



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

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HANSARD

WEDNESDAY, SEPTEMBER 16, 1992

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The Honourable Michael Ballantyne, Speaker

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MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Antoine, Mr. Arngha'naaq, Hon. James Arvaluk, Hon. Michael Ballantyne, Mr. Bernhardt, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, Hon. Don Morin, Mr. Nerysoo, Mr. Ningark, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mr. Todd, Hon. Tony Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Michael Ballantyne):

Before we commence with the orders of the day, I would like to bring to the attention of the House, my response to the point of privilege raised by Mr. Nerysoo on September 15.

The point of privilege raised by Mr. Nerysoo on September 15, on remarks made by the Honourable Stephen Kakfwi during his reply to an oral question by Mr. Nerysoo, as I have reviewed the unedited transcripts, and I find that the Honourable Member for Mackenzie Delta, Mr. Nerysoo, does not have prima facie point of privilege.

However, my review of the exchange between the honourable Members led me to conclude that an important principle is at issue here. A Member's duties and responsibilities, on behalf of his or her constituents, is for each Member to decide on their own. It is not for any Member to interpret for another Member how he or she must carry out their duties. I trust that in future, all honourable Members will respect that principle. Thank you.

Item 2, Ministers' statements. Mr. Kakfwi.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 89-12(2): Meeting Of The Committee Of Political Leaders

HON. STEPHEN KAKFWI:

Mr. Speaker, the Committee of Political Leaders met last night to discuss the reactions of their constituents to the report from the Commission for Constitutional Development, and to consider options for how to

proceed from here. The following were present representing their respective organizations: Messrs. Roger Gruben, President, of the Inuvialuit Regional Corporation; National Chief Bill Erasmus, Dene Nation; Gary Bohnet, President, Metis Nation; Willard Hagen, President, Gwich'in Tribal Council; George Cleary, President, Sahtu Tribal Council; and, Chief Eddie Erasmus, Dogrib Rae Band. M.L.A. Charles Dent, Yellowknife Frame Lake, represented the Legislative Assembly, and I was there for the government. While not Members of the Committee, M.L.A. Henry Zoe, North Slave, was also in attendance, as were Chief James Ross, Fort McPherson; Chief Eugene Pascal, Aklavik; Chief Peter Ross, Arctic Red River; and, Chief Everett Kakfwi, Fort Good Hope.

All parties reported that their memberships were generally comfortable with, and supportive of, the directions recommended by the commission. They also noted that, for most communities, the focus right now is on community transfers and self-government at both the community, and regional level. Developing a constitution for a territorial government, for a western territory, and for all residents, remains a priority. However, there was general agreement that an initial focus on models for self-government, at the community and regional level would inevitably lead to the development of models for a territorial government soon after.

It was agreed that the Inuvialuit Regional Corporation would draft an initial work plan, and an interim budget, for the consideration of other members based on the above principles, and on the assumption that the national constitutional package, now before Canadians, will succeed. Other members would then have an opportunity to review the work plan and suggest amendments, with the hope that, before this session of the Legislative Assembly is complete, they would be in a position to table a document in the House for your consideration.

Members of the commission had the opportunity to present their report at the annual assemblies of most of the aboriginal organizations this summer. I tabled the commission's report in the Assembly last June with the intention that this House would be able to take the time to discuss it, in committee of the whole, later this session.

Should you make this choice, the members of the committee would welcome the opportunity to come before this House to present their assessment of the

commission's report, and to outline their goals and objectives for the coming months.

I was impressed with the enthusiasm and the commonality of purpose expressed by all members of the committee. I believe it is very worthwhile to encourage this momentum by inviting the members to present their views, and to table before us a proposal for a work plan to get on with the important business of constitutional development for a western territory. It is my strong impression that, while regional and aboriginal institutions have become an important part of the political landscape, there remains an expressed commitment to a public government for all people of a western territory.

In doing so, we should recognize the support and the desire expressed by members, on behalf of their constituents, that the work must begin with the community first. The community transfer initiative offers communities and regions not only the chance to develop plans for self-government, but to begin to take on greater powers and responsibilities right now. Members of the committee see the community transfer initiative as an interim step towards self-government, and they will support the initiative so long as it remains broad and flexible. They made it very clear that a centrally driven process, narrow in scope and laden with pre-conditions, will not meet the needs of their communities.

Mr. Speaker, while this statement has focused on community transfers and self-government in the western Northwest Territories, I wish to make it very clear that the east has not been left behind. Already

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five eastern communities, and the Keewatin Regional Council, have informed us that they wish to begin discussions on community transfers soon.

I want to thank each committee member for the positive attitude they brought to our discussions last night, and I urge the Members of the House to give serious thought to their proposals. I want to also extend a special thanks to the six commissions chaired by Mr. Jim Bourque, for their efforts in setting forth a foundation from which we can all build.

Thank you.

MR. SPEAKER:

I would like to recognize, in the gallery, Chief James Firth from Inuvik, and Chief Peter Ross from Arctic Red River.

---Applause

I also would like to recognize in the visitor's gallery, Mr. Tony Campbell, and his grade 11 class from St. Patrick's High School.

---Applause

Item 2, Ministers' statements. Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Speaker. I would like to give an emergency statement.

MR. SPEAKER:

Proceed, Mr. Morin.

Minister's Statement 90-12(2): Federal Social Housing Budget Cuts

HON. DON MORIN:

Thank you, Mr. Speaker. As the Minister responsible for the Northwest Territories Housing Corporation, I have received distressing news that the submission put forward by the Honourable Elmer MacKay, seeking reinstatement of federal funding for the new social housing units in the Northwest Territories, has been rejected by the federal Cabinet.

In February, 1992, in his budget speech, the federal Minister of Finance announced major reductions in the federal social housing programs right across Canada. These reductions would hold growth of the federal social housing budget to a maximum of three percent increase with no allowance for inflation. The cost of inflation must be funded from within the three percent growth factor. Reducing the funding available for new social housing construction by 23 percent in 1992, and a further 36 percent in 1993, for a total of 59 percent.

The impact of these federal funding reductions here in the Northwest Territories was to drastically reduce our cost shared new social housing units. There was 372 units built last year, and by 1993 the Government of the Northwest Territories will be funded to build 153 cost shared units.

I wanted to assure Members that we have continued to work to get the federal funding reinstated to its former levels. When I met with the Standing Committee on Finance, I told Members that we were engaged in serious and intense negotiations with the Canadian Mortgage and Housing Corporation. These efforts began right after the cuts were announced in the federal budget in April. I intended a special meeting of provincial and territorial housing Ministers to discuss the implications of the cuts. I also appeared before the Aboriginal Affairs Committee of the House of Commons in May. We found them supportive of our needs. This was followed in June by a meeting between myself and federal Minister responsible for the Canadian Mortgage and Housing Corporation, the Honourable Elmer MacKay. Minister MacKay listened carefully to what we had to say about our unique situation in the Northwest Territories, and we were able to convince him that our needs were urgent. Also, in June, I had a meeting of the federal, provincial and territorial housing Ministers. I urged the federal Minister and my colleagues in other jurisdictions, to recognize the unique and urgent housing requirements of the Northwest Territories. We got a positive and supportive response at that meeting. The federal Minister responsible for the Canadian Mortgage and Housing Corporation, the Honourable Elmer MacKay, made a submission to the federal Cabinet to address the funding shortage for new housing construction for the Northwest Territories, and the Yukon, on a priority basis. If approved, funding to the Northwest Territories would have been reinstated to the 1991-92 levels. Unfortunately, although we were able to convince the federal Minister responsible for the Canadian Mortgage and Housing Corporation, the Honourable Elmer MacKay, the federal Cabinet did not support the submission because there was no additional funding available.

Mr. Speaker, although I see this as a serious setback, I am still hopeful that further efforts on the part of this government will result in funding reinstatement. You will recall the federal government initially rejected us supplying the Business Incentive Policy to cost shared housing contracts. Our continuous efforts were finally successful in having Canadian Mortgage and Housing Corporation accept the Business Incentive Policy. The same may be possible in this case.

I am continuing my discussions with Mr. MacKay, and we are also pursuing this through the Government Leader directly with the Prime Minister, and with the

other provinces, and the Yukon, who are all also seriously affected by the federal cuts.

In addition, I will work with Members to complete the development of the strategy to deal with potential of no federal funding being reinstated. The efforts today were concentrated on convincing the Canadian Mortgage and Housing Corporation, and Mr. MacKay, on our need for funding, and to have the federal funding submission put forward. The strategy being developed will maximize the new unit delivery within the funding available, while recognizing that the level of service, and the number of new units, may have to decrease from today's levels.

Later on today, I will be tabling the 1992 Housing Needs Survey. The survey confirms that housing needs are continuing to grow in the Northwest Territories, and this provides us with additional information to use in our efforts to have federal cuts reinstated.

Mr. Speaker, although the news today is bad, I will continue to work to change the federal position, and will keep all Members of this Assembly informed of our progress. I would appreciate receiving input from the Members to this Assembly. Thank you, Mr. Speaker.

MR. SPEAKER:

Ministers' statements. Mr. Koe.

Minister's Statement 90-12(2): Federal Social Housing Budget Cuts Moved To Committee Of The Whole

MR. KOE:

Mahsi, Mr. Speaker. I would like to make a motion and move, seconded by the honourable Member from North Slave, that Minister's Statement 90-12(2) Federal Social Housing Budget Cuts, be moved into committee of the whole.

MR. SPEAKER:

Motion is in order, Mr. Koe, to the motion, Mr. Koe.

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MR. KOE:

Question.

MR. SPEAKER:

The question has been called. All those in favour?
All those opposed? Motion is carried.

---Carried

Ministers' statements. Members' statement. Mr.
Nerysoo.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Hon. S. Kakfwi's Manner Of
Response

MR. NERYSOO:

Thank you, Mr. Speaker. Mr. Speaker, I rise today with the direction from the Ordinary Members' Caucus. Mr. Speaker, this House, including the Government Leader, should never tolerate disrespectful manners, and disrespect for the rules and practice of this House, which was demonstrated by a Member of the Cabinet. Mr. Speaker, what I am speaking about, is the manner in which Mr. Kakfwi dealt with a question posed by Mr. Gargan. Mr. Speaker, this House, or this side of the House, will not tolerate arrogance, or the insulting inconsideration given to Mr. Gargan's view, which is a serious issue. Or for that matter, issues raised by all Members, including in some instances, issues raised by Members of Cabinet. Mr. Speaker, the rules are clear on answering of questions. All Members are obliged to follow the practices, and respect of decorum, of this House, by rising to answer a question. Mr. Speaker, we own this side of the House, and know that trying to bend the rules is a fact of life, but complete ignorance should not, and will not, be tolerated. Mr. Speaker, we respect the right of the Minister to decide how or when he or she answers, but Mr. Speaker, as honourable Members, this side of the House will not tolerate the arrogance, aloofness, and disrespect that has been shown by Mr. Kakfwi when responding to a question, and the manner in which he dealt with Mr. Gargan. You can be assured we will deal with the continued existence of this type of attitude appropriately, and with dispatch if necessary. Thank you, Mr. Speaker.

MR. SPEAKER:

Members' statements, Mr. Todd.

Member's Statement On Ministers' Responses On
Community Transfer Program

MR. TODD:

Thank you, Mr. Speaker. I must tell the House today that I was dismayed by the way the Minister for Intergovernmental and Aboriginal Affairs answered yesterday's questions about the transfer of government programs and services to community self-government. I checked the unedited transcript just this morning to see if I had actually heard the Minister correctly. His response to my honourable colleagues from Inuvik and MacKenzie Delta essentially let us know that in eight and a half months, there has been no substantive progress towards establishing community transfer initiatives. From what I understood from the Minister's comments, all that has been accomplished has been a partial completion of a draft implementation strategy, and we hear that, and I quote, "a rather high level deputy minister's committee has philosophical or political differences, and is to blame for this." I have the Minister attributing the delay, and this initiative, to the honourable Members in this House, simply because we want to review and approve the media report recommendations on the Minister's implementation plan. Mr. Speaker, that is our job. When the Minister comes forward with the implementation details we will review them then, but it is not the fault of the Members on this side of the House that he decided to sit by and watch his rather high level deputy ministers run the show for the last eight and a half months, and then blame them for it.

Mr. Speaker, I can readily understand that in seven parts of the Northwest Territories there are going to be difficult constitutional matters, and philosophical differences, that we will need to form for part of the process leading up to community transfers. I fully support the Metis and Dene leaders in their desire to work these out, as they progress towards community or aboriginal self-government. In the east, Mr. Speaker, we have accepted the principle of public government for the last 20 years. Many of our communities are ready for community self-government now. This is the process that will power us towards the constitutional emergence of Nunavut. We cannot, and will not, allow the goal to be put on hold. The Minister should bring forward a paper, so that this House can move forward in reviewing it, and consulting with our community leaders. Thank you.

---Applause

MR. SPEAKER:

Members' statements. Mr. Gargan.

Member's Statement On Federal Initiative On
Aboriginal Justice

MR. GARGAN:

Thank you, Mr. Speaker. I have already spoken on two occasions regarding the federal government's initiatives on aboriginal justice and justice administration. I am concerned about the way the decision was made by the federal Minister of Justice to appoint the Northwest Territories Chief Crown Counsel as Director General for the Council on Aboriginal Justice and Administration. When she was questioned on April 8 about her judgement in making this appointment, the Honourable Kim Campbell told the House of Commons that "when I was in Yellowknife in September with the federal/provincial meetings of Ministers responsible for Justice, I had the opportunity to see how this individual was received in his community and how he was regarded by aboriginals and women in that community." Mr. Speaker, I have personally reviewed the agenda and list of participants who attended the federal/provincial meetings. There were no aboriginal women in the final list of delegates from the Northwest Territories. Department of Justice personnel have confirmed that the public input during the federal/provincial meetings was nil. No public organizations were invited to contribute. On February 25, 1992 I was asked by our former Minister of Justice, the Honourable Dennis Patterson, about this appointment. He has responded that he was generally aware of Mr. Avison's departure but was not precisely sure of his irresponsibilities. This response does not make me think that the Minister had been involved in government to government consultations surrounding Mr. Avison's April appointment.

Aboriginal people in the north and throughout Canada have waited a long time for the federal government to begin to address the many outstanding issues that surround the treatment of our people by the justice system. As a major stakeholder in any review of aboriginal justice, I would hope that our government would take the lead role in monitoring and providing input to the current federal initiative.

MR. SPEAKER:

Mr. Gargan, your allotted time has elapsed.

MR. GARGAN:

Thank you, Mr. Speaker. Can I get unanimous consent to complete the last paragraph?

MR. SPEAKER:

The honourable Member is seeking unanimous consent. Are there any nays? There are no nays. Please proceed, Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Speaker, honourable Members. This could include ensuring that key figures in the projects have demonstrated the sensitivity, understanding and

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credibility required to carry out that task. Thank you, Mr. Speaker.

MR. SPEAKER:

I would like to take this opportunity to recognize in the visitor's gallery Mr. Willard Hagen, President of the Gwich'in Tribal Council; Chief James Ross of Fort McPherson; Chief Eugene Pascal from Aklavik; and Mr. Robert Alexi, Jr., the Vice-President of the Gwich'in Tribal Council. Welcome.

---Applause

MR. SPEAKER:

Item 3, Members' Statements. Mr. Pudlat.

Member's Statement On Additional Classrooms For
Cape Dorset School

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. I have a question that I would like to direct to the Minister of Education in regard to the Cape Dorset school. There is a proposal for the school in Cape Dorset. They are going to renovate or expand the school, and they are going to put in four new classrooms, but the teachers would like to see five classrooms.

The school in Cape Dorset is proposing that there should be five classes added every year. In 1986 to 1992, the population has grown in Cape Dorset. There were 44 new students that were born in 1986 and went into Kindergarten in 1992. So, for the school year 1992-93, the population will also have grown, and for the year 1993-94, there will be an increase in the population, and as well, there will also be an increase for the years 1994-95, and 1995-96. Because of this, in Cape Dorset, they are requesting more classrooms for the school. So, I would like the

Minister of Education to think about this request.
Thank you.

MR. SPEAKER:

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

Member's Statement Regarding Culture In The
School System

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. It is unfortunate my
colleague, Mr. Gargan, is not in the House, but Mr.
Speaker, I did want to make a statement in respect to
some of the comments that were made yesterday. I,
as a Member of this House, certainly feel that it is
critical that the component of cultural programs
remain within the school system.

I have been reading a small notebook called the
"Fiddle and the Sash" which was produced from the
history of the Metis of the Northwest Territories. With
that, there is a part of education in the church which I
would like to read to the Members. I think it reflects
some of the reasons why we, as Members, are going
to pay respects to the late Bishop Piche tomorrow. It
states:

"Until the 1950s most Metis children were schooled by
the Anglican and Roman Catholic Churches. The
churches ran residential and day schools with the
financial assistance of the federal government. In the
1920s there were seven schools in the Mackenzie
Valley. Children stayed in residence in the schools
from grades one to nine, learning the basics of
education, religion, skills such as: sewing; gardening;
and wood crafts. Several former students showing
the oblates of Mary Immaculate, O.M.I. and the Grey
Nuns, have devoted their lives to the people of the
north: Father Napoleon Lafferty; Patrick Mercredi;
Sister Delilah Burke; Annie Cooper; Alice Delorme;
Anne Mercredi; Agnes Sutherland; and Louise
Tourangeau.

Many of the Metis Anglican students later served as
lay readers and catechists for northern congregations.
Sarah Stewart Simon along with her Gwich'in
husband, the Reverend James Simon, ministered the
Anglican faith to their people. Sarah, now at the age
of 90, has served the church as catechist, interpreter,
Sunday School teacher and organist. For her many
years of religious dedication and service as midwife,
she was awarded the Order of Canada in the fall of
1991."

MR. SPEAKER:

Mrs. Marie-Jewell, your allotted time has expired.

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I ask for unanimous
consent to continue.

MR. SPEAKER:

The honourable Member is seeking unanimous
consent. Are there any nays? There are no nays,
please continue, Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you. Thank you, honourable colleagues. I
think that it is of critical importance that the
component of culture be instilled within our children,
within our students of our school system from as early
an age as possible. Whether it be the parents, the
teachers, whatever educators that may assist, I
believe that parents will gratefully appreciate it.
Thank you.

---Applause

MR. SPEAKER:

Item 3, Members' statements. Mr. Antoine.

Member's Statement On The Patterson Sawmill

MR. ANTOINE:

Mahsi, Mr. Speaker. I rise today to tell the House of
the concern about the activities of Patterson's
Sawmill. On March 3, I asked the Minister, the
Honourable John Pollard, about the purchase of the
Patterson Sawmill in Hay River and he stated, and I
quote: "It was not a government decision, although it
is my responsibility and I will take full responsibility for
it."

I asked him about the number of trees required to run
this mill, he indicated it was six to eight million board
feet per year, and later on indicated that it would take
about 10,000 to 12,000 trees per million board feet.

You are looking at approximately 96,000 trees to be
cut this year. I am concerned because you stated
very clearly that no logging would occur in the
Liard/Nahanni Valley unless the communities and the
people of that area are in agreement and in full
cooperation.

I am very concerned because the Patterson Sawmill filed an application for a land use permit to cut timber in the area traditionally used by the Dene of Jean Marie River. There was no prior consultation. This application contradicts the assurance that the Minister provided to this House on March 9.

The people of that region are opposed to letting the Patterson Development Corporation operation into that area. There are a number of reasons for the opposition, it is a traditional hunting and trapping area, and one of the main points is that the Patterson Sawmill was previously in that area, before the development corporation took over, and the previous logging in the area was extremely dissatisfactory because of their logging methods. The job, the clean up, a lot of it was left behind.

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There is some concern that this may happen again. The area in question, Deep Lake and McGill Lake, are the head waters of Jean Marie River and it is very harmful to fish from the lakes there, for the people around there.

The Jean Marie River Council has passed a resolution against this application. What I would like to say is that I am representing my constituency here, and am opposed to this application.

MR. SPEAKER:

Mr. Antoine, your allotted time has lapsed.

MR. ANTOINE:

I seek unanimous consent to conclude.

MR. SPEAKER:

The Member is seeking unanimous consent. Are there any nays? There are no nays, please proceed.

MR. ANTOINE:

Thank you, Mr. Speaker. I will be calling on the Minister to respect the community of Jean Marie River and also his own promise to the House, by directing the N.W.T. Development Corporation and Patterson Sawmill to withdraw Patterson Sawmill's land use application, so that we can deal with this situation in a more consultative manner. Thank you.

MR. SPEAKER:

Item 3, Members' statements. Mr. Koe.

Member's Statement Congratulating The Hon. S. Kakfwi

MR. KOE:

Mahsi, Mr. Speaker. I rise today to congratulate the Honourable Stephen Kakfwi, Minister of Intergovernmental and Aboriginal Affairs on his successful meetings yesterday with the political leaders. I also would like to thank the Minister for meeting with the Delta and Gwich'in leaders, and the action which he will be taking in dealing with community concerns raised by those leaders on community initiatives. Mahsi Cho.

MR. SPEAKER:

Item 3, Members' statements. Mr. Ningark.

Member's Statement On Community Docks and Wharves

MR. NINGARK:

Thank you, Mr. Speaker. My Member's statement is regarding the community docks and wharfs. I will be speaking in my language.

(Translation) Thank you, Mr. Speaker. The hunters in the communities all utilize boats because we know that there are high and low tides, with very heavy low tides and the weather itself is unreliable. The hunters, themselves, use their own canoes and they use big and small boats all the time. Canoes are very expensive to buy, especially for those who are unemployed. The outboard motors are very expensive, also.

People that do hunt with the canoes and big boats should have docks, if docks are available.

MR. SPEAKER:

Item 3, Members' statements. Item 4, returns to oral questions. Mr. Kakfwi.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Oral Question O606-12(2): Makivik Corporation Acting For N.W.T. Inuit On Great Whale Project

HON. STEPHEN KAKFWI:

Mr. Speaker, this is in response to a question asked by Mr. Todd on June 22, 1992. This is in response to a question asked about Makivik Corporation acting for N.W.T. Inuit on the Great Whale Project of Quebec.

I have since written to Mr. Todd informing him that the Minister of Renewable Resources, and his officials are actively pursuing direct funding from the federal government for N.W.T. intervenor status to participate in the environmental assessment of this project.

I am certain that the Minister of Renewable Resources, the Honourable Titus Allooloo, will be pleased to keep Members informed of progress.

Mr. Speaker, I have another.

MR. SPEAKER:

Proceed, Mr. Kakfwi.

Return To Oral Question O710-12(2): Court Administration Costs On Appeals

HON. STEPHEN KAKFWI:

This is in response to a question asked by Mrs. Marie-Jewell on June 29. This is in regard to court costs when judgement is overturned.

The judgement of the Supreme Court of the Northwest Territories, when these judgements are overturned on appeal, and new trials are required, the court administration costs are the responsibility of the Department of Justice.

Thank you.

MR. SPEAKER:

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

Return To Oral Question O771-12(2): Admission Requirements For Teacher Training At Arctic College Campuses

HON. JAMES ARVALUK:

Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Bernhardt on September 15, 1992, concerning the admission requirements for teacher training at Arctic College campuses.

Teacher Education Programs in the Northwest Territories provide an opportunity for northern residents to enter the teaching profession through full

time campus or community programs, or part time programs.

Admission requirements for east and west Teacher Education Programs, and their associated community programs, are similar. In both the east and the west, applicants must have a strong desire to work with children, be mature, responsible and reliable, and have graduated from high school or its equivalent.

In the west, applicants may also demonstrate an equivalent grade 12 ability by successfully completing standardized English and mathematics exams. In addition, western applicants must submit a letter explaining their reason for wanting to enter the teaching profession, a high school transcript, or college entrance exam results, and a letter of recommendation from a community leader, community education council, school principal or Director of Education.

Applicants in the Eastern Arctic Teacher Education Program must be at least 21 years of age, demonstrate fluency and literacy in Inuktitut, and have a high school graduation or its equivalent. Students who do not have grade 12 may be considered if they have a minimum of grade ten, two years successful experience as a classroom assistant, and a reference from both the principal and the community education council, or if they satisfy E.A.T.E.P. numeracy and literacy requirements.

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The Western Arctic Teacher Education Program is --- and the reference from both the principal and the community education council, or if they satisfy each of numeracy and literacy requirements.

The Western Arctic Teacher Education Program is credited through the University of Saskatchewan and the eastern Arctic programs are credited through the McGill University. Thank you, Mr. Speaker.

MR. SPEAKER:

I would like to recognize in the gallery, Mr. Randy Rivers and his grade 11 social studies class from St. Patrick High School. Returns to oral questions, Mr. Allooloo.

Return To Oral Question O776-12(2): Flood Damage Funding

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I have a return to oral question asked by Mr. Nerysoo.

The previous Minister of Municipal and Community Affairs had reviewed the extent of damage in the MacKenzie Delta after this spring's flooding, to determine whether it was appropriate to recommend invoking the Disaster Assistance Policy. After an undertaking of this review, the Minister advised the Premier that, although the MacKenzie Delta did experience flooding, the extent of significant damage was not wide spread to extend necessary to make damage assistance payments.

This decision was based upon the fact that disaster assistance is not meant to provide insurance coverage. It is extraordinary assistance meant to help residents after major damage occurs. It was thought reasonable to assume that individuals should be able to restore their property to its pre-disaster condition without disaster assistance.

Mr. Speaker, I reviewed this matter, I assumed the responsibility for this program, and found that the existing policy does not provide for assistance in this particular situation. Thank you.

MR. SPEAKER:

Returns to oral questions. Oral questions, Mrs. Marie-Jewell.

ITEM 5: ORAL QUESTIONS

Question O780-12(2): Timeframe For Trans-Boundary Water Agreement

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. My question is posed to the Minister of Renewable Resources. Yesterday, before question period had expired, I was posing questions in regards to the status of the Trans-Boundary Water Agreement.

Mr. Speaker, I asked the Minister in respect to the status of the negotiations, and he basically indicated to this House that the Alberta government has not finalized, or they will not finalize anything, until they conclude an agreement with British Columbia. After reading the unedited Hansard, I find this totally unacceptable, and I would like to ask the Minister of Renewable Resources, does he currently have a time frame, in respect to the negotiating process, to acquire the Trans-Boundary Water Agreement? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Return To Question O780-12(2): Timeframe For Trans-Boundary Water Agreement

HON. TITUS ALLOOLOO:

Yes, Mr. Speaker. Our time frame, at this point, is to have a final agreement by spring of 1993.

MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O780-12(2): Timeframe For Trans-Boundary Water Agreement

MRS. MARIE-JEWELL:

Mr. Speaker, he is going to try and acquire one by the spring of 1993. I was told as an M.L.A., well over a year ago, they were going to try and acquire it last year. So, it is going to be two years, taking into consideration there is an abundance of development of pulp mills in the south. Is there any possible way that the Minister can make every effort on his part, to ensure that he speeds up the process, so that we can acquire a Trans-Boundary Water Agreement prior to the spring of 1993? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question O780-12(2): Timeframe For Trans-Boundary Water Agreement

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. The problem is that we would like to speed up the process as much as the Member is stating, but the Alberta government will not finalize the agreement until they have a Trans-Boundary Water Agreement between British Columbia and Alberta. The problem there is that they differ, the two governments, British Columbia and Alberta, differ, on levels that are acceptable to put into the agreement. The B.C. government would like to have higher standards in terms of levels going into Alberta. The Alberta government would like to have lower standards in terms of contaminants going into the province, and they are negotiating at the present time, but it is taking a while to come up with final agreements. The Alberta government has specifically

stated that they will not finalize N.W.T and Alberta water agreement until they have an agreement with B.C. Thank you.

MR. SPEAKER:

Oral questions, supplementary, Mrs. Marie-Jewell.

Supplementary To Question O780-12(2): Timeframe For Trans-Boundary Water Agreement

MRS. MARIE-JEWELL:

Mr. Speaker, I find it appalling that the Minister will take a back seat to another province, which is B.C., and yet, at the same time, allow all the pollutants to come down into our water, and our rivers. I would like to know whether the Minister can look at another option in respect to negotiating a Trans-Boundary Water Agreement even though Alberta is adamant that they want to acquire one with B.C. first. The Minister has a responsibility for our jurisdiction, and he should take every measure in respect to addressing the concern that we are expressing in this House. Thank you.

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question O780-12(2): Timeframe For Trans-Boundary Water Agreement

HON. TITUS ALLOOLOO:

Mr. Speaker, I will do my best to represent the Northwest Territories, our residents, and to protect the water quality. The problem here also is that our government, the Government of the Northwest Territories, does not have jurisdictions over lands and water with respect to the waters that are in the Northwest Territories, and to the lands that are Crown lands. The responsibility lies with the Department of Indian Affairs. In terms of our Trans-Boundary Water negotiations, Indian Affairs negotiates on behalf of the Government of the Northwest Territories, in the water quality agreements. So far, our government has been involved in quite a few committees that monitor the water quality, and also in terms of Environment Canada and putting up stations, monitoring stations, throughout the Northwest Territories. I believe

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that we have a dozen committees that we are involved in, but the Government of the Northwest

Territories does not have a legislative mandate at this point in respect to water in the Northwest Territories, but the federal government, Indian and Northern Affairs, as well as Environment Canada, and Fisheries and Oceans, have the responsibility in that particular area. Since we do not have the responsibility or jurisdiction over lands and waters in the Northwest Territories, we do not have legislation at the present time, although our government has been pursuing that responsibility be devolved to our government, from the federal government, for quite some time. We have not been successful, yet. Thank you.

MR. SPEAKER:

Oral questions, supplementary, Mrs. Marie-Jewell.

Supplementary To Question O780-12(2): Timeframe For Trans-Boundary Water Agreement

MRS. MARIE-JEWELL:

Mr. Speaker, I would like to ask the Minister if he could advise this House, what is the level of standards that Alberta is willing to accept from B.C., that he is monitoring prior to addressing this issue? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question O780-12(2): Timeframe For Trans-Boundary Water Agreement

HON. TITUS ALLOOLOO:

Mr. Speaker, I would have to take that question as notice, and get back to the Member on the details of the negotiations between the B.C. government and the Alberta government. I will get back to her as soon as I can.

MR. SPEAKER:

Question has been taken as notice. Oral questions. Mr. Todd.

Question O781-12(2): G.N.W.T. Policies On Northern Preference

MR. TODD:

Thank you, Mr. Speaker. I have a question for the Minister of Intergovernmental and Aboriginal Affairs

concerning the economic union proposals contained in the Consensus Report on the constitution agreed to in Charlottetown on August 28, 1992.

Mr. Speaker, as everyone knows, I have long been an outspoken proponent of strong and effective northern preference policies and finally we have had the political will under the current Minister of Public Works, to implement policies which ensure that the majority of G.N.W.T. contracts will be left to northern firms. This allows us to keep our limited resources in the north.

Now, Mr. Speaker, I have become somewhat distressed when I heard reports that these policies will come under attack when provincial and federal Ministers in November discuss inter-provincial trade. I would ask the Minister whether the agreement that we agreed to in Charlottetown, and the economic union proposals contained within it in any way weaken our ability to protect and continue to implement the G.N.W.T.'s policies on northern preference.

MR. SPEAKER:

Mr. Kakfwi. Madam Premier.

Return To Question O781-12(2): G.N.W.T. Policies On Northern Preference

HON. NELLIE COURNOYEA:

Mr. Speaker, that was one of the last items that was talked about in Charlottetown, and Mr. Kakfwi had left at that time to come back north to another meeting. When the economic union was being discussed, the initial stage was to put it into the context of the constitution because there were a number of issues that were still outstanding, and the time limit made it just impossible to take into consideration some of the issues that we brought up, such as our ability to retain a Northern Preference Policy.

It was suggested that it would be dealt with at an upcoming conference so that we, as the Northwest Territories, could have our concerns properly addressed. On a number of occasions, at the Western Premiers' Conferences, I brought up the issue of concern, that we have to have the same privileges and protection as the provinces, which they had for 125 years so that they could build their economy.

The western Premiers agreed with us, it is on minutes, that they would support us in maintaining

some type of economic percentage that we would be able to develop our economy, and we would have the same privileges that they had in the past. In the conference with all of the First Ministers it was also discussed, this particular concern. It was brought to everyone's attention that we intended to ask to be guaranteed, when we came to the First Ministers' Conference on the Economy, that this specific issue would be addressed, on how the Northwest Territories can maintain the maximum benefits of the few dollars that we have, and it was agreed.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Todd. New question, Mr. Ningark.

Question O782-12(2): Assistance For Obtaining Community Docks

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, my question is directed to the Minister responsible for Transportation. Mr. Speaker, I would like to know if the Department of Transportation has any programs or provisions to assist communities in obtaining or acquiring community docks and wharves? Thank you.

MR. SPEAKER:

Mr. Whitford.

Return To Question O782-12(2): Assistance For Obtaining Community Docks

HON. TONY WHITFORD:

Thank you, Mr. Speaker. Yes, the Department of Transportation does have some interest in wharves and docks in most of the communities that are on water. It is in conjunction, of course, with other users, Transport Canada, for example.

MR. SPEAKER:

Supplementary, Mr. Ningark.

Supplementary To Question O782-12(2): Assistance For Obtaining Community Docks

MR. NINGARK:

Thank you, Mr. Speaker. I would like to know the procedure and I would like to ask the Minister if the Hunters' and Trappers' Association within my riding,

of Pelly Bay, Gjoa Haven, and Spence Bay, could be given the information on how to acquire these things?

MR. SPEAKER:

Mr. Whitford.

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Further Return To Question O782-12(2): Assistance For Obtaining Community Docks

HON. TONY WHITFORD:

Thank you, Mr. Speaker. Yes, we will provide any information that Mr. Ningark will need. I will consult with Mr. Ningark later on the specifics of it, and we will ensure that the hunters and trappers in that area will get a proper answer.

MR. SPEAKER:

Item 5, oral questions. Mr. Antoine.

Question O783-12(2): Application For Land Use Permits By G.N.W.T. Development Corporation

MR. ANTOINE:

Mahsi, Mr. Speaker. My question is for the Minister of Economic Development and Tourism. Earlier today I reminded the Minister of the commitments he made March 9 about respecting the wishes of communities with respect to logging in the Liard and Nahanni Valley. Can the Minister explain to the House why Patterson Sawmill Enterprise, which was purchased earlier this year by the Government of the Northwest Territories Development Corporation for \$1.4 million, has gone ahead and applied for land use permits on August 12 without the prior consultation with the people of Jean Marie River and Fort Simpson? Thank you.

MR. SPEAKER:

Mr. Pollard.

Return To Question O783-12(2): Application For Land Use Permits By G.N.W.T. Development Corporation

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, the Development Corporation, after having taken over Patterson Sawmill, now owns timber cutting rights in the Jean Marie River area and in the Cameron Hills.

Each year, though, there has to be a land use permit if they want to go into those particular areas. There is no intention this year to do any logging in the Jean Marie River area. The intention was to go in there and clean up some of the debris from previous logging in that area.

I would apologize to the Member's constituents for the Development Corporation not having gone in and consulted before hand, and I will endeavour to get somebody down there, as soon as possible, to explain themselves to Jean Marie River.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Antoine.

Supplementary To Question O783-12(2): Application For Land Use Permits By G.N.W.T. Development Corporation

MR. ANTOINE:

Yes, supplementary, Mr. Speaker. The application calls for new cutting in the Deep Lake and McGill area. Is the Minister aware of it? These areas were not cut before, and that the application indicates that they would like to go in there and log.

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O783-12(2): Application For Land Use Permits By G.N.W.T. Development Corporation

HON. JOHN POLLARD:

Mr. Speaker. There will be no cutting of timber this winter in the Jean Marie River area. If the Development Corporation thinks that it is going to do it, by saying this today, I am telling them that they cannot do it. They have not followed, what I consider, the procedure, which is consultation. So, I am making a commitment that there will be no logging. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 5, oral questions. Mr. Nerysoo.

Question O784-12(2): Contact For Assistance To Upgrade Homes

MR. NERYSOO:

Yes, thank you, Mr. Speaker. If I could ask the Minister of Municipal and Community Affairs. Could the Minister indicate who I should contact, so that I can get the necessary financial support, for home owners who have serious insulation and structural damage, so that they can upgrade their homes to meet the winter conditions?

MR. SPEAKER:

Mr. Allooloo.

Return To Question O784-12(2): Contact For Assistance To Upgrade Homes

HON. TITUS ALLOOLOO:

Mr. Speaker, I believe that the Member could contact me, give me the details of the damages that occurred during the flooding, and I will review them again.

MR. SPEAKER:

Item 5, oral questions. Mr. Todd.

Question O785-12(2): Cabinet's Position On Northern Preference

MR. TODD:

Thank you, Mr. Speaker. I have a question for the Minister of Finance. In December, in response to a question to the economic proposals contained in the federal government's proposed constitutional package, the Minister stated categorically that he would fight any proposals that would weaken or eliminate the G.N.W.T.'s northern preference policies. Can the Minister tell me if that is still his and the Cabinet's position?

MR. SPEAKER:

Mr. Pollard.

Return To Question O785-12(2): Cabinet's Position On Northern Preference

HON. JOHN POLLARD:

Yes, Mr. Speaker, it is our position. I cannot say that we are not concerned though, about Alberta's position at the present time, which points the gun north, and wants to gun down our Business Incentive Policy. It is of great concern, Madam Premier, and I discussed it this morning, and I will be making some

representation to the Government of Alberta in that regard very shortly. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Todd.

Supplementary To Question O785-12(2): Cabinet's Position On Northern Preference

MR. TODD:

Thank you. I understand that there will be a meeting of the provincial and federal Trade Ministers in November and that this policy will come under close scrutiny.

Will the Minister now give his assurances to this House, that he will not agree to any proposals that will adversely affect these important and vital policies without consultation of the Assembly?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O785-12(2): Cabinet's Position On Northern Preference

HON. JOHN POLLARD:

Yes, Mr. Speaker.

MR. SPEAKER:

Item 5, oral questions. Mr. Pudluk.

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Question O786-12(2): Rate Increase For Big Game Permits

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. This question is for the Minister of Renewable Resources. The people that hunt big game, such as polar bear and muskox, these sport hunters are taken by guides out to the land to hunt those big game.

I hear that the rates of the permits are going to be increased. What is the fee now for their permits since they have been increased? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Return To Question O786-12(2): Rate Increase For Big Game Permits

HON. TITUS ALLOOLOO:

(Translation) Thank you, Mr. Speaker. In regards to sports hunting of polar bear, they have two different permits. They have two different licences that they have to acquire to go sports hunting. In regard to trophy fee, when they shoot a polar bear, they have to pay a trophy fee and the fee this year is about \$500, from \$250 to \$500. Thank you.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Pudluk.

Supplementary To Question O786-12(2): Rate Increase For Big Game Permits

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. The increase in the fee from big game hunters, will that touch the whole of the Northwest Territories? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question O786-12(2): Rate Increase For Big Game Permits

HON. TITUS ALLOOLOO:

(Translation) Thank you, Mr. Speaker. This fee increase is for people that hunt polar bears and it is an increase to the trophy fee. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Todd.

Question O787-12(2): Action To Increase Policing Services

MR. TODD:

Thank you, Mr. Speaker. I have a question for the Minister of Justice. There are many small communities within the Northwest Territories that do not have resident R.C.M.P. These communities have expressed their concern about the lack of basic police services for a number of years.

There have been discussions in the House by previous Ministers about developing a program that

would train by-law officers or other individuals within the communities to perform some of these R.C.M.P. duties.

Can the Minister advise the House, whether he has taken any action toward developing an initiative to provide increased policing services to communities that do not have resident R.C.M.P.?

MR. SPEAKER:

Mr. Kakfwi.

Return To Question O787-12(2): Action To Increase Policing Services

HON. STEPHEN KAKFWI:

Mr. Speaker, in the only meeting that I have had with people who are in charge of the R.C.M.P. here in the Northwest Territories, I had suggested to them that there are certain communities that have had long outstanding requests to have R.C.M.P. officers put in these specific communities. I pointed to Wrigley as one example, and as well, there was a suggestion that certain communities such as: Grise Fiord; Paulatuk; and Sachs Harbour; among others, who would, as a result of cutbacks, be unable to enjoy the presence of an R.C.M.P. officer.

What I wanted, as a Minister, was some clear indication from the R.C.M.P. as to what is required in order to maintain these positions, when they were being threatened, as well as to replace officers in locations like Wrigley. That was agreed to, as you know. A week ago, the R.C.M.P. indicated that because of savings they have made through the year, they are able to put R.C.M.P. officers back in certain places like, Paulatuk, Sachs Harbour, and one or two other communities, but they are unable, as yet, to respond positively to requests such as Wrigley. As a result of my lunch meeting with the Gwich'in Council, Arctic Red River has served notice it has also been asking for many years that this type of service should be provided.

It seems to me that once we work out the type of additional funding that the R.C.M.P. may require to staff these positions, and it should be clear what the difficulties are, such as lack of housing, lack of office space, and in some cases, a lack of adequate housing, then the costs become quite substantial.

We are looking at ways in which we could make it more realistic, perhaps, try to present a realistic proposal to Cabinet and then, hopefully, to this

Legislature to provide some comfort to communities like Wrigley and Arctic Red River amongst others.

It is my belief as a Minister, that every community, whether or not there is a level of crime reported, should all enjoy the presence of a police officer. This leads to peace within the community and a sense of security, especially for the elders, and the women and children of that community. The matter is simply to find the most expeditious way of proceeding. Thank you.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Todd.

Supplementary To Question O787-12(2): Action To Increase Policing Services

MR. TODD:

Yes, Mr. Speaker. My question was not for a requirement of an expansion of the R.C.M.P. My question was, has the Department of Justice initiated the development of a program to train local by-law officers or individuals, within the communities, to perform some of the policing duties that cannot be performed because of the lack of R.C.M.P.?

I do not think my question was answered. Has the Department of Justice, or is the Department of Justice developing a local initiative program that would allow by-law officers or others to act in a policing capacity where there are no R.C.M.P.?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question O787-12(2): Action To Increase Policing Services

HON. STEPHEN KAKFWI:

Mr. Speaker, I apologize for missing the question. As I understand it, none of the communities who are without an R.C.M.P. are asking for an auxiliary force or a replacement type of officer. What I understand is that every community that is not enjoying a

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R.C.M.P. officer at this time, is making that request, to get an R.C.M.P. officer.

The Government of the Northwest Territories with the R.C.M.P., for some years now, have worked on an initiative, especially where there are one man detachments and possibly more than one R.C.M.P. stationed, that we will get into a program that will see a voluntary or auxiliary force trained by the R.C.M.P. that could be used in those communities, so that the communities would have input into their own policing.

MR. SPEAKER:

Item 5, oral questions. Mr. Antoine.

Question O788-12(2): 0788-12(2): Inclusion Of Deh Cho Chiefs In Committee Of Political Leaders

MR. ANTOINE:

Mahsi, Mr. Speaker. My question is directed towards the Minister responsible for Intergovernmental and Aboriginal Affairs. It has to do with your statement, the Minister's statement. I am glad that he is at this meeting, however, I am concerned because I represent a portion of the Northwest Territories that is not included in this committee that he has.

If this committee is going to be the driving force for community transfers and self-government models, then I am very concerned that the people that I represent are going to be left out. It seems to me that the people that are in this group have to accept the federal government's land claims approach, and at the same time denounce Bill Erasmus and the Dene Nation before they are included in this group.

We have chiefs in my region that have strong views on self-government as well as community transfers. I know that Bill Erasmus is there, but if this is the case where you have chiefs in different regions represented, then I would like to ask the Minister if he could include the Deh Cho chiefs in these discussions, especially if initial work plans and interim budgets are being considered? If Members of this committee want to have the opportunity to address this House, I think they should be included as well. Would the Minister indicate to the House if the Deh Cho and the region would be included in this committee? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Return To Question O788-12(2): Inclusion Of Deh Cho Chiefs In Committee Of Political Leaders

HON. STEPHEN KAKFWI:

(Translation) Mr. Speaker, when this was first brought up...

---Translation not available

MR. SPEAKER:

Maybe, Mr. Kakfwi, if you just give it a couple of minutes, or couple of seconds here to see if they can resolve this. Okay, Mr. Kakfwi, maybe you could try it again now.

HON. STEPHEN KAKFWI:

(Translation) Mr. Speaker, yesterday we had a meeting with a number of people, and I would like to say something about it. Mr. Antoine had questioned me about it. When we first established this committee there was just a certain number of people that were sitting on it, there was Roger Gruben from the I.T.C.; and the Dene Nation, Bill Erasmus as representative; Gary Bohnet from the Metis Association; a Member from the M.L.A.'s; and a Member from the Ministers.

The people that were sitting on the board were aboriginal people, there were people from up the Beaufort Sea, from the Metis Association and from the Dene Nation. If we were to have self-government, how would we handle governing ourselves? Further into these discussions the Gwich'in have decided that they would like to have their own self-government, and no longer be included with the Dene Nation. They would like to have their own representation from amongst their own people. So, it was agreed upon.

Not long after that, the Sahtu region decided that they wanted to have their own representation for their own self-government system. They wanted to have their own representative from their own region. So, they were included within the group. Since this spring, we have not had meetings together, so, yesterday when we were finished here, we had a meeting at 6:00 p.m. When we all gathered together the Dogrib Nation also joined in, and they also said that they wanted to have their own representation.

So, they are now included with their own representatives to speak on their own behalf. As you may know now the Dene Nation and Metis Association are not fully representing the whole western Arctic. The Gwich'in have their own board, the Dogrib have their own board, and the Sahtu region have their own board. Yesterday, when we had this discussion the Dogrib delegation came in,

said that they would also like to be included with this committee, and to have their own representation.

Also, the Chipewyan from Fort Smith, Fort Resolution and other communities of Chipewyan speaking people have not said anything to date, so we think that they wanted to be represented under the Dene Nation, and the Chiefs all got together, they were from the Gwich'in nation, and from the Sahtu region. They were interested in finding out what was being discussed, they just came more as observers, just to see what was being discussed in the meeting. As Jim was saying, for the Deh Cho region, there are a lot of communities, the chiefs also want to represent their own people, speak on their behalf, and I am not one to speak for them, but if they all feel that they would like to represent their own people in that, I think that this will work out well, if it is agreed upon.

Supplementary To Question O788-12(2): Inclusion Of Deh Cho Chiefs In Committee Of Political Leaders

MR. ANTOINE:

(Translation) Thank you Steve, for informing me. I feel this is very important, if we are going to talk about it. I am representing the people from the Deh Cho region, I cannot sit back and not say anything, I have to speak about it. The people that are sitting on the committee, when they are talking about a constitution, one of the M.L.A.'s, John Todd, from the Inuit land, has said what he thought about it, and I also want to express what my constituents feel. I felt that they were left out. This is why from here on, if there is going to be a committee, I would like the Deh Cho region to be involved. This is why I am asking if there is going to be a committee, I would like the Deh Cho region and the council to sit in amongst them.

Speaker's Ruling

MR. SPEAKER:

I am cautioning Members in oral questions, if you could pose a question preceded by a short preamble, that was much more in the way of a statement, Mr. Antoine. In future, if Members could try, a short preamble, then pose the question. Mr. Kakfwi, if you would like to respond.

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Further Return To Question O788-12(2): Inclusion Of Deh Cho Chiefs In Committee Of Political Leaders

HON. STEPHEN KAKFWI:

(Translation) Mahsi Cho, as I had mentioned before, the meeting that we had yesterday, if we have meetings like this and not everyone is not included, I do not feel right about it. I feel that if everybody is equally represented from the Inuit, and the Gwich'in, and from the Sahtu region, and everybody that was in that meeting all felt the same, that the next re-election for the Legislature, when the time comes, that will be discussed. In the next couple of months, the discussion will begin, but for now, what is felt to be important is government transfer of powers, and jobs. It is felt that for this reason funding is very important. What will be the process of this self-government, and of obtaining funding? They felt that this should be discussed right now. This is the more important issue at this time, and as myself being a Minister, I feel that it is not proper for me to be discussing such an important issue, and how much money should be allocated, until formal discussions take place. I feel in that way it is right, but I think that no decision should be made for any communities. If it is worked on in this way, there is a lot that could be benefitted through discussions in this process. How the Gwich'in, the Inuit, and the Chipewyan would all discuss how this process of self-government should happen in the communities, and in the future, how we would all work together, and come up with this whole self-government issue.

MR. SPEAKER:

Thank you. Oral questions, Mr. Dent.

Question O789-12(2): Financial Statements For Expo '92 Facility

MR. DENT:

Thank you, Mr. Speaker. I have a question for the Minister of Economic Development and Tourism. Mr. Speaker, we have heard a great deal of talk and speculation concerning the performance or, perhaps, more aptly put, the non-performance, of the Northwest Territories portion of the Canadian pavilion at Expo '92 in Seville. Last fall we heard that it was going to cost us maybe \$1 million. Recent reports have got closer to \$4 million dollars. Mr. Speaker, to ensure that we have an accurate picture of our financial position, will the Minister table up to date financial statements for facility at Expo '92?

MR. SPEAKER:

Mr. Pollard.

Return To Question O789-12(2): Financial Statements For Expo '92 Facility

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Yes, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Dent.

Supplementary To Question O789-12(2): Financial Statements For Expo '92 Facility

MR. DENT:

Supplementary for the same Minister, Mr. Speaker. Mr. Speaker, the Minister is no doubt fully briefed on this issue, and right up to date. He probably has the latest figures in his little black briefing book. So, Mr. Speaker, I was wondering if the Minister will table this information this week, so that all Members, and the general public, will have an accurate account of the G.N.W.T.'s financial liability to date at Expo '92.

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O789-12(2): Financial Statements For Expo '92 Facility

HON. JOHN POLLARD:

I will table those documents on Friday, Mr. Speaker, thank you.

MR. SPEAKER:

Oral questions, Mr. Zoe.

Question O790-12(2): Public Accounts' Recommendation Of Strengthening Roles Of Deputy Minister And Comptroller General

MR. ZOE:

Merci, Mr. Speaker. My question will be directed to the Minister of Finance. Mr. Speaker, our Standing Committee on Public Accounts tabled our report on June 25 in the House, a recommendation was made pertaining to the roles of some of the senior officials. Specifically, Mr. Speaker, the committee wished the Minister of Finance to take action into strengthening the roles of the deputy minister and the Comptroller General, and to make these two offices more independently functional, so they can have two

separate functions. I want to ask the Minister of Finance if he has taken any action to our recommendation.

MR. SPEAKER:

Mr. Pollard.

Return To Question O790-12(2): Public Accounts' Recommendation Of Strengthening Roles Of Deputy Minister And Comptroller General

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, there are presently two proposals somewhat restructuring the Department of Finance, and how it works. These proposals were in existence before the report of the Public Accounts Committee, and consequently, they were being dealt with in the system. Then the Public Accounts Committee made their recommendation, the three are being looked at the present time, and I would hope that by November, I would be able to update the House on their progress. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions, supplementary, Mr. Zoe.

Supplementary To Question O790-12(2): Public Accounts' Recommendation Of Strengthening Roles Of Deputy Minister And Comptroller General

MR. ZOE:

Mr. Speaker, can the Minister confirm then, that he is indicating that all the background work has already been concluded, all the research? By listening to his answer, is the Minister suggesting that it is now in the hands of the Minister, and the Cabinet, to make a decision as to which way they are going to go? Is that what the Minister is saying?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O790-12(2): Public Accounts' Recommendation Of Strengthening Roles Of Deputy Minister And Comptroller General

HON. JOHN POLLARD:

Mr. Speaker, the background work has all been done. The documents are in my possession. They have not

gone to Madam Premier or to Cabinet yet, but they will be, at the conclusion of this session, Mr. Speaker. Thank you.

MR. SPEAKER:

Oral questions, Mrs. Marie-Jewell.

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Question O791-12(2): Status Of Deputy Ministers

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. My question is for the Government Leader. In regard to the Minister's statement made today by the Minister responsible for Intergovernmental and Aboriginal Affairs, the meeting of the Committee of Political Leaders.

When the commission was initially set up to develop this report, there were two deputy ministers appointed, Mr. Braden, and Mr. Bourque. Can the Government Leader advise this House as to the status of these two senior officials within the government? Thank you.

MR. SPEAKER:

Ms. Cournoyea.

Return To Question O791-12(2): Status Of Deputy Ministers

HON. NELLIE COURNOYEA:

Mr. Speaker, Mr. Robert Overvold is the Deputy Minister in the Intergovernmental and Aboriginal Affairs, Mr. George Braden has resigned, but on occasion gets retained to do some consulting work for the department. Thank you.

MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O791-12(2): Status Of Deputy Ministers

MRS. MARIE-JEWELL:

Mr. Speaker, I know who the Deputy Minister of Intergovernmental and Aboriginal Affairs was, but I am interested in knowing what the status of Mr. Bourque is. He was one of the senior officials that was appointed to that committee, when the committee was developed. Thank you.

MR. SPEAKER:

Madam Premier.

Further Return To Question O791-12(2): Status Of Deputy Ministers

HON. NELLIE COURNOYEA:

Mr. Speaker, on the particular position that the honourable Member is mentioning, it is under review right now. There are meetings going on, on that particular individual. They have not been concluded yet, but once they are, I will be pleased to give that information. They are close to completion, those talks with the former Deputy Minister of Renewable Resources and Chairman of the Constitutional Committee. Thank you.

MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O791-12(2): Status Of Deputy Ministers

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I certainly hope that the Government Leader will make every effort to ensure that we utilize his experience, his expertise, his knowledge and that he will continue with this government. I would like to ask the Government Leader when does she anticipate advising this House as to the status of this senior official? Thank you.

MR. SPEAKER:

Madam Premier.

Further Return To Question O791-12(2): Status Of Deputy Ministers

HON. NELLIE COURNOYEA:

Mr. Speaker, we should be able to do that toward the end of this session. Right now, I am looking for a particular individual who is representing the Northwest Territories in an international conference. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Antoine.

Question O792-12(2): Law For Mandatory Use Of Life Jackets

MR. ANTOINE:

Thank you, Mr. Speaker. A question to the Minister of Justice. Over the summer, a number of communities in the N.W.T. have lost members due to drowning. In my constituency alone, we lost one elder and two young men.

At the present time, the federal law states that every vessel must carry one life jacket per person on board. It does not state that they have to be worn. Mr. Speaker, I would like to ask the Minister of Justice if he has ever pursued a law to make it mandatory to wear life jackets in a boat in the N.W.T.? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Return To Question O792-12(2): Law For Mandatory Use Of Life Jackets

HON. STEPHEN KAKFWI:

Mr. Speaker, I will take that question as something that we should all seriously look at and respond to the Member at a later date. I will take it as notice. Thank you.

MR. SPEAKER:

The question has been taken as notice. Item 5, oral questions. Mr. Dent.

Question O793-12(2): Recruitment Of Northerners For Kiosk

MR. DENT:

Thank you, Mr. Speaker. I have a question for the Minister responsible for the N.W.T. Development Corporation, regarding the retail kiosk in the Pearson International Airport.

Mr. Speaker, in March, I asked the Minister a series of questions regarding the possibility of using the kiosk to train northerners in the retail business and in the marketing of northern arts and crafts.

The Minister indicated at that time, that this would happen within the first six months of the retail outlet opening. Mr. Speaker, it is now the middle of September, and the store is open. Could the Minister please tell us what has been done to recruit and train northerners for this retail outlet?

MR. SPEAKER:

Mr. Pollard.

Return to Question O793-12(2): Recruitment Of Northerners For Kiosk

HON. JOHN POLLARD:

Mr. Speaker, I think that we have been open around a month, maybe five weeks. It is not nearly six months into our operation. At the present time, we have done nothing with regard to recruitment of people from the north to operate that store. We are still doing evaluations of what is happening there. We are doing some redecoration. We have not got it running to our satisfaction at the present time. I have not looked at that area yet, Mr. Speaker, but I will.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Dent.

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Supplementary To Question O793-12(2): Recruitment Of Northerners For Kiosk

MR. DENT:

The Minister has given a commitment to look at that area again. Will he renew his commitment to undertake it within the first six months of operation?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O793-12(2): Recruitment Of Northerners For Kiosk

HON. JOHN POLLARD:

Yes, Mr. Speaker.

MR. SPEAKER:

Item 5, oral questions. Mr. Todd.

Question O794-12(2): Minister's Response To Question On Feasibility Study

MR. TODD:

Thank you, Mr. Speaker. My question is for the Government Leader in her capacity as Minister responsible for the N.W.T. Power Corporation.

Early last week, I asked for the status of the feasibility study on the matter of privatizing the Power Corporation. I believe the response was that it was forthcoming.

My question is, when?

MR. SPEAKER:

Ms. Cournoyea.

Return To Question O794-12(2): Minister's Response To Question On Feasibility Study

HON. NELLIE COURNOYEA:

Mr. Speaker, I have been advised that it should be in my hands on September 18. I will try to dispatch it as quickly as possible, after that date. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Antoine.

Question O795-12(2): Reimbursement For Costs Of Search

MR. ANTOINE:

Thank you, Mr. Speaker. My question is for the Minister of Municipal and Community Affairs. In regard to the search for two missing members of the Wrigley Dene Band in Fort Simpson. The Band requested financial assistance to cover costs related to the search and they were denied that request. I would ask the Minister if he could ask his department to see if this band could be reimbursed for some of the costs? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Return To Question O795-12(2): Reimbursement For Costs Of Search

HON. TITUS ALLOOLOO:

Mr. Speaker, I believe that I wrote to the Member responding to his letter requesting that the band be reimbursed for the costs that they incurred while searching for the lost persons.

Under the present policy, the emergency measures has limited assistance that they could give to the community's search. At the present time, the department has no resources to assist the band,

although I have pointed out in my letter to the Member, that if the community could talk to the Regional Director, we could review the situation again. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Ningark.

Question O796-12(2): Special Needs Facility For Kitikmeot Region

MR. NINGARK:

Thank you, Mr. Speaker. My question is directed to the Minister of Social Services. I know that he is not in attendance today, so I will be directing my question to the Government Leader on the Minister's behalf.

I have been approached by a mother in my constituency regarding the need for a special needs centre within the Kitikmeot region. One mother who lives in Spence Bay, has to travel all the way to Hay River, in order to receive therapy or specialized treatment for her child.

I know this is a very tedious and tiresome undertaking for both the mother and the child. I would like to know if the department has any plans to put a handicapped, special needs facility within the region, preferably in Cambridge Bay?

MR. SPEAKER:

Ms. Cournoyea.

Return To Question O796-12(2): Special Needs Facility For Kitikmeot Region

HON. NELLIE COURNOYEA:

Mr. Speaker, on the details of the question, I will have to take it as notice and refer it to the appropriate Minister who, I am sure, will be present to answer that question. Thank you.

MR. SPEAKER:

Question has been taken as notice. Item 5, oral questions. Mr. Nerysoo.

Question O797-12(2): Status Of Northern Accord

MR. NERYSOO:

Thank you, Mr. Speaker. If I could ask the Government Leader, in her capacity of Minister of

Energy, Mines and Petroleum Resources, what is the status of the Northern Accord, of the benefits agreement, as a result of the Gwich'in Final Agreement?

MR. SPEAKER:

Ms. Cournoyea.

Return To Question O797-12(2): Status Of Northern Accord

HON. NELLIE COURNOYEA:

Mr. Speaker, I think that it is always unfortunate to have to report that the progress that we want to make, is not forthcoming. At this point in time, the Northern Accord discussions are at a standstill, I realize that, with the Gwich'in and their claim, that we had committed to move as extensively and as quickly as possible, so that they could build upon their claim.

Up to this time, in terms of the benefits agreement, that area is not of concern to the federal government. The areas that are holding up the accord are the ones of a financial nature. I feel that it is not to our benefit at this time to sign such a document, because even though we could move ahead and accept the fact that the funding that is required will not be there, it will not be favourable to any group that expects us to help and to enhance the agreement they have in terms of those northern benefits.

So, right now, it is unfortunate but I would have to report to the honourable Member that, right at this moment, we are at a standstill. In the talks in the constitutional area, I brought the issue up to the Prime Minister on a number of occasions, that we are stalemated at this time, and it would be appropriate that on a number of issues including the Northern Accord, and the contents of the Northern Accord that we incorporate that at the Prime Minister's level, along with three or four issues that are outstanding at this time. Thank you.

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MR. SPEAKER:

Time allotted for question period has expired. Item 6, written questions. Item 7, returns to written questions. Item 8, replies to opening address. Item 9, replies to budget address. Item 10, petitions. We will take a short recess at this time.

---SHORT RECESS

I call the Assembly back to order. We are on Item 11, reports of standing and special committees. Mr. Kakfwi.

ITEM 11: REPORTS OF STANDING AND SPECIAL COMMITTEES

Committee Report 18-12(2): Report Of The Special Committee On Constitutional Reform On The Multilateral Meetings On The Constitution And First Ministers' - Aboriginal Leaders' Conferences On The Constitution

HON. STEPHEN KAKFWI:

Mr. Speaker. I am very proud, on behalf of the Special Committee on Constitutional Reform, to present this report today on the "Multilateral Meetings on the Constitution and First Ministers'-Aboriginal Leaders' Conferences on the Constitution." This report will outline the events leading to what has become known as the "Charlottetown Agreement".

Introduction

Mr. Speaker, on June 16, 1992 the special committee tabled report 10-12(2) respecting the Multilateral Meetings on the Constitution which, at the time, had failed to produce a "best efforts" constitutional reform package for further consideration by First Ministers and aboriginal leaders.

Despite these circumstances, there was general agreement among all participants that the Multilateral Meetings on the Constitution process have achieved substantial progress on a number of issues. This includes recognition of the inherent right to aboriginal self-government; a return to pre-1982 arrangements for the creation of new provinces; recognition of Quebec as a distinct society; division of powers between the federal and provincial governments; and, the Canadian social and economic union.

Senate reform was the major outstanding issue where agreement was not reached by the participants.

After a two week break, the Prime Minister met with Premiers and aboriginal leaders on June 28 and 29 in Ottawa, to review options for continuing the process. Premiers, aboriginal leaders and constitutional Minister Clark met in Toronto on July 3, and another formal negotiating round was convened in Ottawa on July 6 and 7.

The product, which is referred to as the Pearson Accord, was endorsed by all participants except the

Government of Quebec, which was not present at negotiations, and the Prime Minister, felt that some elements of the package, such as an equal Senate, would not be acceptable to Quebec.

Following meetings with his provincial and territorial counterparts, including Premier Bourassa, and aboriginal leaders on August 4 and 10, the Prime Minister convened a formal First Ministers'-Aboriginal Leaders' Conference in Ottawa from August 18 to 22.

With the Government of Quebec formally present at the negotiating table, a provisional agreement was announced on August 22, subject to yet another First Ministers' Constitutional Conference in Charlottetown on August 27 and 28, to reconfirm decisions and discuss the issue of ratification by national and/or provincial referenda.

Further revisions were made to the reform package at, and following the Charlottetown conference. A final version entitled Consensus Report on the Constitution was formally released to the public on September 3, 1992. It contains recommendations for amendments to the Constitution, and the objectives of a number of political accords.

The accords will be required to address non-constitutional matters or issues where agreement on a constitutional amendment could not be reached through negotiation. The political accords do not have the same enforceable status as the constitutional amendments. The Consensus Report is attached in appendix one.

In total, First Ministers, Ministers, aboriginal leaders and their delegations met in eight different Canadian cities from March 12, when the process began, to August 28, when it was concluded in Charlottetown. The records show that 36 days were formally devoted to the constitutional negotiation process.

However, this figure in no way represents the total amount of time devoted to this initiative by all delegations, nor does it reflect the approach to negotiations which involved simultaneous meetings, involving four working groups of officials, and taking place at the same time as separate sessions of ministerial and aboriginal leaders. The Consensus Report provides more detail on the meeting schedule for the last six months.

During the early stages of the process, the Northwest Territories' delegation normally consisted of the chairman and the officials of the Department of

Justice, Finance, Intergovernmental and Aboriginal Affairs. The Premier joined the delegation for talks by First Ministers and aboriginal leaders in July and August. Special committee Members participated in the last four sessions, and most of the First Ministers' - Aboriginal Leaders' Meetings, assisting at the negotiating table, providing timely advice to the Premier, myself as chairman, and the government officials, contributing to decisions and key policy matters. The presence and effective participation of the premier, committee chairman, committee members, and support staff, at all the First Ministers'- Aboriginal Leaders' Meetings, are reflected throughout the reform package, recommendations noted, in this report.

The purposes of this special Committee report are to:

1. Review recommendations from the Consensus Report produced by the M.M.C. and First Ministers'-Aboriginal Leaders' processes, and so far as they related to the special committee's national constitutional reform objectives;
2. Identify the options for how the reform process could unfold in the coming months, including national and/or provincial referendum, and ratification of constitutional resolutions by federal or provincial governments, and aboriginal organizations; and
3. Offer conclusions and recommendations to guard the Legislative Assembly and the special committee on this matter in the coming months.

Mr. Speaker, this special committee's national constitutional reform objectives.

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Special Committee's National Constitutional Reform Objectives

Throughout the M.M.C. process, and more recently, First Ministers' - Aboriginal Leaders' Constitutional Conferences, the special committee has been guided by its April 1, 1992 interim report, which recommended that the Northwest Territories' participation should focus on the following issues:

1. Territorial participation, public and private meetings, and conferences on constitutional, economic, and aboriginal matters;
2. Strive for constitutional recognition of the inherent right to aboriginal self-government;

3. Improve on the effects of the constitutional amendment formula and provincial status for the territories;

4. Work for the positive implications for the territories of the Canadian economic union proposals, and mechanisms for the decentralization of the federation; and

5. Seek positive constitutional amendments relating to the institution, such as the Senate, and the Supreme Court of Canada.

The following provides an overview of the Charlottetown Consensus Report. Recommendations in so far as they reflect the objectives recommended in the Special Committees April 1, 1992, interim report.

Territorial Participation In Constitutional, Economic And Aboriginal Meetings

Mr. Speaker, with respect to territorial participation, in future constitutional economic and aboriginal meetings, the consensus meetings recommend the following:

1. The constitution should require the Prime Minister to convene a First Ministers' Conference at least once a year. A political accord should specify that territorial governments will be invited to participate.

2. Territorial governments should also be invited to the series of four constitutional conferences which will be convened on aboriginal issues.

3. Territorial governments should be party to all agreements which commit governments to negotiate self-government agreements and processes to clarify and implement treaties. In addition, they should be party to the transition/implementation process and financing accords which would accompany the constitutional amendments on these matters.

The Consensus Report also recommends that separate First Ministers' Conferences be convened in the future, to further define the Canadian economic union and common market provisions of the Constitution and establish a framework to guide the use of federal spending power in all areas of exclusive provincial jurisdiction. Given the implications of these issues as outlined later in this report, territorial participation at the Conferences is essential. Participation of territorial governments at

the First Ministers' Conferences will be clarified through the political accord instrument noted above.

Furthermore, and depending upon the circumstances, the Consensus Report recommends that references to territories, territorial legislature and territorial governments are required in sections of the Constitution which deal with governments' responsibilities for the social and economic union of Canada and intergovernmental agreement respecting the division of power.

While these references do not constitute an increase in the constitutional authority or status of territories and their current institutions of government, they do recognize the role which northern governments play in federal/provincial relations and executive federalism.

Mr. Speaker, I would now like to ask now Mr. Gargan, to continue with the report.

Constitutional Recognition Of The Inherent Right to Aboriginal Self-Government

MR. GARGAN:

Thank you, Mr. Speaker. Early on in the F.M.C. process, federal, provincial and territorial governments expressed their support for constitutional recognition of the inherent right to aboriginal self-government. In the months that followed, participants built on this principle and commitment, which the special committee considers as the most fundamental and far-reaching achievement of the constitutional reform process.

From a northern perspective, the Constitution will provide the Dene, Metis, and Inuvialuit the means to shape public government to reflect aboriginal objectives; pursue the development and establishment of their own institutions; or both.

Moreover, a third order of aboriginal government will be guaranteed in the north before new provinces are created. This is a significant achievement relative to southern Canada where aboriginal peoples will have to negotiate with provincial governments which have controlled the power and resources over the last 100 years.

The following identifies highlights of the aboriginal package in the Consensus Report:

Inherent Right To Aboriginal Self-Government

-Constitutional Recognition of the Inherent Right. The Constitution should be amended to recognize that the aboriginal peoples of Canada have the inherent right to self-government within Canada.

-Justiciability. The inherent right of self-government should be entrenched in the Constitution; however, the ability to enforce the right through the courts should be delayed for a five year period through constitutional language and a political accord.

-Application of Charter of Rights and Freedoms. The Canadian Charter of Rights and Freedoms should apply immediately to governments of aboriginal peoples, including the capacity to make use of the "notwithstanding" clause. This means that aboriginal governments would have the constitutional authority to override constitutional rights and freedoms including the capacity to make laws to which the Charter will not apply.

-Recognition in the Canada clause. There should be a reference to aboriginal peoples in the Canada clause section of the Constitution. The recommended wording is: "The aboriginal peoples of Canada, being the first peoples to govern this land, have the right to promote their languages, cultures, and traditions, and to ensure the integrity of their societies, and their governments constitute one of the three orders of government in Canada."

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- Description and application of inherent right to self-government. The Constitution should recognize that the exercise of the right to self-government includes the authority of the duly constituted legislative bodies of aboriginal peoples within the territorial limits of their jurisdiction or within the jurisdiction of their institutions. To safeguard and develop their language, cultural, economic, identities, institutions, traditions, and to develop, maintain and strengthen their relationship with their lands, waters, and environment, so as to determine and control their development as peoples according to their values, and priorities, and ensure the integrity of their societies.

This provision recognizes the jurisdiction of off-reserve aboriginal self-government institutions. Other self-government revisions should provide for institutions which are open to the participation of all residents in the regions covered by a self-government agreement.

Method Of Exercising Of the Inherent Right

Mr. Speaker, the method of exercising their inherent right, is important. There should be a constitutional amendment by governments and the Indian, Inuit and Metis people to negotiate in good faith with the objective of concluding agreements, elaborating their relationship between aboriginal governments and other governments.

The negotiations would focus on the implementation of the right of self-government, including issues of jurisdiction, land and resources, and economic and fiscal relations.

Regarding the process of negotiations, the political accord should be developed to guide a process of self-government negotiations. All aboriginal people of Canada shall have equitable access to the process of negotiation.

Self-government negotiations shall take into consideration the different circumstances of the various aboriginal people. Self-government agreements could be set out in future treaties including land claims agreements or amendments to existing treaties, including land claims agreements.

Alternatively, self-government agreements may be made without pursuant land claims settlements at all. There should be an explicit statement in the constitution that commitments to negotiate, does not make the right to self-government contingent on negotiations, or in any way effect the justiciability of the right of self-government.

Regarding the legal transition, a constitutional provision should ensure that government's laws will continue to apply until they are displaced by laws passed by governments of aboriginal peoples pursuant to their authority.

Regarding treaties, the constitution should be amended as follows:

-treaties should be interpreted in a just, broad and liberal manner, taking into account the spirit and intent of the treaties, and the context in which the specific treaties were negotiated; and

-the federal government should be committed to establishing and participating in good faith in a joint process to clarify or implement treaty rights, or to rectify terms of treaties when agreed to by the parties. Other governments should also be committed, to the extent that they have jurisdiction, to participation in

the above treaty process when invited by the federal government, and aboriginal peoples or where their role is specified in a treaty.

Mr. Speaker, I would like to ask Mr. Bernhardt to continue with our report.

MR. SPEAKER:

Mr. Bernhardt.

Issues Related To The Exercise Of The Inherent Right

MR. BERNHARDT:

Mr. Speaker, on the issues related to the exercise of the inherent right. Regarding equity of access to section 35 rights, the constitution should provide that all of the aboriginal peoples of Canada have access to those aboriginal and treaty rights recognized and affirmed in section 35 of the Constitution Act 1982 that pertain to them.

Regarding financing, matters relating to the financing of government of aboriginal peoples should be dealt with in a political accord. The accord should commit the government of aboriginal peoples to:

- promoting equal opportunities for the well being of all aboriginal peoples;

- furthering economic, social and cultural development and employment opportunities to reduce disparities in opportunities among aboriginal peoples and between aboriginal peoples and other Canadians; and

- providing essential public services at levels reasonably comparable to those available to other Canadians in the vicinity.

The accord would also commit other governments to the principle of providing the governments of aboriginal peoples with fiscal or other resources, such as land, to assist those governments to govern their own affairs, and to meet the commitments listed above.

The issues of financing and its possible inclusion in the constitution should be on the agenda of the first First Ministers' Conferences on aboriginal constitutional matters.

Regarding affirmative action programs, the constitution should include a provision which authorizes governments of aboriginal peoples to

undertake affirmative action programs for socially and economically disadvantaged individuals or groups and programs for the advancement of aboriginal languages and cultures.

Regarding gender equality, constitutional provisions which guarantee existing aboriginal and treaty rights equally to male and female persons should be retained. The issue of gender equality should be on the agenda of the first First Ministers' Conference on aboriginal constitutional matters.

Regarding future aboriginal constitutional process, the Constitution should be amended to provide for four future First Ministers' Conference on aboriginal constitutional matters beginning no later than 1996, and following every two years thereafter.

Regarding section 91(24), for greater certainty, a new provision should be added to the Constitution Act 1867 to ensure that s.91(24) applies to all aboriginal peoples.

Regarding Metis in Alberta, section 91(24), the constitution should be amended to safeguard the legislative authority of the Government of Alberta for Metis and Metis settlement lands.

Regarding Metis Nation Accord, the federal government, the provinces of Ontario, Manitoba, Saskatchewan, Alberta, British Columbia and the Metis National Council have agreed to enter into a legally binding, justiciable and enforceable accord on Metis Nation issues.

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The accord commits governments to negotiate self-government agreements, lands and resources, the transfer of the portion of aboriginal programs and services available to Metis, and the cost sharing arrangements relating to Metis institutions programs and services.

The accord will define the Metis for the purposes of the Metis Nation Accord, and commits governments to enumerate and register the Metis nation.

Outstanding Issues

Regarding outstanding issues, the status of the following outstanding items is not known at this time:

-aboriginal participation in intergovernmental agreements respecting the division of powers;

-aboriginal participation in annual First Ministers' Conferences; and

-mechanisms for aboriginal consent to constitutional amendments affecting their interests, including formal amending formula powers.

Mr. Speaker, I would now like to ask Mr. Lewis to continue with our report.

MR. SPEAKER:

Mr. Lewis.

Effects Of The Constitutional Amending Formula On Creation Of New Provinces

MR. LEWIS:

Thank you, Mr. Speaker. Regarding the effects of the constitutional amending formula on creation of new provinces, throughout the M.M.C. and First Ministers aboriginal leaders' negotiations, the Northwest Territories position on the provincehood issue was consistent with that taken by previous governments and Legislative Assemblies. These were the arrangements prior to the patriation of the Constitution and its amending formula in 1982.

That is, the Constitution should be amended to remove references to the role which provincial governments currently have in approving the creation of new provinces and return the exclusive authority for this matter to Parliament.

As the last item of business in Ottawa on Saturday evening, August 22, First Ministers and aboriginal leaders reached agreement on a modified return to the pre-1982 arrangements for creation of new provinces. Under the terms of the agreement, the Constitution should be amended to provide for the following: new provinces may be created unilaterally by Parliament without existing provinces having a vote or a veto; any additional Senate or House of Commons seats for the new provinces will require unanimous approval from Parliament and the provinces; a new province will not automatically have a vote in amendments to the Constitution under the general "seven and 50 percent" amending formula and unanimity formula; unanimous consent from the provinces and Parliament will be required for a new province to exercise these amending formula powers; and before a new province is created, the Prime Minister must convene a First Ministers' Conference to review the implications of creating a new province, including the terms of its entry into Confederation.

Parliament may take account of the interests and concerns of the provinces in the Act creating a new province.

There was also agreement that the Constitution should confirm that new provinces will automatically have other key constitutional powers including: the right to amend their own provincial constitutions, without Parliament's approval; the right to make bilateral or multilateral amendments, such as the adjustment of provincial boundaries, involving some but not all other provinces; the right to "opt out" of constitutional amendments which would take away from the legislative powers, proprietary rights, or other rights and privileges of the provincial legislature or government; and the right to compensation for any amendments which transfer provincial powers to Parliament.

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.

Overall, with the exception of those amending formula proposals which were accepted by the First Ministers, the Meech Lake unanimity proposal is no longer an option, and the current amending formula provisions for the creation of new territories will be replaced by the new arrangement outlined above.

In historical terms, this means that new provinces in the north will probably enter Confederation on more generous terms than did Saskatchewan and Alberta for example, which did not have jurisdiction of natural resources and public lands until 25 years after they achieved provincehood.

Implications Of Common Market And Division Of Powers Proposals

Regarding the implications of common market and division of powers proposals and in particular, economic union and common market proposals. The proposal referred to as the common market clause is an amendment that would extend the application of Section 121 of the Constitution Act, 1867. This Section prohibits the imposition by provinces of tariffs and duties on goods coming from other provinces. Under the common market proposal, the prohibition would extend to the erection of trade barriers to the free movement of goods, services, capital and persons.

First Ministers could not agree on a common market clause when the issue was considered from August 18 to 22, and again in Charlottetown from August 27 to 28. The major problem was reaching a consensus on the number and range of exemptions which governments could put in place to restrict the flow of goods, services, capital and persons.

First Ministers decided to refer the issue to a future First Ministers' Conference, effectively eliminating this proposal from the current round of constitutional amendments.

Had any of the versions of the common market clause been agreed to, practices of the Government of the Northwest Territories, such as preferential purchasing and preferences in contract tendering contained in the Business Incentives Policy (B.I.P.) would have been unconstitutional. The Government would therefore have been forced to dismantle the B.I.P. by 1996 as proposed in one common market proposal.

Decentralization Of The Canadian Federation

Regarding the decentralization of the Canadian federation, division of powers. The Consensus Report recommends a number of constitutional amendments respecting the division of powers which are outlined below.

With respect to areas of exclusive provincial jurisdiction, the Constitution should be amended to confirm the six policy areas that will become the exclusive jurisdiction of provincial governments: forestry, mining, housing, municipal and urban affairs, tourism and recreation.

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It should contain provisions which also allow provinces to require a complete or partial withdrawal of federal spending in these areas and also in the areas of culture, regional development, immigration and labour market development and training.

Such a withdrawal would be done through constitutionally entrenched intergovernmental agreements. The Consensus Report's recommendations also involve a commitment to negotiate constitutionally entrenched agreements on these matters.

The Constitution should also contain provisions which allow for bilateral agreements with provinces which want the federal government to maintain its spending in these areas of provincial jurisdiction.

Territories do not have constitutionally exclusive legislative jurisdiction in the way that the provinces have under Section 92 of the Constitution since the territorial legislative jurisdiction is, technically speaking, delegated by Parliament. Nonetheless this mechanism of constitutionally protected agreements will be available to the territories to ensure that they have the same protections as provinces which want to maintain a federal presence in these matters.

Regarding new federal cost shared programs, for new national federal cost shared programs, such as a possible national child care program or a new national income security program, the Constitution should be amended to allow the provinces the option of not participating in these programs. It should also provide for compensation to these provinces if they carry on a program that is compatible with the national program's objectives.

This opting out provision would be limited to programs falling in an area of exclusive provincial jurisdiction. Provinces that opt out would be required to carry on a program or initiative that is compatible with national objectives.

Regarding the federal framework on the exercise of federal spending power, First Ministers are also committed to establish a framework that will govern agreements on the exercise of the federal spending power in all other areas of exclusive provincial jurisdiction.

These agreements should contribute to the pursuit of national objectives; reduce overlap and duplication, and; not distort provincial priorities. They would also be constitutionally protected.

Territorial participation in the establishment of this framework is essential in order that northern interests are reflected in the general terms for negotiating bilateral "safeguard" agreements respecting federal expenditures in areas of provincial and territorial jurisdiction.

Constitutional Amendments Relating To The Supreme Court And A Reformed Senate

Regarding the constitutional amendments relating to the Supreme Court and a reformed Senate, and in particular, the Supreme Court of Canada, the Consensus Report recommends that the Constitution of Canada should be amended to provide for territorial nominations to fill Supreme Court vacancies. This amendment readdresses the failure of the Meech

Lake Accord to include territorial participation in the proposed nomination process for appointments to the court. As well, the provinces and the territories have agreed to develop a reasonable process consulting representatives of the aboriginal peoples of Canada in the preparation of lists of candidates to fill vacancies on the court.

Finally, the federal government has agreed to examine, in consultation with aboriginal groups, the proposal that an aboriginal council of elders be entitled to make submissions to the Supreme Court of Canada when the court considers aboriginal issues.

Regarding senate reform, the details of the Senate reform package are contained in the Consensus Report which is attached to this document. For the purposes of this special committee report, the following provides an overview of the implication of the Senate reform package for the territories and aboriginal peoples.

Regarding senate composition, there should initially be a 62 seat elected equal Senate composed of six seats from each province and one from each existing territory.

In regards to the electoral system for the reformed Senate, while the system for operating the Senate elections would be under federal jurisdiction, federal legislation would allow provinces and territories to elect senators indirectly. This approach would allow Quebec, for example, to appoint their senators from elected Members of its national assembly.

Regarding senate representation for a Nunavut territory, the Consensus Report does not specifically make reference to a Senate seat for a Nunavut territory. The territorial government is pressing to ensure that a new territory would be entitled to the same senate representation as existing territories. This will avoid the possibility that a new territory may require unanimous consent from Parliament, and all the provinces before it receives Senate representation.

Regarding aboriginal representation in a reformed Senate, the issue of aboriginal senate representation was not resolved by First Ministers and aboriginal leaders, however, it is understood that the terms of the Consensus Report on this matter continue to be in effect. These terms include aboriginal representation, in addition to seats allocated for the provinces and territories, and concluding an agreement on this issue by the fall of 1992, to ensure that resolutions in

support of aboriginal representation will be approved under the general amending formula as opposed to unanimity voting provisions.

Regarding territorial representation in the House of Commons, during the multilateral process, participants examined a number of representation by population models, which would have reduced House of Commons representation of smaller jurisdictions in exchange for equal representation in the Senate. Under one model, Yukon would have lost its Commons seat and the Northwest Territories would have been reduced to one Member of Parliament. A strict application of the representation by population principle in the Commons has been relaxed somewhat in the Consensus Report. Smaller jurisdictions will be assured of their existing number of Commons seats. Provisions allocating two House of Commons seats to the Northwest Territories and one for the Yukon will be retained.

Regarding representation for new provinces in the reformed Senate, an increase in the number of Senate seats for a territory when it becomes a province will be subject to the approval of Parliament and all the provincial legislatures. Territories that become provinces will not lose representation in the Senate and House of Commons.

Regarding Senate powers in relation to supply bills, funding which the Government of the Northwest Territories receives from the federal government

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is voted on in supply bills in both the House of Commons and the Senate. The transfer payments for the north are contained in the federal budget under the main estimates for the Department of Indian Affairs and Northern Development. Under the new regime, the Senate would exercise a suspensive veto over supply bills for 30 calendar days, but the House of Commons could override this veto by repassing the bill.

Regarding the Senate powers in relation to ordinary legislation, the term ordinary legislation is not the most appropriate way to describe this category of bills which will be considered by the reformed Senate. For example, aboriginal claims settlement legislation, and a bill to create a new province would be included in this category.

The Consensus Report states that the Senate would not have an absolute veto to reject this type of

legislation. Rather, by a simple majority of the Senate in opposition to the legislation, a joint sitting of the House of Commons and the Senate would have to be convened to debate and vote on the legislation.

Assuming the governing party has a majority in the Commons and sufficient Senate representation opposition votes in the Upper Chamber, the legislation would pass.

It is also important to note that the Senate will have the capacity to initiate bills, except for money bills.

Mr. Speaker, I would now ask Mr. Kakfwi to complete the Report of the Special Committee.

MR. SPEAKER:

Mr. Kakfwi.

Future Scenarios For Constitutional Reform Process

HON. STEPHEN KAKFWI:

Mr. Speaker, the Charlottetown Conference also provided First Ministers and aboriginal leaders with the opportunity to discuss proposals for ratification of the constitutional reform package and related issues, such as completion of legal texts, which must be concluded in advance of ratification.

In the three week period which followed the Charlottetown Conference, multilateral meetings of officials from governments and aboriginal organizations were held to confirm the approach which would be taken on both matters. The following provides a summary of decisions and progress made to date.

On preparation and approval of legal texts, during the week of September 7 to 11 officials considered drafts of the legal text, which translate the recommendations of the Consensus Report into the wording that would appear in the constitution following formal ratification by provincial legislative assemblies and Parliament.

National And Provincial Referenda On The Constitutional Package

The legal text is crucial to all participants in the reform process because it must accurately reflect the substance of decisions made during the multilateral conferences and First Ministers and aboriginal leaders negotiations. The legal text, assuming it is complete and available, must also stand up to the scrutiny, which the constitutional reform package will

receive from both proponents and opponents in the period leading up to the national referendum on October 26 and eventually, formal ratification by provincial legislatures and Parliament.

On national and provincial referenda on the constitutional package, following the failure of the Meech Lake Accord in June 1990, the Quebec National Assembly passed legislation which would require a provincial referendum on Quebec's political and constitutional future in Canada by October 26, 1992. During 1991, Alberta and British Columbia also passed legislation which would require a provincial referendum prior to formal consideration of a constitutional amendment resolution in their legislative assemblies.

On June 23, 1992, assent was given to a federal Act to provide for referendums on the Constitution of Canada. At the time, the federal government maintained that its preference was not to use the referendum instrument, which would be non-binding, to gauge public opinion on proposals for constitutional reform. Rather, it would only be activated if multilateral negotiations failed to reach a consensus which all participants could support.

While other provinces, including Saskatchewan and Newfoundland, gave consideration to provincial referenda on constitutional reform proposals, the general view was that they were to be avoided because of the potential for creating even further divisions within some provinces and between provinces or regions. The worst case scenario of how to deal with a package, which was rejected by some or all of the provinces and/or regions, also contributed to the uncertainty about the effectiveness of national and provincial referenda.

However, circumstances began to change when a consensus was reached in Ottawa on August 22, following the First Ministers' - Aboriginal Leaders' Constitutional Conference in Charlottetown. On September 3, the Prime Minister announced that the federal government would be proceeding with a national referendum on the constitutional package on October 26.

The Prime Minister's announcement came one day after Premier Bourassa stated his intention to proceed with an October 26 Quebec referendum on the constitutional reform package. The Government of Alberta has indicated that it is prepared to let the referendum be held under the auspices of federal as opposed to provincial legislation. British Columbia

has not yet made a formal decision on whether to proceed with its own referendum or follow the example of Alberta.

In all other provinces and territories, the referendum will be conducted under the federal legislation. Preparation for the vote, which include all of the tasks normally associated with a federal election, are being coordinated by the Chief Electoral Office of Canada who must have everything in place by September 23. In addition, Elections Canada will conduct an extensive information campaign to inform Canadians of the referendum question and regulations governing the referendum.

The question which the federal government is proposing that Canadians answer on October 26 is:

Do you agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?

Parliament will be reconvened September 8 for one week to debate the question related to referendum issues. It is not expected that Parliament will reconvene until after the referendum vote, in order to provide Member's with the maximum opportunity to campaign in their constituencies.

National Constitutional Reform Referendum Campaign

The federal act establishes a complex regime of committees which must be established for the purpose of funding campaigns for or against the

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referendum question. Elections Canada will provide detailed information on the regulations governing the committees which must be registered.

While details on the role of provincial and territorial governments and aboriginal organizations in the referendum campaign have yet to be announced, the following provides a summary of the federal government's approach:

- the Public Affairs Branch of the Office of Federal/Provincial Relations has been designated as the agency responsible for referendum communications activities and logistics including:

- developing an disseminating communications products which inform Canadians about, and explain, the Consensus Agreement on the Constitution;

-supporting the Government of Canada, Members of Parliament and Senators;

-encouraging individual Canadians, groups and associations to participate in the referendum;

-exploring means of coordinating and/or harmonizing federal government activities with those of the key players, including provincial and territorial governments and aboriginal organizations; and

-establishing temporary regional logistics offices in each province and territory to provide logistical support for the public affairs branch and distribute documents and information.

A decision has not been made on the location of a Northwest Territories office, or the Senior Regional Territorial Advisor who will be responsible for its operation.

At the political level, First Ministers and aboriginal leaders made a commitment in Charlottetown to assist each other in promoting and explaining the Consensus Report during the referendum period, and generally encouraging Canadians to vote in support of the reform package.

Federal, Provincial, Territorial, Aboriginal Ratification Processes

There are essentially two approaches to ratifying the constitutional reform package. In the first stage, as outlined above, Canadians will be asked to vote in a referendum based on the Consensus Report. However, the National Referendum will not be sufficient ratification, by itself, to allow amendments to the Constitution.

In the second stage of ratification, the Constitution requires that Parliament, and the appropriate number of legislatures of the provinces, pass constitutional resolutions approving the actual legal text that is to be included in the Constitution. Some amendments will require resolutions of Parliament and two thirds of the provincial legislatures representing 50 per cent of the population of all the provinces. Other amendments will require resolutions of Parliament, and all then provincial legislatures.

The final legal text will have to be agreed upon by federal, provincial, and aboriginal leaders before this second stage of ratification can proceed.

To date, aboriginal organizations have not established a formal ratification process to obtain support from

their membership. The Assembly of First Nations is planning a Chief Assembly where a vote will be taken on the Consensus Report. The results of this vote, plus a special vote taken by individual bands, will provide the position on the reform package. The Inuit Tapirisat of Canada have not yet decided whether the Inuit vote from the National Referendum will be binding on the I.T.C. leadership. The Native Council of Canada and the Metis National Council did not have formal ratification plans at the time this report was prepared.

While the national aboriginal organizations do not yet have a formal amending formula vote for changes to the Constitution, there is general agreement that no amendments directly affecting aboriginal peoples will be passed without their consent. No such commitment exists for the territorial legislatures which also do not have any formal role in the constitutional amendment process.

Conclusions - Implications For The N.W.T.

While the Consensus Report represents a remarkable achievement for the governments and aboriginal organizations that were mandated with negotiating the reform package, the next few weeks will be crucial in terms of generating understanding and support for the package among Canadians, and the political will for formal ratification of the constitutional amendments by Parliament, provincial legislatures and aboriginal organizations.

These revisions to the Constitution and others which are contemplated through future negotiations on the Canadian Common Market, federal spending powers and aboriginal issues will fundamentally change the approach to governing this country. They will also bring about some fundamental changes in the approaches being developed for government in the Northwest Territories.

Recognition of the inherent right to aboriginal self-government will provide Dene, Metis, Inuvialuit and Inuit the means to develop their own institutions of government; create public institutions which better reflect aboriginal interests and objectives; or both.

The role which territorial governments have played at the national level for the past decade will be formalized and, while additional jurisdiction and constitutional status has not been conferred through constitutional amendments, territorial governments and legislatures will have additional opportunities to shape the national agenda through participation at

future meetings on constitutional, economic, and aboriginal matters.

Whether or not territories choose to pursue provincial status in the coming decades, the terms for achieving this objective will be more favourable than those in the existing Constitution or contemplated under the Meech Lake Accord. While there is no guarantee that Parliament will automatically create a new northern province, eliminating vetoes by provincial governments means that emerging provinces can use creative, new approaches to designing governing institutions which are not the accepted norm among existing provinces in southern Canada.

Much work remains to be done on constitutional amendments which will create a common market in Canada and influence the way in which the federal government provides financial support for programs in areas of provincial jurisdiction. In both cases, future negotiations will be crucial in establishing arrangements, which provide for government intervention to develop the northern economy, and maintain a strong federal presence in programs which are vital to the delivery of programs and services to northern residents.

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Last, Northwest Territories residents will be electing one representative to a reformed Senate. The real impact of this new institution on the operation of the federal government remains to be seen; however, it must be understood that a primary role of the reformed Senate will be to represent the interests of the developing regions and smaller jurisdictions of Canada in relation to those of central Canada. That is why the special committee decided early on in the constitutional negotiations process to support an equal Senate.

In conclusion, the Northwest Territories has made significant gains in the current constitutional round.

Based upon these achievements, and the constitutional expertise, which northern governments and aboriginal peoples have developed over the past two decades, the special committee believes that we are well placed to take advantage of these achievements, and conclude new political and constitutional arrangements consistent with the fundamental laws of Canada, and aspirations of northern residents.

Recommendations

As noted above, the constitutional reform process is now entering another phase which involves a combination of federal and provincial referendum on the Charlottetown Consensus Report. Given that the campaign will take place across Canada, and has special meaning for the aboriginal peoples of the north, the Legislative Assembly, through its Special Committee on Constitutional Reform, should maintain a presence throughout the crucial period leading up to the October 26 referendum.

Recommendation one: That the Legislative Assembly formally endorses the Consensus Report on the Constitution concluded in Charlottetown on August 28, 1992.

Recommendation two: That the Special Committee on Constitutional Reform conduct a public information campaign prior to the referendum which would outline the Consensus Report's contents and identify the implications of the reform package for the Northwest Territories.

While the referendum process has a special significance for the future of Canada and contributing to ratification of achievements like aboriginal self-government, the fact remains that much more work is required to finalize many details of the reform package. This work has both national and territorial implications and encompasses almost all elements of the reform package.

Recommendation three: that the special committee review its mandate in light of developments to date and report back to the Legislative Assembly during the November session with recommendations for ongoing involvement in the constitutional reform process.

Motion To Move The Report Of The Special Committee On Constitutional Reform Into Committee Of The Whole

Mr. Speaker, that concludes the Report of the Special Committee on Constitutional Reform. Therefore I move, seconded by the honourable Member from Deh Cho that the Report of the Special Committee on Constitutional Reform be received by the Assembly and moved into the committee of the whole for discussion. Mahsi.

MR. SPEAKER:

May we have a seconder please? Mr. Kakfwi, would you please for the record, give your seconder.

HON. STEPHEN KAKFWI:

Yes, the honourable Member from Kitikmeot, Mr. Bernhardt.

MR. SPEAKER:

Your motion is in order, Mr. Kakfwi. Question has been called. All of those in favour? All those opposed? Motion is carried.

---Carried

MR. SPEAKER:

Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Mr. Todd.

MR. TODD:

Are we on Item 12?

MR. SPEAKER:

We are, Mr. Todd.

MR. TODD:

I am sorry, Mr. Speaker, I was exhausted.

---Laughter

ITEM 12: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS

MR. TODD:

Mr. Speaker, I wish to report to the Assembly that the Standing Committee on Finance has reviewed Bill Number 31, an Act to Amend the Student Financial Assistance Act and wishes to report that Bill 31 is now ready for committee of the whole. Am I right?

---Agreed

---Applause

MR. SPEAKER:

Pursuant to Rule 66(3), Bill 31 is ordered into committee of the whole. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Mr. Morin.

ITEM 13: TABLING OF DOCUMENTS

MR. MORIN:

Thank you, Mr. Speaker. I would like to table the following document, Tabled Document 89-12(2), the 1992 Housing Study of the N.W.T. Housing Corporation. Thank you.

MR. SPEAKER:

Item 13, tabling of documents. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Speaker. I would like to table Tabled Document 90-12(2) dealing with the Patterson Sawmill. A copy of a land use application; correspondence dated September 4 from Gerry Antoine, Chief of the Fort Simpson Band to the Dene Nation; correspondence dated September 9 from Chief Norwegian of Jean Marie River opposing the land use permit; copies of motions passed by the Deh Cho Tribal Council meeting and a motion opposing the approval of land use permits and dealing with legal action against the Patterson Sawmill; correspondence dated September 14 from Bill Erasmus to the Regional Manager of Land Resources. Thank you.

MR. SPEAKER:

Item 13, tabling of documents. Item 14, notices of motion. Mr. Morin.

ITEM 14: NOTICES OF MOTIONS

Motion 32-12(2): Housing Needs Survey 1992 To Committee Of The Whole

HON. DON MORIN:

Thank you, Mr. Speaker. I give notice that on Friday, September 18, 1992 I will move the following motion: I move, seconded by the honourable Member from Yellowknife South that tabled document 89-12(2) titled the Housing Needs Survey be moved into

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into committee of the whole for discussion and, Mr. Speaker, at the appropriate time, I will be seeking unanimous consent to proceed with this motion today.

MR. SPEAKER:

Item 14, notices of motion. Mr. Nerysoo.

Motion 33-12(2): Amendment To Sitting Hours

MR. NERYSOO:

Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Friday, September 18, 1992 I will move the following motion: I move, seconded by the honourable Member for Keewatin Central that notwithstanding Rule 4(1) that the sitting hours for Thursday, September 17, 1992 be 10:00 a.m. to 2:00 p.m. and, Mr. Speaker, at the appropriate time I will be seeking unanimous consent to proceed with this motion today.

MR. SPEAKER:

Item 14, notices of motion. Item 15, notices of motions for first reading of bills. Item 16, motions. Motion 31-12(2) will be stood down until tomorrow. Item 16, motions. Mr. Morin.

ITEM 16: MOTIONS

Motion 32-12(2): Housing Needs Survey 1992 To Committee Of The Whole

HON. DON MORIN:

Thank you, Mr. Speaker. I seek unanimous consent to deal with my motion on moving the Housing Survey into committee of the whole today, please.

MR. SPEAKER:

The honourable Member is seeking unanimous consent to deal with his motion. Are there any nays? There are no nays. Please proceed, Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Speaker.

WHEREAS the Housing Survey of 1992 has been tabled in the House;

AND WHEREAS this document clearly identifies the housing needs of the Northwest Territories;

AND WHEREAS there is a significant urgency that this document be discussed due to the alarming situation of meeting the housing needs of the territories;

NOW THEREFORE I MOVE, seconded by the honourable Member for Yellowknife South, that tabled document 89-12(2) titled the Housing Needs Survey 1992 be moved into the committee of the whole for discussion.

MR. SPEAKER:

Motion is in order, Mr. Morin. To the motion. Seconded. Question. Concluding debate, Mr. Morin. The seconder for Yellowknife South, I do not see the seconder here. There you are. You are right, I apologize.

---Laughter

To the motion. Mr. Nerysoo. Question is being called. All of those in favour? All those opposed? Motion is carried.

---Carried

Item 16, motions. Mr. Nerysoo.

Motion 33-12(2): Amendment To Sitting Hours

MR. NERYSOO:

Thank you, Mr. Speaker. I am seeking unanimous consent to proceed with my motion on the amendment to the sitting hours today.

MR. SPEAKER:

The honourable Member is seeking unanimous consent. Are there any nays? There are no nays. Proceed, please, Mr. Nerysoo.

MR. NERYSOO:

Thank you.

WHEREAS there are a number of Members who have expressed a desire to attend the funeral of the late Bishop Piche;

AND WHEREAS out of respect for the late Bishop Piche;

AND WHEREAS to permit Members to attend the funeral;

NOW THEREFORE I MOVE, seconded by the honourable Member for Keewatin Central, that notwithstanding Rule 4(1) that the sitting hours for Thursday, September 17, 1992 be 10:00 a.m. to 2:00 p.m.

MR. SPEAKER:

Motion is in order. Question is being called. Seconded to the motion. Point of order, Mr. Zoe.

MR. ZOE:

Mr. Speaker, when you called for question and said are there any nays, I nayed it and you let the honourable colleague pursue with his motion.

MR. SPEAKER:

Mr. Zoe, I did not hear a nay. So I did not respond to the nay. In future I would ask all Members that they could be very, very sure that they are very loud with their nays because I did not hear it. So you have no point of order. Secunder of the motion. Question is being called. To the motion. Mr. Zoe.

MR. ZOE:

Mr. Speaker, I will be voting against this particular motion. As Members are well aware we have sitting hours that are in the House rules which require that we sit from a certain hour to a certain hour. I understand that the Members are concerned about attending a funeral in Fort Smith, but a lot of committee work also has to be done. There were certain things scheduled for Thursday, and if the House wants to adjourn, they could adjourn for Members to attend the funeral. I do not think that amending the time to be set for 10:00 is appropriate.

MR. SPEAKER:

To the motion. Question has been called. The mover has the opportunity to conclude debate. Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Item 16, motions. Item 17, first reading of bills. Item 18, second reading of bills. Item 19, 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; tabled document 62-12(2), Report on Northwest Territories Operations at Expo '92 as at May 31, 1992; Minister's statement 82-12(2), Update on National Constitutional Reform Negotiations; committee report 17-12(2), Report on the Review of the 1992-93 Main Estimates; Bill 33, Appropriation Act, No. 2, 1992-93; Bill 9, Insurance Act (A); Minister's statement 90-12(2); tabled document

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89-12(2); and committee report 18-12(2), with Mr. Ningark in the chair.

ITEM 19: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Ningark):

Thank you. The committee will now come to order. We have a number of items of business in the committee of the whole. What is the committee's wish? Mr. Pollard.

HON. JOHN POLLARD:

If Mr. Nerysoo concurs, perhaps the discussion on the Ministers' statement with regard to housing, Mr. Chairman. The tabled document, the housing needs study. Thank you.

CHAIRMAN (Mr. Ningark):

There is a suggestion on the floor that we deal with the Minister's tabled document. What is the wish of the committee? Is that agreed? Thank you.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Mr. Morin, do you have any comments on your statement?

Tabled Document 89-12(2): Housing Needs Survey 1992

HON. DON MORIN:

Thank you, Mr. Chairman. As Members heard earlier today, yesterday we received word from the federal Minister of Housing, Honourable Elmer MacKay, that he was unable to get support from his federal colleagues to reinstate our funding for new capital costs in housing.

What this boils down to is, if we cannot get reinstatement of that funding, instead of building 372 units next year, we will only be able to build 153 units. If you spread that around the Northwest Territories, 153 units is not very many. That represents approximately \$22 million.

We have to continue to try to get our funding reinstated. We have to continue to work together to

try to solve this issue, or else we are going to have to try and find money from wherever we can find it.

In the housing needs survey, done in 1992, it is clearly spelled out in there that we are 3,584 housing units short in the Northwest Territories. That is a 14 percent jump since the 1990 survey, even though we did build 800 units.

We are constantly, since we have got the message back in March, hoping to stop the federal government from reducing our funding, and we will continue to do so.

Mr. Chairman, I will be very interested to hear, and take any advice from the Members that they can give me, their remarks on this issue. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Morin. Are there any general comments related to the item on the table? Mr. Nerysoo.

MR. NERYSOO:

Thank you, Mr. Chairman. Firstly, despite the news itself about the unwillingness of the Government of Canada to fund the social housing programs at the levels they have been funding it, I would like to thank the Minister for providing us with some information about this particular matter earlier today.

I know that the Minister also indicated to us, earlier this year, that the potential was there for problems. I recall the Minister of Finance also indicating this, however, we have to find some way of defending, what you might say is a serious need, a social need in our communities. We are not so fortunate up in the Northwest Territories to have a private housing market that is substantive as most other jurisdictions across the country.

The other point, is that we are only in the midst of trying to catch up with meeting the needs of the people of the Northwest Territories in housing. We all know from the last survey that was done, there were 3,000 units required. That is based on the population as it existed about three years ago.

I have not reviewed the details of our housing needs survey. Without looking at them, I will bet you that there has been more increases in need across the Northwest Territories. Those expressions, in terms of numbers, and in terms of the figures that we have

been using to calculate needs of the communities have since gone up since our community survey.

Based on that alone, my view is that we are probably looking at substantially more than the 3,000 units, just to catch up to the need some two years ago.

Mr. Chairman, what is disappointing in this whole process, is that we have tried in the north to find all kinds of alternatives to respond to the housing needs in our communities. We have tried to encourage private developers, in those areas where the possibilities are available to develop a private market. In fact, we have tried to encourage that in this House and in government by getting out of the business of providing housing. We tried to encourage the development of a housing market.

We have tried to encourage a reduction in costs to the government, the public housing, and the O & M costs by providing for home ownership assistance and allowing our communities to develop private home owners, reducing overall costs to governments. We have tried to find ways of housing the young, single mothers or parents, and we have tried ways of housing the elders so that detached housing is made available to larger families. This, Mr. Chairman, is not an easy task. It never has been and we all acknowledge that.

I think that, despite all our efforts, there has still been a need for the federal government to participate in providing financial resources for the people of the north to ensure that we provide housing to the residents of the Northwest Territories. I must say, Mr. Chairman, that it is difficult to acknowledge how the Government of Canada, through its own reductions and through its own decision to reduce social housing, can ignore its responsibility for housing those who are in need and for providing housing through its own legal jurisdictional responsibility to aboriginal people in the Northwest Territories, and particularly the status Indian and Inuit.

I say that, because it is important that we recognize that fact. However, like all other programs it seems, Mr. Chairman, that the Government of Canada does not want to live up to its responsibility. Because they transferred the administrative responsibility to us, they walk away from their legal, constitutional responsibility for aboriginal people. That, for me, is a decision that should not be acceptable, and this government and this Assembly and those leaders of the aboriginal people should be insistent that the Government of Canada live up to its obligations.

I know that they will probably try to find a way out by saying that they transferred some administrative responsibility, but, the fact is, they still have the jurisdictional responsibility for aboriginal people and that they cannot transfer. That is clear. I do want to deal with one other responsibility that they have

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and that is for those who need housing, those who are in need and we know that in some cases, there are situations where there is availability in the housing market.

Like my colleagues from Yellowknife, my colleagues from Hay River and Fort Smith, and even in Iqaluit and Rankin Inlet, where they are just beginning to develop a housing market, and in other areas, they have had it longer, like Yellowknife. The fact is, the ordinary person on the street who is a single parent, or the single employed person in the family cannot afford to go out and buy a house. The prices are not at a stage where those people can afford their own homes.

So, they have to rely, Mr. Chairman, on the efforts of our government, the Housing Corporation to find some way of providing those kinds of units for single people or for those who are unable to purchase their own units. Now, I do not want to get into a long discussion, Mr. Chairman, but I urge this Assembly, my colleagues, the Cabinet Members, the Government Leader and the Minister and, I hope, with our assistance and our support, that we find a way of encouraging the Government of Canada to provide what program and what support we do not necessarily take for granted.

The people in the communities cannot take it for granted that they are going to have a private house. For young single parents or elders, they cannot take it for granted that we are going to build them a unit unless we have the money to do it. They cannot take it for granted that the communities are going to come up with the financial resources, and the private market is not going to come up with the financial resources.

In fact, in most communities, the financial institutions are not prepared to provide mortgages because in terms of a market, they just do not seem to see our communities as being communities that can provide a good private market for home owners. So, in that context, I think we have to get on with trying to find a way of encouraging the Government of the Northwest Territories, the Government Leader and the Minister

in finding some solution to this significant dilemma that we are in.

I know, and I must recognize the work that the Minister and the government has put into trying to maintain the financial resources. I want to recognize the work of the staff in trying to make the presentations that were necessary. However, unfortunately, we are faced with a decision by the Government of Canada that may cause, in the long term, more harm than good and even worse housing shortages in the Northwest Territories. Worse than we are now. As it is, we are in bad shape, but that situation is not going to be very helpful.

I just want to encourage other Members to voice their concern and to find a way, at the end of our discussions on this particular matter, to give direction as Members and to participate in trying to somehow ensure that our Cabinet and this House, this Assembly, can see a successful solution to this particular dilemma that we are in. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Nerysoo. Before I recognize the next speaker I would like to ask Mr. Minister if he has any response to the comments made by Mr. Nerysoo.

HON. DON MORIN:

Yes. Thank you, Mr. Chairman. I will just keep them brief. I would like to thank the honourable Member and just to let Members know that we will continue to use the same arguments that we have used in the past at these meetings: "Our unique situation in the Northwest Territories." You cannot compare the housing situation in the territories to the housing situation in southern Canada.

It is like comparing apples to oranges. When we look around this Assembly and we see many people sitting here that are first generation from off the land, that is not the same in southern Canada. You are bringing people from igloos and tents and trying to move them into communities and you have to supply proper housing for those people to live.

The birthrates in the territories are two times the national average. Also, the households in need of assistance are 44 percent in the Northwest Territories compared to 14 percent in southern Canada and it just goes on and on and on, the comparisons. So, when the federal government paint us with the same

brush as they paint the southern jurisdictions, it is just not just.

We have unique situations and the problem is crucial to us because of the high cost of health and the rest of the social problems that stem from the lack of adequate housing. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Morin. General comments, Mr. Todd.

MR. TODD:

Thank you, Mr. Chairman. I guess to add to what Mr. Nerysoo said, I think it is important for the record, if nothing else, to indicate that the Northwest Territories also has the fastest growing population in North America. Within the territories itself, if I can speak somewhat selfishly, the Keewatin Region is growing faster than anywhere else. So, the impact that we have got now with a shortage of 3,584 housing units will only further compound itself with the population explosion that we have got.

There is no question that the private market simply will not, and cannot, pick up that slack. I think it is important for those Members not familiar with the development of private housing to understand that even in today's world under the current conditions, banks and financial institutions are extremely reluctant to lend, even with long term leases, significant sums of money. In particular, it is related to real estate. I know I am not talking from just my own personal experience; I know that is a fact. So, even if the private sector wanted to pick it up at a far greater pace than it is currently picking up, particularly in the smaller areas, I think there would be some serious problems in relation to financing. We have got to be aware of that.

I said to somebody the other day that, this financial situation with Olympia & York has had a real impact on the Northwest Territories. The fact of the matter is, that the lending institutions are viewed in real estate and development of real estate, in a much lesser light than they did a few years ago, because of those serious financial problems we have got with these big international majors. It does affect the smaller communities because the banks are not shrinking that explosion, they are expanding it. Even though we wanted to, if there was a desire to provide to expand, and all the rent, and income supplement programs for example, you still have got to find the mortgage money to build this stuff. I could tell you that two

years ago you used to be able to get in based on 10 percent and 90 percent mortgage, that simply does not exist, and I think that is an important argument for the Minister to make when you are dealing with the feds. It does not exist right now, unless you are living in Yellowknife, you might get it, but I tend to doubt it.

Aside from the constitution and the arguments, if we were looking for an alternative, and I know that recently you have advertised for an expansion of Rent Income Supplement Program, which I support. Unless the developers have got deep pockets, they simply are not going to get the kind of funding that

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they have been accustomed to getting in former years. So, that is an important financial consideration.

I think that we need to move forward with some kind of game plan. I mean, I think we have got a bit of a window right now, particularly with the discussions on the Constitution, and the fact that aboriginal issues, if you want, are front and centre. I think there is a limited window, but I do think that we should be taking some advantage of that. We should be saying to the Prime Minister, through the Government Leader, that we should be reconsidering, if you want, our position, on the Constitution. If fundamental basics like housing, which was funded in the past by the federal government, is going to be off-loaded into the territorial government, it seems that this housing issue is only one of many. Last week we heard about the off-loading of health, I mean, what is next?

At some point we have got to take the federal government to task, now maybe this housing issue is it, but if they continue to off-load them, the bubble will burst. There is just not enough money to do the kinds of things that we want to do, so I suggest to you that what we need to develop before the end of the week is some kind of game plan where we all participate. We have got to gather the support of the aboriginal groups at the national level, and raise the profile of this whole issue of social housing for aboriginal people. I can tell you that if we have not got any money in the N.W.T. coffers I do not see where else it is going to come, no matter how well intentioned the expansion of your Rent Supplement Income Program is. If you talk to the developers across the territories, I am sure they will tell you the same thing. So, from my perspective, we need to have a bit of a game plan, and we have got to do it quickly; the window is open, as they say, but we have got to do it quickly.

I think the other thing we have got to consider, and I am sure you are doing it, and that is to help get better value for the dollars that we are spending. I still believe, even though it is somewhat of a contentious issue about building more units, rather than these individual units, I think that we have got to move forward on that, and recognize the reality of building the kind of housing that we have built in the past, even though we were in a better financial position, we just simply cannot keep up with that pace. If we had, for example, as you said earlier, the reinstatement of funding to the 1991 level, we still would be nowhere near catching up. I remember Tom Butters, when he was the Minister of Housing, talking about the same thing, we are 3,500 units short, and that was a few years ago. You have to find another way to get more cost effective housing, and that may be that we have to look at simpler designs, multi-plexis, apartment complexes, etcetera, no matter how concerned people may be about multi-dwelling type of units.

I think really the bottom line for me anyway, and in listening to what you told us today, is that what is required is a concerted, political action by all of us. I think you have got to get to the national level as many of the aboriginal groups as possible. We should be pulling what sympathetic political people there are, whether it is Ms. Blondin, or Mr. Anawak. You should be looking to this side of the House for support as well, and I think that by the end of the week we better have some plan as to how we are going to move forward. There is just no way we are going to find a shortfall of \$22 million dollars, I mean we are having a heck of a time right now trying to balance the budget as Mr. Pollard wants to do. If you put any more strain on an already strained system, and what really frustrates me, through the whole budget process it was always the bottom end of the scale that seems to take the most pain. Here we are again, looking at people who are having a difficult time defending themselves. While people who need public and social housing, and it seems that every time I turn around in the short time I have been at this job, are taking the most pain. Whether it is drugs and alcohol, or suicide, or whatever. We are talking about 153 units for next year in comparison with 372, a short fall of about \$22 million dollars I believe, that is what he said, right? I mean, we have got to stand up for these people because that is our job; we have got to gather our resources, move forward, and I suspect that is what we should be doing. We should not be afraid to take the federal government on. We should not be afraid to say that we are mad as hell, and we are not going to take it anymore. Newfoundland has done it

all their lives, and they have not suffered in terms of transfer payments. We should not be reluctant to challenge them, and I suggest to you that is what we should be doing.

We need to get national attention to this issue, the Globe and Mail, the Montreal Star, as that is where we need to get some attention to this issue. So, I would suggest to you Mr. Morin, Mr. Speaker, Mr. Chairman, that this requires political action of the highest level, and we have got to pull in as many aboriginal leaders as we can, and anybody else that is prepared to stand tall with us, we cannot sit back and let the federal government off-load, once again, more responsibility. The responsibility, whether they like it or not, in my opinion, lies with them. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Todd. Mr. Todd I would like to remind you to watch your language. We are in Yellowknife not in Rankin. We are in the House not in the hotel. Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. You are absolutely right Mr. Todd, we can do the Rent Income Supplement Program, we can change our designs, we can bring new housing programs into place, we can do all kinds of things, we are not going to find \$22 million from within, it is as simple as that.

Someone is going to suffer. We are going to have to look to possibly within our own capital budget. It does not seem that there is any money there either. Every time we turn around, the federal government seems to kick us in the head again, when it comes to funding.

I believe that strategy, we started talking about this yesterday. By working through the Premiers office, at the highest level of government, directly with the Prime Minister, I think that this is the door that is open to us right now. I have already met, and informed some of the aboriginal leaders in the Northwest Territories by working with the ordinary Members, Cabinet working together, we should be able to get somewhere. We may not be able to get everything that we want, but we could give it a real good try.

Housing, as all Members know, is the number one priority of this Assembly. There is no other jurisdiction in Canada that spends the percentage of their budget on housing that we do. We all have to go back to our

communities, and we all live in those communities, we all have to see what inadequate housing does. I have seen it in mine and I have seen it in many of yours. It is not a pretty site. When you have to pick young men off the street who committed suicide or search for bodies in the river, or see people staggering down the street, kids not in school, people sick, that is all due to inadequate housing.

Constitutional development, aboriginal rights, that is all great stuff, but it does not do us much good without a roof over our head. Our people would never advance without proper housing, that is number one. We learn to take care of our own family. Have

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our own house, then we started advancing, the rest of the stuff is just basic motherhood statements.

It is a serious issue, we have to address it, and I agree with the Member that we should come up with a strategy together and work together to try to address it.

CHAIRMAN (Mr. Ningark):

Mr. Todd.

MR. TODD:

I guess what I am trying to say, Mr. Chairman, is you have to get to wrap some emotion around the issue here. We have got to get some national attention to it. We need to get some people in the press talking it up on our behalf. This is not a bureaucratic exercise. We are talking about the guys from the bottom end of scale in the communities who require public housing.

What I am suggesting to you is let us get some emotion wrapped around this thing. Let us get some people that have some skill in getting us the kind of publicity that is necessary and let us go take them to task.

Negotiations are fine, I do not care if the Government Leader is negotiating with Brian Mulroney, that is fine, that is part of the strategy. We need to balance that out with some public argument rather than back room lobbying. We have gone that route, and it has got us nowhere. With all due respect, you have tried to negotiate, my understanding is, to reinstate the funding of the 1991 levels. You have been told by the Minister, the federal Minister, that they are not prepared to do that.

They impact of it is, and I am just repeating it, that we build 153 units versus 372. We are sitting here in September, there is a possibility of a national election coming in the new year, in the spring. Now is the time to hit these guys, be very aggressive and be very public, in my best opinion, to see if we can make some impact on them.

That is all I am suggesting. At the same time, I would recognize that there is a requirement for subtlety, something that I am not known for, subtle negotiations at the Cabinet level.

Let us get some profile to this issue so that people recognize that it is an important one in the territories. The impact that it is going to have on us, the people who are on the bottom end of the scale, and lets us see if we can influence them. So far, with all due respect, we have not been too successful, by the polite, civil, bureaucrat agenda. Let us get into a real hardnosed political one.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Todd. Mr. Morin are you going to respond? Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. Maybe you are correct because I can remember the last statement that I made in this House, when I first informed the House of the cuts and how it would affect us. Even our territorial press did not pick it up.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Arvaluk.

HON. JAMES ARVALUK:

Thank you, Mr. Chairman. I would like to thank the Minister's effort and determination in this. I come, too, from a region where a shortage of housing is acute. Social housing, social service programs, the tradition started by the federal government in the early 1960s. We as a territorial government inherited this dilemma and are trying to deal with it through better education, stay in school, Arctic College programs, employment.

We also try to stimulate the economy so that people can find jobs and be self-sufficient, including acquiring private housing for themselves and their families. It has been extremely difficult to undo what has become a sort of norm or habit, to be independent of the government, to be dependent on the government.

For those who manage to become self-reliant through employment or holding small businesses, they cannot get bank mortgages because they are not allowed to own their own land or lot in their own community. The federal government is now making drastic cuts in public housing, or social housing without making alternative solutions to what has become a very dependent society on government programs, including housing or, especially housing.

They need to be given a different avenue, including land ownership, guaranteed mortgage, and affordable utilities to heat or light their houses. A very simple way, if you are going to cut social housing which we are dependent on now, then there should be a program allowing individuals who have tried to live by themselves, through employment, in wage economy, some avenue to get mortgaging program either by allowing them to own rather than lease in the community, especially in most of the communities in the eastern Arctic, or get some kind of a mortgage guarantee to allow those who are working. If they own their own homes, that will put a little bit of pressure off the social housing needs that exist today. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you, member for Aivilik. Mr. Minister, would you like to respond to that? General comments. Mr. Pudlat.

MR. PUDLAT:

(Translation) Mr. Chairman, first of all, before I ask a question, I would like thank the Minister for the review and I would like to thank the Minister for Housing for working on this and working on it as an important issue. In regard to housing, there is a shortage in the communities, and, as you know, I have brought this issue up many times during our sittings. I am aware that there is a shortage of housing in the communities.

Many times we try to work but always end up having problems with laws that have to be followed. I think that the Ministers, or we as Members, have to work harder to get more housing in the Northwest Territories because I know that in the north, this is a real problem and the population is growing.

Because we live in a very cold climate we have to work and get more housing in the communities. I think we have to work more closely together and find ways of helping the Ministers, and maybe if we work

together, we could find funding or get an increase in housing funding. For the people that will have to go to communities to upgrade their education, as you know, our young people are getting their own houses and maybe if we work together we can help them in getting housing available for them.

In the past we have had problems with H.A.P. housing clients and maybe the by-laws could be changed to help the communities also. I just wanted to make a comment in this regard, thank you.

CHAIRMAN (Mr. Ningark):

(Translation) Thank you, Mr. Pudlat. Mr. Antoine.

MR. ANTOINE:

Mahsi, Mr. Chairman. I am also concerned about this announcement that there are going to be cutbacks in public housing. It means a lot of problems. Already in the communities, there are many problems with housing shortages and what this means, is that there

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is going to be an even greater problem and burden on the people in the communities who, up to now, have been expecting to have H.A.P. houses and move into public housing in the next few years.

With the housing survey indicating that there is a need for over 3,000 new houses right now and with this cutback it is a very crucial situation that we find ourselves in. I agree with the Minister that housing is very important in the communities, it is a basis to grow from. Once you have a family and a good house then the family can get on with their lives to make things a lot better for themselves.

In many cases in the smaller communities I have seen situations where housing is in really bad condition and people do need more houses rather than less. So, with this announcement, it is a tragic announcement. I am wondering if the Minister could tell me if there has been any immediate, emergency strategies developed by the government in dealing with this situation at this time. Are there any suggestions on how to deal with this issue at this present time? I am here representing people in my constituency who are depending on housing, and with this announcement, I would like to know what I can tell them is in the plans right now. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Antoine. Mr. Minister.

HON. DON MORIN:

Thank you, Mr. Chairman. Like I have said in my Minister's statement today, we will not sit back and wait. We will continue to try and get our money reinstated, we are working through the Prime Minister's office. That is the only door that is left open to us, we will have to use that door.

That is also why I am here, to look for suggestions, possibly by using the national press, native organizations, and also by meeting with the Members, and the chairmen of the committee on an ongoing basis to set up strategies. Also, within the Housing Corporation. We are looking at what we have, we are looking at the reality. We will have an alternate strategy developed on how to deal with the funding we do have within the next few weeks.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Morin. Comments, Mr. Todd.

MR. TODD:

Yes, I think in this issue, we have to look at the politics of inclusion not exclusion. However, I think that one point that has been missed, is if we go from 372 units to 153, that is, theoretically, 219 units that we would not be building. I am sure that Mr. Pollard and the Government Leader will be concerned with the net economic impact on the territories.

The building of houses in these communities is usually, the only economic stimulus in some of these small communities. What is the net impact going to be on the jobs? What is the net impact going to be on the materials, the pads, the piling, the hotels, the corporate income tax? So, while I understand that the focus, and it is an important focus, is on housing and the need for housing and that should be the primary thrust, there is another significant argument in this territorial environment.

I will talk about my own riding, and you put two houses in there that can employ six, eight, ten people at a local level for ten to 12 weeks. If you are smart, then they find a way to go onto the federal purse at U.I.C. I do not think you can underplay the economic impact this will have, as well as the housing need impact, and how it could theoretically, increase people on social services. I do not know what the dollar value is of 219 units, probably around \$21 to \$22 million, as you have said. That has a significant

impact on those small communities. That may be an argument worth pursuing particularly where we have a limited economic activity in some of these communities.

I know that over the years that I have been involved in the construction business, there is a number of people who sit and wait for these opportunities to come forward at the community level and find employment.

I would suggest to you that the ripple effect, aside from the obvious housing shortage, is great and has an impact on our overall economic situation and financial situation of this government.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Todd. I agree, that if we do not find some solutions, the impact will be very devastating. I think that we are on the verge of crisis. Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. I agree with you, Mr. Todd. I have used that argument and I have presented that argument on the ripple effect on the territorial residents. Back some years ago, Greenpeace seemed to have won the seal battle, basically putting the majority of the Inuits out of work in the eastern Arctic, because they no longer were able to harvest seals to sell the hides. The only light for our young people, through a long dark winter, is that hope of getting that job next summer of building houses. I have made that argument with the federal government and will continue to do so. It is going to have a drastic effect on this government. We are going to see social services costs go up, health costs go up, justice costs go up, because all that is a spin-off from it. I have not been able to sit down, my people have not been able to sit down and analyze what these costs are yet, but they will have a devastating effect on us. It is guaranteed we will see businesses go under, if we leave everything the way it is now today, saying that we only build 153 units.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. I would like to ask the Minister a question about this \$22 million shortfall. Presently we have a lot of construction going on in housing in the north. H.A.P. units are going up in the

communities as well as public housing units. There is a lot of money being spent in construction of housing in the north, today. It is going on right now in a lot of the communities.

This \$22 million shortfall, would that affect any of these housing programs going on right now today? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Antoine. Mr. Morin.

HON. DON MORIN:

No.

CHAIRMAN (Mr. Ningark):

Mr. Antoine.

MR. ANTOINE:

I would like to ask the Minister again, Mr. Chairman, about this \$22 million shortfall that he is talking about, that is going to devastate housing in the north. One is this problem, we are going to see this problem, is it in this fiscal year, or is it going to be in the next budget? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. DON MORIN:

Thank you, Mr. Chairman. This year 23 percent has been cut and a further 36 percent will be cut in 1993. This year we have managed to find money from within to do what we said we were going to do. We start delivering our programs for this year, last fall. We are informed of this, in March, and we finally decipher

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the information C.M.H.C. gives us, in February, after many phone calls and letters. What does the three percent cap on gross mean? That is what it means, there is a \$22 million cut.

They have a different way of explaining it. It will be in effect, we will be funded next year from C.M.H.C., cost shared funded for 153 units, that will be it.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Antoine. Member for Nahendeh.

MR. ANTOINE:

Thank you once again, Mr. Chairman. I would like to ask the Minister about this shortfall. I am concerned about this year's construction. I certainly do not want to see any cutbacks or any hold backs in any of the construction that is going on today. Is there going to be any of this going on in the north with this announcement that the funding that was allocated for all the H.A.P. and public houses, is that going to remain in place, and is there going to be any cutbacks to any of these programs? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister is this going to have impact on our essential services of programs?

HON. DON MORIN:

Thank you, Mr. Chairman. No, it will not effect what is going on today.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. I would like to know, from the Minister, if the new criteria that the Minister's department is developing in H.A.P., would still continue even though this announcement has been made? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. DON MORIN:

Yes, the new criteria with community consultation is so that the H.A.P. program can meet the peoples' needs. So, for more people to become eligible for H.A.P. housing is far more important now than ever before because, as every Member knows, we can build approximately seven H.A.P. units compared to one public unit, life time cost. We do get the best bang for our dollar by building H.A.P. units. I can assure the Member that we do everything possible to encourage people to go towards the H.A.P. program.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Antoine.

MR. ANTOINE:

The number of units that are going to be built next year is substantially lower than what was previously anticipated, 153 units next year. How many of those units will be H.A.P. units, and how many will be public units?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. DON MORIN:

Thank you, Mr. Chairman. You must understand that when I say 153 units, that means that the mixture stays the same. If we built 100 H.A.P. units this year, and 200 and some public units, I am just reducing that in comparison. That does not mean that is the way it will turn out. If we were to build more H.A.P. units, then we can build more units, it is as simple as that. We will build more than 153 units, if we build more H.A.P. units.

We do get the best bang for our dollar on H.A.P. units. What drives the allocation, is what the needs survey is. You have to have a mixture of the two, you cannot go and build straight H.A.P. units.

CHAIRMAN (Mr. Ningark):

Thank you. The communities have different needs and wishes. Mr. Antoine are you done? Mr. Antoine.

MR. ANTOINE:

I just wanted to know how many H.A.P. units and public units, and what the mixture is. According to what the Minister is saying with this electronic device, I have figured out that he is talking about, more or less, 50 or 51 units for next year. That is about a third of the formula. Thank you. Is that correct?

CHAIRMAN (Mr. Ningark):

Merci. Mr Minister.

HON. DON MORIN:

Thank you. In 1992, we build 100 half units, 260 rental units, and 12 rent sub-units. That is how we had it figured out, but those numbers have changed slightly because we are building a few more rent sub-units. After the lost delivery of these units, if you just reduce those numbers, you would build 120 rental units, 41 H.A.P. units, and approximately 5 rent sub-units, if you just reduced those same numbers, but did not change anything else. If you change the H.A.P.

program, to where you make more people qualified for that program, you can lower the scale so that people who make less money get into home ownership. You can raise the scale for people who make more money, to get into that unit as well, then you can make more people eligible, more people will want those H.A.P. units, and then we will be able to build more houses. We have quite a few people that live in public housing that can afford to run their own homes. We should be keeping our public housing for those who need it, those who cannot afford to buy their own homes, and that is what we have to do. We have to look at it sensibly. If we get the best bang for our dollar out of building home ownership, then that is what we should do. Those that cannot afford home ownership will be in public or social housing.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Morin. On my trusted list, I have Jeannie Marie-Jewell and Gargan left. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. Mr. Chairman, I along with other Members were totally disappointed with the Minister's comments today with respect to proposed reductions by the federal government on housing, particularly social housing. I guess my concern is in respect to the reduction in funding, which will result in a significant drop in government built housing, we are going to be looking at a decrease possibly next year of over 219 units, and I certainly feel that it is quite devastating.

Mr. Chairman, I am quite concerned at the fact that it is another classic example of the federal government off-loading, as they have done in the provinces all across Canada. They are now looking at off-loading to the territories, and unfortunately, the territories just cannot afford to accept that off-loading. I believe that it is critical, and that at some point this government or this Legislature has to indicate to the department, particularly of Indian Affairs, that they have a responsibility to aboriginal people in respect to providing some of the fundamental policies, or the fundamental needs of aboriginal people, and housing is one of them. We have to remind the federal government that they were the ones that came into the north back 40 or 50 years ago, and started to give aboriginal people housing. I mean, we lived in what they called substandard housing back in the early 1950s, now they feel that we should just be able to absorb everything, which I think is totally unfair, and I

do not know if that point has been brought totally across to them in that perspective.

I recognize that the Minister has indicated that he has met with the Minister responsible for housing at the federal level on numerous occasions. He has

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also met with his federal counterparts, other provincial counterparts, and he has indicated in his Minister's statements on June the 22 and today, that they were also supportive, but at the same time as they were supportive, they were looking after their best interest. I am wondering whether or not the federal government has basically cut right across the board for this territory just the same as they did for all provinces, and did not take into consideration some of the unique problems that we have in the territories? They did not take into consideration the responsibility that the Department of Indian Affairs has for aboriginal people in the territories. So, I would like to ask that question to the Minister first. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. The Canadian Mortgage and Housing Corporation has placed a three percent cap on gross, and the cuts are the same throughout Canada. Every jurisdiction is the same. I felt that by supporting us, the provincial jurisdictions supported us because we found them very supportive in the meetings, in the motions, recognized the territories' unique situation. I told them many times how our people come to be in the situation we are in today, and that includes being taken off the land, moved into communities and federal government supplied housing. The federal government has a certain responsibility to supply that housing, so I brought that issue to them many times, and I feel that to get back to the provincial jurisdictions, they did support us on this issue. If we had got reinstated, they would have benefitted as well, down the road, because precedent would have been set.

CHAIRMAN (Mr. Ningark):

Thank you. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Mr. Chairman, I do not believe that my question has been answered. I guess that I should ask the Minister, when he indicated that the three percent cap was arbitrarily set throughout Canada, and through all jurisdictions it was applicable. What message did they use to indicate to the Government of Canada that the territories were unique in regards to addressing their housing needs, meaning housing needs required in the north?

CHAIRMAN (Mr. Ningark):

Thank you. Honourable Minister.

HON. DON MORIN:

Thank you. On March 11, I wrote to the Minister responsible for housing in Ontario to agree to attend a special meeting to address the caucus. When I was at that meeting in April, I presented that in no uncertain terms, the special and unique situations that the Northwest Territories have for housing. Like I have said earlier today in this Legislature, "you cannot compare the territories to the south at all. It is just like comparing apples to oranges" and I brought that to the attention of those Ministers, and made a presentation to the Aboriginal Affairs Committee, and the House of Commons. They all agreed.

HON. DON MORIN:

They were supportive that it is unique. I also went to Ottawa in June and met with the Honourable Elmer MacKay, Minister of the Canadian Mortgage and Housing Corporation and I had a very good meeting with him. He did understand, he was very supportive.

He does understand our unique situation and he does support us to be reinstated. I also attended a federal/provincial meeting of Ministers in Toronto in June. The press release that came out of there and the support that we got around that table was unanimous, that they asked the federal government to reinstate the N.W.T. and the Yukon, because of the unique and special needs for housing, immediately back to the 1991 level.

Plus there have been many letters written. There have been some from myself, as well as some from our Premier, and our Minister of Finance. Our Minister of Finance met with Mr. Mazankowski. In June, I met with Mr. Siddon to explain our unique situation. And yet, all of the way down on the line on this issue up until yesterday, we have had a very positive response.

Then it went to the Federal Treasury, the Cabinet, and they rejected it and basically said they had no money. So, that is what has happened in the past.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. Just in respect to the Minister's comments in regards to looking at his survey needs that he has tabled today. I have not had a chance to look totally and thoroughly through it but I have identified that on page seven, he has indicated that the housing needs survey has identified a need for 3,584 affordable, adequate, and suitable housing units which is an increase of 14 percent.

Now we are being told that we are going to be cutting back well over 100 percent, not even thinking of trying to meet or attempt to meet the 14 percent. The Minister knew back in June that we were going to be cut back, and hoped to appeal to the Minister, and hoped his colleagues would support him at the federal level to address some of the unique needs in the territories. Has he developed, a strategy or option to address what he will do, now that we have dealt with this?

MRS. MARIE-JEWELL:

Mr. Chairman, maybe I have not made myself clear, and I do not want to move any motion to conclude this because I think that it is an important item. I would like it to stay on the order paper. I would like to know whether the Minister has developed a strategy recognizing that we were going to be at a three percent cap, or an option for us to be able to assist him in advising the federal government that they do have a certain responsibility to particularly the aboriginal people of the north.

CHAIRMAN (Mr. Ningark):

Thank you, Mrs. Marie-Jewell. Since we are discussing this very important item and since every Member, each region, each community will be devastated by this if we do not do something about it, I will ensure that it stays on the order paper. Mr. Morin. We seem to be running out of time.

HON. DON MORIN:

Thank you, Mr. Chairman. We received word on the Federal Government's rejection to reinstate

yesterday. I met with the Housing Corporation people as well as Members of Cabinet. The strategy is basically to let the ordinary Members know as soon as possible. To sit down in this House and discuss it and to work with ordinary Members as well as native groups, and through the Premier's office, to the Prime Minister and work with ordinary Members to try to solve this issue.

We are also, within the Housing Corporation, developing a strategy on how to meet the people's needs of 3,584 units within the next few weeks, what percentage of that need we can meet.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Morin. Mrs. Marie-Jewell.

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MRS. MARIE-JEWELL:

Mr. Chairman, unfortunately by the time I finish asking my question, the sitting hours will be concluded. So, therefore, I move that we report progress.

CHAIRMAN (Mr. Ningark):

Thank you, Mrs. Marie-Jewell. There is a motion on the floor to report progress. The motion is not debatable. All of those in favour raise your right hand please. All those opposed? Motion is carried.

---Carried

I will now rise and report progress, thank you.

SPEAKER:

Item 20, report of the committee of the whole. Mr. Chairman.

ITEM 20: REPORT OF THE COMMITTEE OF THE WHOLE

MR. NINGARK:

Mr. Speaker, your committee has been considering Minister's statement 90-12(2) and tabled document 89-12(2) and wishes to report progress. Mr. Speaker, I move that the report of the chairman of the committee of the whole be concurred with. Thank you.

MR. SPEAKER:

Secunder for the motion, Mr. Nerysoo. The motion is in order. All of those in favour. All those opposed? The motion is carried.

---Carried

Item 21, third reading of bills. Item 22, Mr. Clerk, orders of the day.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, meetings for tomorrow morning at 9:00 a.m. are the Ordinary Members' Caucus. Orders of the day for Thursday, September 17, 1992.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Replies to Budget Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motions
15. Notices of Motions for First Reading of Bills
16. Motions
 - Motion 31
17. First Reading of Bills
18. Second Reading of Bills
19. 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)
- Tabled Document 62-12(2)
- Minister's Statement 82-12(2)
- Committee Report 17-12(2)
- Bills 33 and 9
- Minister's Statement 90-12(2)
- Committee Report 18-12(2)
- Tabled Document 89-12(2)

20. Report of the Committee of the Whole

21. Third Reading of Bills

22. Orders of the Day

MR. SPEAKER:

Pursuant to Motion 33, this House stands adjourned until 10:00 a.m. Thursday, September 17, 1992.

---ADJOURNMENT