



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

6th Session

Day 7

12th Assembly

HANSARD

WEDNESDAY, OCTOBER 12, 1994

Pagination reflects print edition

Speaker: The Hon. Jeannie Marie-Jewell

WEDNESDAY, OCTOBER 12, 1994

Page 211

MEMBERS PRESENT

Mr. Allooloo, Mr. Antoine, Hon. Silas Arngna'naaq, Mr. Arvaluk, Mr. Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Hon. Jeannie Marie-Jewell, Hon. Rebecca Mike, Hon. Don Morin, Hon. Richard Nerysoo, Mr. Ningark, Mr. Patterson, Hon. John Todd, Mr. Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

MADAM SPEAKER (Hon. Jeannie Marie-Jewell):

Thank you. Good afternoon. Item 2, Ministers' statements. The honourable Member for Kivallivik, Mr. Arngna'naaq.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 20-12(6): European Fur Import Regulation

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. Madam Speaker, in May, before I became the Minister of Renewable Resources, I had the privilege of leading one of two delegations to meet with European governments. We discussed the harvesting of furs and animals, which is an important part of our northern economy and the foundation for our northern cultures.

The European community still intends to establish a regulation which could result in the end of the wild fur trade. Our primary mission in Europe was to gain support for Canada's request to delay the implementation of this regulation for one year.

I am pleased to report that our mission was successful. However, the one-year delay does not provide enough time for us to meet the conditions of the regulation as they now exist. We must now focus on two tasks.

First, we must change the European regulation so that it meets its original objective of promoting humane harvesting without killing the wild fur industry. To accomplish this, we must work with the Canadian government and our Canadian embassies in Europe.

As well, the Department of Renewable Resources will monitor activities in the European Parliament. I also believe we must take every opportunity to meet directly with European governments and provide as much information as possible. In this way, European governments can make decisions that will help our economy, not hinder it.

Our other task is to continue the progress we have made in leading the world in developing and adopting humane harvesting methods. To accomplish this, the Department of Renewable Resources is continuing to work with trappers on using humane trapping methods. Both the trap exchange program and trapper training workshops will continue. As well, the department is participating in the process to develop international standards for humane trapping methods. Such standards are needed to implement the European regulation.

In our draft NWT Fur Strategy, we refer to the need to investigate alternative markets for our high quality wild fur pelts and products. We will proceed on this initiative in consultation with the Department of Economic Development and Tourism.

Lastly, I would like to thank the delegation Members: the Honourable Stephen Kakfwi; the MLA for Nahendeh, Mr. Jim Antoine; the MLA for Yellowknife South, Mr. Tony Whitford; Chief James Ross and sub-Chief Joe Charlie from Fort McPherson; Mr. Sandy Tongola from Rankin Inlet; and, the deputy minister and assistant deputy minister of Renewable Resources, Mr. Joe Handley and Mr. Bob McLeod. I also appreciate the support from the Legislative Assembly, the Department of Economic Development and Tourism and the Gwich'in Tribal Council in sharing the delegations' costs. Qujannamiik.

MADAM SPEAKER:

Thank you. Item 2, Ministers' statements. The honourable Member for Baffin Central, Ms. Mike.

HON. REBECCA MIKE:

Thank you, Madam Speaker. This is a return...Oh, I'm sorry, I'm in the wrong place.

MADAM SPEAKER:

Item 2, Ministers' statements. The honourable Member for Mackenzie Delta, Mr. Nerysoo.

Minister's Statement 21-12(6): Minister Absent From The House

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I wish to advise Members that the Honourable John Pollard will be absent from the House for the remainder of the week to attend a federal/provincial/territorial meeting of Finance Ministers in Toronto to discuss the replacement of the goods and services tax. Mr. Pollard will also be meeting with Members of Parliament of the NWT to discuss the health billings dispute and the formula financing negotiations. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for Iqaluit, Mr. Patterson.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Sivullik Building In Iqaluit

MR. PATTERSON:

Thank you, Madam Speaker. I rise today with more good news from Iqaluit.

---Applause

Page 212

Thank you. A striking new building, the Sivullik Building, now graces the downtown skyline of my constituency. Madam Speaker, it is a new building featuring 24 apartments, including penthouse apartments with spectacular lofts on the third floor and about 7,000 square feet of ground-floor commercial space.

What is exciting about this brand new edifice, Madam Speaker, is that it is majority-owned by 15 Inuit shareholders from all over Baffin Island who have put up real money, their own money, without government grants or subsidies of any kind, for 51 per cent equity along with Grinnel Properties Ltd. in this modern, \$4 million building.

Their new company is called Sivullik Development Corporation. I'm told that the name "Sivullik" is derived from an ancient Inuit legend. Time does not permit me to relate it here, but briefly, Ninguraaluk, an old woman, Utuqqalualuk, an old man, and Iliarjugaarjuk, a little orphan boy, are transformed respectively into the stars Vega, Arcturus and Muphrid. Amongst the Inuit, Vega is known as

Kingullialuk, "the big one behind," while Arcturus and its companion star are together called Sivullik, "the two in front."

Madam Speaker, I'm delighted that this project, which was the major capital project this summer, is entirely funded from the private sector, including financing from the Bank of Montreal. Iqaluit is coming of age in reducing its dependence on government.

---Applause

I'm especially pleased that this is yet another Inuit-owned and controlled venture; a second major real estate venture, following the Ivavik apartment building put up by Katujjijit Development Corporation several years ago. I wish to particularly congratulate Harry Flaherty, president of Sivullik Development Corporation; Carmen Levi, vice-president; and, their board and shareholders for this major step towards becoming landlords in their own land.

It looks like, Madam Speaker, because of all the applause, that I'm going to have to request consent to conclude my statement.

---Laughter

MADAM SPEAKER:

The honourable Member is seeking unanimous consent to conclude his Member's statement. Are there any nays? There are no nays. Please proceed, Mr. Patterson.

MR. PATTERSON:

Thank you very much. I'm also very pleased to announce, Madam Speaker, that today it has been announced that the ground floor of this new building will be occupied by a new corporate constituent to Iqaluit, the Bank of Montreal, who will be opening their new Iqaluit branch this spring. Canada Post Corporation, which is relocating to enlarge their space, is going to move in to this new building at the end of March. They will be adding modern counters, more space and additional post office boxes to meet Iqaluit's growing population.

Both the Bank of Montreal and the new location for the new post office are well-situated in the commercial centre of the community, a handy walking distance from the downtown and residential core of Iqaluit. I wish to congratulate and thank the Bank of Montreal and Canada Post Corporation and their northern services division for placing their confidence

in Iqaluit and its future, and for placing their valued business with the Inuit owners of this splendid, modern, new building in our dynamic community.

I believe it augurs well for our future that these important corporate constituents have chosen to do business with a new, northern-owned, Baffin-owned, forward-looking company. Congratulations to all. Qujannamiik.

--Applause

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Yellowknife South, Mr. Whitford.

Member's Statement On Recycling In The North

MR. WHITFORD:

Thank you, Madam Speaker. Madam Speaker, a few years ago I lobbied the then Minister of Finance, Mr. Butters, and other Members to put a deposit on whiskey, wine and other bottles in the Northwest Territories to encourage recycling; to encourage collection of these items after the contents had been used up, rather than leaving them lying around everywhere in dumps, on the streets and so on.

To my understanding, the program has been quite successful. There is a deposit at purchase that the purchaser can collect once they take the bottles to a recycling depot. They can have 25 or so cents returned to them for each of the containers that they had with them.

Madam Speaker, I think you are well aware that anywhere you travel in the north today, you are going to find tin cans all over. One of the leading items sold in the Northwest Territories is either beer or pop. Although the beer cans are recyclable -- they are made of aluminum -- there is no deposit requirement for pop cans. They are all over the place by the thousands. If there were a deposit on that can, it would be picked up and put into collection areas. People could make a business out of it and have this return. Right now, there is a market for them in southern Canada. People I know pick up these empty pop containers and take them to Edmonton and sell them for 20 cents or 30 cents a piece. Tin cans are the same. They just have to flatten them and they are sold.

I would like to see something like that happen here in the north, Madam Speaker, so it would encourage people who consume beverages from aluminum cans to keep them and return them to a depot where they can be collected and sent out for recycling. At the present time, there is no incentive to do this. If we were to put a deposit on them, it might encourage people to recycle a bit more. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Deh Cho, Mr. Gargan.

Page 213

Member's Statement On Highway Patrols In The NWT

MR. GARGAN:

Thank you, Madam Speaker. First of all, let me say that I appreciate the efforts of past Ministers in ensuring that the quality and safety of our northern highways were maintained. I know that the present Minister is equally committed to improving the visibility and road conditions on our highways. Now if we could get together with the Minister of Renewable Resources and keep the buffalo from pulling hit and runs on me, I would be very happy.

--Laughter

--Applause

Madam Speaker, I have made some slightly negative comments in the past regarding our over-enthusiastic highway patrols, but that was a long time ago and I am sure Members have forgotten. In fact, I have changed my opinion, along with a lot of motorists and constituents in recent months, as we have made some startling observations.

Since the chipseal program began between Fort Providence, Yellowknife and Hay River -- a stretch of road I have travelled often -- I have noticed heavy vehicles travelling the highways at dangerous, unsafe speeds. They travel much faster than they need to and it is a great danger to the ordinary passenger vehicles.

I should note that many of these large vehicles are northern-owned and operated, which surprises me. Not only are they a danger to motorists, but their excessive speed is damaging the road surface and costing us money as taxpayers.

In one instance outside of Hay River, I can recall a large truck passing five vehicles in a row, including me, at a speed of at least 140 kilometres per hour. We can do without this dangerous activity on our highways. Madam Speaker, lately, I can say in all honesty, I have noticed more buffalo on the road than highway patrol units and would like to encourage the Minister and the Department of Transportation to increase the number and frequency of highway patrols, if at all possible, to address the problems before there is serious tragedy. Mahsi cho.

---Applause

Speaker's Ruling

MADAM SPEAKER:

Thank you. Item 3, Members' statements. Item 4, returns to oral questions. Prior to calling item 4, returns to oral questions, I would like to indicate that yesterday the Minister of Health and Social Services, under the item "returns to oral questions" gave a return to Oral Question 54-12(6), asked by Mr. Koe, the Member for Inuvik on October 6, 1994.

A review of the House records and Hansard indicates that this question was answered on the day it was asked. It is quite clear that the Minister did not take it as notice, which would have permitted a response on a subsequent day under the item returns to oral questions. I note that on page 298 of the unedited Hansard, the Minister, in response to Mr. Koe's second supplementary question, indicated she would provide information to the Member.

The chair fully understands that all Ministers wish to live up to the commitments they make in the House, however, another avenue will have to be found to do this when a question is not clearly taken as notice. I am sure Members will appreciate that if Ministers were allowed to make further returns, questions could go on for some considerable time. I noticed that the return given by the Minister of Health and Social Services yesterday could have been provided to the Member by letter.

Therefore, to ensure we comply with rule 38(2)(b), only oral questions that are clearly indicated by the Ministers that the question is taken as notice should be given under item 4, returns to oral questions. Thank you.

Item 4, returns to oral questions. The honourable Member for Mackenzie Delta, Mr. Nerysoo.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question 89-12(6): ECE Policy For Student Exchange Programs

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. This is a return to an oral question asked by Mr. Ningark on October 11, 1994 with regard to Education, Culture and Employment's policy for student exchange programs.

Student travel and exchanges are important educational activities. The Department of Education, Culture and Employment provides some funding directly to boards and divisional boards of education to contribute to the travel and exchange activities of their students.

Individuals and groups may apply for the support for these activities through their board or divisional board of education. Decisions on student travel and exchange proposals are made by the boards.

The department has prepared information regarding student travel and exchange programs in a report called, "A Guide for NWT Teachers and Students: Travel, Awards, Exchanges, Scholarships, Contests and Other Opportunities." I will provide all Members with a copy of this guide for their information. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 4, returns to oral questions. The honourable Member for Kivallivik, Mr. Arngna'naaq.

Return To Question 86-12(6): Status Of Smouldering Forest Fires

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I have a return to an oral question asked by Mr. Gargan on October 11, 1994 regarding forest fires and comparison with the 1993 season.

At this time last year, one forest fire was still smouldering and eventually went out over the winter.

Page 214

One fire was discovered burning in the mountains in the Sahtu area in the spring of 1994. Departmental staff suspect a 1993 forest fire ignited a coal seam and that this fire burned throughout the winter. This

was the first fire that the department put out in the Sahtu in 1994.

Four other fires were discovered in January 1994 in the North Slave area. They burned throughout the winter and were put out in the spring. These fires were thought to have started from winter campfires. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 4, returns to oral questions. Item 6, oral questions. The honourable Member for North Slave, Mr. Zoe.

MR. ZOE:

Madam Speaker, I seek unanimous consent to return to item 3, Members' statements.

MADAM SPEAKER:

The honourable Member is seeking unanimous consent to return to item 3, Members' statements. Are there any nays? There are no nays. Please proceed, Mr. Zoe.

REVERT TO ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Federal Funding Cuts For Language

MR. ZOE:

Mahsi, Madam Speaker. Madam Speaker, almost five years ago, on October 26, 1989, a point of order was raised by Mr. Pedersen, then the honourable Member for Kitikmeot West in this House.

The Assembly was in session in Norman Wells at that time. Mr. Pedersen raised a point of order because I attempted to make a Member's statement in Dogrib and no translation was available. The House had to shut down that day until a Dogrib interpreter was available.

I refer to this incident to emphasize the importance of our aboriginal languages. The Northwest Territories is unique in this country in the way we recognize and acknowledge how important aboriginal languages are.

I am told of a story of the days of Commissioner Hodgson. The story is that someone who received a letter from the Commissioner noticed that the letterhead was in English only. This person complained to the Official Languages Commissioner

in Ottawa that the letterhead should be bilingual, in English and French. Mr. Hodgson's response, apparently, was that he would have French put on his letterhead after all the aboriginal languages of the Northwest Territories were put there. I do not know if this story is true, but I think every Member of this House would agree with the moral of the story.

In 1983, a resident of the Yukon challenged a speeding ticket because it was in English only and not in French, as well. This scared the federal government. They were worried that they could get in trouble with the new Constitution because French was not an official language in the two territories and the laws of those territories had not been translated into French. So they introduced bills which would force the territorial governments to make French an official language.

The Government of the Northwest Territories reacted quickly to this development. The Government Leader at that time, the honourable Member for Mackenzie Delta, moved to meet the concerns of the federal government, while recognizing the importance of aboriginal languages. The result was the official languages ordinance, accompanied by the first Canada/NWT languages funding agreement.

Madam Speaker, I seek unanimous consent to conclude my Member's statement.

MADAM SPEAKER:

Thank you. The honourable Member is seeking unanimous consent to continue with his Member's statement. Are there any nays? There are no nays. Continue, Mr. Zoe.

MR. ZOE:

Mahsi. At the time, many Members of this House were upset at the heavy-handedness of the federal government's initial response to this very important speeding ticket. But thanks to the excellent negotiating skills of the honourable Member for Mackenzie Delta, and his Cabinet colleagues in 1984, we were able to come to an agreement that both parties could live with.

Now, Madam Speaker, the federal government is threatening to throw away 10 years of progress and goodwill on the languages issue. By threatening significant cuts to languages funding in the Northwest Territories, the federal government is returning to their heavy-handed ways.

Madam Speaker, I suggest the federal government is acting dishonourably in threatening to cut languages funding. It's as if they decided they could weasel out of our agreement, now that we have committed to translating our laws into French. I hope that the present Cabinet and the Premier are making it very clear to Ottawa that those who recognize the importance of aboriginal languages to the people of the north think the federal government is being unfair and unjust. Mahsi cho.

---Applause

MADAM SPEAKER:

Thank you. Item 3, Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. The honourable Member for Baffin Central, Ms. Mike.

HON. REBECCA MIKE:

Thank you, Madam Speaker. I seek unanimous consent to go back to item 2, Ministers' statements.

MADAM SPEAKER:

The honourable Member is seeking unanimous consent to return to item 2, Ministers' statements. Are there any nays? There are no nays. Please proceed, honourable Member for Baffin Central, Ms. Mike.

REVERT TO ITEM 2: MINISTERS' STATEMENTS

HON. REBECCA MIKE:

Thank you, Madam Speaker, and colleagues. I wish to correct, for the record, my return to Mr. Zoe's question yesterday concerning the Department of Municipal and Community Affairs reorganization.

MADAM SPEAKER:

Ms. Mike, I have just been advised by the Clerk that we don't have a copy of your Minister's statement. According to our rules, Ministers' statements have to be filed an hour prior to the House sitting. Therefore,

Page 215

it either has to be considered or requested as an emergency statement under Ministers' statements or file your statement accordingly, in accordance with our rules. Thank you. The honourable Member for Baffin Central, Ms. Mike.

HON. REBECCA MIKE:

Thank you, Madam Speaker. I was going to make an extension to a return to an oral question asked by Mr. Zoe yesterday, in addition, which you ruled out. It is a similar response that the Premier made that you wrote that weekend on doing the House. So I thought it was okay for me to go back to Ministers' statements to make corrections that, in my response, I made to Mr. Zoe yesterday.

MADAM SPEAKER:

Ms. Mike, in accordance with our rules, Ministers' statements are to be developed in accordance to policy. Further clarification with regard to your comments can be made to the Member through, as I indicated, letter format or through returns to oral questions. However, what I am indicating to you is that Ministers' statements have to be filed with the Clerk to advise this House that Ministers' statements are going to be addressed in the House prior to the House sitting and we have not received a record of your Minister's statement as of yet. Thank you.

Item 3, Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. The honourable Member for Nahendeh, Mr. Antoine.

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

MR. ANTOINE:

Thank you, Madam Speaker. We have a visitor in the gallery, Liza McPherson. She is area director for the Fort Simpson area. Thank you.

---Applause

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

ITEM 6: ORAL QUESTIONS

Question 100-12(6): Advertising PUB Hearings Affecting Nunavut

MR. PATTERSON:

Thank you, Madam Speaker. My question is for the Minister responsible for the Public Utilities Board. Madam Speaker, this refers to the hearings on the

second phase of a general rate application by the Northwest Territories Power Corporation. My understanding is that the Public Utilities Board has only advertised these important hearings in the publication News/North which has limited circulation in Nunavut and is published in English only, and not Nunatsiaq News which has wider circulation in Nunavut and is a bilingual newspaper.

I would like to ask the Minister if he thinks that advertising in an English-only newspaper for hearings affecting Nunavut is adequate notice on the part of the Public Utilities Board. Thank you.

MADAM SPEAKER:

Thank you. Minister responsible for the Public Utilities Board, Mr. Todd.

Return To Question 100-12(6): Advertising PUB Hearings Affecting Nunavut

HON. JOHN TODD:

Thank you, Madam Speaker. No, I don't think it is adequate. I want to assure the honourable Member if this practice has taken place I will instruct the PUB forthwith that in future there'll be a far more extensive advertising campaign put into place with respect to hearings across the territories, including CBC and bilingual newspapers like the Nunatsiaq News for the eastern Arctic. Thank you.

--Applause

MADAM SPEAKER:

Thank you. Item 6, oral questions. Supplementary, Mr. Patterson.

Supplementary To Question 100-12(6): Advertising PUB Hearings Affecting Nunavut

MR. PATTERSON:

Yes, thank you, Madam Speaker. I'm very pleased with that response. I would like to ask the Minister more about these hearings. Madam Speaker, I understand that the Power Corporation, in its application, is proposing significant changes to the levying of power rates in Nunavut, including the creation of a new diesel Nunavut zone for the entire Nunavut area. Yet, I understand that the Public Utilities Board is holding hearings today and this week only in Yellowknife.

I would like to ask the Minister, Madam Speaker, if it's correct that, as far as he knows, even though these hearings will have major implications in Nunavut, there are no plans at present for the Public Utilities Board to hold hearings on this issue outside Yellowknife. Thank you.

MADAM SPEAKER:

Thank you. Minister responsible for the Public Utilities Board, Mr Todd.

Further Return To Question 100-12(6): Advertising PUB Hearings Affecting Nunavut

HON. JOHN TODD:

Thank you, Madam Speaker. I'm not aware of whether the Public Utilities Board is holding hearings in other parts of the country. However, I do concur with the honourable Member that if the rates that are being discussed are affecting communities in the eastern Arctic, there perhaps should be a Public Utilities Board hearing there to give people the opportunity to express their concerns. So, I will communicate with the chairman of the board later on this afternoon to determine whether there are hearings going to be held in other parts of the country.

If there aren't, I will provide him with some direction to ensure that, in future, these take place. If this is not going to happen, I apologize to the honourable Member and the communities in the eastern Arctic who are affected. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Page 216

Supplementary To Question 100-12(6): Advertising PUB Hearings Affecting Nunavut

MR. PATTERSON:

Thank you, Madam Speaker. I am pleased with the Minister's response, but I would just like to seek a little bit of clarification. He talked about future hearings. I would like to understand the Minister's commitment. These power rate applications under way now, I understand, will affect the long-term power rates in Nunavut. So, I would like to ask the Minister, just to make it clear, do we have his commitment that he will use his good offices with the Public Utilities Board to ensure that if there are not plans to hold hearings

outside of Yellowknife on these important rate applications affecting the people of Nunavut, that before the application is concluded hearings will be held in Nunavut? Thank you.

MADAM SPEAKER:

Thank you. Minister responsible for the Public Utilities Board, Mr. Todd.

Further Return To Question 100-12(6): Advertising PUB Hearings Affecting Nunavut

HON. JOHN TODD:

Thank you, Madam Speaker. Yes. I will take whatever steps necessary to ensure that the Public Utilities Board will meet in those regions affected. I am, quite frankly, quite surprised that it isn't. Hopefully, I can correct that tout de suite. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Yellowknife Centre, Mr. Lewis.

Question 101-12(6): Merit Increases For Excluded Employees

MR. LEWIS:

Thank you, Madam Speaker. In the absence of the Minister of Finance, I would like to ask the Premier a question relating to salaries, bargaining and so on. The Minister of Finance has made a statement that the teachers have accepted a zero per cent increase and are excluded. Even the government has accepted it. Well, it resolved they were going to get a zero per cent increase. My question is, does that also mean that there will also be no merit money for these excluded people? The statement said there would be no increases for that group.

MADAM SPEAKER:

Thank you. Madam Premier.

HON. NELLIE COURNOYEA:

Madam Speaker, I will take that question as notice. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for North Slave, Mr. Zoe.

Question 102-12(6): Status Of New Languages Funding Agreement

MR. ZOE:

Thank you, Madam Speaker. I have a question for the Premier. Can she tell this House briefly about the present status of negotiations with the federal government regarding the new agreement for languages funding?

MADAM SPEAKER:

Thank you. Madam Premier.

Return To Question 102-12(6): Status Of New Languages Funding Agreement

HON. NELLIE COURNOYEA:

Madam Speaker, the discussions and arguments between the federal government and the territorial government have been going on for some time, with relationship to what the funding levels should be. The present and last offer from the federal government is being evaluated right now. The approximate cut is 35 per cent. That is being evaluated to see what that would mean for the delivery of programs and services in aboriginal and French languages. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Zoe.

Supplementary To Question 102-12(6): Status Of New Languages Funding Agreement

MR. ZOE:

Supplementary, Madam Speaker. Has the Premier made it clear to the federal government how important aboriginal languages are to northerners?

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 102-12(6): Status Of New Languages Funding Agreement

HON. NELLIE COURNOYEA:

Madam Speaker, I have continually insisted on the importance of this matter to the federal government; that this agreement was a special arrangement with the territorial government because of its unique circumstances and that it was an agreement made by

a previous Liberal government. I have not only made very strong overtures to the Minister responsible for Canadian Heritage, but also to the Finance Minister, the Honourable Paul Martin, as well as getting the assistance of the Member of Parliament, Ethel Blondin, who has made many, many requests to the Ministers responsible, both the Finance Minister and the Minister responsible for languages as well. I have also enlisted the support of the Member for Nunatsiak, Mr. Jack Anawak.

As well, all the aboriginal organizations have been kept up-to-date on some of the problems and issues that were arising from the anticipated cuts to funding for languages. Not only did we deal with it at that level, but also at the specific meeting dealing with languages at which the Ministers were also in attendance. It was a meeting for all provincial jurisdictions. At that time, there were deliberations on the needs of the Northwest Territories. So, we haven't been shy about our representation and the involvement of the government. It was a Liberal government when the previous Minister, the Honourable Richard Nerysoo, signed the agreement with them. We haven't been shy about our representation.

We have gotten the latest offer and it will be evaluated. I can provide the Member with the updated letter if he so desires. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Zoe.

MR. ZOE:

Final supplementary, Madam Speaker. Can the Premier tell us what plans the government has for language services if previous funding levels cannot be negotiated with the federal government?

Page 217

MADAM SPEAKER:

Thank you. Madam Premier.

HON. NELLIE COURNOYEA:

Madam Speaker, I would like the Member to clarify. I didn't quite understand his question, Madam Speaker.

MADAM SPEAKER:

Mr. Zoe.

Supplementary To Question 102-12(6): Status Of New Languages Funding Agreement

MR. ZOE:

Thank you. Maybe I can rephrase my question, Madam Speaker. I was asking the Premier if she could tell us if the government has any plans in case we don't get the same level of funding from the federal government. If we're not successful in acquiring the amount we are currently receiving, what plans does the government have?

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 102-12(6): Status Of New Languages Funding Agreement

HON. NELLIE COURNOYEA:

Madam Speaker, I would not be able to answer that question clearly or in detail because right at the moment we are evaluating what the latest offer was, what services are essential, what we really have to provide and see what's left and where we go from there.

I hope that in the next few days we will have more clarification of the amounts and what areas we feel we will have to address first. I will share that information with the Members of the Legislative Assembly once we have received a breakdown. I will be working with the Minister responsible for Languages and the other Ministers who have a very clear obligation in terms of providing services, either in the aboriginal languages or in the French language. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Amittuq, Mr. Alloo.oo.

Question 103-12(6): GNWT Policy On Non-Payment Of Bills By Contractors

MR. ALLOOLOO:

Thank you, Madam Speaker. I would like to ask the government -- I am not too sure if it is the Premier or the Minister of Public Works and Services who handles the contracts in the small communities -- if the government has a policy to deal with contractors who do not pay for their accommodation and meals

while doing their contracts for government. These hotels are normally locally-owned. Does the government have a policy to deal with those contractors who don't pay? Thank you.

MADAM SPEAKER:

Minister of Public Works and Services, Mr. Morin.

Return To Question 103-12(6): GNWT Policy On Non-Payment Of Bills By Contractors

HON. DON MORIN:

Thank you, Madam Speaker. Yes, we do cover that. There is a 10 per cent hold-back from all contracts, and whoever isn't paid should contact either the Department of Public Works and Services or the Northwest Territories Housing Corporation within 60 days of finishing the contract. Thank you.

MADAM SPEAKER:

The honourable Member for Amittuq, Mr. Allooooloo, supplementary.

Supplementary To Question 103-12(6): GNWT Policy On Non-Payment Of Bills By Contractors

MR. ALLOOLOO:

Is there assistance that the government could provide those hotels that are not being paid, and how does the process work? Is there a person in your department who handles and helps the local hotels to get their money from contractors? Thank you.

MADAM SPEAKER:

Minister of Public Works and Services, Mr. Morin.

Further Return To Question 103-12(6): GNWT Policy On Non-Payment Of Bills By Contractors

HON. DON MORIN:

Thank you, Madam Speaker. Yes, if hotels or the co-op or whoever has not been paid by a contractor having a contract with this government, they should be in touch with Department of Public Works and Services at the regional office.

MADAM SPEAKER:

Supplementary, Mr. Allooooloo.

Supplementary To Question 103-12(6): GNWT Policy On Non-Payment Of Bills By Contractors

MR. ALLOOLOO:

Thank you, Madam Speaker. We have a case in my constituency where the local hotel was not paid and has not been paid for a number of years. Does the government have a policy whereby, if the company does not pay and that company has northern preference or local preference, the government is able to take that preference away? Thank you.

MADAM SPEAKER:

Minister of Public Works and Services, Mr. Morin.

Further Return To Question 103-12(6): GNWT Policy On Non-Payment Of Bills By Contractors

HON. DON MORIN:

Thank you, Madam Speaker. It is the responsibility of hotels, subcontractors or business people in the Northwest Territories to inform the government that they have not been paid in a certain time period after the contract is finished. All people are aware of that. All people are also aware that we do hold back 10 per cent of the overall contract to settle the unpaid bills if they are not. There is a time frame. Other than that, we are not responsible and, no, we cannot take away the business incentive policy for unpaid bills. Thank you.

MADAM SPEAKER:

Item 6, oral questions. The honourable Member for Yellowknife North, Mr. Ballantyne.

Page 218

Question 104-12(6): Interim Measures During Review Of BIP

MR. BALLANTYNE:

Thank you, Madam Speaker. My question is for the Minister of Public Works and Services. Madam Speaker, we are aware of the fact that the Minister's department is undertaking a long-needed review of the business incentive policy, but, in the meantime -- this review may take a number of months -- the Minister and Members have received complaints about southern companies that are circumventing the rules of the business incentive policy and taking contracts from northern companies. So my question

to the Minister is what is the Minister doing in the meantime until the review is completed to make sure that this doesn't happen.

MADAM SPEAKER:

Thank you. Minister of Public Works and Services, Mr. Morin.

Return To Question 104-12(6): Interim Measures During Review Of BIP

HON. DON MORIN:

Thank you, Madam Speaker. We have a senior management committee that is in place to ensure that the spirit and intent of the business incentive policy is followed. All applications for the business incentive policy are looked at through that committee and they are then given out accordingly. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 104-12(6): Interim Measures During Review Of BIP

MR. BALLANTYNE:

Thank you. I am not sure that makes me feel any better, because that particular approach has been in place for a while. So I will ask the Minister another question. Would the Minister be prepared to personally review new applications under the business incentive policy to ensure that the spirit and intent of the business incentive policy is carried out?

MADAM SPEAKER:

Thank you. Minister of Public Works and Services, Mr. Morin.

Further Return To Question 104-12(6): Interim Measures During Review Of BIP

HON. DON MORIN:

Thank you, Madam Speaker. Right now, the committee is comprised of the deputy ministers of Transportation and Public Works and Services, the president of the Northwest Territories Housing Corporation, as well as the deputy minister of Economic Development and Tourism. All issues which are brought forward to me from all MLAs, if they

have a concern about the business incentive policy, I follow up on personally. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 104-12(6): Interim Measures During Review Of BIP

MR. BALLANTYNE:

Thank you. Speaking as one MLA, I have a concern about the whole process. I was happy to hear that the Minister is prepared to use the spirit and intent clause to protect northern businesses. I will ask the Minister again, not just on a case-by-case basis, but will the Minister become more involved in this process, because the process right now is not working. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Minister of Public Works and Services, Mr. Morin.

Further Return To Question 104-12(6): Interim Measures During Review Of BIP

HON. DON MORIN:

Thank you, Madam Speaker. I have become more personally involved in this process. We are going through a consultation process to revise the Business Incentive Policy. The problem is not only who gets the business incentive policy, but the problem we have is how to define a northerner and who is eligible for preference under this policy. So I am personally involved and I will continue to be personally involved. Thank you.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Ballantyne.

Supplementary To Question 104-12(6): Interim Measures During Review Of BIP

MR. BALLANTYNE:

My final supplementary to the Minister, following up on the Minister's comments on the spirit and intent clause, does the Minister intend to enforce the business incentive policy if a company doesn't follow the policy by ensuring that they don't get a contract in

the future, using the spirit and intent clause to police the contract?

MADAM SPEAKER:

Thank you. Minister of Public Works and Services, Mr. Morin.

Further Return To Question 104-12(6): Interim Measures During Review Of BIP

HON. DON MORIN:

Thank you, Madam Speaker. I would love to be able to do that today but I am unable to do that today. That is the whole idea of reviewing the business incentive policy, of redoing it, so if people do not follow what they lay out in their contracts and their tenders, then we can remove the business incentive policy from them. There will have to be fairly unique circumstances today for that to happen but, hopefully, within the next six months, we will be able to do that if people do not hire northerners where they say they are going to hire northerners, or if they are storefront operations, then we will remove their business incentive policy. Thank you.

MADAM SPEAKER:

Item 6, oral questions. The honourable Member for Yellowknife Frame Lake, Mr. Dent.

Question 105-12(6): Policy For Mammography Screening

MR. DENT:

Thank you, Madam Speaker. My question is for the Minister of Health and Social Services. Madam Speaker, on March 29, this year, I asked the then Minister of Health,

Page 219

Mr. Pollard, if the department had developed a policy for mammography screening. The Minister's response was that the department was reviewing the data and would recommend to him what the policy should be. He followed up with a letter to me at the end of April which stated that following final review of data collected over the past three years, the department would clarify its policy with regard to appropriate practice. My question, Madam Speaker, is has this really happened. Do we now have a policy covering mammography screening?

MADAM SPEAKER:

Thank you. Minister of Health and Social Services, Madam Premier.

HON. NELLIE COURNOYEA:

Madam Speaker, I will take that question as notice. Thank you.

MADAM SPEAKER:

Item 6, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

MR. PATTERSON:

Thank you, Madam Speaker. My question is for the Premier and it has to do with the Northwest Territories Power Corporation's application for a general rate review, now before the Public Utilities Board. Madam Speaker, as I understand the materials presented by the Power Corporation, in its application for a general rate increase, it seems to be assumed by the Power Corporation that as the power bill goes up, it is expected that the government subsidy for domestic non-government consumers will also go up. That is, the Power Corporation seems to assume that the subsidy will continue on the present formula in its rate application.

My question to the Premier, Madam Speaker, is has the Government of the Northwest Territories calculated how much the increased subsidy will cost the government if the rate changes go through. Thank you.

MADAM SPEAKER:

Mr. Patterson, I'd like to ask if you could rephrase your question. You're asking a somewhat hypothetical question based on the process going through. If I could ask you to somehow rephrase your question, Mr. Patterson.

Question 106-12(6): Financial Impact To GNWT Of Proposed Power Rates

MR. PATTERSON:

Yes, I'll try. Thank you. Madam Speaker, I'd like to ask the Premier if the GNWT has studied and calculated the financial impact of proposed new power rates on the amount of subsidy required to be paid by the Government of the Northwest Territories

to subsidize domestic power consumers throughout the Northwest Territories.

MADAM SPEAKER:

Madam Premier.

Return To Question 106-12(6): Financial Impact To GNWT Of Proposed Power Rates

HON. NELLIE COURNOYEA:

Madam Speaker, it's difficult to give a short answer to that question because there are certain presumptions that one would have to make. I believe the Power Corporation has looked at the changes and looked at how that could affect their operation.

Madam Speaker, as we are aware, when the Power Corporation turned from a federal to a territorial Crown corporation, we knew that there were 51 rate zones. Each community had an established criteria on their rate. The commitment right from the beginning is that somehow we would have to rationalize what people were paying because, in a lot of communities, it was felt that some communities were less than what the actual costs for that particular community were or that area and some were paying more. As well as the 51 different rate zones for each community, we also have a government rate.

I believe that there have been some numbers that were crunched and I believe as much as possible that the Power Corporation could get from the figures that have been established previously are presently before the Public Utilities Board.

Madam Speaker, there is a long explanation and I realize the rules suggest that if there is a long explanation, that perhaps you would rule me out of order to go into all the detail. Madam Speaker, that's as much as I could provide at this time. Thank you.

MADAM SPEAKER:

Thank you. I just want to caution Members with regard to questioning items that may be placed before the PUB. I just confirmed with the Clerk that the PUB is a quasi-judicial body set up by legislation of this House, and items before any type of court of quasi-judicial body are not to be questioned while the process is in place through question period. So I'd like to caution Members to keep that in mind when they are questioning the government. The honourable Member for Iqaluit, Mr. Patterson.

Supplementary To Question 106-12(6): Financial Impact To GNWT Of Proposed Power Rates

MR. PATTERSON:

Thank you, Madam Speaker. I'll try to bear that caution in mind. Madam Speaker, I have a simple question for the Premier. Since the government is a major consumer of power and a major customer of the Power Corporation through its agencies and through its own buildings and staff housing, I'd like to ask the Premier will the Government of the Northwest Territories be intervening as a major consumer of power in the Public Utilities Board rate hearings now under way. Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 106-12(6): Financial Impact To GNWT Of Proposed Power Rates

HON. NELLIE COURNOYEA:

Madam Speaker, yes.

MADAM SPEAKER:

Item 6, oral questions. Supplementary, Mr. Patterson.

Supplementary To Question 106-12(6): Financial Impact To GNWT Of Proposed Power Rates

MR. PATTERSON:

I'd like to ask the Premier, Madam Speaker, since the government is intervening, which I think it should, and the government is also the owner of the Power Corporation, how can we be sure that the government, when it intervenes in the PUB hearing,

Page 220

is not in conflict when it intervenes to at the same time protect its own interest as a major power consumer. Thank you.

MADAM SPEAKER:

Thank you. Minister responsible for the Power Corporation, Madam Premier.

Further Return To Question 106-12(6): Financial Impact To GNWT Of Proposed Power Rates

HON. NELLIE COURNOYEA:

Madam Speaker, I would just like to inform the honourable Member that on previous hearings the Government of the Northwest Territories was an interested party in those deliberations, so this is not a new role that we play as a government. Thank you.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Patterson.

Supplementary To Question 106-12(6): Financial Impact To GNWT Of Proposed Power Rates

MR. PATTERSON:

Madam Speaker, I understand that, but I guess what I'm curious about is how, within the government, the public interest is split from the government's interest as the owner of the Power Corporation. For example, is there another government department that is responsible for the interventions other than the Power Corporation? Is there another Minister other than the Premier? How do we ensure the public interest is safeguarded in this process? Thank you.

MADAM SPEAKER:

Thank you. Minister responsible for the Power Corporation, Madam Premier.

Further Return To Question 106-12(6): Financial Impact To GNWT Of Proposed Power Rates

HON. NELLIE COURNOYEA:

Madam Speaker, in our discussion on this matter, the Minister who would normally be responsible for this particular exercise would have been the Minister responsible for Energy, Mines and Petroleum Resources. However, that Minister, at this time, is also Minister responsible for the Public Utilities Board. In the best interest of carrying out the responsibility in this peculiar situation, the Minister of Finance is taking on the role of overseeing the interest of government in the public hearings that are taking place. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Natilikmiot, Mr. Ningark.

Question 107-12(6): Housing Crisis For Teachers in Gjoa Haven

MR. NINGARK:

Thank you, Madam Speaker. My question is directed to the Minister responsible for the Department of Public Works and Services. Madam Speaker on June 10, 1994, the Kitikmeot Divisional Board of Education met with the Department of Education's deputy minister and assistant deputy minister to discuss the GNWT housing need in the Kitikmeot region. One of the main concerns at that meeting was without additional housing in Gjoa Haven, there would not be delivery of grade 10 in 1994, 1995 and 1996 in Gjoa Haven. My question to the Minister, Madam Speaker, is the Honourable Minister aware that Gjoa Haven is in such desperate need of housing to house the teaching staff for the year 1995-96. Thank you.

MADAM SPEAKER:

Thank you. Minister of Housing, Mr. Morin.

Return To Question 107-12(6): Housing Crisis For Teachers in Gjoa Haven

HON. DON MORIN:

Thank you, Madam Speaker. The process for obtaining staff housing in the communities is that the Department of Personnel through a request, for example for teachers, the Department of Education will make a request of the Department of Personnel for housing. Once they have found the dollars, then it comes to my department to either lease them or build them. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. Supplementary, Mr. Ningark.

Supplementary To Question 107-12(6): Housing Crisis For Teachers in Gjoa Haven

MR. NINGARK:

Thank you, Madam Speaker. Madam Speaker, I am sure subsequent to the meeting of the department, deputy minister and assistant deputy minister, there was in fact a request made from the Kitikmeot Divisional Board of Education. Is the Minister, in fact, aware of that housing need in Gjoa Haven? Thank you.

MADAM SPEAKER:

Thank you. Minister of Housing, Mr. Morin.

Further Return To Question 107-12(6): Housing Crisis For Teachers in Gjoa Haven

HON. DON MORIN:

Thank you, Madam Speaker. I can't recall being made aware of this specific meeting. Thank you.

MADAM SPEAKER:

Item 6, oral questions. The honourable Member for Yellowknife South, Mr. Whitford.

Question 108-12(6): Alternatives To Increasing Power Rate

MR. WHITFORD:

Thank you, Madam Speaker. I have a question I would like to direct to the Premier in her capacity as Minister responsible for the Power Corporation. Many of my constituents, Madam Speaker, in Yellowknife, are very fearful of that proposed 22 per cent low-water surcharge that's going to be imposed by the Power Corporation. I understand it's still to be heard by PUB, but the principle of the issue of user-pay in such instances is quite alarming. They've brought this to my attention and they want to know whether other alternatives have been looked at. The bills are already \$250 to \$300 a month for electricity. Surely the Power Corporation would have anticipated fuel increases, low water or something and built-in reserves. I would like to ask the Minister responsible whether alternatives have been looked at to this proposed hike.

MADAM SPEAKER:

Thank you. Minister responsible for the Power Corporation, Madam Premier.

Page 221

Return To Question 108-12(6): Alternatives To Increasing Power Rate

HON. NELLIE COURNOYEA:

Madam Speaker, there are several issues before the Public Utilities Board in addition to the cost on the low water. On September 1st, the corporation did make an application back to 1993, to the Public Utilities Board requesting approval on an automatic fuel adjustment clause which adjusts rates to automatically account for diesel fuel price increases or decreases; previously applied for in 1992. There

are several issues that have been outstanding since we acquired the Power Corporation which we knew we were going to have to deal with. So there has been deliberation on trying to put those issues forward. The Public Utilities Board has a heavy agenda on all those areas, and they're trying very hard to deal with them. So it's not as though this has not been brought to the attention of the Public Utilities Board, but it's a matter of how and what time schedule they can agree to deal with this. There have been a lot of discussions and a lot of interaction between the PUB and the Power Corporation on water charges as well as fuel adjustment and other issues that are outstanding. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Whitford.

Supplementary To Question 108-12(6): Alternatives To Increasing Power Rate

MR. WHITFORD:

Thank you, Madam Speaker. Without prejudicing the issue that is going to be before the PUB, I think my question would probably lead a little bit more to long-term planning, that one must anticipate the price of fuel is going to go up so they build in a contingency there that would allow for increases. The same would apply to possibilities of low water on the hydro systems. My question is, is the Power Corporation looking at regular planning that any department or agency such as the Power Corporation would be doing to put in place a program that would take care of those particular emergencies over a longer term, rather than hit hard, a 22 per cent increase for a year, to the ratepayers of that area. Are they looking at putting in a program that would spread this over a longer period of time and build up a reserve for such emergencies?

MADAM SPEAKER:

Madam Premier.

Further Return To Question 108-12(6): Alternatives To Increasing Power Rate

HON. NELLIE COURNOYEA:

Madam Speaker, in the several issues that are placed before the Public Utilities Board, these are the issues that are being addressed. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Nahendeh, Mr. Antoine.

Question 109-12(6): Purpose Of Transportation Ministers' Meeting

MR. ANTOINE:

Mahsi, Madam Speaker. My question is for the Minister of Transportation, the Honourable John Todd. I understand that Mr. Todd was at a meeting of provincial and federal Ministers of Transportation on October 4th in Winnipeg. I would like to ask the Minister what was the purpose of the meeting. I will follow up with supplementaries. Thank you.

MADAM SPEAKER:

Thank you. Minister of Transportation, Mr. Todd.

Return To Question 109-12(6): Purpose Of Transportation Ministers' Meeting

HON. JOHN TODD:

Thank you, Madam Speaker. The purpose of the meeting was to meet with our provincial counterparts and the federal Transportation Minister, the Honourable Doug Young, with respect to trying to develop a national highway policy whereby the federal, provincial and territorial jurisdictions would hopefully jointly fund a national highway system.

My understanding is this process has been in place since 1987, I believe. Certainly the Member from New Brunswick was very active at the meeting and indicated it's been a long drawn-out process.

The upshot of the meeting, basically, was that Mr. Young indicated there was no new money available at the federal level with respect to developing a national highway policy or a national highway system. However, he did indicate he was prepared to look at a reassignment of existing money that goes into the provincial and territorial jurisdictions, that perhaps -- he did stress "perhaps" -- those funds could be, along with the provinces and the territories, used to develop a strong national highway system.

We, along with our provincial counterparts, indicated to the Minister that we felt we could identify funds within our existing resources, and asked him if he would be prepared to match them. The conclusion at the end of the day was that we would provide him by

the end of, I believe it was, this month, the kind of levels of funding we felt we could identify within our existing budgets as subject to the approval of our Premier and Finance Ministers. He committed to trying to identify similar funds from his federal funding before the end of the calendar year, the end of December. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 109-12(6): Purpose Of Transportation Ministers' Meeting

MR. ANTOINE:

Thank you, Madam Speaker. This House has heard me supporting the national highway system, all the way down the Mackenzie valley, many times, from Wrigley on up to Inuvik. I'd like to ask the Minister if this policy that is being developed is going to be able to provide some sort of funding to complete the national highway program down the Mackenzie Valley.

---Applause

MADAM SPEAKER:

Thank you. Minister of Transportation, Mr. Todd.

Page 222

Further Return To Question 109-12(6): Purpose Of Transportation Ministers' Meeting

HON. JOHN TODD:

Thank you, Madam Speaker. In an ideal world, that certainly was in our plans. However, I've stressed many times under the current fiscal conditions that we're operating, we're frankly unable to do it. Now we are working with people in that particular region in trying to develop new and innovative ways should we be successful in securing some long-term joint cosponsorship of the highway system in the western Arctic. Frankly, this is not going to take place unless we do get some kind of joint funding from the federal government.

To me, the result of the meeting last week was fairly clear. Some of the provincial Ministers were frustrated because these discussions have been going on since 1987. They wanted to know whether in fact there was a chance for this thing to go through

or not. Mr. Young, the Minister of Transportation, indicated he was prepared to give a decision one way or the other by the end of December. So the optimistic side of me says now we can make an arrangement with the federal government on the reassignment of existing funds to develop and continue with this highway system that we have in place.

However, we're all aware of the current fiscal conditions of the country and it's going to be difficult unless they can reassign money from other programs. However, we should know, and it was made clear to us, whether there is the makings of a deal by the end of December or not. Let me stress "or not." Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 109-12(6): Purpose Of Transportation Ministers' Meeting

MR. ANTOINE:

Thank you, Madam Speaker. I'm reading from a press release from the Department of Transportation and then there is an attachment on the back called, "Western and Territorial Transportation Ministers' Comprehensive Review, Western Transportation Priorities." In terms of funding for a new highway, in this document it explains that \$4.5 billion is annually derived from taxes on fuel. We, in the Northwest Territories, especially in this part of the country, purchase a lot of fuel for our vehicles and it'll be interesting to ask the Minister if he has any figures on how much taxes are raised in the western part of the territories towards fuel consumption and if this could be applied towards a continuing highway system in the west. Thank you.

---Applause

MADAM SPEAKER:

Minister of Transportation, Mr. Todd.

Further Return To Question 109-12(6): Purpose Of Transportation Ministers' Meeting

HON. JOHN TODD:

The press release tried to relate the kind of revenues, the \$4.2 billion the federal government gets from, I believe, a gasoline tax and tried to relate it as to

whether it goes back into transportation as an argument that it is putting back an insufficient amount of money from the revenues it generates. The actual revenues generated in the western Arctic...I don't know the actual numbers off the top of my head, but it's marginal with respect to the \$4.2 billion.

The one thing we do have in this national highway system is the only gravel highway that is recognized as a national highway. That's why we're in, if you want, the negotiations. As I said, I believe the Department of Transportation can, with some creativity, reassign some of its dollars, if we can find some 50 cent dollars, from the federal government similar to what we did with the strategic transportation initiative that enabled us to bring a number of airport upgrades forward, et cetera. That's where we're heading with this. The taxation issue was used as an argument to illustrate the degree of payback, if you want, with respect to the revenues that are associated through the gas tax. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

Question 110-12(6): GNWT Intervention Into PUB Rate Increase Hearing

MR. PATTERSON:

Thank you, Madam Speaker. I have another question for the Premier about the government's participation in the PUB hearings on the general rate application of the Power Corporation. I'd like to ask the Premier, further to my earlier question today, when was the decision made that the GNWT would intervene through the Minister of Finance. Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Return To Question 110-12(6): GNWT Intervention Into PUB Rate Increase Hearing

HON. NELLIE COURNOYEA:

Madam Speaker, I don't know exactly which date, but it was quite some time ago we made the decision. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 110-12(6): GNWT
Intervention Into PUB Rate Increase Hearing

MR. PATTERSON:

Thank you, Madam Speaker. I understand from the Premier that the government will be intervening as a customer and as a user of power who will be affected by rate changes. Could I ask the Premier, will the government, when it intervenes, be addressing its interest as a provider of the subsidy for domestic power consumers outside Yellowknife? Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 110-12(6): GNWT
Intervention Into PUB Rate Increase Hearing

HON. NELLIE COURNOYEA:

Madam Speaker, in looking over the submissions to the Public Utilities Board, those submissions are specific and I don't see anything with regard to subsidy. It's only dealing with the operations of the Power Corporation in terms of a number of issues the Member is aware of, in terms of low water, the issue of decreases or increases in an automatic way on

Page 223

the fuel adjustment and the general rate review. Madam Speaker, I would assume that intervenors would be subject to the terms and conditions of what is being presented. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 110-12(6): GNWT
Intervention Into PUB Rate Increase Hearing

MR. PATTERSON:

I guess what I'm getting at, Madam Speaker -- and I'll ask the Premier this question in a different way -- if the power rates go up in my community, as they are forecast to do, then if the formula doesn't change, the government subsidy to domestic users outside Yellowknife will have to increase. Where do I go, as the MLA representing my constituency, to find out whether the subsidy will still be in place and will increase if the power rates go up? Who is going to provide me with that assurance about the future of the

government subsidy program for users outside Yellowknife? Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 110-12(6): GNWT
Intervention Into PUB Rate Increase Hearing

HON. NELLIE COURNOYEA:

Madam Speaker, that is a government policy and the government policy has not changed. I have not found any indication or movement for the government to get out of providing a subsidy. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 110-12(6): GNWT
Intervention Into PUB Rate Increase Hearing

MR. PATTERSON:

I am very pleased to have the Premier's assurance that the power subsidy program won't change in this Legislature but, I guess my simple question is, will the government be making a presentation of that kind to the Public Utilities Board so that when the Public Utilities Board looks at the issue they will also be able to take into account the government's future intentions about the subsidy program. Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 110-12(6): GNWT
Intervention Into PUB Rate Increase Hearing

HON. NELLIE COURNOYEA:

Madam Speaker, it is my understanding that the subsidy is a government program and that the Public Utilities Board does not make any determination on what the government decides to provide as a social policy or a program policy to the residents of the Northwest Territories. I believe, Madam Speaker, these are two distinct, separate issues. Thank you.

MADAM SPEAKER:

Item 6, oral questions. Mr. Patterson, your previous question was a final supplementary. I should have

pointed it out to you, but I thought you would know that. Item 6, oral questions. The honourable Member for Deh Cho, Mr. Gargan.

Question 111-12(6): Water Quality Monitoring

MR. GARGAN:

Thank you, Madam Speaker. I would like to direct my question to the Minister of Renewable Resources, Mr. Arngna'naaq. Yesterday, I asked a question regarding the toxins in the river, and I really didn't receive any kind of answer to that question except to say that he cannot respond with absolute surety at this point what the level of toxins are in the river. Then he went on to say, during my last question and my final supplementary, that he was the first one to sign the agreement and the Minister of Indian Affairs and Alberta, British Columbia and the Yukon territory have yet to sign the agreement. But I also asked whether or not this government is doing anything regarding the quality of water on the Mackenzie River, and there doesn't seem to be any response or any kind of indication that the government is in fact doing anything about the quality of water on the Mackenzie-Slave River system. I would like to ask the Minister if there is anything that this government is doing to ensure the level of safety with regard to toxins in the waters.

MADAM SPEAKER:

Thank you. Minister of Renewable Resources, Mr. Arngna'naaq.

Return To Question 111-12(6): Water Quality Monitoring

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. The reason I responded in the way I did yesterday to the honourable Member is because we are not the leading agency when it comes to water management. Water management is an area which is a difficult area to manage because it is flowing, something that carries, does not know any boundaries and, at this point, is the responsibility of either Fisheries and Oceans or the Department of Indian and Northern Affairs. However, in response to the Member's question regarding toxins in the Mackenzie River, yes, there is some monitoring that takes place. However, that is something that is being done by the Department of Fisheries and Oceans. Because waters and the quality of water in our jurisdiction are

an important part of our lives in the Northwest Territories, we make contributions to the monitoring of water in the Mackenzie River. But, Madam Speaker, we are not the leading agency in the monitoring of the water. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Gargan.

Question 112-12(6): Testing To Ensure Safety Of Drinking Water

MR. GARGAN:

Mahsi, Minister. Madam Speaker, I would like to redirect my question to the Minister of Health and Social Services with regard to the monitoring of the water and the quality of water on the Mackenzie River which is directly affected by factories upstream from it. I would like to ask the Minister of Health and Social Services if her department is doing any monitoring regarding the quality of water to ensure that the water quality is healthy to drink.

MADAM SPEAKER:

Thank you. Mr. Gargan, I consider that as a new question to a new Minister. Minister of Health and Social Services, Madam Premier.

Page 224

HON. NELLIE COURNOYEA:

Madam Speaker, I will provide that answer so I will take the question as notice. Thank you.

MADAM SPEAKER:

Item 6, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

Question 113-12(6): Notification Of Changes To Power Subsidy Program

MR. PATTERSON:

Thank you, Madam Speaker. Madam Speaker, I now understand that the whole question of the subsidy paid by the government to power users outside Yellowknife is not a matter for the Public Utilities Board. However, since the Public Utilities Board is considering new rates, and since those new rates, if approved, will affect the subsidy and the amount required to be paid by the government on the subsidy,

I would like to ask the Premier, how will the people of the Northwest Territories be informed about the subsidy program if not through the Public Utilities Board hearings. Thank you.

MADAM SPEAKER:

Thank you. Minister responsible for the Power Corporation, Madam Premier.

Return To Question 113-12(6): Notification Of Changes To Power Subsidy Program

HON. NELLIE COURNOYEA:

Madam Speaker, I thought I had answered the question. The subsidy is a government program and, at this time, there is no anticipation of changing and not providing the subsidy. Certainly the Government of the Northwest Territories will have to deliberate if there should be any changes. So I would assume, if you are asking the question of how you would know, the issue would be addressed right here. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 113-12(6): Notification Of Changes To Power Subsidy Program

MR. PATTERSON:

Thank you, Madam Speaker. I appreciated the Premier's answer that at this time, there is no intention to change the subsidies. But since we are in the last year of the term of this government, I would like to ask the Premier how this subsidy program is defined. Is it defined by policy? Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 113-12(6): Notification Of Changes To Power Subsidy Program

HON. NELLIE COURNOYEA:

Madam Speaker, the subsidy is provided taking into consideration the Yellowknife base rate. That is how the subsidy is determined, so those calculations are made on the basis of what Yellowknife pays. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 113-12(6): Notification Of Changes To Power Subsidy Program

MR. PATTERSON:

I understand how the rates are calculated, Madam Speaker. My question was, is that process governed by policy or by legislation? Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 113-12(6): Notification Of Changes To Power Subsidy Program

HON. NELLIE COURNOYEA:

Madam Speaker, I believe it is by policy.

MADAM SPEAKER:

The time frame for oral questions has lapsed. Item 7, written questions. The honourable Member for Iqaluit, Mr. Patterson.

MR. PATTERSON:

Thank you, Madam Speaker. My written question is lost on my desk. I'll wait until tomorrow. Thank you.

MADAM SPEAKER:

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. The honourable Member for Iqaluit, Mr. Patterson.

ITEM 14: TABLING OF DOCUMENTS

MR. PATTERSON:

Thank you, Madam Speaker. I would like to table, Tabled Document 29-12(6), a letter to Premier Nellie Cournoyea from myself, dated June 7, 1993, entitled, "Paid Propaganda, Above and Beyond, Spring of 1993." Thank you.

MADAM SPEAKER:

Thank you. Item 14, tabling of documents. Item 15, notices of motion. Item 16, notices of motions for first reading of bills. Item 17, motions. Item 18, first reading of bills. Item 19, second reading of bills. Item 20, consideration in committee of the whole of bills and other matters: Tabled Document 14-12(6), "Open for Business" - Privatizing the Northwest Territories Power Corporation; Tabled Document 23-12(6), Report of the 1993-94 Electoral District Boundaries Commission, Northwest Territories; Minister's Statement 11-12(6), Return to Session; Committee Report 4-12(6), Report on the Review of Bill 6 - Access to Information and Protection of Privacy Act; Committee Report 6-12(6), Report on the Review of Bill 3 - Guardianship and Trusteeship Act; Committee Report 7-12(6), Report on the Review of Bill 7 - An Act to Amend the Arctic College Act; Bill 1, Appropriation Act, No. 1, 1995-96; Bill 2, Aboriginal Custom Adoption Recognition Act; Bill 3, Guardianship and Trusteeship Act; Bill 6, Access to Information and Protection of Privacy Act; Bill 7, An Act to Amend the Arctic College Act; Bill 8, An Act to Amend the Public Utilities Act, with Mr. Ningark in the chair.

ITEM 20: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Ningark):

I would like to call the committee to order. What is the wish of the committee? Mr. Gargan.

Page 225

MR. GARGAN:

Mr. Chairman, can we deal with Committee Report 4-12(6) on Bill 6?

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Gargan. Do we agree then that we will deal with Committee Report 4-12(6) on Bill 6, Access to Information and Protection of Privacy Act, after a break?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

We'll take a 15-minute break, okay? Thank you.

---SHORT RECESS

CHAIRMAN (Mr. Ningark):

I would like to call the committee to order. We are in the process of dealing with Committee Report 4-12(6), Report on the Review of Bill 6 - Access to Information and Protection of Privacy Act. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. I would like to express my appreciation to the Members present in this House for dealing with this bill. This bill is important and I think we have gone a long way to having it implemented in this House. It bothers me that we don't have enough Members to deal with it right now. I would like to ask you, Mr. Chairman, if we could get more Members before we can start on this.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Gargan. Mr. Gargan asked me to note that there isn't a quorum. I will ring the bells.

Thank you. I would like to call the committee back to order, please. We are dealing with Committee Report 4-12(6). Mr. Gargan.

Committee Report 4-12(6): Report On The Review Of Bill 6 - Access To Information And Protection Of Privacy Act

MR. GARGAN:

Thank you, Mr. Chairman. Mr. Chairman, the Standing Committee on Legislation has completed Bill 6, Access to Information and Protection of Privacy Act. The committee heard the concerns of various stakeholders, including the Languages Commissioner, representatives of the various unions, the Yellowknife Chamber of Commerce, the city of Yellowknife, Dene Nation President Bill Erasmus and the Western Arctic New Democratic Party.

The committee has carefully considered the comments made by each presenter and made several recommendations to Bill 6, based on the comments received. In its report, the committee highlighted several issues which were expressed during its review. These concerns included: the exclusion of

the office of the Legislative Assembly from the definition of public body; the application of the act to municipal governments; the override of exemptions to be 25 years; the inclusion of a definition of aboriginal government; the authority of the Information and Privacy Commissioner to enforce a provision of the legislation; the charging of fees for services; and, the translation of documents into the official languages.

All the concerns were addressed by the Commissioner during the hearing in committee, with the exception of translation services. Mr. Chairman, I would be pleased to hear comments from Members about the standing committee's report and, when this is concluded, I will have a recommendation to move.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Gargan. Do we have any comments from the committee? Are there any comments on the report of the Standing Committee on Legislation? General comments. Mr. Arvaluk.

General Comments

MR. ARVALUK:

Thank you, Mr. Chairman. I need some clarification on page 2 of 8 of the Standing Committee on Legislation report. Can I get that, Mr. Chairman?

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Arvaluk. Go ahead.

MR. ARVALUK:

Thank you, Mr. Chairman. I have a concern that although there are other motherhood statements assuring that Legislative Assembly Members may be exempt from the definition of public body, in the first paragraph it reads, "Presenters felt the office of the Legislative Assembly is an institution different from the Members of the Assembly and the background papers and research information should be accessible by the public."

A lot of research needs to be done some time with our researcher. There has to be some legal advice acquired before that can be tabled in the House or we can make a Member's statement or even ask questions to some Ministers. However, with the request to have the research material available to the public, I feel very uncomfortable with it because sometimes initial research findings require further

study, whether there is a liability involved from our own constituency office, not us necessarily.

The second point is on the second paragraph, Mr. Chairman. I would like to get an explanation as to exactly what the comments the Standing Committee on Legislation had when they stated that because the authority of the Speaker and the Management Services Board has a stature of being the executive arm of the rest of the Assembly and therefore should remain exempt from the definition of public body. Is the committee stating that we should be exempt? Is that what the recommendation is, to have that exemption in the legislation or Bill 6?

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Arvaluk. I will recognize the chairman of the Standing Committee on Legislation. Perhaps I could suggest that the Law Clerk could try to explain

Page 226

the item Mr. Arvaluk is concerned about. First of all, I recognize the chairman, Sam Gargan.

MR. GARGAN:

Mr. Chairman, the section that deals with the public bodies is in...This bill itself was presented as an action paper about a year and a half ago. All the general public was aware of it. We've travelled to several communities to address the bill itself and those are the presenters who gave us presentations. One of the things said at that time, or that the Members suggested is that because of the type of work Members do, all the Legislative Assembly Members are excluded from this act. I didn't see any great opposition to it when we travelled to communities. This whole thing was through a two-year process. Since the government made a commitment to go ahead with it, it has been in the public domain. Where we went to the communities, there doesn't seem to be anybody upset over the direction the government is going. So I don't see what the problem seems to be now.

CHAIRMAN (Mr. Ningark):

Thank you. Perhaps I could get the Law Clerk, before I recognize Mr. Arvaluk to indicate to the Member where the protection of what the Member is concerned about is clearly spelled out or defined in the bill. Mr. Gargan.

Point Of Order

MR. GARGAN:

Mr. Chairman, on a point of order, I think the whole purpose of the tabled document is for general comments. I don't know whether I should be answering the question or even defending the bill itself.

SOME HON. MEMBERS:

(Microphones turned off)

CHAIRMAN (Mr. Ningark):

Thank you. Order, please. It is my understanding, for the clarification of the committee, that we are in general comments and when a Member of the committee asks for clarification, Mr. Gargan, as chairman of the Committee on Legislation, can, in fact, choose to answer or not choose to answer in this case. General comments. Perhaps I'd like Sheila to clarify something for Mr. Arvaluk. Sheila, our Law Clerk. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. This act before Members applies to all documents and all records in the custody of a public body. The public body is specifically defined to exclude the office of the Legislative Assembly. So the research, legal opinions and the information Mr. Arvaluk referred to earlier would specifically be exempt under this act and would not be producible under this act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Arvaluk, does that clarify your question? Thank you. I have, on the list, general comments. Mr. Patterson, I saw your hand up earlier.

MR. PATTERSON:

Thank you, Mr. Chairman. I'm not sure who I'm directing this question to if the chairman of the standing committee is reluctant to answer questions from the floor here. I'm curious, Mr. Chairman, that the committee's recommendation is only that the report be received and moved into committee of the whole. I, as a non-Member of this committee, am relying on the committee to have done careful review of the bill and heard from members of the public. And I would have expected more enthusiasm if the committee felt the bill is a wonderful thing and would be a great leap forward. I would have thought the

committee would recommend the passage of the bill. But, instead, it has recommended the report be noted and moved into the committee and the recommendations are that...There are notes in the bill about the issues that were identified in the public hearings, but no real conclusion.

I guess I'd like to ask somebody, whether it's the Minister responsible or the chair, is there enthusiasm about this legislation? Is it something we're excited about or are we being propelled to do the politically correct thing because everybody else has done it and we hope it might work and we're going to get an annual review on how effective it was in the report of the Commissioner? I'm just trying to get a feel from people who know more about this bill than I do. Are we excited about it? Are we welcoming and embracing this progressive legislation or is it a ho-hum event where even the committee who considered it, is saying well, here's our report but we're not sure whether we're willing to recommend passage or not. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Patterson. We are dealing with the report, not a bill. If any of the Members of the Standing Committee on Legislation wish to respond to Mr. Patterson, you are free to do so, but, if you don't want to, that is your prerogative. That is my understanding. Mr. Gargan, you don't have to respond to Mr. Patterson's question; it's your prerogative.

MR. GARGAN:

Mr. Chairman, we had a legislative action paper that was tabled about a year and a half ago and was dealt with. And as a result of the public hearings, we have come up with a draft act. The enthusiasm was when they elected us after. We have gone through this act and had public input into it, and we have all referred to some of the people who made presentations. But the Members haven't gone clause by clause with the bill itself, and there were no Members of the committee that were opposed to it and all the Members agreed to all the clauses as amended and brought forward.

CHAIRMAN (Mr. Ningark):

Thank you. General comments on the report of the chairman of the Standing Committee on Legislation. Mr. Patterson.

MR. PATTERSON:

Mr. Chairman, it seems that no one was opposed to the bill, but I have yet to hear anyone say they support it. This is quite a sizeable expenditure. I would like to ask the Minister what kind of a budget would be required to set up this office. Is the government enthusiastic about this bill and anxious to see it passed? Will it improve life in the communities in the Northwest Territories? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Patterson. I believe the question is directed to the Minister of Justice, Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Chairman, the discussion is on the committee report. When we get into the bill specifically, in general comments, we can provide some information to the Member with regard to the financial implications of this bill.

Page 227

I must say that I thought, in appearing before the committee, that there was a high degree of enthusiasm, because we dealt with specific recommendations that came from specific groups which appeared before the committee, certain suggestions and recommendations were made and those were dealt with, I thought, rather promptly by our officials, which pleased the committee, I thought, generally speaking. So I, too, take note of the rather absent show of enthusiasm for this in the report after substantial exertion of work and commitment by Members and expenditure of resources. There seems to be at least some moral obligation to come out with a statement either recommending the bill or rejecting it. Because it has been a long-standing issue, I would think that there is some moral obligation to say, yes, this finally hits the bull's-eye in the public's expectation, or we are close enough to the mark to warrant passage of this bill or we are so far off the mark that it should be rejected. So that comment I can make in response to the committee report but perhaps it could still be done verbally at this time. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. I would like to caution Mr. Patterson and other Members that we are dealing with a report, not Bill 6. The Chairman of the Standing Committee on Legislation and the Minister responsible for Justice

may answer this question. If they choose to answer the question here at the review of the report they can do so, but if they do not choose to answer the question, they don't have to. We will be discussing Bill 6 in detail. We will then allow questions and answers. We are dealing with general comments. Mr. Lewis.

MR. LEWIS:

I am a Member of this committee so my name is attached to the front page. It shows I am a Member of it. I would like to point out that it's not the job of a committee to be the cheering section or the heckling section. Our job is to review the bill and try to make it as good as we can. We didn't originate the bill. The government proposes it, and the Assembly disposes of it. Our report, hopefully, will help the Assembly to decide what they want to do with it.

It seems to me that Mr. Kakfwi is right that when we met and had several presentations on this act we had some concerns. His department's officials responded very quickly. Even before discussing the issue with his officials, Mr. Kakfwi agreed, just on the surface, that we should avoid, for example, trying to define aboriginal government. You could see right away that we shouldn't be trying to define what aboriginal government is. He knew it right off and agreed to make that kind of change. There were several other ones, such as the exclusion of the Assembly, the ridiculous override of 25 years. He came in with a reasonable proposal. It wasn't quite as short as what we had proposed, but it was acceptable. It was reasonable.

So although you don't have a report that is standing up, yelling and screaming that this is the best thing since sliced bread, you are always going to have problems with sectors of the public that figure you haven't gone far enough. That is always going to happen.

So, when you look at this act, you are going to find various people who will find fault with it because of what it doesn't do. But it's clear to me that the sentiment that's existed within the last eight years is still there. People feel that we should have an open government and the way to do that is to do the best you can with providing people with access.

So even though this may not be the perfect thing, it is something that is a response to what we have heard from the public, and the changes that are in here reflect what the public has told us. If the public out

there wanted more, then we obviously haven't heard about it. The opportunity was given. It was well advertised, well publicized and the changes which are in here reflect the concerns of those people who saw fit and found time to bring their concerns to the committee.

So I am not one of those people who is going to get up and say this is a wonderful act, it's the best in the western world. This basically is the kind of act that you will find in other jurisdictions, it is not that much different. It's not a unique piece of legislation that sets the path for everybody else. It's a piece of legislation that really fits into the mould that already exists that tries to achieve the balance between the peoples' right to know and peoples' right to have privacy. It is the kind of a balance that is very difficult to achieve. But I believe that this is probably as well as we can do at this time with this kind of legislation. The report reflects that, so I'm quite happy to support the legislation in the way that it has been proposed.

CHAIRMAN (Mr. Ningark):

Thank you. Minister of Justice, Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. We should perhaps highlight some parts of the report, at least on page 1. The standing committee acknowledged that it received many positive comments from the public on Bill 6. The committee report says, "Generally, the public was pleased that legislation supporting a more open government was finally before the Assembly. Although the public did support the bill in general terms, there were reoccurring concerns heard throughout the committee's review."

The more notable concerns are listed in the report and all of them, I think, we dealt with, quite promptly as a committee. It is not completely void of any positive descriptive adjectives, and we should make a note of that. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. General comments, Mr. Koe.

MR. KOE:

Mahsi, Mr. Chairman. It was three years ago, during the election campaign in October 1991, that the issue of access to information and protection of privacy was raised in almost every constituency across the north.

At that time, because I was new in running, I was very enthusiastic about looking at a bill and getting something introduced. I publicly supported the introduction of such a bill and stated publicly that when it came into being I would probably support the bill.

Today, three years later, the enthusiasm may have waned. I don't have any pom poms to wave, but we do have a proposed bill and I want to state that I will support the passage of this bill.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Koe. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, if I may, I would like to ask permission of the committee to conclude the tabled document in order to get into the details of going clause by clause. If Members have concerns over some of the sections, then perhaps they can be dealt with then. I just have one committee motion I would like to move. If the

Page 228

committee would like agree to allow me to conclude the tabled document, then we could go on to deal with the motion.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan is asking the committee to conclude the committee report and move on to the motion. Do we have the agreement of the committee to go to the motion of Committee Report 4-12(6)? Mr. Zoe.

MR. ZOE:

Mr. Chairman, I just want to make a few comments on the committee's report on Bill 6, Access to Information and Protection of Privacy Act. I concur with the report that the committee has produced. I realize the bill has been reprinted according to the wishes of the committee, in concurrence with the government, but there is one area I would like to touch upon, which the committee also touched on.

It is with regard to section F on page 5. It reads, "The standing committee feels that this option, as well as other options which might be available, should be explored." I'm not too sure to what extent the government has agreed to undertake the review of

fees for services. I'm having a little bit of difficulty with the whole area of fees for services.

I would just like to know when the government is anticipating developing these options. When further amendments are required, would they take place or are they just going to explore and leave it at that? I'm not too sure about what the committee is trying to say. I think they are basically leaving it up to the government. If it is a concern of the committee, maybe it should have been noted and given a time frame for the government to develop these options. It is an area I'm having problems with.

In general, Mr. Chairman, I agree with the standing committee's report. I don't have any problems with it and I think the government has adhered to most of the recommendations and has amended the bill appropriately. I see a new reprint of Bill 6 in our binders.

Mr. Chairman, I am in support of this type of legislation and support the report of the Standing Committee on Legislation. Once we get into general comments on the bill itself, I will have questions for the government on finances. I don't believe the issue of financing this type of legislation was ever brought forward to the Standing Committee on Finance to consider. It is my understanding, Mr. Chairman, that by putting this type of legislation in place, it is going to cost us approximately \$1 million or more. I have a concern about that.

Members will note that the report of the standing committee just the other day, brought to a head the fact that we are in a very difficult financial situation. There is even a recommendation in the Standing Committee on Finance report that the government introduce legislation so that we don't get into an accumulated deficit for 1998.

I'm having reservations, Mr. Chairman, on the question of financing. I agree with the principle of the bill. I agree that this type of legislation should be brought forward in the Northwest Territories, but I'm questioning the financing aspect. Once we approve the legislation, it becomes law and the government will have to carry out the contents of the legislation and it is going to cost us money. We have a very limited amount of money. If this is, as I understand it, going to cost over \$1 million, that means we are going to have to find \$1 million from within our own budget.

Passing this legislation doesn't mean that the federal government is going to give us additional money to

put this legislation in place. I am having concerns with the whole area of legislation. Mr. Chairman, I would have wished that the Standing Committee on Legislation would have referred this legislation to the Standing Committee on Finance for consideration, because it is going to cost our government money and it would have been nice to get the opinion of the Standing Committee on Finance as to how the government is going to finance this legislation, if passed.

In general, I agree with the report of the standing committee and the bill, but the question of financing is still a big question mark. I don't know where the current government is going to get the money from. I know it has to come from within. But if we do that, then other programs such as housing, renewable resources or other programs may be hit. We, as Members, are going to get hurt. I just wanted to advise the Members of this House that the whole area of financing is a concern to me. Mahsi.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Zoe. General comments on the report of the Standing Committee on Legislation on Bill 6. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. We do have a lot of other bills that have financial implications. The Aboriginal Custom Adoption Recognition Act is one of them where it requires Adoption Commissioners. I don't know how you would deal with that. I don't even know, with all the bills that are coming up, the financial implications, but the process right now we've accepted, I think, in this Legislature, is that all money bills are referred to the Standing Committee on Finance. But this is not a money bill, it's on access to information. I think the government has already said that it will cost some money to start this process. I cannot answer for the government how they're going to deal with it. Can I conclude my report and then get into the bill itself, if it's agreeable with the committee Members?

CHAIRMAN (Mr. Ningark):

Thank you. Do we have the agreement of the committee that Mr. Chairman of the Standing Committee on Legislation wishes to conclude the report on the review of Bill 6? Do we have the agreement?

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Make a motion, please. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. As stated in the standing committee report on the review of Bill 6, the committee is concerned that a percentage of the population will not have equal access to information unless they are able to pay a prescribed fee for the translation of the documents.

The committee is aware that it is not possible to translate every record held by the government, however the committee feels that it is in the

Page 229

public interest for the translation to be prepared, then the document should be given to the person within a reasonable period of time.

Committee Motion 18-12(6): To Adopt Recommendation 1, Carried

Therefore, the standing committee moves that the Government of the Northwest Territories consider amending Bill 6 to allow for the translation of records into the official languages of the Northwest Territories without a prescribed fee if the translation is deemed to be in the public interest.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Gargan. I'm informed that the motion should read "Therefore, the committee of the whole moves..." The motion is being made in the committee of the whole. The motion is in order. To the motion. Do we have a quorum? The motion is in order.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Ningark):

Question is being called. All those in favour of the motion, please signify. All those opposed? The motion is carried.

---Carried

Does the committee agree that the Committee Report 4-12(6) is concluded?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. The committee Members have agreed previously that we would move to Bill 6. Do we have the agreement that we deal with Bill 6?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 6: Access To Information And Protection Of Privacy Act

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Kakfwi, do you have the opening remarks as the Minister responsible for this bill?

Minister's Introductory Remarks

HON. STEPHEN KAKFWI:

Mr. Chairman, the Department of Justice tabled the Access to Information and Protection of Privacy Act earlier this session. It was modelled on legislation recently passed or introduced in other Canadian jurisdictions. The department followed most of the recommendations made by the Standing Committee on Legislation, which undertook an extensive review and consultation process and tabled a most useful report on March 16, 1993.

The standing committee has reviewed the draft bill prepared by the department and has reported on their findings. A number of changes were recommended by the committee to which I, as the Minister of Justice, have expressed approval.

To briefly summarize the legislation, it covers both access to information and protection of privacy and contains five basic components.

- the right of access given to any person to the records in the custody and control of the government, subject only to limited and specific exceptions;

- the manner in which the government may collect personal information from and about individuals is controlled; the use that the government may make of that information is controlled; and the disclosure of that information by government is controlled;

- individuals, subject to specific exceptions, have the right to obtain access to information about themselves held by the government;

- individuals have the right to request corrections to information about themselves held by government; and,

- decisions made by the government under the legislation will be reviewed by an independent Access to Information and Protection of Privacy Commissioner.

In the case of requests for information or correction of personal information, the request would be made by the individual directly to the department which has custody of the records in question. The department reviews the request and responds to the request within the set time frame by:

- responding as requested;

- referring the request to another department which has custody of the record;

- advising that an extension is required because of the character of the request;

- indicating that certain costs will be incurred because of the scope of the request;

- advising that all or part of the information requested will not be provided because it falls within an exception under the act;

- providing all the information requested; or,

- providing part of the information requested with the excepted parts severed from the records.

The individual, if dissatisfied with the response of the department, may file a complaint with the Access to Information and Privacy Commissioner, who may review and report on the matter. Where the Commissioner disagrees with the department and recommends corrective action, the department must

take the recommendation into account. If the department rejects the recommendation, the department must advise the Commissioner and all parties of the decision.

The Access to Information and Protection of Privacy Commissioner does not have the power to overrule the department. The government has operated on the assumption that if the office of the Commissioner is created, the duties of the Commissioner could be expanded to include the duties of a territorial ombudsman at minimal extra cost. The ombudsman traditionally has the power to make recommendations to government, but not to order compliance.

It should also be noted that the Commissioner reports to the Legislative Assembly and if departments choose to reject the recommendations of the Commissioner, the Minister would be accountable to the Assembly. There is always, of course, a

Page 230

recourse to the courts if the Minister makes a decision which is unlawful.

The act, like counterparts in other jurisdictions, would provide for judicial review of certain decisions made under the act.

The exceptions that define when information may not be released are similar to those described in other legislation in Canada. These exceptions include information which is sensitive because it describes or concerns the interests of third parties. People sometimes overlook that this kind of legislation is designed not only to give individuals access to government records, but also to ensure that, in some cases, access to records is not given because it would interfere with the rights of third parties.

The most important of these third-party exceptions relate to personal information about a person and sensitive business and commercial information. The release of this information could cause harm and all access to information and protection of privacy legislation provides protection against this.

The act does not apply to the office of the Legislative Assembly or the office of a Member of the Legislative Assembly, or a Member of the Executive Council, and a department must not release information which would reveal a confidence of the Executive Council, including advice and recommendations to the Executive Council and agendas and minutes of

meetings of the Executive Council. This is standard in all jurisdictions, but the scope of the exemption may vary across jurisdictions.

For the time being, the act will only apply to records in the custody of the Government of the Northwest Territories, and will not extend to municipal governments. This is consistent with the recommendation of the Standing Committee on Legislation. It will be important to build up the experience in the government before contemplating an extension to municipal governments.

The act would not come into effect for two years after passage, in order to give the time for the government and individual departments to prepare for implementation, and especially to prepare the directory of information that is maintained by the government.

The Standing Committee on Legislation recommended that a system of community assistance be a factor of the access to information system in the NWT, and the government provided for this in the estimate of costs which was tabled with this bill. The government is recommending a system whereby individuals in the community would be paid on a fee-for-service basis. This will ensure that people at the community level will be able to use the system.

Mr. Chairman, I would be pleased to answer any questions with the assistance of my staff, if you agree. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, very much. Before we move on to general comments, I would like to ask the Standing Committee on Legislation, who reviewed the bill, if they have any further comments on Bill 6. If not, I would like to ask the Minister responsible for Justice if he would like to bring in the witnesses before we proceed with general comments.

HON. STEPHEN KAKFWI:

Yes, Mr. Chairman. Shall we move to the table?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Kakfwi indicated that he wishes to bring in his witnesses. Do we have the agreement of the committee that we bring in the witnesses?

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Sergeant-at-Arms, would you bring in the witnesses?

Thank you. For the record, Mr. Minister, would you introduce the witnesses to the committee.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. On my left is the deputy minister of Justice, Don Avison. On my right is Mark Aitken from the legislation division, and the director of policy of the Department of Justice, Mr. Gerald Sutton.

CHAIRMAN (Mr. Ningark):

Thank you. The floor is now open for general comments. Mr. Koe.

General Comments

MR. KOE:

I would just like, Mr. Chairman, through you, to ask the Minister if he could provide us with a text of his opening remarks. He used so many technocratic words in it, that it would be nice to have it in front of us to refer to.

CHAIRMAN (Mr. Ningark):

Mr. Minister, would you make a copy of your opening remarks available to the Members? Are they readily available now?

HON. STEPHEN KAKFWI:

Yes.

CHAIRMAN (Mr. Ningark):

General comments. Mr. Arvaluk.

MR. ARVALUK:

(Translation) Thank you, Mr. Chairman. I have no objection to the bill that is in front of us, Bill 6, as a whole. I just want everybody to be clear about the intent of this bill. Different committees, the Finance committee and the Standing Committee on Agencies,

Boards and Commissions, were saying that the government will not have sufficient funding to provide for this legislation, if passed. I think we should be focusing on spending our money on projects that more directly involve the residents of the Northwest Territories.

Going through this bill and the comments from the Legislation committee, it has no application to my constituents. Even if it is translated into Inuktitut, my mother or her friends who are unilingual, will not be able to read it. I am elected and have to assist my constituents. I try to keep them advised about the activities of the government, whether it has to do with housing projects, policing in the communities or with the people who come from down south up to our communities during the summer and how they affect the communities. Even if we don't have the bill in front of us, or it comes into law, we wouldn't have too much use for it, because I can bring those items up.

Page 231

I am aware that maybe it will be useful for the Union of Northern Workers, for media and will probably be useful for southerners who come up north to do construction who are outside of the Northwest Territories. We saw the editorial in News/North, as Brian Lewis stated before about the article on the salaries of the MLAs and it wasn't true. It was included in there about my constituency travel, assistance I get for accommodation and for per diem. They are not just coming into my pocket. I use them on accommodation and travel. We have a great concern about funding, and because I am a representative for Aivilik and try and represent the people of Nunavut, I am sure, if we get funding, that funding can be put to a better use because it will probably be spent in order to build houses in Coral Harbour. The funding that could be put into a more useful area would be spent here. (Translation ends)

I would not be opposing the general content of this legislation if we were rich as a government, but at this time, my constituency has no use whatsoever for this bill. That's why they are using me, as an MLA, to deal with the government and the government programs on a daily basis. I do not need this bill to do that. This is good for the Union of Northern Workers, for the news media. You saw the editorial in the News/North telling me that I was making approximately \$98,000. I wish I had that kind of salary. Mr. Brian Lewis already mentioned it. That was very good.

Committee Motion 19-12(6): To Defer Bill 6, Defeated

Mr. Chairman, because I am very reluctant to make another expenditure when we have had \$47 million cut from the federal housing program, with all of the other reasons -- not the content of the bill itself, but the expenditure that we will be making -- I am moving a motion, Mr. Chairman. Therefore, I move that Bill 6 be deferred. Qujannamiik.

CHAIRMAN (Mr. Ningark):

Mr. Arvaluk, we will need to get a copy of your motion and to it translated, so we will take about five minutes to get it written and translated. Thank you. We will take a five-minute break.

---SHORT RECESS

CHAIRMAN (Mr. Ningark):

The committee will come to order. The motion is in order, and the motion, according to our rules of the Legislative Assembly, is not debatable. To the motion. Mr. Dent.

MR. DENT:

Mr. Chairman, I'd like to request a recorded vote.

CHAIRMAN (Mr. Ningark):

A recorded vote is being requested. Do we have the agreement? Do we have the recorded vote? Agreed? We don't agree. Okay, thank you very much. All those in favour, please stand up.

AN HON. MEMBER:

What's the motion, for the record?

CHAIRMAN (Mr. Ningark):

I'll read the motion. I move that the consideration of Bill 6 be deferred. Come on. Somebody wants to know what the motion is. Stand up, please. All those in favour of the motion, please rise.

Recorded Vote

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Patterson, Mr. Arvaluk.

CHAIRMAN (Mr. Ningark):

All those opposed to the motion, please rise.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Dent, Mr. Ballantyne, Mr. Gargan, Mr. Koe, Mr. Arngna'naaq, Ms. Mike, Ms. Cournoyea, Mr. Kakfwi, Mr. Morin, Mr. Nerysoo, Mr. Whitford, Mr. Lewis.

CHAIRMAN (Mr. Ningark):

All those abstaining, please rise.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Allooloo, Mr. Zoe.

CHAIRMAN (Mr. Ningark):

Thank you. The motion is defeated with two for, 12 against and two abstentions.

---Defeated

Does the Minister wish to go back to the witness table with the witnesses? Thank you. Bill 6, Access to Information and Protection of Privacy Act. General comments. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. This bill has been a long time coming. It's certainly something that my constituents told me they thought was important. They told me they thought this sort of legislation is an important step closer to openness and better accountability in government. Mr. Chairman, like any new legislation, there may be some learning involved with this legislation. We may find that the bill needs amendment as problem areas become evident. For instance, I hope that after adoption of this bill -- and I'm assuming it will be adopted, of course, there -- the government will examine the options and the appeal process for the levying of fees as suggested in the committee report we just concluded.

Mr. Chairman, I also believe we can find a way to achieve the goals of this bill for much less than the cost estimates I've heard today. I think that's another area where I would encourage the government to look for ways in which the costs could be kept down. Mr. Chairman, even if we can't, even it is going to cost us \$800,000 to set this up and \$1 million a year to run it, if that's the cost of openness in government, then it's still worth it. Mr. Chairman, I will be supporting this bill and I hope that other Members will too. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. General comments from the committee? Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. I have detected no ground swell of support for this bill in my constituency. The members of the business community told me they supported the bill, but in discussing it further, it became clear that what members of the business community were interested in was more disclosure about contracts, lease arrangements and the government's financial relations with companies, which I think would clearly fall within the category of invasion of privileged and private relations and would not be subject to disclosure under the bill.

Page 232

Mr. Chairman, I don't believe my constituents are going to take advantage of this bill, especially the unilingual constituents or constituents whose first language is not English. I believe the cost is excessive. I don't see how it can be made to be done cheaper. I think if my constituents had the choice between more housing, more mental health counselling, more suicide prevention, more programs against family violence, the decision would be clear that this is a luxury that cannot be afforded.

Mr. Chairman, I observed with great interest the results of the passage of the Environmental Bill of Rights Act by a previous Assembly. Despite the lofty principles on which that bill was developed and the great hopes that it would allow government to be more accountable to ordinary people, I do not believe that bill has achieved its expectations.

Mr. Chairman, I may be getting a bit off topic in referring to another bill, but the question, I think, that has to be asked today is whether we're satisfied this bill will help ordinary people get more accountability from government and get more information about the operation of government, or whether it will be hijacked by the media and special interest groups.

Mr. Chairman, I'm not satisfied the bill will achieve the lofty goals that were hoped for. I'm not satisfied the experience in the rest of Canada, with access to information bills, is satisfactory, that it has been a useful tool for individuals. I believe that, especially in a consensus government, this legislature and the ordinary MLAs have the powers and the tools to

achieve accountability and access to information unprecedented in this country.

Mr. Chairman, it may not be politically correct to utter these heresies in this Legislature, but I think we have to get realistic about the fact that there are limited financial resources. When I look at the extraordinary cost of establishing an independent office that in no way can take advantage of any of the existing government offices or services, but must be at arm's length, separate, independent, I don't think we're going to bring the costs substantially down from \$1 million. Maybe it will only cost \$750,000, I don't know, but I don't believe the costs can be substantially reduced.

I think when the time comes to fund this independent office, what the government of the day will find is that tough choices will have to be made about housing and other critical social programs that are going to affect my constituents. I think we have to be tough-minded and realistic today and say...I don't think there have been any great grievances unresolved because of a lack of access to information in the Northwest Territories. I've seen Ministers subjected to incredible barrages of pressure, day and week on end, when a determined MLA wanted information and didn't get it. We have the tools here on hand, Mr. Chairman. All we need to do is use them.

I don't think we need a new, expensive bureaucracy to achieve the worthy goals of letting people know what is going on with their government. I think the tools are within this chamber and with the committees, which I think have incredibly powerful means to get information.

Mr. Chairman, this is not a re-election speech that I'm making here today, but I want to put on the record that I think if this Legislature passes this bill, we will be hard pressed to find the money in the increasingly difficult times that are facing us. I also think when there is a review of this bill in the Commissioner's annual report -- which I'm glad to know will be done -- we'll find that a few special interest groups in Yellowknife and a few enterprising media people will have taken advantage of a very expensive additional bureaucracy that we can't afford and that I don't really think we need.

Forgive me, Mr. Chairman, for being blunt about this, but I suspect that I represent the views of a lot of Members in this chamber who don't want to appear to be going against a motherhood principle. And, I suspect, more importantly I'm confident, that I reflect

the views of the majority of my constituents. They are not asking me to have this bill passed. I'm not getting pressured that this is an important piece of legislation. My constituents are talking about jobs, they are talking about housing, they are talking about support for the family, children and social issues.

I don't think this bill is going to make one jot of difference to the things we really care about in the majority of our communities. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Patterson. You are forgiven by the chair. I have Mr. Ballantyne and then Mr. Arvaluk. Mr. Ballantyne.

MR. BALLANTYNE:

Thank you, Mr. Chairman. Mr. Chairman, I am going to support the bill but I have a few observations about this legislation and legislation like it across the country. Mr. Patterson is right, it is a difficult piece of legislation for elected officials not only to vote against, but to speak out against because it has become symbolic, in many ways, of the new politics. It has become a metaphor for open government.

The reality of the situation across the country is that this sort of legislation hasn't really done everything that it is supposed to do. Jurisdictions that have this sort of legislation still have frustrations, although frustrations of a different type. Where I will disagree with Mr. Patterson is about people's concern about it. I think Mr. Lewis made a valid observation about this and that is, when nothing is happening, then people don't really worry about this sort of legislation. But, if an incident occurs where somebody is denied access to information -- and it has happened in our government -- then the public at large does get worried. It is something that comes and goes. It is a reality of modern politics.

I will support the bill and I supported this principle the last time it came around. But, I would like some assurances from the government about the cost. The problem is always that we model our legislation and our administrative support mechanisms after southern jurisdictions, which have the major advantage of economies of scale and size that we don't really have. I really don't think that, at least at the beginning, we need a full-blown administration. I really, really don't think that we need to spend \$1 million a year on this. I would find it fairly incredible if we did.

What would happen then is that the very bureaucracy we set up in order to make people's access easier becomes a new block. It seems to me that it's quite simple. Generally, the public, themselves, want pretty easy access to things that shouldn't give us any

Page 233

problem. There is actually legitimacy to their argument that, for whatever reason, government bureaucracy is overprotective. It seems to me that each deputy minister can be charged with the responsibility of ensuring that information that is not on the protected list should go out as a matter of course. It is not something that has to be a huge bureaucratic log jam. I guarantee that it will cause a lot of problems and we can't afford it.

To start off with, I'm not even sure that you need a full-time Commissioner. You may want to start off with a part-time Commissioner and have the deputy ministers responsible for administering it. And, if after six months, it is not working, then the government may want to have a look at it. At this point, the same public that is concerned about not having access to information is also just as concerned about the bureaucracy increasing. It's another strong public concern.

What the public would want is when they want information, they want a simple way to get it, without a big hassle. We shouldn't have a problem with that. The whole thing should run, I would think, fairly smoothly, without over complicating it with some complex administrative body.

When I finish my opening comments, I would like to ask the Minister for some assurances that he will seek ways to do this, which will make it more efficient, I think. Putting more money into it, as we have learned in government over the years, won't necessarily make it more efficient. It doesn't necessarily mean the public is going to get what they want.

I made a comment before that if we are going to go this route, as with the ombudsman route and the Languages Commissioner -- there are really so many different public advocacy models we can fall into -- we don't have the luxury of Ontario's multi-billion dollar budget to do it. That's the reality. The 70,000 people who live in the Northwest Territories would have to understand that, like a community of that size in other places, they can't have everything. It is not possible to have everything.

Here we have 24 MLAs, 60 mayors, 20 chiefs... There are probably about 1,500 elected representatives. There are strong women's support groups, there are strong labour support groups, there are strong chamber of commerce support groups. Our 70,000 people have a lot of advocates here already.

I will support this particular bill because we've built up expectations here in the Assembly over the past five years. I really think that, at this point, we have to deliver something. But, back to my point, if you really want one group of people who really don't have advocates, it is children. If you want to spend \$1 million, spend it on a children's advocate.

AN HON. MEMBER:

Hear, hear.

MR. BALLANTYNE:

To me, that would make a lot of sense. But I don't hear the unions calling for that. I don't hear the chambers of commerce calling for that. I don't hear any of the powerful interest groups calling for that. The reality is, we've talked about this for a long time, the Legislation committee and the department have done a good job to try to put together a package that is acceptable, and, at this point, my only concern is that of money.

I will end now and will ask the Minister to give me some assurances. Surely there are ways to accomplish the spirit of this bill without spending \$1 million plus a year. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Ballantyne. Mr. Minister.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. The suggestion that we create an office of a Commissioner for this bill came from the Standing Committee on Legislation, but I don't recall that they said it should be full time. The legislation itself simply says we will create such an office and that the Commissioner of the Northwest Territories will appoint a Commissioner for the purpose of this act. So we can take the suggestion that we should find a way to severely or moderately cut the set-up costs and the ongoing O and M costs for this bill.

But Members have to realize that a lot of the costs are going to be driven by public demand, so we can do

what we can to make sure that at least the bureaucracy, which would be about \$300,000 to \$400,000 a year -- the cost of setting up a Commissioner full time with support staff and all would be about \$300,000 to \$400,000 a year -- could be cut a little. With everything else, it would be difficult to give any assurance beyond that.

So it is true; when you vote for the bill, you vote for something that is politically necessary for some of us. It is a commitment that this government made, carried over from the last Legislature. It was done in a time when we felt confident that we could handle the financial situation of this government. It may be a consideration here, but I guess I am just making the point that we are still committed to this bill.

We have prepared the cost implications for Members so you walk into it with at least full knowledge of what we think the implications of this bill are. People were booed for raising the implicated costs during the last Legislative Assembly, and now we are all looking at it again. It is a different reality, for sure. For some, as Mr. Arvaluk and Mr. Patterson point out, it's a luxury. People can struggle through life without it, but it is more difficult to try to do it without jobs, without housing.

These are issues you have to grapple with yourself. We simply made the commitment to follow through on this and give you the cost implications. We can give you assurances that we can try to diminish the cost implications but not by a great deal.

CHAIRMAN (Mr. Ningark):

Thank you. General comments. Mr. Ballantyne.

MR. BALLANTYNE:

Thank you. I don't want the Minister to misunderstand. I think it's good that the government put forward one concept of how much it's going to cost. My point is that I don't necessarily agree with that cost. I have been consistent with this bill. I am going to support the bill, but it doesn't mean that I have to necessarily agree with a certain approach that the department is contemplating with the administration of the bill.

Page 234

Again, I think it is not just a matter of shaving a little bit off of it. It is dependent on how you look at it. If the Minister is correct, as he probably is, that the costs will be driven by public demand, then a lot of

that public demand is driven by how open the government is before problems get to the Commissioner. I would guess that a very good proportion of complaints that the Commissioner will get could be dealt with earlier if the deputy ministers are given strong direction to give out information. The problem is that if you are going to funnel it all through this one office, as it were, and you are going to need more and more people to do it. Rather than do that, the thought is to use the strengths you already have in the people you already have in government, to support the Commissioner.

You don't have to reinvent the wheel, I don't think, and you don't have to set up a specific -- I mean, all we are talking about is giving out government information. We are talking about giving out the information that they have. We are not talking about them creating new information, so the very departments that have the information surely, with some fairly simple guidelines, should be able to put it out.

What happens now, when you look at some of the freedom of information legislation in Ottawa and other places, is that it has become more of a hassle because now you have to have a whole group of people to look through every piece of information and sort of decide what is good and what's bad. I mean, a lot of it is common sense. We are a small jurisdiction, and if occasionally, we send out the instructions on how to make a nuclear bomb, well, that will happen occasionally. But, with all due respect to our government, there is really not a lot that we do that is really going to have a dramatic impact on the world if it gets out. I mean, let it go.

My point then, Mr. Chairman, to the Minister, is could we just relook at the way of doing it, and I don't think we have to follow the model that has been put forward in southern Canada, which, I might say, hasn't worked particularly well. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. I have now on the list, Mr. Arvaluk.

MR. ARVALUK:

Thank you, Mr. Chairman. I am not as optimistic as Mr. Ballantyne is about the low cost implementation of Bill 6. I say that mostly from experienced knowledge that bills are never cheap. We had a very good idea, having hunters and trappers and Renewable

Resources working together; that became a rather expensive operation, too. So have other bills that have been introduced, too. If you are going to have any kind of teeth or at least enforcement of the act, it is never inexpensive.

I already stated most of my points before I introduced the motion that was defeated, unfortunately. However, I would like to make a couple of other points. As I stated before, I am not against the content or spirit of this bill, but some of us who do not live in Yellowknife or other larger centres and who are not self-sufficient or partly self-sufficient through local property taxes, have to rely very heavily on government contributions, especially from the Department of Municipal and Community Affairs, to build very basic things like municipal roads and other basic necessities which are enjoyed by the larger centres without any assistance from the territorial government. This, for example, is going to bite quite a chunk. If it's going to be approximately \$1 million, it would take away how many home ownership assistance program houses, for example, that we have to finance ourselves now, and other essential programs which are necessary.

Also, I can see right away that you will probably need a Commissioner or at least an ombudsman because, just like the Languages Commissioner, you cannot rely solely on the government's good graces to get this act implemented. You'll probably need a researcher, probably just a share of costs, probably some librarians and other equipment that are necessary today, such as computers, et cetera.

I also recall the history of when it was introduced more than two years ago, when, according to Mr. Pollard's budget address, with good financial management planning, we were heading for a balanced budget. It was good then to introduce something like this that would give us a little bit of a deficit, maybe a million, not too much.

However, in 1994, we're already seeing extraordinary cutbacks, especially from the federal government, that really put us in bad shape. I don't know, I was going to call this the political popularity act. I guess I would be wrong with the title so I'll continue to call it the Access to Information Act. If you think it's politically good to introduce it now, then I think you would have to be very careful. When the tough get going, the public, themselves, are the first ones to start trimming what is luxury and what is necessity.

I think the public, before the government are already tightening their belts at home. They're not buying new skidoos anymore. They're trying to use their boats a little bit longer. Their houses are repaired with moderate winterizing. We don't realize it when we're sitting here, but if you go home after the end of October, when November hits in Nunavut, you are going to see a lot of tight budgeting. I think they expect the same thing. So if you want to have a political popularity act introduced, then you have to be careful. Just because it was introduced two years ago, because it was popular with the media and other interest groups, you'd better not forget who is at home. They're probably saying okay, this is a very good bill, but we cannot really afford it right now because you, as a government, cannot really afford to deny the basic necessities that are absolutely necessary right now, especially in my small communities.

Mr. Chairman, as I stated before, I cannot support this bill, not because of the content, but because we cannot really afford that kind of expenditure. There will be a lot of pressure from a very small population of our society to get this particular information.

I hope this is not anger, Mr. Chairman. I was told that during the Standing Committee on Legislation hearings, there were approximately 26 ordinary citizens supporting this legislation. That leaves approximately 59,926 not really caring for it at this time. I feel pretty safe in not supporting this bill at this time. Qujannamiik.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Your mathematics may be quite correct. It is the Access to information and

Page 235

Protection of Privacy Act we're dealing with.

I have next on my list, the Member from Deh Cho, Mr. Gargan. Then I have Mr. Koe, then Mr. Lewis.

MR. GARGAN:

Thank you, Mr. Chairman. On behalf of my constituents, I'd like to support the bill. I really don't have as much concern as some of the Members have regarding the cost. I think that the \$1 million cost is a figure that was put forward, but I really don't know how much it might cost. We're not creating a whole new bureaucracy by implementing this new act.

One of the things I'd like to target is with regard to the Access to Information and Protection of Privacy Act and also with regard to the information that the individual can obtain about himself. One of the things that this does, at least in my opinion, is that if a person who is on social assistance is refused, I think he should have every right to know why he is being refused. He has the right then, also to look at his own files.

The other thing is with regard to job interviews. In a time of financial difficulties, if a person is refused, I think he should know why he is being refused. The same should be the case for educational levels. Perhaps some people might find that what they have as far as their level of education may hinder them from getting a job or having an opportunity to get a job.

And, of course, with regard to training. That's another area where recommendations that are done for the purposes of training could very well be determined by people other than the individuals themselves. They should know why they've been refused.

As much as I support the bill itself, I support more the section in which the Protection of Privacy Act was located. It is the individual who will know the information necessary about why he has not been given an opportunity for a job or a training position, or whatever the case may be.

I just wanted to bring that up, because maybe the act itself is kind of rich. A lot of people see it as a luxury thing. I think it's for the little guy out there for whom this bill is being designed. For the people who can afford it too, access to information provides information with a fee. But for anybody who cannot afford it, the act is also designed so they may obtain information without a fee.

At one time, we also had some concerns about not everybody having equal access. With the section regarding translation and so on, I think we have it now so that a recommendation is put forward for the government to provide the information where it is in the public interest.

I would say it's those people who cannot read or write who would be given the opportunity...I don't know how the government is going to design it and I don't know how much it's going to cost. But I would like to think that for those people, if in fact, they've been refused because of lack of education or because they don't speak the English language, this act would serve as

another way of telling them what the reason was. What the individual does with that information is up to the individuals themselves. But at least, if my mother was to ask for a janitorial services job, I think she has just as much right to go to the school and ask why she never got the job and get someone to translate the information to her.

I think the bill helps the people who need this kind of information. For those who don't need it, it certainly is a luxury.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. General comments. The chair recognizes the Member for Inuvik, Mr. Koe.

MR. KOE:

Mahsi, Mr. Chairman. I made comments before when we were dealing with the committee report. My position hasn't changed, even though there have been a lot of good arguments against supporting this bill. But, for the record, I do support the passage of this bill and will be voting accordingly.

Just some comments on the comments made by a lot of my colleagues and the Minister, too. There were a lot of references to the cost of implementing this bill and some references made to a document. I am just curious what document is being referred to? What document contains the costs of implementing this bill and is that document available to this House?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. General comments. The chair will now recognize the Member for...

MR. KOE:

I asked a question about where this information comes from, to the Minister.

CHAIRMAN (Mr. Whitford):

My apologies, Mr. Koe. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the officials tell me that information was tabled with the bill.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

When was it tabled, and can I have a copy of that information?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister, perhaps you can indicate when this was tabled? Mr. Minister, are you prepared to answer that?

HON. STEPHEN KAKFWI:

Mr. Chairman, I don't know when the documents were tabled, but there are originals here that we can photocopy for the Members if they don't have it. The cost of setting it up on a one-time basis is estimated at about \$800,000. The time that we are giving to set up for the enactment of this legislation is two years. It includes legal costs, the cost of setting up a directory -- which is about \$250,000 -- the set-up of an office and a Commissioner -- which is a little less than \$400,000 -- the costs to departments, and other smaller items that tally up to \$800,000. The same applies to the roughly \$972,000 of ongoing O and M. That was our estimate.

The question to the Members is, would it be more acceptable or less acceptable, even if those figures were halved. Let's say we went with \$400,000 and \$500,000 per year; \$400,000 in one-time costs and \$500,000 in ongoing costs. Is it politically

Page 236

acceptable to have ongoing costs of \$500,000? We can make a commitment, as a government, to report, after one year, on the costs of moving to implement this act. If we are asked to do this work, we can bring revised estimates in that would help us reduce the costs.

For instance, Members feel it is not necessary to have a full-time Commissioner; we can budget accordingly. But, Members should also know that one out of 10 people in the Northwest Territories works for this government right now. It is the highest ratio in Canada. It is two to three times what other jurisdictions have. This legislation is going to create a few more civil servants, whether they are part time or not. We are still creating a bureaucracy.

As I said, the legislation is not going to be enacted for two years. Those of us who are concerned about costs can take some comfort in knowing that if it is a growing concern, and the financial situation of the

government worsens, then someone in the right capacity could move an amendment in the next government suggesting deferral of this legislation. That is not beyond the realm of possibility.

But, more importantly, to give comfort to Members, perhaps in a year, we could reduce the implicated costs of this bill. We could do that, if we're asked. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. On my list of speakers I have Mr. Koe, Mr. Lewis, and Mr. Allooloo. Mr. Koe.

MR. KOE:

Thank you. I have more comments. Going through the act, the obligation is to appoint an Information and Privacy Commissioner. It doesn't say it shall be full time, it doesn't say it shall be part-time, or whatever. It just says that one shall be appointed. It could be for one day a year. I guess a lot depends on the number of requests that one gets. Also, it doesn't say that each department has to have an officer. It says a Commissioner may appoint or delegate. It doesn't say they have to be outside the current bureaucracy. I assume they can delegate from within. The same goes with assistants and other staff. I assume there are powers to use what we already have.

The point I'm making is I assume that the proposed budget the Minister is referring to has been prepared by his department or his officials, and knowing how budgets are prepared, this may be a little luxurious, to use a word, maybe a little extravagant. I haven't seen it so I am not sure what's in it, but as my colleague from Yellowknife North mentioned earlier today, there is probably a lot of room for saving costs and using the systems and the mechanisms that we have in place, and it is on that basis that I support this information. As the Minister mentioned, the coming into force provision is two years from now, December 31, 1996, so there is a lot of time to look at measures of how you set up and implement this act. That is all I wanted to say. Mahsi.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Lewis, I believe you are the next speaker on the list.

MR. LEWIS:

Thank you, Mr. Chairman. I have listened with interest to the flow of this discussion, and it reminds

me of so many other ones where we deal with a bill where there is hidden reluctance. The reluctance surfaces when you hear all the principles being espoused of what a good idea this is and so on, however, the cost is the problem. The new bogeyman, if you like, is the cost now. There is nothing in the act that talks about costs. It talks about the principle of governments that are in the business of creating records. That's what they do all the time. They are always putting stuff onto paper. So what is the big deal about making a piece of paper that you have created available to somebody else? How much work is involved in that? It seems to me that the simplest act in the whole bureaucracy is to make something available that you have already committed to a piece of paper, because that's what this act is all about.

So I agree with those comments that have been made that really, you don't need a complex system to deal with providing information that you already have. The big problem with our government may be finding it because we don't have a proper records management system, in my opinion. It's improving, but for 10 years they have struggled with the problem of how you organize your records so that you can get access to them. That may be a problem that is the hidden one that hasn't really come out in this discussion and in this debate.

However, if you really want to do something, if you are really keen to do something and you want to do it efficiently and within budget and so on, there are ways of doing this. One of them would be fee for service. If the government is open and provides information as it's asked for, this guy is going to be out of work with nothing to do. If you just simply say, there's not a problem if you want to know what we are doing about this or about that, this Commissioner would be virtually unemployed. It would be just a title, and you would give him a dollar a year for the title, but you can find that out after you have worked with it for a year or two to see how much work is generated because of the reluctance of government to provide the information that the people have paid for anyway. It's their information. They paid for this. It's their government.

So, it seems to me that problems have been created where perhaps none exist. I wouldn't want us to get bogged down into the argument about the tremendous cost of setting up this office. I would remind Members that it was an Ordinary Member, a private Member, who tried to introduce it into the House in the last Assembly, and it was the

government itself that didn't want that to happen and decided to take ownership of the process because they didn't want to trust Ordinary Members to do it in a way that maybe would make the government too uncomfortable. So, it's been an on-going issue. And, in my view, having looked at this act carefully, I don't understand what anyone is afraid of.

I had experience in the last Assembly, Mr. Chairman, of working on what was, at that time, during the four years I was a Member of the 11th Assembly on environmental issues. Eventually we got an Environmental Rights Act, because, if you look at Hansard, during the last Assembly environment came up all the time. In every session it was the major issue that came up. I won't go through the long list of those issues that were raised, but it was, believe me, a major issue.

Since the Environmental Rights Act has been passed, and there was tremendous controversy among the mining people about all the damage it is going to do, all the hurt and how it was going to drive investment

Page 237

away. We were lambasted right across the country in the Northern Miner. All the mining people saw this as a terrible thing that we were doing. That bill has been used three times, I believe. There is no huge bureaucracy. There may have been some costs in asking people to do jobs that they are hired in our government to do anyway. We have experts that do this kind of work. That is the kind of work they do. So I don't see that that act cost this government anything, despite all the terrible predictions about the damage it would do and the tremendous costs it would cause our industry and our economy and everything else.

I believe that this act is a very straightforward act, and I fail to comprehend how simply providing a record to somebody else that we already have is going to cost \$1 million. It makes no sense to me. I would like to have the government reconsider this reluctance based upon costs, because it seems to me that there's been some subtle persuasion going on here to try to get this bill maybe revamped or reworked or delayed, or whatever you want to call it, on the basis of the terrible financial position that we are in, and that argument could then be used by Members to convince their constituents that that's the real reason why.

I really want to support it, but I am convinced that we are in such terrible shape, we can't afford this luxury.

So I would urge Members to think carefully about this one. I don't see this as having the huge impact that people really believe it is going to have because if we as an open government are doing our job, this guy won't have much to do.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Lewis. On the list, I have Mr. Allooloo. Since he's not in the committee, I have Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. I just wanted to make a few comments on Bill 6. I am going to be supporting this bill, basically because what the public wants is access to information so that the government will be more accountable and more open, and are the position that I think everybody in this Legislative Assembly took three years ago when we started. We wanted a more open government, and one of the ways of doing it is to have a bill such as this introduced in this House. It's the first bill of its kind. I understand that it was attempted in the past legislation but it did not succeed, but at this time, I think there are enough people here supporting it that it will probably pass. I think it is good for the people in the communities. There are people who are concerned with government. There is a perception out there that government is not providing all the information that it should, and I agree with that. This government is to provide programs and services to people in the communities, and decisions and policies are made, and are not shared with the people who we are supposed to be serving. As a result of that, a bill such as this has been asked for so that information that the government holds will be accessible to people in the communities. If that is one way of doing it, then I would support it.

There's a cost attached to it. I understand that it is quite substantial, and the Minister did say that they will look at it, and the bill itself isn't really hard and fast on that. There is a provision for a Commissioner to be put in place, whether it be full time or part time. That sort of thing can be worked out. It will be two years before that could happen, so we have plenty of time to deal with that.

In closing, I just want to say that there's a price for democracy, and if the price is \$1 million a year or perhaps even \$500,000 a year, if that's what it takes for community people to have this access to information, then I will support it. Mahsi.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

Mr. Chairman, I, too, will be supporting this bill. I mentioned earlier, when we were dealing with the report, some of my concerns were with regard to finance. But then looking at the coming into force clause would give ample time for the government to determine how and where they're going to get their resources from. So in that respect, I have no major problems with supporting this particular bill.

I note, Mr. Chairman, that the reprint of Bill 6 occurred with the concurrence of the Standing Committee on Legislation. The whole bill had 75 clauses, but the reprint only has 74 clauses. I note that there are a number of clauses in here that Members may be questioning. Some of the issues that were raised by the standing committee have to be seriously looked at. As my colleague from Yellowknife Frame Lake has indicated, especially the area of levying of fees has to be examined, in my view. If amendments are required, I think the government has to move on it so that we have no major problems in that whole area.

Mr. Chairman, I will be supporting the bill because I note, as I indicated earlier, that it doesn't come into force for the next two years. I know that the general public has been wanting this type of legislation to be in place for a number of years now, and I think the onus is on us to adhere to the wishes of the general public. They waited a long time for us to have this type of legislation, and I think it's time that we move on it and pass this particular legislation. I would encourage, Mr. Chairman, all Members to support this particular bill.

We know that they have two years to figure out how they're going to resolve that whole issue of finances. So in that respect, Mr. Chairman, I will be supporting this particular piece of legislation in front of us. Mahsi.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Zoe. The time being 6:00 pm, I will recognize the clock and report progress. I would like to thank the Minister and the witnesses for appearing before the committee of the whole. Thank you very much.

MADAM SPEAKER:

Item 21, report of committee of the whole. The honourable Member for Natilikmiot, Mr. Ningark.

ITEM 21: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Ningark):

Thank you, Madam Speaker. Madam Speaker, your committee has been considering Committee Report 4-12(6), Report on the Review of Bill 6 - Access to Information and Protection of Privacy Act, and would like to report progress with one motion being adopted, and that Committee Report 4-12(6) is concluded, and, Madam Speaker, I move that the report of the committee of the whole be concurred with.

Page 238

MADAM SPEAKER:

The motion is in order. May I have a seconder for the motion? The honourable Member for North Slave, Mr. Zoe. To the motion.

AN HON. MEMBER:

Question.

MADAM SPEAKER:

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

---Carried

Item 22, third reading of bills. Mr. Clerk, item 23, orders of the day.

ITEM 23: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Madam Speaker, there will be a meeting of the full Caucus immediately after adjournment this evening. There is a meeting tomorrow at 10:30 am of the Ordinary Members' Caucus.

Orders of the day for Thursday, October 13, 1994.

1. Prayer
2. Ministers' Statements
3. Members' Statements

4. Returns to Oral Questions
 5. Recognition of Visitors in the Gallery
 6. Oral Questions
 7. Written Questions
 8. Returns to Written Questions
 9. Replies to Opening Address
 10. Replies to Budget Address
 11. Petitions
 12. Reports of Standing and Special Committees
 13. Reports of Committees on the Review of Bills
 14. Tabling of Documents
 15. Notices of Motion
 16. Notices of Motions for First Reading of Bills
 17. Motions
 18. First Reading of Bills
 19. Second Reading of Bills
 20. Consideration in Committee of the Whole of Bills and Other Matters
- Tabled Document 14-12(6), "Open for Business" Privatizing the Northwest Territories Power Corporation
 - Tabled Document 23-12(6), Report of the 1993-94 Electoral District Boundaries Commission, Northwest Territories
 - Minister's Statement 11-12(6), Return to Session
 - Committee Report 6-12(6), Report on the Review of Bill 3 - Guardianship and Trusteeship Act
 - Committee Report 7-12(6), Report on the Review of Bill 7 - An Act to Amend the Arctic College Act
 - Committee Report 9-12(6), Investing in Our Future, October 1994
 - Bill 1, Appropriation Act, No. 1, 1995-96
 - Bill 2, Aboriginal Custom Adoption Recognition Act

- Bill 3, Guardianship and Trusteeship Act
 - Bill 6, Access to Information and Protection of Privacy Act
 - Bill 7, An Act to Amend the Arctic College Act
 - Bill 8, An Act to Amend the Public Utilities Act
21. Report of Committee of the Whole
 22. Third Reading of Bills
 23. Orders of the Day

MADAM SPEAKER:

Thank you. This House stands adjourned until Thursday, October 13, 1994, at 1:30 pm.

---ADJOURNMENT