over Indians. I am somewhat curious, Mr. Speaker, first of all, that does not necessarily respond to the question that I asked, and I am kind of curious as to how section 17, which says nothing in section 16, shall be construed as giving the Commissioner and counsel greater powers with respect to any class of subjects described therein than are given to legislature of provinces under sections 92 and 95 of the Constitution Act. Now I am curious how the

responsibility, or I should say the jurisdiction, of aboriginal people has been transferred to the Government of the Northwest Territories as he indicated in this document. So I want to ask the Minister whether or not the legal opinion indicates the transfer of jurisdiction, and whether or not the Minister could, in fact, provide that information to me.

MR. SPEAKER: Mr. Nerysoo, we do not get really which Minister you are asking. Would you repeat that please?

MR. NERYSOO: Sorry, Mr. Speaker. I did not want to make things more difficult for you, but the Minister of Social Services.

MR. SPEAKER: Mr. Patterson.

Return to Question O718-12(2): Transfer Jurisdiction of Indians

HON. DENNIS PATTERSON: Mr. Speaker, I must confess, I have not a clue what the Member is talking about, and I will have to take the question as notice. Thank you.

MR. SPEAKER: Thank you, then for taking the question as notice. Oral questions. Member for the Kitikmeot.

Question O719-12(2): Establish Policy on Release of Information

MR. BERNHARDT: Thank you, Mr. Speaker. Mr. Speaker, I have a question for the Minister responsible for Government Services and Public Works. For the past several months, I have been attempting to acquire a copy of certain leases which the government has entered into with private property holders in my constituency. Senior officials in the Department of Public Works have repeatedly stated that the government has not been inclined to permit the release of these leases to Members of the Legislative Assembly, or that their policy on this matter is under review. I find this response absolutely unacceptable. The public, and its representatives in this House, should have every right to know how the government is spending its money when it enters into leasing arrangements. Mr. Speaker, my question is, will the Minister responsible for Government Service and Public Works advise the House whether he has established a policy which prohibits the release of leasing information to the public, or members of this House?

MR. SPEAKER: Thank you. Mr. Morin?

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Return to Question O719-12(2): Establish Policy on Release of Information

HON. DON MORIN: Thank you, Mr. Speaker. I have been made aware through the Standing Committee on Finance that they are interested in that information, and I think the Members of that committee have been given that information. Thank you.

MR. SPEAKER: Thank you. Oral questions. Member for Thebacha.

Question O720-12(2): Public Inquiry Into Fort Smith Health Care Centre

MRS. MARIE-JEWELL: Thank you, Mr. Speaker. I hope the Minister of Health, who does not have a clue, does have a clue about what I am going to talk about. I am sure he does.

Mr. Speaker, on August the 26, the Minister of Health went to Fort Smith to open a personal care unit, at which time he was greeted by a group of demonstrators who asked for a public inquiry into the Fort Smith Health Centre. At the time, the Minister of Health indicated that it was premature to request a public inquiry, without holding a public meeting. Mr. Speaker, I held a public meeting on September 3, and by noon on September 4, I had a letter hand delivered to the Minister's office requesting for a public inquiry. Will the Minister advise this House whether or not he has made a decision on my request for a public inquiry? Thank you.

MR. SPEAKER: Thank you. Mr. Patterson.

Return to Question O720-12(2): Public Inquiry Into Fort Smith Health Care Centre

HON. DENNIS PATTERSON: First of all Mr. Speaker, I did meet, very informally, on my way to celebrate the opening of the Northern Lights Senior's Citizens Personal Care Facility, those persons who expressed their concern about a doctor in Fort Smith. There were some people in the crowd who suggested a public inquiry. I did use the word premature, Mr. Speaker, when I responded to those persons, but I did not say it was premature without holding a public meeting. I said that I thought that it was premature. Mr. Speaker, the legislation approved by this Legislative Assembly, the Medical Profession Act, is specifically designed to deal with situations like this where there are concerns about medical practise. The act is tailor made to deal with concerns about

medical practise in a fair, thorough and objective way. I might add, the Member is incorrect if she assumes that the inquiry called for under the Medical Profession Act would only be held in camera. Mr. Speaker, since we have specific legislation approved by this Legislature to deal with medical practise issues in an objective, thorough way, by medical professionals, I think that is the appropriate process to deal with these concerns, not the Public Inquiries Act. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Supplementary, Member for Thebacha.

Supplementary to Question O720-12(2): Public Inquiry Into Fort Smith Health Centre

MS. MARIE-JEWELL: Thank you, Mr. Speaker. First of all I want to correct one of the comments the Minister stated. I do not appreciate insinuations directed to me that I had placed incorrect information in this House. When the demonstrators met with the Minister I was not available, however, immediately the Minister, himself, indicated to me that he felt it was premature to request a public inquiry until a public meeting was held. Those were his exact words to me, not to the demonstrators. Mr. Speaker, since he has indicated that he does not want to consider a public inquiry, I would like the Minister to tell me, in this House, a yes or no answer, will he consider holding a public inquiry irregardless of the board of inquiry that he established last week, into the whole issue of the Fort Smith Health Centre.

MR. SPEAKER: Thank you. Mr. Patterson.

Further Return to Question O720-12(2): Public Inquiry Into Fort Smith Health Centre

HON. DENNIS PATTERSON: Mr. Speaker, such a matter, I expect, would have to be approved by cabinet. These are, in our experience to date in the Northwest Territories, very expensive undertakings. I would expect that such a matter would be discussed by cabinet. To answer the Member's question, at the moment, having just appointed a board of inquiry under the Medical Profession Act to deal with the issue of medical practise the Member refers to, would not consider recommending another inquiry or a public inquiry to cabinet. No. Thank you.

MR. SPEAKER: Thank you. Before I go back to the Member for Thebacha, I would like to recognize His Worship, the Mayor of Rae-Edzo, Mr. Dan Marion, in the gallery.

---Applause

MR. SPEAKER: Thank you. Supplementary, Member for Thebacha.

Supplementary to Question O720-12(2): Public Inquiry Into Fort Smith Health Centre

MS. MARIE-JEWELL: Thank you, Mr. Speaker. I have some questions for the Minister of Health about the procedures used by the medical board of inquiry, established under the Medical Professions Act. I would respectfully draw your attention that my question will not be referring to the substance of any matter that is before such a body. I will ask him a question which should certainly be within the realm of his knowledge, since he just set up this board of inquiry, about the procedures that are required under the act. Mr. Speaker, section 26 of the act provides that a board of inquiry under the Medical Act, must with all due dispatch, conduct a hearing to investigate matters referring to it. Can the Minister advise this House, Mr. Speaker, whether his department has bothered to develop standards for how long this process is?

MR. SPEAKER: Thank you. Mr. Patterson.

Further Return to Question O720-12(2): Public Inquiry Into Fort Smith Health Centre

HON. DENNIS PATTERSON: Mr. Speaker, the board of inquiry is an independent procedure which I would describe as peer review, the same way that doctors, pharmacists and other professionals discipline themselves. It is not something that is steered by the government, the Minister, or the department. Mr. Speaker, the answer to the Member's question is "no." The department has not provided direction or standards about the time frame of the board of inquiry. That will be up to the president of the board of inquiry, Dr. Earle Covert. Thank you.

MR. SPEAKER: Thank you. Final supplementary from Thebacha.

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Supplementary to Question O720-12(2): Inquiry Into Fort Smith Health Centre

MS. MARIE-JEWELL: Thank you, Mr. Speaker. One of the major concerns is the fact this board of inquiry can decide whether to keep all this information confidential. That is the public's concern. I would like

to ask the Minister, in respect to the procedures, what is the definition, in his opinion, of all due dispatch? Thank you.

MR. SPEAKER: Thank you.

Further Return to Question O720-12(2): Inquiry Into Fort Smith Health Centre

HON. DENNIS PATTERSON: Mr. Speaker, first of all I would like to draw the Member's attention to section 28 of the Medical Profession Act, which gives the board the power to take evidence in such manner as the board of inquiry considers proper. In other words, Mr. Speaker, it is not correct to assume that this will be what the Member described as an in camera or a closed door proceeding. That is not necessarily true at all. Mr. Speaker, because these matters affect the public interest and the public safety in that, obviously, the competence of a physician is a matter for public concern, I think the act of this Legislature on this subject suggests the matter should be dealt with as quickly as possible. I think in plain language that is what due dispatch means, as quickly as possible. There is a provision in the act for a period of two weeks notice to all interested parties, which obviously would mean a delay of some two weeks before the proceeding could be undertaken. There is a requirement to appoint members of the board of inquiry, in addition to Dr. Covert, which would take some time. I think due dispatch means as soon as possible. I can tell the Member that I was concerned about this matter myself, and I believe the inquiry could be expected to commence approximately by the end of this month, the end of September, if all goes well. Thank you.

MR. SPEAKER: Thank you. Oral Questions. Mr. Todd.

Oral Question O721-12(2): Minister Confirm Report Completed

MR. TODD: Thank you, Mr. Speaker. A question for the Government Leader in her capacity as the Minister responsible for the NWT Power Corporation. My favourite subject. During the June sitting, the Government Leader informed the House she commissioned Mr. Fred Abbott to undertake a feasibility on the merits of privatization of the NWT Power Corporation. She indicated, at that time, that this study be completed for the fall session. My question is could the government confirm that this report has indeed been completed.

MR. SPEAKER: Thank you. Madam Premier.

Return to Question O721-12(2): Minister Confirm Report Completed

HON. NELLIE COURNOYEA: Mr. Speaker, I would be prepared to make a statement on that before the end of the session, perhaps by Monday, and the response to that particular question is being developed now.

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

Question O722-12(2): Routine Travel of Barge to Pelly Bay

MR. NINGARK: Thank you Mr. Speaker. I would like to commend the former Minister of Transportation and the new Minister of Transportation. Just recently we, the community of Pelly Bay, celebrated the arrival of the first ship into the community of Pelly Bay.

---Applause

I would also like to thank the Minister of Transportation, Mr. Whitford, Minister Whitford, for being on the deck of the Sir John Franklin, the coastguard icebreaker. My question, Mr. Speaker, is to the Minister of Transportation. Mr. Minister, would the arrival of the barge be a routine from here on, a yearly occurrence? Now what is the status of the plan?

MR. SPEAKER: Thank you. Mr. Whitford.

Return to Question O722-12(2): Routine Travel of Barge To Pelly Bay

HON. TONY WHITFORD: Thank you Mr. Speaker. The event that the honourable Member speaks of was indeed quite an honour to be present at, and it has the potential for an economic boost to the community in the future. At the present time, the Department is examining the means of getting the first sea-lift into the community.

In the next two to three weeks the Deputy Minister will be in Ottawa and places to consult with transportation officials and the coastguard to see what the future will be. As early as next year, for fuel, the bottom of the harbour is just being plotted now to get an approach into the community from the ocean, and within the next six months we expect to have reasonable navigational charts that will permit landing craft to get

in safely. A review is under way to see when that can take place.

MR. SPEAKER: Thank you. Supplementary, Mr. Ningark.

Supplementary to Question O722-12(2): Routine Travel of Barge to Pelly Bay

MR. NINGARK: Thank you, Mr. Speaker. Supplementary, Mr. Speaker. I, together with the people of Pelly Bay, and with the help and support of some of the Members, were able to make this barge a reality for Pelly Bay. For the record, Mr. Speaker, I would like to know what is the potential savings to the government if the barge becomes a supplier to the community of Pelly Bay? Thank you.

MR. SPEAKER: Thank you. Mr. Whitford.

Further Return to Question O722-12(2): Routine Travel of Barge to Pelly Bay

HON. TONY WHITFORD: Thank you, Mr. Speaker. The rough calculations at the present time, all things considered, are about \$1.5 million annually. A savings, that is broken down between bringing fuel into the community and dry cargo, there is about, roughly, \$500,000 in one and \$600,000 in dry cargo savings over the present costs.

MR. SPEAKER: Thank you. Supplementary, Mr. Ningark.

Supplementary to Question O722-12(2): Routine Travel of Barge to Pelly Bay

MR. NINGARK: Thank you Mr. Speaker. Supplementary, Mr. Speaker. Now, the third question I have here is, I would like to know which route the ship will be taking. Would it be coming from Hay River, which is the west, or from the Montreal area? The reason I ask the question, Mr. Speaker, is that Nunasi Corporation and other native corporations are part of the N.T.C.L.. If I am not asking too much, I would like to know if we could look at the possibility of using N.T.C.L.? Thank you.

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MR. SPEAKER: Thank you. Mr. Whitford.

Further Return to Question O722-12(2): Routine Travel of Barge to Pelly Bay

HON. TONY WHITFORD: Thank you Mr. Speaker. Because of a number of factors still to be considered, it is difficult to say which route would be best to get into Pelly Bay. There is a couple of options being considered. Certainly, the one of using the western route and the other, of course, is the eastern route. There is a number of things that have yet to be determined in order to arrive at something definite. I think it would be a bit premature to speculate as to which, who will get the preference over it, but I certainly will endeavour to involve the member in any consultations that we have with various shippers for goods into that community.

MR. SPEAKER: Thank you. Oral questions, Mr. Antoine.

Oral Question O723-12(2): Oil Spill on the Mackenzie River

MR. ANTOINE: Thank you Mr. Speaker. I have some questions and a number of concerns about the oil spill that happened close to Fort Providence. For the Minister responsible, I guess, Renewable Resources, at this time. I would like to know, now I found out there is about 830,000 litres that was in that particular barge that got damaged and they say that 12,000 was spilled into the Mackenzie River. I would like to know how 12,000 litres spilled into the Mackenzie and how was that determined? Was there some sort of a scientific method used to determine that exactly 12,000 litres was spilled into the Mackenzie? And is there a possibility that more than 12,000 had spilled in there.

MR. SPEAKER: Mr. Alloo.oo.

Return to Question O723-12(2): Oil Spill on the Mackenzie River

HON. TITUS ALLOOLOO: Thank you Mr. Speaker. Initially, the authorities figured that there was about, roughly, 12,000 litres, which is about 2,790 gallons, of fuel oil spilled into the river. The latest result, the last estimate is about 5,000 litres actually spilled into the river, which about a little over 1,000 gallons. There was one compartment that was damaged. As soon as the N.T.C.L. noticed the damage they stopped the barge and started pumping into another barge. As a result, the latest estimate is about a little over 1,000 gallons, about 5,000 litres spilled.

MR. SPEAKER: Thank you. Supplementary, Mr. Antoine.

Supplementary to Question O723-12(2): Oil Spill on the Mackenzie River

MR. ANTOINE: Thank you, Mr. Speaker. My concern is of the effect of this spill on the river. Since I live downstream from this accident, and a lot of my constituency drink the water and eat the fish that swim in the water and shoot the moose that drink the water, and so forth. So we depend on this water. I would like know what effect that this spill has on the river. If the Minister responsible could tell me what his Department's position is on this, I would appreciate it. Thank you.

MR. SPEAKER: Thank you. Mr. Allooloo.

Further Return to Question O723-12(2): Oil Spill on the Mackenzie River

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I would have to take that question as notice to get back to the member on scientific information on potential impact on wildlife and water.

MR. SPEAKER: Thank you. That question has been noticed. Oral questions. Mr. Nerysoo.

Question O724-12(2): Consideration of Public Inquiry

MR. NERYSOO: Mr. Speaker. The question is directed to the Minister of Health, it is with regard to the questions that have been asked by Ms. Marie-Jewell, with regard to the board of inquiry that the Honourable Member has established. I know that the Honourable Member supports section 36, which makes it clear that the board must conduct its proceedings in accordance with the rules of justice. I know that the principle, that appearance of justice must be safeguarded, and I know that justice must not only be done but must be seen to be done. I would like to indicate that at present, the establishment of the board of inquiry gives the public the impression that there is something to hide and that there is no justice being done, or at least seen to be done in dealing with the matter.

I would ask the honourable Member if the circumstance where the public does not see justice being done, whether or not the honourable Member could consider seriously the matter of establishing an inquiry under the Public Inquiries Act appropriately requesting such an inquiry from his cabinet colleagues?

MR. SPEAKER: Thank you. Mr. Patterson.

Return to Question O724-12(2): Consideration of Public Inquiry

HON. DENNIS PATTERSON: First of all Mr. Speaker, and with the greatest of respect to the Honourable Member and to the Honourable Member from Thebacha, I do not know where anyone is getting the impression that there is something to hide. I do not know how a board of inquiry under the Medical Profession Act would give the impression of secrecy.

In fact, Mr. Speaker, the Act says that the board of inquiry can take evidence as it sees fit. That, to me, means that they could hold public hearings as they see fit, except, of course, where patient confidentiality or other sensitive issues would be an invasion of privacy, and should logically prevent that kind of public inquiry.

Mr. Speaker, I do not agree, respectfully, with the Member's first contention. As far as the holding of public inquiry is concerned, Mr. Speaker, I will say it again, this legislature has approved a bill, an Act, the Medical Professional Act, which specifically spells out how to deal with situations where a medical practice is questioned, in a way that is fair to the physician, in a way that allows the board of inquiry all the tools to investigate thoroughly the matter at hand, undertake research, call in outside help, compel the attendance of witnesses, including the physician whose conduct may be at issue, and I am not sure that power is in the Public Inquiries Act, this Act is tailor made to deal with the situation of medical practice. It allows for the representation of the territorial medical profession on the board of inquiry and it is made for this situation.

Mr. Speaker, I fail to see why we would not use the legislation and the process that is in place to deal with the specific issue at hand in the Member's constituency. We should use the legislation that has been adopted by this House for this situation. I do not see why we should not use that legislation. Thank you, Mr. Speaker.

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MR. SPEAKER: Thank you. Supplementary, Mr. Nerysoo.

Supplementary to Question O724-12(2): Consideration of Public Inquiry

MR. NERYSOO: Mr. Speaker, it is unfortunate that normal practices here do not allow Members a long

preamble, because I would challenge the remarks made by the honourable Member. The matter before the inquiry is improper conduct. The fact is that there are limitations to that. The question I have is, was there improper conduct with the board members, was there improper conduct with regards to other members of the health staff? If that is the case, then at what time, in fact, does this process in fact deal with those issues?

MR. SPEAKER: Mr. Patterson.

Further Return to Question O724-12(2):
Consideration of Public Inquiry

HON. DENNIS PATTERSON: I do not understand the Member's question, Mr. Speaker. I would like to know what the question is?

MR. SPEAKER: I am having the same problem. I do not know if there was a question in that, I wonder if Mr. Nerysoo can repeat his question? Mr. Nerysoo.

Supplementary to Question O724-12(2):
Consideration of Public Inquiry

MR. NERYSOO: Mr. Speaker, the honourable Member indicated to me that the process would allow for the principle of justice, not only being done, but as being seen to be done. I am not challenging the honourable Member on making a decision about the rules, but the manner in which he chooses to hold an investigation.

What I am asking, is whether or not the honourable Member would reconsider the holding of the inquiry, if, in fact, justice is not being seen to be done. That was the original question that I asked. However the Honourable Member says no, that is in fact not happening.

The problem that I have is that there have been comments in the papers and in the media which the public have indicated they are not happy with, or the process as it has been established.

Surely that is a good basis by which one can consider re-establishing or reviewing this particular matter.

MR. SPEAKER: Thank you. Mr. Patterson.

Further Return to Question O724-12(2):
Consideration of Public Inquiry

HON. DENNIS PATTERSON: Mr. Speaker, thank you. I do understand the Member's question.

Mr. Speaker, I would like to make it clear that it is not only the medical practice of a specific doctor that Dr. Covert has been asked to look into. I have also asked Dr. Covert to look into and recommend whether other allegations contained in the report of the Saskatchewan College of Physicians and Surgeons related to medical services at the Fort Smith Health Centre require further investigation.

If I am making myself clear, the board of inquiry will not just look at the medical practice of a certain physician, it will also have the ability to look at other issues raised by the Saskatchewan College of Physicians and Surgeons report about broader issues. Thank you.

MR. SPEAKER: Thank you. Oral questions, Mr. Todd.

Question O725-12(2): Increase In Contracts Going to Northern Companies

MR. TODD: Thank you, Mr. Speaker. I am not having much luck today getting answers to these questions that I have asked earlier, but I will try a nice easy one. This is to the Minister of Public Works.

It has been several months since the implementation of the new business incentive policy, and since that time, many contracts have been let. Could the Minister tell me if his department has seen an increase in the number of contracts that are going to northern companies since the policy was introduced. That should be easy.

MR. SPEAKER: Mr. Morin.

Return to Question O725-12(2): Increase In
Contracts Going to Northern Companies

HON. DON MORIN: Thank you, Mr. Speaker. You will not get an answer from me today either, Mr. Todd. I will get back to you tomorrow. I will take it as notice.

MR. SPEAKER: Thank you. The time for question period has expired. We will recess for 15 minutes.

---SHORT RECESS

MR. SPEAKER: This House will come back to order. We are on Item number 6, written questions. Mr. Todd.

ITEM 6: WRITTEN QUESTIONS

**Written Question 51-12(2): Agreements with
Physicians Under the Medical Care Act**

MR. TODD: Thank you, Mr. Speaker. This written question is to the Minister of Health. Will the Minister table a summary of planning within the Department of Health regarding the establishment, under section 5.1(1) of the Medical Care Act, Mr. Alloo, of agreements between the Director of Medical Insurance and Physicians practising in the Northwest Territories for payment other than on a fee for service basis. Including, one, a summary of communities where such agreements are being contemplated; two, an outline of the Department's procedure for advising the Financial Management Board, the Standing Committee on Finance, the Northwest Territories Medical Association and other regional health boards or hospital boards, of management interested in monitoring the implementation of physician's agreements.

MR. SPEAKER: Thank you. Written questions. Member for Baffin Central.

**Written Question 52-12(2): Baffin
Exploratory Fishery**

MS. MIKE: Thank you, Mr. Speaker. My written question is for the Minister of Economic Development and Tourism. Would the Minister please table the following information in the Legislative Assembly. a) a summary of all tests, fishing activities undertaken under summer of 1992 to assess resource potential of the Baffin inshore fishery; b) the names and businesses, office locations of all independent contractors participating in tests of fishing activities; c) a report of all expenditures made to support the exploratory fishery during the 1991-92 and to date, during the 1992-93 fiscal year and; d) a summary of findings of any tests, fishing activities undertaken during summer and fall of 1992 in the Baffin region, including the results of exploratory fishing in the Iqaluit area.

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MR. SPEAKER: Thank you. Written questions. Item number 6, written questions? Item number 7, return to written questions. Item number 8, replies to opening address. Item 9, petitions. Item 9, petitions. Item number 10, reports of standing and special committees. Item 11, reports of committees and the review of bills. Item 12, tabling of documents. Member for Thebacha.

ITEM 12: TABLING OF DOCUMENTS

MS. MARIE-JEWELL: Mr. Speaker, I have two documents to table. If I could proceed. I would like to table the following document: tabled document 73-12(2), the terms of reference regarding the appointment of a public administrator for the Fort Smith Health Centre. Mr. Speaker, I would like to table a copy of tabled document 74-12(2) the terms of reference regarding the appointment of the Public Administrator for the Mackenzie Regional Health Services. Thank you.

MR. SPEAKER: Thank you. Item 12, tabling of documents. Mr. Nerysoo.

MR. NERYSOO: Mr. Speaker, I wish to table the following document: tabled document 75-12(2) Consensus Report on the Constitution, Charlottetown, August 28, 1992, final text.

MR. SPEAKER: Thank you. Item 12, tabling of documents. Item 13, notice of motions. Member for Thebacha.

MS. MARIE-JEWELL: Thank you Mr. Speaker. Mr. Speaker, I give notice that on Friday, September 11, I will move the following motion. I move, seconded by the honourable Member for Mackenzie Delta that this Legislative Assembly support the need for a public inquiry into the issues surrounding the administration and quality of medical services provided by the Fort Smith Health Centre to the residents of Fort Smith, and I further request the Commissioner of the Northwest Territories to give earnest and immediate consideration to cause an inquiry to be held on the matter pursuant to section two of the Public Inquiries Act. Thank you.

MR. SPEAKER: Thank you. Item 13, notice of motions. Item 14, notice of motions for fourth reading of bills. Mr. Pollard.

**ITEM 14: NOTICES OF MOTIONS FOR FIRST
READING OF BILLS**

**Bill 31: An Act to Amend the Student Financial
Assistance Act**

HON. JOHN POLLARD: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on September 11, 1992, I shall move that Bill 31, an act to amend the Student Financial Assistance Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Notice of motions for first reading of bills. Mr. Kakfwi.

Bill 32: An Act to Amend the Young Offenders Act, No. 2

HON. STEPHEN KAKFWI: Mr. Speaker, I give notice that on Friday, September 11, 1992, I shall move that Bill 32, an act to amend the Young Offenders Act, number 2, will be read for the first time.

MR. SPEAKER: Thank you. Item 14, notice of motions for fourth reading of bills. Item 14, notice of motions for fourth reading of bills. Fifteen, motions. Fifteen, motions. Sixteen, fourth reading of bills. Sixteen, fourth reading of bills. Seventeen, second reading of bills. Seventeen, second reading of bills. Item number 18, consideration in Committee of the Whole of bills and other matters. Tabled Document 9-12(2), Tabled Document 10-12(2), Motion 6. Committee Report 10-12(2) and Tabled Document 62-12(2) and Minister's statement number 82 with Mr. Nerysoo in chair.

ITEM 18: CONSIDERATION IN COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Nerysoo): What is the wish of the committee? Item 18, consideration of committee of the whole, bills and other matters, Tabled Document 9-12(2), Tabled Document 10-12(2), Motion 6, Committee Report 10-12(2), Tabled Document 66-12(2), and Minister's statement 82-12(2).

What is the wish of the committee? Ms. Marie-Jewell, honourable Member for Thebacha.

MS. MARIE-JEWELL: Thank you, Mr. Chairman, I believe the intention of the Members was to want an update on the national constitution reform negotiations. However, I am not sure after reading the Minister's statement whether the Minister is prepared to discuss this issue in detail. If he is willing to, we may be able to proceed, if he is unable to, then we can defer it until a later date this week. Thank you.

CHAIRMAN (Mr. Nerysoo): Mr. Kakfwi.

HON. STEPHEN KAKFWI: Mr. Chairman, if I could act unilaterally I guess would have done everything that I needed to today, tabled the report that you took the liberty of tabling but as an Assembly and as M.L.A.s you had chosen to set up a special committee which you had set up with certain responsibility and the report that this special committee is going to

provide to you has not been discussed by the special committee yet. This is going to happen tomorrow afternoon and that is the reason you are not getting the documents, it is not due to lack of enthusiasm on my part to do everything today, it is simply trying to follow protocol or due process that you have set up yourself. Thank you.

CHAIRMAN (Mr. Nerysoo): What is the wish of the committee? Mr. Bernhardt. Mr. Pollard.

MR. POLLARD: Thank you, Mr. Chairman. Mr. Chairman, I would move that we report progress. Thank you.

CHAIRMAN (Mr. Nerysoo): Thank you. The motion is in order. To the motion, to report progress. All those in favour, all those opposed. The motion is carried. I will report progress.

ITEM 19: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: Item 19, report of Committee of the Whole, Mr. Chairman.

CHAIRMAN (Mr. Nerysoo): Thank you, Mr. Speaker. The Committee wishes to report progress. Mr. Speaker, I move that the report that Chairman of the Committee of the Whole be concurred with.

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MR. SPEAKER: Thank you, is there a seconder? Mr. Gargan? All those in favour? All those opposed? Motion is carried.

---Carried

Item 19, third reading of bills. Item 20, Mr. Clerk, Orders of the Day.

ITEM 20: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, the meetings for tomorrow are for 9:am of the standing committee and Legislation, and at 10:30 of the Ordinary Members caucus. Orders of the day for Thursday, September 10, 1992:

1. Prayer
2. Budget Address
3. Ministers' Statements
4. Members' Statements

5. Returns to Oral Questions
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Replies to Budget Address
11. Petitions
12. Reports to Standing and Special Committees
13. Reports of Committees and the Review of Bills
14. Tabling of Documents
15. Notices of Motion
16. Notices of Motion For First Reading of Bills
17. Motions
18. First Reading of Bills
19. Second Reading of Bills
20. Consideration in Committee of the Whole of Bills and Other Matters: - Tabled Documents 9-12(2) and 10-12(2) - Motion 6, - Committee Report 10-12(2) - Tabled Document 62-12(2) - Minister's Statement 82-12(2)
21. Report of the Committee of the Whole
22. Third Reading of Bills
23. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:30 p.m. Thursday, September 10, 1992.

---ADJOURNMENT