



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

3rd Session

Day 3

12th Assembly

HANSARD

THURSDAY, NOVEMBER 19, 1992

Pages 19 - 32

Page numbers reflect printed Hansard

The Honourable Michael A. Ballantyne, Speaker

MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Arngna'naaq, Hon. James Arvaluk, Mr. Bernhardt, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Lewis, Mrs. Marie-Jewell, Ms. Mike, Hon. Don Morin, Mr. Ningark, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mr. Todd, Hon. Tony Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Mr. Pudluk):

I would like to call this House to order. Item 2, Budget Address. Mr. Pollard.

ITEM 2: BUDGET ADDRESS

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, this 3rd Session of the 12th Legislative Assembly we are going to be asking the Legislative Assembly to do something different. For the first time we will be reviewing a capital budget four months before the start of the new fiscal year.

This change in timing is important, Mr. Speaker. It is important to communities and to the N.W.T. construction industry. It will provide all parties, communities, contractors and government departments with critical lead time to gear up and prepare the next year's construction season. With this additional lead time, firm plans can be made by communities to maximize local employment, and training and business opportunities with regard to the government's capital program. Contractors will have more time to prepare bids, to get organized, to secure financing and to marshal materials before the construction season commences.

Capital construction activity in the Northwest Territories is tapering off due to the completion of the Forward Warning System, the slow economic growth in the country, and the federal government funding cuts to housing. The reduction of construction activity in other sectors increases the importance of the Government of the Northwest Territories' capital budget and makes it vital for government to take steps to ensure that more economic benefits of its capital program stay in the north with northern workers and with northern businesses.

With Legislative Assembly approval of the capital budget during this sitting, government departments and agencies will be able to commence project tendering immediately. They will also be able to meet with communities and plan how capital projects should be managed during the construction phase to provide maximum training and employment opportunities for local workers. The local training and employment aspect of the government's capital program has been a particular focus of government departments over the last year. Procedures and processes which help facilitate the inclusion of significant local training components in capital projects have now been developed.

In addition, we are looking at ways to increase opportunities for using goods manufactured in the Northwest Territories. To that end, Mr. Speaker, the Minister of Housing has implemented a program to break down housing packages into units which support the use of products that are, or have the potential to be manufactured in the Northwest Territories.

As I mentioned previously, this new schedule will permit departments to tender earlier than has been done in the past. With early tendering, will also come earlier reward of contracts to successful bidders. Although this will not allow the government to actually receive services or make payments before the start of the new fiscal year on April 1, it will provide certainty to contractors and allow them to plan better for the construction season.

Mr. Speaker, in keeping with the spirit and intent of this new capital budget process, I would like to emphasize that we expect contractors to work more closely with communities on capital projects. Early tendering of projects should provide sufficient time to facilitate this cooperative approach. While the scheduling change in the capital budget review is important, we have also made a major change in how the capital budget is developed. The budget the Legislative Assembly will be reviewing this session, has gone through the most consulted development process ever undertaken by the Government of the Northwest Territories.

Following the Premier's commitment to more open government and the support of a more open planning process by the Standing Committee on Finance, the development of the 1993-94 capital budget provided for direct input from all communities and all Members of this Legislative Assembly. Mr. Speaker, in May 1992, communities and M.L.A.s were provided with a

listing of all projects their communities were eligible for over the next five years. Communities and M.L.A.s were asked to prioritize and comment on these capital projects. Within a few short weeks almost every community and M.L.A. had responded. This demonstration of interest and cooperation provided the government with excellent information and guidance for the completion of the 1993-94 capital budget.

In August 1992, the government again went to the communities and M.L.A.s and this time, Mr. Speaker, the response was not as good as we had hoped. Communities found out that the capital projects had been assigned a priority in response to the input received and in consideration of the amount of capital money which was available.

The capital projects were presented to communities and M.L.A.s in the form of a draft five year capital plan. A document that I might add, Mr. Speaker, when I was an ordinary Member, was said not to exist.

Community and M.L.A. response to this second round of consultation was less dramatic than the response received on the first round. This may have been due to the short time frames involved or to the level of comfort that communities had with the resulting five year plan. Feedback received since the five year plan, which was circulated, suggests a combination of both. However, we feel that the predominant reason was that communities were satisfied that the government had made an honest effort to accommodate community priorities.

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Many communities and M.L.A.s, as well as the Standing Committee on Finance, have provided us with valuable suggestions on how to improve the capital consultation process for the next budget. Suggestions include such improvements as providing more time for communities to respond, providing more information to communities on particular capital projects, making instructions easier to understand and allowing communities to suggest ultimate projects or approaches to fulfil community needs.

Mr. Speaker, the government is committed to making the capital planning process even more open and responsive to community needs. Each one of these suggestions will be reviewed carefully and to the maximum extent possible will be incorporated into the development of the 1994-95 capital budget.

I have already noted the importance of the Government of the Northwest Territories capital budget to the economy of the N.W.T., particularly the economy of the smaller communities.

MR. SPEAKER:

Point of Privilege, Mr. Arngna'naaq.

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. I am trying to listen to what Mr. Pollard is saying and I cannot concentrate with a glaring light in my face. Thank you.

MR. SPEAKER:

That is not a Point of Privilege. If you need sunglasses we can provide them to you. If the House agrees, we will arrange to have the television lights turned off. Is this agreed? Does anybody else have a problem with these lights? Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, the Legislature carries out its duties with the public having some reasonable access to the proceedings. It seems to me that a little bit of temporary optical pain will allow those of our constituents that are not here, some visual access to the way we conduct ourselves. I would suggest we bear with it and get on with the business.

MR. SPEAKER:

Thank you. Does this House agree? Proceed, Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I have already noted the importance of the Government of the Northwest Territories' capital budget to the economy of the N.W.T., particularly the economy of the smaller communities. The capital budget represents not just the means of obtaining needed infrastructure and facilities, it also represents a major tool for furthering training and economic development.

Our decisions, as M.L.A.s and Ministers, with respect to the capital plan, have a major impact on employment levels and business prosperity in the N.W.T.

Since our capital program is so important to so many people for so many reasons, we must exercise great

care to ensure that our capital programs provide a stable base that can be relied upon by both business and labour. This is not to say that our capital program alone can guarantee economic prosperity for all, but it is incumbent on our government to ensure that capital spending levels, at the territorial and the community level, do not fluctuate widely each year. A boom and bust approach to capital planning must be avoided.

Over the years, we have been successful in maintaining a relatively stable level of total capital spending. Our capital spending has grown in step with inflation with the addition of responsibilities transferred from the federal government. Even this fiscal year, in the face of a major deficit challenge, we have been able to maintain our capital spending levels very close to those of previous years.

Mr. Speaker, more worrisome for us than the level of total capital spending across the territories has been the annual level of capital activity in each community. Local training and employment initiatives needs a stable level of local capital spending to be successful. In an effort to provide this stability the government has taken two significant steps.

The first step has been to provide three year capital spending targets to each government department. Previously, departments did not know how much money they would be provided for from year to year. This made planning and commitment to specific projects difficult. As a result, the capital plan changed significantly each year and communities could not count on projects proceeding. With the introduction of three year targets, departments can plan with more certainty and can make multi-year commitments to communities.

The second step taken to provide a stable level of capital activity in each community builds on the ability of departments to make multi-year commitments. Government and communities can now sit down and work out a multi-year capital training and employment plan for the community. This approach may require that communities agree to wait a little longer to get a particular facility or to take a little longer to build a facility. In the end, the community can be assured it will be received, it will receive what it is entitled to while reaping maximum training and employment benefits.

Mr. Speaker, the 1993-94 Capital Estimates provide for an overall capital expenditure level of approximately \$176 million. The details of these

estimates are ready for the review of the Legislative Assembly.

However, Mr. Speaker, there is a gap in the Capital Estimates documents I will be tabling. This gap is in the area of housing and I would ask the Members of the Legislative Assembly to bear with us in this regard. I do not think it is any secret that the Minister has been working very hard, along with his staff, to close up the \$22 million gap that the federal government has caused in our funding for housing in the Northwest Territories. It is coming right down to the wire and the Minister is still working in that area.

I would also like to thank the Standing Committee on Finance for allowing us to go ahead with the budget and, as yet, they have not received the housing allocations. I believe they will be receiving them tonight, Mr. Speaker.

Mr. Speaker, within the next day or so, the Minister responsible for the N.W.T. Housing Corporation will be making a statement and tabling the detailed information on the proposed capital housing programs and allocations for 1993-94. Once he has the opportunity to do this, the Capital Estimates detail will be complete.

Mr. Speaker, I have made repeated references to training, to hiring people from the north, to doing business with northern contractors and I repeat myself on purpose, Mr. Speaker. We have to emphasize to the people of the Northwest Territories, the northern contractors and, most importantly, to our departments that we are committed to the principle of doing business in the Northwest Territories. This principle has the total support of Cabinet and I believe it has the support of this House, Mr. Speaker. If it is government money we are spending, then we want the maximum benefits to accrue to northerners.

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Mr. Speaker, this budget will form part of our budget for 1993-94. It is only, as I say, a part of it. We will still be coming to the House in the late winter with a balanced budget, Mr. Speaker, in case there are any questions about that.

I would like to thank the Ministers and the departments because we have shortened the time frame by four months and they have had to scramble to get their budgets together. I want to thank my people; Lew Voytilla and the F.M.S. for putting the budget together and, most of all, the Standing

Committee on Finance, without whose cooperation we would have not have achieved this early date to review the Capital Estimates.

Mr. Speaker, I thank the House for their time and, at the appropriate time, which will probably be tomorrow, I will submit the 1993-94 Capital Estimates to this Legislative Assembly for its consideration. Thank you.

MR. SPEAKER:

Thank you, Mr. Minister for Finance. That concludes Item 2, Budget Address. At this time, I would like to recognize who are in the gallery, students from the Native Women's Training Centre. Welcome to the House.

---Applause

Item 3, Ministers' Statements. Item 4, Members' Statements. Mr. Gargan.

ITEM 4: MEMBERS' STATEMENTS

Member's Statement On Armed Forces' Personnel Hunting Caribou And Justice System's Treatment Of Aboriginal People

MR. GARGAN:

Thank you, Mr. Speaker. Mr. Speaker, I rise today to comment on a serious wildlife management issue which, again, demonstrates that the Canadian justice system is not meeting the needs of aboriginal people in the Northwest Territories.

On March 12 and 13 of this year, several members of the Canadian Armed Forces participated in a northern training exercise termed operation Reliant Nordic, near Coppermine. At that time, a caribou herd was moving to the area. On at least two occasions, the armed forces personnel fired at the caribou and killed some animals of that herd. I was dismayed, Mr. Speaker, when I heard that all three members charged with these wildlife offences received an absolute discharge in the territorial courts. This is not right, Mr. Speaker.

I understand that the soldiers were using automatic weapons with non-expanding ammunition. I also understand that these charges were dropped as a result of plea bargaining which took place when they agreed to plead guilty to hunting offenses. Mr. Speaker, there has been much discussion of the new

federal firearms legislation and the impact it may have on aboriginal hunters.

I am concerned that the court's decision has given the message to other members of the military and, perhaps sport hunters who visit our northern environment, that these statutes and regulations do not apply to them.

Mr. Speaker, aboriginal people share a very special spiritual relationship with the animals of our land. They sustain us and we look after them. They are part of the gift given to Mother Nature by the Creator and we get the guidance of that gift. We would not be fulfilling our spiritual responsibility if we sat silently by while visitors to our homeland violate the values that have formed the basis of our Dene lifestyle for centuries.

Accordingly, I rise today to condemn the actions of the armed forces personally with the operation Nordic Reliant and justice system, which clearly does not care. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you. Members' Statements. Mr. Lewis.

Member's Statement Regarding The Late Dr. Audie Dyer

MR. LEWIS:

Thank you, Mr. Speaker. There was a funeral service for a former member of the territorial government yesterday in Saskatoon. I refer to Dr. Audie Dyer and I am very pleased that one of his ex-students, Mr. Kakfwi, made a statement about him yesterday.

Audie Dyer came north to Yellowknife in 1959 and he taught at Sir John Franklin School. In 1968 he began the very first teacher training program for native students in a classroom at Sir John Franklin School. In 1970 the program was moved to Fort Smith to be one of the adult and vocational training programs there. In his four year connection with the program, Audie made an enormous impact on the lives on young northern leaders. He worked tirelessly and always seemed on the verge of exhaustion.

Mr. Speaker, these are the words which have been used to describe him: he was a teacher; counsellor; confidante; banker; instructor; father-confessor; friend; defender; leader; publicist; surrogate parent;

and, bail bondsman. I know he belongs to the bad old colonial era which we like to dump on now and again, but I think it was appropriate in his passing that we pay tribute to this man and the work which he did and the fact that he had a tremendous impact on many of our current leaders in the Northwest Territories. It is appropriate that we pay tribute to the people who deserve it. We pass on our sympathy to his friends and family.

MR. SPEAKER:

Thank you. Item 4, Members' Statements. Mr. Bernhardt.

Member's Statement On G.N.W.T. Hiring Practice

MR. BERNHARDT:

Thank you, Mr. Speaker. I rise today to speak about the hiring practices of this government, with reference to the hiring of aboriginal people. After serving on the Standing Committee on Finance for the past year I have seen first-hand the pitiful performance of many departments of this government in employing aboriginal people. Although some small progress has been made towards increasing the number of aboriginal people in entry level positions within some departments, the progress in hiring aboriginal people in middle and upper-management has been inadequate to say the least.

Members on both sides of this House have spoken many times about making the public service more representative of the people it serves. It seems we are not doing enough to realize this goal. I am quite concerned that we have not only failed to realize this goal, but we have discouraged qualified aboriginal people from applying for positions within the public service.

Recently I was informed of a case where a young aboriginal woman had become totally discouraged with the prospect of obtaining employment with the Government of the Northwest Territories. I will not deal specifically with her case in the House, but I will raise it with the Minister later. However, I do wish to use this as an example of the problem. This aboriginal person was born and raised in the Northwest Territories and is highly educated. She has completed her Bachelor of Arts

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degree and is unable to obtain employment with this government even at entry level positions. It seems to

me that this is the type of person which this government should be looking at hiring, and perhaps even specifically recruiting and targeting for certain positions.

Mr. Speaker, it is time that we stopped paying lip service to hiring aboriginal persons in this government and simply go out and do it. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you. Members' Statements. Ms. Mike.

Member's Statement On Armed Forces' Personnel Hunting Caribou And Justice System's Treatment Of Aboriginal People

MS. MIKE:

Thank you, Mr. Speaker. I am outraged by the events surrounding the treatment of armed forces personnel who plead guilty to illegally killing caribou during operation Nordic Reliant. These people were practising survival techniques designed for extreme situations.

Mr. Speaker, what do you think would happen to me, as an aboriginal person, if I was to go to a farm outside Winnipeg, where these fellows are from, and shoot a cow which belongs to someone else in order to practise what I might have to do under extreme conditions? Do you think I would get a sharp lawyer to help me out? Do you think I might get an absolute discharge? I do not think so.

Mr. Speaker, this event reflects the same mentality that has plagued relations between aboriginal and non-native people for at least 500 years. Whether it involves using soldiers to take away sacred land and turn it into a golf course, whether it involves disrupting the peaceful skies of Labrador with the roar of low level flying exercises, or whether it involves coming into a traditional northern hunting area and slaughtering our caribou with automatic weapons. This behaviour reflects an attitude of disrespect and colonial superiority which should have died with General Custer.

AN HON. MEMBER:

Hear, hear.

MS. MIKE:

This is exactly the sort of conduct that creates prejudice and hard feelings between aboriginal people and the Government of Canada. Why should they get away with it, Mr. Speaker? What confidence can we have in the territorial laws and the justice system that are unable to protect our natural environment? What sort of deterrence is achieved by rewarding these people who admit they are poachers, with less than a slap on the wrist in Judge Bourassa's court?

I find this whole incident to be shameful and I expect the Government Leader and the Minister of Intergovernmental Affairs to do something about it. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you. Item 4, Members' Statements. Mr. Ningark.

Member's Statement On Court Circuit System

MR. NINGARK:

(Translation) Thank you, Mr. Speaker. Mr. Speaker, I would like to make a few comments regarding the court party which goes into the communities, particularly into the smaller communities. Obviously the Dene people have been visited by this court party because there are usually some people in those communities who have been charged with mischief. A lot of people in the communities have to wait for the court party when they have been charged and have to go to court. The people who have been charged all have minds and feelings like we do. When they must wait for a long time, they begin to worry about what is going to happen in the future. Whether they are man, woman, young or old they begin to have some fears about what is going to happen to them.

I am not trying to say that the people who have committed crimes should not be put in jail, but we should start looking into their situations. When a court party goes into a community it stays for only two or three days, and sometimes it does not even get to see a lot of people who have been charged. There have been a lot of complaints in my communities, such as Gjoa Haven and Spence Bay, regarding this matter. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 4, Members' Statements. Mr. Morin.

Member's Statement On Hunting Along Ingraham Trail

HON. DON MORIN:

Thank you, Mr. Speaker. On November 1, 1992, I and my family went out on the Ingraham Trail outside of Yellowknife to harvest caribou. I was harvesting caribou to take back to my riding on the Monday. This was on a Sunday. We were lucky enough to harvest three caribou. It was in a bore pit off the side of the Ingraham Trail, off the right-of-way of the Ingraham Trail. We were in the process of skinning these caribou and I was teaching my son how to skin caribou at the same time. A game warden came along and he asked me where I shot these caribou. I said, "I shot these caribou right here". Then he said, "Mr. Morin, are you aware that there is a regulation that you have to be a kilometre and a half off the highway?" I said "no." I wanted to let the Members know that I regret making this mistake and that is what it was, a mistake.

There is an upshot. The elders in Fort Resolution were happy to receive the fresh caribou meat the next night and my son did learn how to skin a caribou. I just thought I would let the Members know what I did. Thank you.

MR. SPEAKER:

Thank you. Item 4, Members' Statements. Mr. Arngna'naaq.

Member's Statement On Students' Conference

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. I would like to speak today about a conference which was held in Baker Lake the weekend before I came to Yellowknife. The theme of the conference was "The Youth of the Future Making a Difference", which I think was appropriate because I feel that a lot of the leaders that we have today are saying the same sort of thing. Students from the Keewatin communities were invited to participate in this conference, three DeGrassi players were also invited and all the delegates arrived on Thursday afternoon before the weekend, and registered that same night.

Friday morning saw the opening ceremonies with the following speakers: an elder, Norman Attungala; our Member of Parliament, Jack Anawak who took 45 minutes of his plane ride from Rankin to Baker Lake to write a speech; David Akasawnee who is our

Deputy Mayor; and Charles Dent from the Special Committee on Health and Social Services, who was able to say a few things to the conference.

Friday and all day Saturday, workshops were held and the following topics were determined by the students of grade seven and up when they completed a questionnaire in the spring: The Hazards of Substance Abuse; Sexually Transmitted Diseases; How to Identify Victims' Roles; How to

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Move From Victim to Recovery; Empowering Oneself; Making the Right Choice; and, Feeling Good About Oneself. After each of these topics, the delegates would break into smaller groups for discussion and they would then come back to the larger group to present the information received from each group.

The DeGrassi players were extremely helpful, in that they floated around to each group and helped to create the discussion. A lot of the information that came out of this conference will, I hope, be disseminated by each of the delegates who came in from the communities.

The goal of this conference was to allow the delegates to learn how to identify the problems in their home communities, how to deal with these problems, the importance of making the right choices and how to help others in their communities. I would like to give credit to the Department of Social Services, especially to Sandra Dumont...

MR. SPEAKER:

Mr. Arngna'naaq, your time has expired.

MR. ARNGNA'NAAQ:

Mr. Speaker, I would like to seek unanimous consent to continue my statement.

MR. SPEAKER:

There is unanimous consent, Mr. Arngna'naaq.

MR. ARNGNA'NAAQ:

Thank you. That was the end of the statement.

MR. SPEAKER:

Item 4, Members' Statements. Mr. Todd.

Member's Statement Regarding N.W.T. Elders

MR. TODD:

Thank you, Mr. Speaker. I would like to say a few words today about the elders who form the pillars of our communities across the Northwest Territories. Mr. Speaker, there are few among us who would question the significance of elders in a traditional northern society, yet everywhere I travel in the north, I see decisions being made for elders rather than by elders. I see a system of government that has no formal mechanism for heeding the guidance, the wisdom and the courage these elders can apply.

In 1988, Mr. Speaker, Canada's Commission to U.N.E.S.C.O. commented the following and I quote, "in most known western cultures, elders are the memories, the mythologies and consequently the true guides to a balanced and continued existence. Elders offer a wisdom which is too scarce and a valuable resource to squander. In light of the recent cultural tragedies, gradual erosion and loss of language, values and most importantly identity. There is a real need, an immediate need, to draw upon this collective wisdom. A true leadership role for elders around the world must be created."

Sadly, Mr. Speaker -- and I have spoken on this on several occasions -- I believe that, as a public government, we have overlooked these truths for far too long. We must adjust our approach to public sector decision making at the territorial level and at the community level, so that it is always a formal, significant leadership role for our community elders.

Mr. Speaker, in listening to the lessons of the past, I believe we can only be strengthened for meeting the challenges of the future. Thank you.

---Applause

MR. SPEAKER:

Thank you. Item 4, Members' Statements. Mr. Allooloo.

Member's Statement On National Addiction Awareness Week

HON. TITUS ALLOOLOO:

(Translation) Thank you, Mr. Speaker. Today at 12:00 p.m., I turned on my radio to listen to the Baffin region. I heard from my community that during this week, which is National Addictions Awareness Week, there was a feast held in many communities. People are holding meetings with elders, young people, along

with children and community members. They are going to have a feast today in my community. I would like to be there but, as we are in session here I am unable to attend. My heart is with them, with the people who will be feasting and dancing tonight, in recognition of the National Addictions Awareness Week. I remember them in my heart and I am envious. They are promoting alcohol and drug awareness to everybody in a positive manner in their communities in recognition of National Addictions Awareness Week, and having a good time at the same time including everybody young or old. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Item 4, Members' Statements. Item 5, Returns to Oral Questions. Item 6, Oral Questions. Ms. Mike.

ITEM 6: ORAL QUESTIONS

Question 8-12(3): Hunting Regulations

MS. MIKE:

(Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Renewable Resources. I have concern over the shameful incident which occurred outside Coppermine with the armed forces, operation Noridic Reliant. It does not give me much confidence in the Canadian Armed Forces' ability to protect me if they are not even capable of researching the regulations and policies established in the area where they are conducting their activities. I am concerned that in court they tried to claim that it was not their responsibility to find out what the hunting and firearm regulations were and that they should have been told about it by Renewable Resources officers. Perhaps the Minister could clarify this for me. Is it the responsibility of his department to ensure that each and every hunter knows the hunting regulations, or is it the responsibility of the hunter to do his or her homework before harvesting our northern wildlife?

MR. SPEAKER:

Thank you. Mr. Alloofoo.

Return To Question 8-12(3): Hunting Regulations

HON. TITUS ALLOOFOO:

Thank you, Mr. Speaker. I too am concerned about the decision which was taken by the judge. It was our

officers who charged these soldiers and took them to court. In our opinion they were breaking the law. The decision was made by the judge that they would be let go and there is nothing at this point which the department can do.

It is the responsibility of the individual to know the laws of this country, whether they are hunters or otherwise. Thank you.

MR. SPEAKER:

Supplementary, Ms. Mike.

Supplementary To Question 8-12(3): Hunting Regulations

MS. MIKE:

Mr. Speaker, since this incident has happened, what action has the Minister taken to ensure that military personnel are fully aware of regulations which govern hunting practices during the time they are in the Northwest Territories?

MR. SPEAKER:

Thank you. Mr. Alloofoo.

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Further Return To Question 8-12(3): Hunting Regulations

HON. TITUS ALLOOFOO:

Thank you, Mr. Speaker. It is the responsibility of the department to let their personnel know of the laws which govern the Northwest Territories, not just for hunting. We expect them to understand and to adhere to the laws of the Northwest Territories when they are in the Northwest Territories. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Ms. Mike.

Supplementary To Question 8-12(3): Hunting Regulations

MS. MIKE:

Thank you, Mr. Speaker. Recognizing that these individuals committed an illegal act and walked away with an absolute discharge, will the Minister make a commitment to undertake a comprehensive review of the relevant section of the Wildlife Act and

Regulations to ensure that this will never happen again?

MR. SPEAKER:

Thank you. Mr. Allooloo.

Further Return To Question 8-12(3): Hunting Regulations

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I will attempt to see where we could improve the act. It is always up to the judge to decide whether the party who has been charged is guilty or not guilty. It is not up to the department. We will try to make sure that there is adequate protection for wildlife conservation in the Northwest Territories. Thank you.

MR. SPEAKER:

Thank you. Item 6, Oral Questions. Mr. Ningark.

Question 9-12(3): Court Circuit System

MR. NINGARK:

Thank you, Mr. Speaker. My question is for the Honourable Stephen Kakfwi, Minister of Justice. Mr. Speaker, I feel I speak for the smaller remote communities across the territories, either Dene or Inuit. Most of the Members have travelled throughout the territories and have talked to individuals and groups. More importantly, Mr. Speaker, we have talked to people who are disadvantaged within the system.

One thing that is often brought to my attention is that the court cases in smaller communities are not dealt with in a reasonable time. I would like to ask the Minister if the Government of the N.W.T., the Department of Justice, is looking at correcting the system? People are complaining that when a court party does go into the smaller communities, after waiting for a long time for them to come, they are only there for one day and because of the time allotment they are not able to deal with all the cases. This is a real agony for the people who are waiting to be tried. Thank you.

MR. SPEAKER:

Thank you. Mr. Kakfwi.

Return To Question 9-12(3): Court Circuit System

HON. STEPHEN KAKFWI:

Mr. Speaker, the way in which justice is delivered and carried out in the Northwest Territories is very unique in Canada. It is also very costly. The judges who go on the circuits have a very different and demanding workload, as do the entourage who accompany them, the clerks, lawyers, prosecutors and staff. There is a view that the business of dispensing with the cases which are outstanding in the communities could be expedited if we had more judges and money. We could look at the question and come back with some suggestions to this Legislature about how we can expedite the process. There may only be one option, or there may be a number of options. I am not able to say, except that we know in many cases, there is a prevailing view that many of the functions which are carried out now in the justice system, not necessarily in the courts, and the numbers of charges being laid and people being convicted, as far as having some positive impact on the people charged, is being questioned. Are there any returns to the taxpayers, the public, and the communities if we keep charging people, and sending them to jail and then they come back with little or no change in their outlook and their behaviour? There are some questions like this being asked. As far as this specific concern, is there some way to make sure court cases are dealt with as quickly as possible in communities, I can come back with some suggestions and perhaps even specific figures as far as how much it may cost in order to respond quickly to the Member's concern. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Ningark.

Supplementary To Question 9-12(3): Court Circuit System

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, one of the common problems in the smaller communities are petty crimes. When the justice system is not serving the community in a speedy manner, the person who has committed a crime and is waiting for the court party to arrive, is so despaired that they are thinking about this, and while doing so may go out and commit another crime.

About a year ago, the Department of Justice was talking about the possibility of initiating community justice. I am wondering if this is something the Minister will be looking into? Thank you.

MR. SPEAKER:

Thank you. Mr. Kakfwi.

Further Return To Question 9-12(3): Court Circuit System

HON. STEPHEN KAKFWI:

Yes, Mr. Speaker, perhaps my earlier response was not focusing on the full scope of what the Member was asking. I was thinking more about the specific type of matters which can only be dealt with by the Territorial and Supreme Court of the Northwest Territories. The Member is correct, it is the view of some people involved in justice, that there are many charges that could be dealt with, for instance, by Justices of the Peace. There are cases with roles for community justice committees as well. With proper training and support, this is another way in which the court system could be more efficiently administered to the satisfaction of the community.

MR. SPEAKER:

I would like to remind the Members, especially the ordinary Members, that the supplementary question's preamble should be shorter than the original question. Thank you. Item 6, Oral Questions. Mr. Gargan.

Question 10-12(3): Hunting Restriction Along Ingraham Trail

MR. GARGAN:

Thank you, Mr. Speaker. Mr. Speaker, I would like to direct my question to the Minister responsible for Renewable Resources. When a decision was made to restrict hunting on the Ingraham Trail for 1.5 kilometres, was that an Executive decision or was that a departmental decision?

MR. SPEAKER:

Thank you. Mr. Allooloo.

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Return To Question 10-12(3): Hunting Restriction Along Ingraham Trail

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. It was a regulation that was put into effect in 1988 by the department.

MR. SPEAKER:

Thank you. Supplementary, Mr. Gargan.

Supplementary To Question 10-12(3): Hunting Restriction Along Ingraham Trail

MR. GARGAN:

I understand that the regulation is now five years old, and it came about on November 1. Before November 1 there was also wide coverage with regard to that restriction about one week before it came into effect. After it came into effect, how many people were actually charged with offending that regulation?

MR. SPEAKER:

Thank you. Mr. Allooloo.

Further Return To Question 10-12(3): Hunting Restriction Along Ingraham Trail

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I am aware that eight written warnings were issued on November 1, the first day the hunting corridor came into effect. I do not know how many more have been issued since then. During that time, an additional three tickets were issued. They were for hunting without a hunting licence, shooting from the travel portion of the road and meat wastage. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Gargan.

Supplementary To Question 10-12(3): Hunting Restriction Along Ingraham Trail

MR. GARGAN:

Mr. Speaker, yesterday when I was returning from Fort Providence there was a large amount of caribou migrating towards Providence. Is Mr. Allooloo's department aware of it and are you planning on imposing restrictions in that area? I understand that this is the first time that the caribou have changed their migration route. Is the Minister monitoring the movement of those caribou because the migration route has changed?

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question 10-12(3): Hunting Restriction Along Ingraham Trail

HON. TITUS ALLOOLOO:

Mr. Speaker, I believe there was two questions there. In regard to the first one, I am communicating with the chief of Fort Rae to see what we can do in this particular area, and whether we should impose some sort of restriction on the highway. If the caribou are moving down toward Fort Providence then I will be talking to the chief of Providence. To the second question, the department is monitoring the caribou herd which is moving so far to the west. It is now between Yellowknife and Boundary Creek I am told. I, myself, flew out one week ago and saw the caribou herd that was moving back up north and they seem to have moved from Ross Lake towards Great Slave Lake. Thank you.

MR. SPEAKER:

Supplementary, Mr. Gargan.

Supplementary To Question 10-12(3): Hunting Restriction Along Ingraham Trail

MR. GARGAN:

Mr. Speaker, just getting back to my question with regard to the issue of charges, during the time that C.B.C. was making those announcements regarding the restriction of hunting in that area they also warned the public that charges would be laid if people were hunting near the roads. Why were there eight warning tickets issued as opposed to charges being laid?

MR. SPEAKER:

Thank you. That was your last supplementary. Mr. Allooloo.

Further Return To Question 10-12(3): Hunting Restriction Along Ingraham Trail

HON. TITUS ALLOOLOO:

Mr. Speaker, since the regulation was established in 1988, it has been sufficient to give warnings to the hunters when the hunting corridor comes in effect, usually on November 1. It seems that when the hunters are warned they do not break the law. We have been working successfully with the hunters, so that they will observe the regulations and the law that governs hunting. It is not to our advantage to charge everybody that we see. We leave that decision to the discretion of the officer who, at the time, sees the event that is taking place. Myself, the deputy minister

and A.D.M. do not give directions to the officers to charge or not charge. That is up to the officers. Thank you.

MR. SPEAKER:

Item 6, Oral Questions. Mr. Lewis.

Question 11-12(3): Knowledge Of Cabinet Colleague Breaking Law

MR. LEWIS:

Thanks, Mr. Speaker. The question is for the Minister of Renewable Resources. Today, we had a confession from one of our Ministers that he had, in fact, unknowingly broken the law on November 1. I would like to ask the Minister, since this is a Cabinet colleague, when had he found out that this incident had taken place?

MR. SPEAKER:

Mr. Allooloo.

Return To Question 11-12(3): Knowledge Of Cabinet Colleague Breaking Law

HON. TITUS ALLOOLOO:

Mr. Speaker, at the time of the incident, not only to my colleague but all the hunters, I was at home in my constituency. I was called by my executive assistant regarding the hunting of the caribou around Ingraham Trail. I was not told who they were. I was just told that warnings were given to the hunters and tickets issued. Thank you.

MR. SPEAKER:

Mr. Lewis.

Supplementary To Question 11-12(3): Knowledge Of Cabinet Colleague Breaking Law

MR. LEWIS:

Is the Minister aware that, on that day, there were some people who were charged and that other people were not charged? Is he aware of that fact?

MR. SPEAKER:

Thank you. Mr. Allooloo.

Further Return To Question 11-12(3): Knowledge Of Cabinet Colleague Breaking Law

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. Like I said, there were only three summary tickets that were issued on that day. Thank you.

MR. SPEAKER:

Supplementary, Mr. Lewis.

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Supplementary To Question 11-12(3): Knowledge Of Cabinet Colleague Breaking Law

MR. LEWIS:

Will the Minister concur then, in his department, that there is discriminatory application of the law and some people may get charged and some people may not get charged, even though it is the same offence?

MR. SPEAKER:

Thank you. Mr. Allooloo.

Further Return To Question 11-12(3): Knowledge Of Cabinet Colleague Breaking Law

HON. TITUS ALLOOLOO:

Mr. Speaker, that is not true. So far, since 1988, since the corridor was established, there have been no charges laid under that regulation. Like I said, Mr. Speaker, the warnings have been sufficient that hunters adhere to the law after they had been warned and they have, to our knowledge, not continued their activities after they have been warned. Thank you.

MR. SPEAKER:

Thank you. Item 6, Oral Questions. Mr. Todd.

Question 12-12(3): Services For Victims Of Crime

MR. TODD:

Thank you, Mr. Speaker. My question will be for the Minister of Justice. Despite the statements I made in this House that service to the victims of crime are a priority of the government, I am concerned about the progress in this field. My question to the Minister of Justice is this. What has he done since assuming this portfolio to ensure that there are adequate services for victims of crime at the community level across the Northwest Territories?

MR. SPEAKER:

Thank you. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I will take the question as notice.

MR. SPEAKER:

Thank you. The question has been taken as notice. Item 6, Oral Questions. Member for Thebacha.

Question 13-12(3): Departmental Consideration Of Appealing Court Decision

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have a question for the Minister of Renewable Resources. Mr. Speaker, in respect to the Canadian Armed Force's case on operation Nordic Reliant, has the individual been found guilty and given an absolute discharge, granted a conditional discharge? I would like to ask the Minister whether his department has considered appealing that decision?

MR. SPEAKER:

Thank you. Mr. Allooloo.

Return To Question 13-12(3): Departmental Consideration Of Appealing Court Decision

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I believe the department is talking to the Department of Justice and they are determining what they should do. Thank you.

MR. SPEAKER:

Member's Supplementary. Member for Thebacha.

Supplementary To Question 13-12(3): Departmental Consideration Of Appealing Court Decision

MRS. MARIE-JEWELL:

Mr. Speaker, would the Minister please advise this House as to whether or not they will appeal once they make their decision?

MR. SPEAKER:

Thank you. Mr. Allooloo.

Further Return To Question 13-12(3): Departmental Consideration Of Appealing Court Decision

HON. TITUS ALLOOLOO:

Yes, Mr. Speaker.

MR. SPEAKER:

Thank you. Item 6, Oral Questions. Mr. Pudlat.

Question 14-12(3): Lake Harbour Renewable Resources Officer Position

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. This is a question for the Minister of Renewable Resources because he has the letter that I gave him. I wonder if the Minister of Renewable Resources can answer my question? The people of Lake Harbour are requesting a replacement for a Renewable Resources officer, who is transferring to another community. It is very difficult in a community to do without a Renewable Resources officer and we have been requesting one for quite some time. Now we finally have one, but he is being transferred. I wonder if he can be replaced as soon as possible? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Allooloo.

Return To Question 14-12(3): Lake Harbour Renewable Resources Officer Position

HON. TITUS ALLOOLOO:

(Translation) Thank you, Mr. Speaker. This week, the Renewable Resources staff from Iqaluit will be meeting with the Lake Harbour H.T.A. because the Renewable Resources officer currently in Lake Harbour will be leaving. We will try to get a Renewable Resources officer in Lake Harbour as soon as we can. Thank you.

Question 15-12(3): Hunting Corridor Restriction Enforceable On Aboriginal People

MR. GARGAN:

Mr. Speaker, my question is to the Minister of Justice. I got a letter here from Paul Kraft, the superintendent of Renewable Resources, and the letter is with regard to the no hunting corridor. It indicates that "the

Department of Justice has recently advised that it is not possible, or legal, to limit aboriginal hunting rights by creating occupied Crown lands in an arbitrary fashion." What this means is that this regulation is unenforceable against people exercising aboriginal hunting activities. I would like to ask the Minister whether or not the restriction on the no hunting corridor is enforceable against aboriginal people?

MR. SPEAKER:

Thank you. Mr. Allooloo. I am sorry, Mr. Kakfwi.

Point Of Order

HON. STEPHEN KAKFWI:

Mr. Speaker, the Member is asking a question partially formulated on a letter that this Legislature does not have access to. He does not say to whom the letter is written. I have no idea what letter the Member is referring to. I wonder whether the question is in order or not? It is a Point of Order.

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MR. SPEAKER:

The Member is using the letter for his preamble, but the direct question to the Minister was normal. I will ask Mr. Gargan to repeat his question. Mr. Gargan.

Question 15-12(3): Hunting Corridor Restriction Enforceable On Aboriginal People

MR. GARGAN:

Mr. Speaker, the whole question of big game hunting on the Mackenzie Highway between Fort Providence and Fort Simpson should not apply to aboriginal people. The Renewable Resource personnel indicated that it is a good regulation but you cannot enforce it on aboriginal people because it is not enforceable. It is based on a court decisions under section 35 of the Constitution. Having a regulation as such does not make any sense to aboriginal people. Perhaps it does make decisions for non-aboriginal people, but it is not enforceable and the regulation may as well not exist. I am asking the Minister whether that is correct?

MR. SPEAKER:

Thank you. Mr. Kakfwi.

Return To Question 15-12(3): Hunting Corridor Restriction Enforceable On Aboriginal People

HON. STEPHEN KAKFWI:

Mr. Speaker, there are some regulations which are made by this government for reasons of conservation and public safety to ensure there are some laws by which the public will conduct themselves, particularly in relation to the harvesting of wildlife. The easiest, best, surest and cleanest way to answer the question is to go to court if you feel the regulations do not apply to you. Legal opinions are not for me to give. There are a lot of opinions which say they are good laws and they will stand the test of the courts. You will find many legal opinions that will say the opposite, that they will not stand the test of the courts. I do not have a legal opinion, personally, on that. Thank you.

MR. SPEAKER:

Supplementary, Mr. Gargan.

Supplementary To Question 15-12(3): Hunting Corridor Restriction Enforceable On Aboriginal People

MR. GARGAN:

Thank you, Mr. Speaker. I would like to ask the Minister whether any aboriginal people have been charged with hunting within the corridors.

MR. SPEAKER:

Thank you. Mr. Kakfwi.

Further Return To Question 15-12(3): Hunting Corridor Restriction Enforceable On Aboriginal People

HON. STEPHEN KAKFWI:

Mr. Speaker, my understanding is aboriginal people have been charged under these laws.

MR. SPEAKER:

Thank you. Second supplementary, Mr. Gargan.

Supplementary To Question 15-12(3): Hunting Corridor Restriction Enforceable On Aboriginal People

MR. GARGAN:

Thank you, Mr. Speaker. So if aboriginal people were charged then there must be a court opinion on the hunting corridors and the aboriginal people's hunting.

I would like to ask the Minister whether he has looked at the results of those decisions?

MR. SPEAKER:

Thank you. Mr. Kakfwi.

Further Return To Question 15-12(3): Hunting Corridor Restriction Enforceable On Aboriginal People

HON. STEPHEN KAKFWI:

Mr. Speaker, if there are court cases, I have not personally reviewed them. There is no difficulty with making the reasons for decisions available to people. I think they normally are, and I would be quite happy to share them. Thank you.

MR. SPEAKER:

Thank you. Item 6, Oral Question. Member for Thebacha.

Question 16-12(3): Options For Winter Road To Fort Smith

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have a question for the Minister of Transportation. Mr. Speaker, on June 29 of this year I put forth a motion in this House that was passed asking the Minister to negotiate with Wood Buffalo National Park to keep open and maintain the winter road between Fort Smith and Fort Chipewyan. Parks Canada has advised the community of Fort Smith that this winter road will be closed.

Mr. Speaker, on September 9 the Minister sent me a copy of the letter he sent to the Minister of Environment of Canada. I know since then the Minister has had a meeting with the Minister of Environment regarding this road. I know he has not been able to successfully convince Wood Buffalo National Park to keep this road open. Therefore, I would like to ask the Minister, what are the options that he is considering to assist the community of Fort Smith in keeping this winter road open through Wood Buffalo National Park? Thank you.

MR. SPEAKER:

Thank you. Mr. Whitford.

Return To Question 16-12(3): Options For Winter Road To Fort Smith

HON. TONY WHITFORD:

Thank you, Mr. Speaker. On the matter of the winter road to Fort Chipewyan, as the Member correctly points out, it is a matter within two jurisdictions that are not ours. First, it is through Wood Buffalo National Park, second, it is in the Province of Alberta. Historically, we have cooperated with Wood Buffalo National Park to put that winter road through to Fort Chipewyan, and Parks Canada had picked up the cost of it. We provided the service because we had equipment there doing other work. This year Parks Canada has said they would not continue. Since they have made that point, I have attempted to meet with Parks Canada and the Province of Alberta individually. At this point in time the door is not yet closed to the possibility that Parks Canada will change its mind on this road. I am expecting to hear the final decision from Environment Canada shortly. I regret not being able to have a reply to that today, but I was expecting something having met with the Minister last week. The options we have open to us are not broad. We have only a couple of things we can do. The first one is to attempt, again, to persuade Parks Canada to reconsider for this year so we can get a better assessment of what the use of this road entails: who uses it; how often they use it; for what reasons; and, when they use it. There are two other options, and one is to say no it is not our jurisdiction. I would leave that until last, Mr. Speaker, because we would like to see if there are other ways in which we can achieve this objective by talking to the Town of Fort Smith a bit more and continuing dialogue with the province and parks.

MR. SPEAKER:

Thank you. Supplementary, Member for Thebacha.

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Supplementary To Question 16-12(3): Options For Winter Road To Fort Smith

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I recognize that it is the responsibility or total jurisdiction of the Department of Transportation, however I place forth the motion in anticipation and hope that the Minister of Transportation would be able to assist a community which is within his jurisdiction. I want to further note to the Minister that the roads which go through Wood Buffalo National Park, now currently from Hay River to

Fort Smith, are not within his jurisdiction but he maintains them and takes responsibility for them.

Therefore I would like to ask the Minister when does he anticipate, seeing as there is snow on the ground and this road may be closed, to receive an answer and give the community of Fort Smith an answer as to whether he has the ability to assist in keeping that road open or not? Thank you.

MR. SPEAKER:

Thank you. Mr. Whitford.

Further Return To Question 16-12(3): Options For Winter Road To Fort Smith

HON. TONY WHITFORD:

Thank you, Mr. Speaker. I would like to give that answer today, but unfortunately I cannot. I am still waiting for Parks Canada to respond. I am waiting for them to come out and say their final no. I have not yet received that. I do not wish to close that door. The jurisdiction is theirs, it is within the National Park and added to that, this is in the province of Alberta and we have no jurisdiction to go in there to build a road. I do not want to give the answer of no today because I still have not concluded all avenues which may be open to us to get money for this road. We are working as hard as we can to get it done before Christmas.

MR. SPEAKER:

Are you taking this question as notice?
Supplementary, Member for Thebacha.

Supplementary To Question 16-12(3): Options For Winter Road To Fort Smith

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I appreciate the efforts the Minister is making in trying to keep this road open. I want to know exactly when the Minister will be able to advise the community of Fort Smith whether or not Wood Buffalo National Park will maintain the winter road and keep it open? Thank you.

MR. SPEAKER:

Thank you. Mr. Whitford.

Further Return To Question 16-12(3): Options For Winter Road To Fort Smith

HON. TONY WHITFORD:

Mr. Speaker, I understand the concern which Fort Smith has with regard to this road and I am very sensitive to this concern. I will endeavour to, as soon as I get word from the Minister who is responsible, find out whether or not they are going to co-fund this or not fund it at all. I will let the Town of Fort Smith know before the end of the session.

MR. SPEAKER:

Thank you. Supplementary, Member for Thebacha.

Supplementary To Question 16-12(3): Options For Winter Road To Fort Smith

MRS. MARIE-JEWELL:

Thank you. To avoid hearing "no, we cannot keep the road open" on the last day of the session, I would like to ask the Minister if he would make a commitment to contact his counterpart at the federal level prior to the beginning of December and advise this House as to their decision whether or not they will assist the Department of Transportation in keeping this winter road open? Thank you.

MR. SPEAKER:

Thank you. That was your last supplementary. Mr. Whitford.

Further Return To Question 16-12(3): Options For Winter Road To Fort Smith

HON. TONY WHITFORD:

Thank you, Mr. Speaker. Yes, I will do that and I will contact the Minister even before that time.

MR. SPEAKER:

Thank you. Item 6, Oral Questions. Mr. Ningark.

Question 17-12(3): Arrival And Construction Of Houses

MR. NINGARK:

Thank you, Mr. Speaker. This will be my last question for the day. I must go to the airport to pick up my family. My question is for the Minister responsible for Housing. First of all, I would like to commend the Minister in meeting the many demands that are placed upon his shoulders, especially in the area of

providing social housing. It is no small task to keep up with the enormous population growth.

Mr. Speaker, when I travel to my communities I am told that the building materials arrive in late summer, but are not used until the next year. I would like to know if the Minister could check into this matter and find out why the houses are not built the same year the materials arrive? Thank you.

MR. SPEAKER:

Thank you. Mr. Morin.

Return To Question 17-12(3): Arrival And Construction Of Houses

HON. DON MORIN:

Thank you, Mr. Speaker. I understand that in some communities in the eastern Arctic and the communities off the highway have a two-year delivery system. This is where you work on the pads the first year and you get the material into the community, and then you get an early start in the spring of the next year on those units. This rotates so that the community does not lose any housing. I will prepare a full briefing for the Member. Thank you.

MR. SPEAKER:

Thank you. Item 6, Oral Questions. Mr. Gargan.

Question 18-12(3): Apology From Military

MR. GARGAN:

Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Aboriginal and Intergovernmental Affairs. Mr. Speaker, recognizing that members of the Canadian Armed Forces who engaged in operation Nordic Reliant were guilty of illegally hunting without permits, can the Minister advise this House whether or not he has received an official apology from the Government of Canada or the military?

MR. SPEAKER:

Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I will check my mail and get back to the Member. Thank you.

MR. SPEAKER:

The Member is taking the question as notice. Item 6, Oral Questions. Member for Thebacha.

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Question 19-12(3): Selection Of Members For Divisional Board Independent Committee

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have a question for the Minister of Education. Mr. Speaker, recently I wrote to the Minister of Education with respect to a concern of the South Slave Divisional Board's ability to manage the Lutsel K'e residence for students in Fort Smith. Mr. Speaker, as I indicated to the Minister, the divisional board had entered into two group home contracts at which the group home parents were suspended. According to legal advice they were suspended for unjust cause. I know this has caused a lot of stress to these group home parents. The divisional board has set up an independent committee of divisional board members to look at this.

I would like to ask the Minister if he would consider that this independent committee also allows for people to be part of this committee are not parties of interest to the South Slave Divisional Board. Thank you.

MR. SPEAKER:

Thank you. Mr. Arvaluk.

Return To Question 19-12(3): Selection Of Members For Divisional Board Independent Committee

HON. JAMES ARVALUK:

Thank you, Mr. Speaker. No action has been taken. There has been no suspension whatsoever. That has been deferred. However, we are having the department and the divisional board to look into the situation further and will advise as to what action needs to be taken. I will then be in a position to follow up on the Member's request. Thank you.

MR. SPEAKER:

Supplementary, Member from Thebacha.

Supplementary To Question 19-12(3): Selection Of Members For Divisional Board Independent Committee

MS. MARIE-JEWELL:

Mr. Speaker, I do not know where the Minister is getting his information, saying there has been no action taken. The Lutsel K'e South Slave Divisional Board in Lutsel K'e suspended the two group home parents as of October 30 for a two week period which should have been concluded November 13. However, they have since found it necessary to extend the suspension to November 20, pardon me, as of November 20. Therefore, there have been suspensions made, as I indicated earlier. Since the suspension, there has been in my opinion, no independent committee to review why this action was taken.

Therefore, I am asking the Minister to make a commitment to consider an independent committee that does not have interest in the South Slave Divisional Board when they are making this decision. Thank you.

MR. SPEAKER:

Thank you. Mr. Arvaluk.

Further Return To Question 19-12(3): Selection Of Members For Divisional Board Independent Committee

HON. JAMES ARVALUK:

Thank you, Mr. Speaker. We might have a different understanding. I understand that there was a recommendation by the divisional board to suspend the house parents, but I am told by the department that a recommendation has not yet been accepted to date to suspend them. I will look into this situation to find out which one of us is correct. Naturally, I would not say that the Member is wrong just because I have different information. Another point that I think would be very important to note with regard to the Member's question is that this residence is a residence for Lutsel K'e students and I would want to involve the parents of the Lutsel K'e to give me a direction, and to give the divisional board direction as to what action should be taken on this because these are the children of Lutsel K'e. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Member for Thebacha.

Supplementary To Question 19-12(3): Selection Of Members For Divisional Board Independent Committee

MRS. MARIE-JEWELL:

I agree, Mr. Speaker, that he should allow the parents to participate in the discussions that affect their children but, at the same time, I am concerned about the effect that this has on my constituents. Mr. Speaker, I would like to ask the Minister -- and he still has not answered my initial question -- since a suspension has taken place, on October 30, these group home parents have moved from the home. A director from the South Slave Divisional Board has replaced one group home parent, the assistant director for the South Slave Divisional Board has replaced another group home parent and they decided to set up a committee to review this whole issue. I am asking the Minister if he would make a commitment to me, to this House, when they set up this independent committee, to make sure that there are other people other than the South Slave Divisional Board parties of this committee, so that it is a totally independent and fair committee? Thank you.

MR. SPEAKER:

Thank you. Mr. Arvaluk.

Further Return To Question 19-12(3): Selection Of Members For Divisional Board Independent Committee

HON. JAMES ARVALUK:

Thank you, Mr. Speaker. I will consult with the South Slave Divisional Board, recommend the Member's concern and express to them the Member's concern regarding the independency of the review.

MR. SPEAKER:

Thank you. Item 6, Oral Questions. New question, Member for Thebacha.

Question 20-12(3): Definition Of Summary And Warning Tickets

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I would like to ask the Minister of Renewable Resources a question with regard to the comments that my colleague from Deh Cho has brought forth on hunting along the corridors. Mr. Speaker, the Minister indicated that three summary tickets were issued, and eight warning tickets were issued. Can the Minister tell this House what is a summary ticket and what is a warning ticket?

MR. SPEAKER:

Thank you. Mr. Allooloo.

Return To Question 20-12(3): Definition Of Summary And Warning Tickets

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. In this case, eight warning tickets were given because the hunters were hunting within 1.5 kilometres from the road and the three summary tickets were issued for hunting without a hunting licence or tag, for shooting from the travelled portion of the road and for meat wastage. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Member for Thebacha.

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Supplementary To Question 20-12(3): Definition Of Summary And Warning Tickets

MRS. MARIE-JEWELL:

Mr. Speaker, I think I am using up my supplementary for nothing, because the Minister did not answer my question. I was asking what the difference is between a warning ticket and a summary ticket and maybe I should answer it for him. Can the Minister tell me if a summary ticket is a ticket that is granted to an individual who has not adhered to the regulations, and a summary for them to appear in court? Is a warning ticket to indicate to an individual who has not adhered to the regulations, that the next time they will be given a summary ticket?

MR. SPEAKER:

Thank you. Mr. Allooloo.

Further Return To Question 20-12(3): Definition Of Summary And Warning Tickets

HON. TITUS ALLOOLOO:

That is a possibility. If the individual is seen again, he may be charged or given a summary ticket. A summary ticket is a fine. The individual is given a certain period of time and if he does not pay his fine within that time, he goes to court. Warnings are just that, warnings. It could be given verbally, or written to the hunter. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Member for Thebacha.

Supplementary To Question 20-12(3): Definition Of Summary And Warning Tickets

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. Since the Minister indicated to us the difference between these tickets, I would like to ask the Minister, what is the purpose of his department having regulations that are supposed to be adhered to and followed through for hunting and harvesting, when his wildlife officers can apply these regulations with discretion? Thank you.

MR. SPEAKER:

Thank you. Mr. Allooloo.

Further Return To Question 20-12(3): Definition Of Summary And Warning Tickets

HON. TITUS ALLOOLOO:

Mr. Speaker, our officers use their discretion like the police do. You could be going down the street without wearing a seat belt and, if the policeman catches you, he could give you a warning or he could charge you. It is up to that policeman to decide, and it is up to particular person to cooperate. Thank you.

MR. SPEAKER:

Thank you. Item 6, Oral Questions. Mr. Gargan.

Question 21-12(3): Departmental Commitment To Decentralization

MR. GARGAN:

Thank you, Mr. Speaker. Mr. Speaker, I have a question for the Minister responsible for Education, Culture and Employment Programs. Mr. Speaker, in my Member's Statement yesterday, I said that this government stated an initiative to decentralize programs and services wherever possible and spoke of the apparent reluctance of some departments to implement this policy fully. I would like to ask the Minister of Education, Culture and Employment Programs if he and his department are fully committed to the decentralization initiative of this government?

MR. SPEAKER:

Thank you. Mr. Arvaluk.

Return To Question 21-12(3): Departmental Commitment To Decentralization

HON. JAMES ARVALUK:

Yes, Mr. Speaker.

MR. SPEAKER:

Thank you. The question period has been expired. Now we go on to Item 7, Written Questions. Member for Thebacha.

ITEM 7: WRITTEN QUESTIONS

Question 1-12(3): Summary Of Costs Paid By The Legal Services Board

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have a written question for the Minister of Justice. Would the Minister of Justice please table in this House a summary of all costs paid by the Legal Services Board, including fees and disbursements, on behalf of people assisted by the Legal Services Board in initiating or defending appeals made on the following legal matters: the Crown versus Ian Richardson; the Crown versus Norman Desjardin; the Crown versus Eli Ulaayak; the Crown versus Rowe on a sexual assault case; the Crown versus Fraser on a sexual assault case; the Crown versus Gillespie; the Crown versus Toasi; Zatlyn versus the Commissioner of the Northwest Territories; Alberta Limited versus Yellowknife Development and Air Manitoba Incorporation; Wayne Dennis versus the Commissioner of the Northwest Territories; the Crown versus Laisa; the Crown versus Larocque; the Crown versus Ms. Makeinzo; the Crown versus Maher on a sexual assault case; H.T.B. Management versus Scott Baker; Viswalingam versus Viswalingam; Curry Construction versus John Deer Finance Limited; Curry Construction versus First City Trust Company; Brock Laidlaw versus the Commissioner of the Northwest Territories; the Crown versus Allen on a sexual assault case; the Crown versus Temela; the Crown versus Dale Pearce; the Crown versus Peter Ittinuar; the Crown versus Gordon Haslam; the Crown versus K. Legge; the Crown versus E. Tassaugat. Thank you.

MR. SPEAKER:

Thank you. Written Questions. Member for Thebacha.

Question 2-12(3): Summary Of Fees And Disbursements Paid By The Legal Services Board

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have another lengthy written question for the Minister of Justice. Would the Minister of Justice please table in this House a summary of all costs paid by the Legal Services Board, broken down by fees and disbursement, and representing people who may have been granted new trials after a successful appeal made on the following legal matters: the Crown versus Ian Richardson; the Crown versus Norman Desjardin; the Crown versus Eli Ulaayak; the Crown versus Rowe on a sexual assault case; the Crown versus Fraser on a sexual assault case; the Crown versus Gillespie; the Crown versus Toasi; Zatlun versus the Commissioner of the Northwest Territories; Alberta Limited versus Yellowknife Developments and Air Manitoba Incorporation; Wayne Dennis versus the Commissioner of the Northwest Territories; the Crown versus Laisa; the Crown versus Larocque; the Crown versus Ms. Makeinzo; the Crown versus Maher on a sexual assault case; H.T.B. Management versus Scott Baker; Viswalingam versus Viswalingam; Curry Construction versus John Deer Finance Limited; Curry Construction versus First City Trust Company; Brock Laidlaw versus the Commissioner of the Northwest Territories; the Crown versus Allen on a sexual assault case; the Crown versus Temela; the Crown versus Dale Pearce; the Crown versus Peter Ittinuar; the Crown versus Gordon Haslam; the Crown versus K. Legge; the Crown versus E. Tassaugat. Thank you.

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MR. SPEAKER:

Thank you. Written questions. Item 8, Returns to Written Questions. Item 9, Replies to Opening Address. Item 10, Replies to Budget Address. Item 11, Petitions. Item 12, Reports of Standing and Special Committees. Item 13, Reports of Committees on the Review of Bills. Item 14, Tabling of Documents. Mr. Allooloo.

ITEM 14: TABLING OF DOCUMENTS

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I wish to table Tabled Document 9-12(3) the "1992 Arctic Winter Games Northwest Territories Team", Whitehorse, Yukon.

MR. SPEAKER:

Thank you. Tabling of Documents. Member for Thebacha.

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I wish to table Tabled Document 10-12(3) a letter to Dr. Earle Covert dated September 2, 1992 from Dennis Patterson, the Minister of Health. Thank you.

MR. SPEAKER:

Thank you. Tabling of Documents. Item 15, Notices of Motion. Mr. Kakfwi.

ITEM 15: NOTICES OF MOTION

Motion 1-12(3): Political And Constitutional Development Debate

HON. STEPHEN KAKFWI:

Thank you. Mr. Speaker, I give notice that on Monday, November 23, 1992, I will move the following motion. Now therefore I move, seconded by the Honourable Member for Nunakput, that Tabled Document 1-12(3), "Nunavut Political Accord" and Tabled Document 3-12(3), "Working Towards a Common Future," Report of the Commission for Constitutional Development Phase I, be moved into Committee of the Whole for consideration as the first item of business on November 25, 1992.

Further, that invitations be issued to the acting president of the Tungavik Federation of Nunavut and to the members of the Committee of Western Political Leaders including the Presidents of the Inuvialuit Regional Corporation, the Metis Nation of the Northwest Territories, the Gwich'in Tribal Council, the Sahtu Tribal Council, as well as the National Chief of the Dene Nation and the Grand Chief of the Dogrib Treaty II Council, to appear before the Committee of the Whole to discuss and present their views on constitutional development for both eastern and western Northwest Territories. Mahsi.

MR. SPEAKER:

Item 15, Notices of Motion. Item 16, Notices of Motions for First Reading of Bills. Mr. Kakfwi.

ITEM 16: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

Bill 6: An Act To Amend The Commercial Tenancies Act

HON. STEPHEN KAKFWI:

Mr. Speaker, I give notice that on Monday, November 23, 1992 I shall move that Bill 6, an Act to Amend the Commercial Tenancies Act be read for the first time.

MR. SPEAKER:

Thank you. Item 16, Notices of Motions for First Reading of Bills. Mr. Whitford.

Bill 7: An Act To Amend The Locksmiths, Security Guards And Other Security Occupations Act

HON. TONY WHITFORD:

Qujannamiik, Mr. Speaker. Mr. Speaker, I give notice that on Monday, November 23, 1992 I shall move that Bill 7, an Act to Amend the Locksmiths, Security Guards and Other Security Occupations Act be read for the first time. Mahsi.

MR. SPEAKER:

Thank you. Item 16, Notices of Motions for First Reading of Bills. Item 17, Motions. Item 18, First Reading of Bills. Mr. Kakfwi.

ITEM 18: FIRST READING OF BILLS

Bill 2: An Act To Amend The Condominium Act

HON. STEPHEN KAKFWI:

Mr. Speaker, I move, seconded by the Honourable Member for Tu Nedhe, that Bill 2, an Act to Amend the Condominium Act be read for the first time.

MR. SPEAKER:

Mr. Kakfwi, I believe your seconder is not in the House. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

The Member for Yellowknife South will second the motion.

MR. SPEAKER:

Thank you, he has a seconder. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Item 18, First Reading of Bills. Mr. Kakfwi.

Bill 4: An Act To Amend The Public Trustee Act

HON. STEPHEN KAKFWI:

Mr. Speaker, I move, seconded by the Honourable Member for Yellowknife South, that Bill 4, an Act to Amend the Public Trustee Act be read for the first time.

MR. SPEAKER:

Thank you. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 4 now has first reading. Item 18, First Reading of Bills. Mr. Pollard.

Bill 5: An Act To Amend The Social Assistance Act

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the Honourable Member for Aivilik, that Bill 5, an Act to Amend the Social Assistance Act be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 5 has first reading. Item 18, First Reading of Bills. Item 19, Second Reading of Bills. There is no business in the

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Committee of the Whole this afternoon. I will ask the Clerk for the Orders of the Day. Mr. Clerk.

ITEM 23: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, there will be a meeting of the Standing Committee on Finance immediately after adjournment this afternoon. There will be a briefing at 7:00 p.m. this evening for all Ordinary Members in the Caucus Room. At 9:00 a.m. tomorrow morning a meeting of the Ordinary Members' Caucus. Orders of the day for Friday, November 20, 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 Motion
15. Notices of Motions for First Reading of Bills
16. Motions

17. First Reading of Bills
 - Bill 1, Appropriation Act No. 1, 1993-94
18. Second Reading of Bills
 - Bill 2, An Act to Amend the Condominium Act
 - Bill 4, An Act to Amend the Public Trustee Act
 - Bill 5, An Act to Amend the Social Assistance Act
19. Consideration in Committee of the Whole of Bills and Other Matters
20. Report of Committee of the Whole
21. Third Reading of Bills
22. Orders of the Day

MR. SPEAKER:

Thank you, Mr. Clerk. This House stands adjourned until 10:00 a.m. Friday, November 20, 1992.

---ADJOURNMENT