



**NORTHWEST TERRITORIES
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FRIDAY, OCTOBER 21, 1994

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Speaker: The Hon. Jeannie Marie-Jewell

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MEMBERS PRESENT

Mr. Allooloo, Mr. Antoine, Hon. Silas Arngna'naaq, Mr. Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Mr. Lewis, Hon. Jeannie Marie-Jewell, Hon. Rebecca Mike, Hon. Don Morin, Hon. Richard Nerysoo, Mr. Ng, Mr. Ningark, Mr. Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mr. Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

MADAM SPEAKER (Hon. Jeannie Marie-Jewell):

Good morning, item 2, Ministers' statements. Madam Premier.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 31-12(6): Minister's Absence From The House

HON. NELLIE COURNOYEA:

Madam Speaker, I would like to advise Members that the Honourable Stephen Kakfwi will be absent from the House today to attend a constituency meeting in Fort Good Hope. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Minister's Statement 32-12(6): Arctic College Week And Science And Technology Week

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. As Minister of Education, Culture and Employment, I am pleased to advise you that this week and next week, we celebrate two important annual events, Arctic College Week and Science and Technology Week. I am happy to inform Members of the Legislative Assembly that many new initiatives to promote cooperation among educators, scientists and our northern communities have already begun.

Arctic College staff and students throughout the Northwest Territories are celebrating Arctic College week from October 17th to October 21st. Arctic College Week is held to promote post-secondary education and to inform people of the services provided by the campuses and community learning centres in their areas. It is also intended to emphasize the achievements of Arctic College and its cooperative relationship with the communities it serves. The theme of this year's Arctic College Week, "building community partnerships," celebrates that relationship.

To acknowledge the importance of partnership, the campuses and community learning centres of Arctic College have planned a number of public awareness activities that highlight programs produced in cooperation with municipal and tribal councils and industry.

Community teacher education programs are one example of programs produced in partnership. The Yellowknife teacher education program is sponsored by the Yellowknives Dene Band, Yellowknife's two school boards, the Department of Education, Culture and Employment and Arctic College.

Overlapping with Arctic College Week is National Science and Technology Week, which runs from October 14th to October 23rd. We celebrate this event to recognize the contribution of science and technology to northern development. This year, the Science Institute of the Northwest Territories is promoting activities at the community level.

The Science Institute's newly implemented research support programs are providing new opportunities for northerners to become involved in scientific research. We want to recognize the contribution of northerners in science and technology. Education, Culture and Employment, in conjunction with Renewable Resources, has submitted two nominations for the 1994 northern science award sponsored by Indian and Northern Affairs Canada.

The Science Institute also continues to introduce community projects demonstrating new technology. A northern wind farm has been established in Cambridge Bay as the first privately-funded alternate energy project. Also, from an educational perspective, the innovators in the schools program have been very successful this past year and have given many young northerners the opportunity to learn more about science and technology in an interactive manner.

Madam Speaker, at this time, I would like to thank all the communities, organizations and individuals who support Arctic College programs and science and technology initiatives. I invite the Members of the Legislative Assembly and residents of Yellowknife to participate in Science Sunday at the Prince of Wales Northern Heritage Centre at 2:00 pm on October 23rd.

I encourage northerners to contact the Science Institute here in Yellowknife or the research centres in Inuvik, Fort Smith, Igloolik and Iqaluit for information about science and technology programs in your area. As well, I invite you to contact community learning centres or Arctic College Campuses for information about college programs being offered this year. Thank you.

MADAM SPEAKER:

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

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ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Elders' Residence In Gjoa Haven

MR. NINGARK:

Thank you, Madam Speaker. As you know, the Kitikmeot is the only region in the NWT without an elders' residence. The elders in the region, especially the elders from Natilikmiot, have been expecting and looking forward to an elders' residence being built in Gjoa Haven since I first was elected to the House in 1989.

For mysterious reasons, every year, the elders' residence project has been postponed and not built. We were told that all elders' residence funding was put on hold because federal money for social housing was cut back.

This fall, my honourable colleague Mr. Kelvin Ng and I discovered the funding for the Gjoa Haven elders' residence was deleted from the capital plans.

AN HON. MEMBER:

Shame.

MR. NINGARK:

Thank you. Being concerned, Madam Speaker, about this matter, I contacted Mayor Uriash Puqignak of Gjoa Haven to discuss it further. He was as surprised as I was to learn of the deletion of the elders' residence project. I have met with Madam Premier, who is also the Minister of Health and Social Services; the Honourable John Pollard, the Minister of Finance; and the Honourable Don Morin, Minister of Public Works and Services. They have all agreed to reconsider addressing the needs in Kitikmeot, as my colleague, Mr. Ng, and I continue to pursue this matter on behalf of our elders.

AN HON. MEMBER:

Good.

MR. NINGARK:

I ask the government to seriously revisit this very important issue of elders' residences for the Kitikmeot by reinstating the funding for the Gjoa Haven residence and by addressing the needs in the western Kitikmeot. Thank you.

---Applause

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Yellowknife Centre, Mr. Lewis.

Member's Statement On High Cost Of Water In Summer

MR. LEWIS:

Thank you, Madam Speaker. This summer has been one of the driest summers on record, with very low rainfall levels. The natural course of events when you get very little rain is that the land gets dry, you get fires, and where you get fires, you get smoke, and because of the smoke, the mosquitoes die. They don't live very long.

People can understand that. People are happy with that. But, there is a certain lack of logic for many of my constituents who can't understand why, living by one of the biggest lakes in the world -- one of the top ten, which is pretty clean, compared with most of the others; even though we have some pollution, it is still pretty clean -- with so much water around us, that we have such high summer water rates. It is so easy to get water in the summer. Many of our dried out properties are causing

consternation among many of our citizens who enjoy gardening...

AN HON. MEMBER:

Hear, hear.

MR. LEWIS:

...and would like to have a nice place, with nice flowers and nice vegetables and so on. This can be compared with the small towns in the desert around Kelowna where the water rates are still very, very low compared to ours. The \$160 a month for water is an awful lot. The city of Yellowknife has this responsibility that we cannot really interfere with.

AN HON. MEMBER:

Hear, hear.

---Applause

MADAM SPEAKER:

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

Member's Statement On Timing Of Municipal Elections In NWT

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, I rise in this House today to offer my congratulations on behalf of my constituents to all the recently-elected officials in all the tax-based municipalities. It was very nice to see the seeds of democracy again take root in Iqaluit.

AN HON. MEMBER:

Hear, hear.

MR. GARGAN:

As an aboriginal, it was very gratifying to see Mr. Joe Kunuk, an Inuk, elected as a mayor in one of the Northwest Territories largest tax-based municipalities.

I, too, would have liked to have been able to have risen as the same time as my honourable colleagues, full of praise and good will, and congratulate the people elected in town and educational councils in my own constituencies. But that was not to be. For this reason, Madam Speaker, as usual, I am a bit confused. Why do the tax-based communities get to

have their election in the fall or, at least, what passes for fall in the Northwest Territories?

Maybe the residents of the tax-based communities can't handle the cold. Maybe they are afraid to go out in the dark. Why do smaller hamlets or charter communities get to have their election in December, which is definitely the dead of winter in the Northwest Territories? Is it because everyone works in a tax-based community and their officials want to make sure there is no daylight or no raging snowstorm on election day?

I think that whoever decided that community elections in the north should be held in December was a little addled. Maybe they thought that the residents in the smaller communities are

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more likely to be pursuing traditional lifestyles, such as hunting and fishing, so they would have nothing better to do in December than to fight their way through a blinding snowstorm to exercise their right to vote.

Indeed, Madam Speaker, in the high Arctic, there is total darkness during the election, which may or may not be appropriate.

---Laughter

I don't think, Madam Speaker, there is an appropriate time for an election in the Northwest Territories. The spring is no good in some areas because of ratting season. The summer is no good in other areas because...

MADAM SPEAKER:

Mr. Gargan.

MR. GARGAN:

Madam Speaker, I would like to have unanimous consent to continue my statement.

MADAM SPEAKER:

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

MR. GARGAN:

Thank you, Madam Speaker and honourable Members. The summer is no good in other areas because of fishing and hunting. Fall and winter are no good because people go hunting for moose and caribou. Fall is also open season on ducks and, I guess, municipal politicians in tax-based municipalities. Summer is no good in a lot of smaller communities because that is when the construction and tourism employment occurs. It is also no good in Yellowknife because half of the government employees take off on holidays.

I don't know, Madam Speaker. Maybe the dead of winter with no sunlight and the chance of a blizzard is the best time to hold an election in the smaller, mostly aboriginal, communities in the Northwest Territories. Like I said, Madam Speaker, I am confused.

---Applause

MADAM SPEAKER:

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

Member's Statement On Uniqueness Of NWT Legislative Assembly

MR. WHITFORD:

Merci, Madame la presidente, bonjour. Madam Speaker, this past summer...

---Laughter

SOME HON. MEMBERS:

Keep on going.

MR. WHITFORD:

Madam Speaker, I am working myself towards a full statement in French one of these days and with all due respect to my Francophone constituents, I won't do it quite yet.

As I started to say, this past summer I had the pleasure of touring quite a number of delegations through this building. For some reason or other, I happened to be at the right place at the right time. I am asked to do it on very short notice and, believe me, I thoroughly enjoy it. I have had the pleasure of taking people through this building and showing them every nook and cranny while the Members were away

and were able to get into the areas that probably are inaccessible during the normal sitting times.

It gives me great pleasure to do that because we do have a very unique system of government and a very proud building. It represents the people of the north, which I keep referring to when I tell them about the animal pelts, the shape of the building, the languages that are written on our direction boards, et cetera. They all prove to be of interest to visitors. I have met the ambassador from India, Switzerland, Indonesia, the Consul General from the Netherlands, et cetera.

Just today, Madam Speaker, I have had the pleasure of touring through the building with a delegation from Yakutia in Russia. They are here in the city on an exchange basis with the Department of Public Works to learn northern ways of doing things in northern climates.

Madam Speaker, I seek unanimous consent to continue.

MADAM SPEAKER:

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

MR. WHITFORD:

Thank you, Madam Speaker and colleagues. It is always an important part of our culture to be able to show other people how we do things. We do have a uniqueness and I always take great pride in pointing out what the little windows on the outside of our chamber mean. It is the fact that we do translate, at any time, in this Legislative Assembly, eight languages; soon to be nine when we introduce Michif.

---Laughter

So all people of the territories are represented in their official languages, which is unique. In some countries, there are a lot of languages spoken by the people in their Parliaments. Unfortunately, for them, there are only one or two official languages spoken with the Parliament and those people must comply with that, as used to be in this Assembly many years ago, as Members will recollect. It was either English or French, and mostly English. Our unilingual colleagues had much difficulty in communicating the business of the House with the people who they represent.

With that, I just wanted to tell you how pleased I was this past summer to have the pleasure of introducing our own unique way of government to many people from around the world. I will introduce this delegation later on, Madam Speaker. I would like to say to them welcome to our Legislative Assembly.

---Applause

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Yellowknife North, Mr. Ballantyne.

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Member's Statement On Award To Mr. Raymond Tuccaro

MR. BALLANTYNE:

Thank you, Madam Speaker. Madam Speaker, this week, a number of Members attended a special ceremony here in the great hall, where Mr. Kakfwi, our Minister of Justice, presented the corrections exemplary service medal to Mr. Raymond Tuccaro, one of my constituents, on behalf of the Governor General of Canada.

The corrections exemplary service medal recognizes the special obligations and hazardous conditions of services of those peace officers, whose duties bring them into daily contact with offenders in the Canadian corrections program. It is a tremendous honour for Mr. Tuccaro and a tremendous honour for our government. I am sure all Members will join me in congratulating Mr. Tuccaro for a very well-deserved honour.

---Applause

MADAM SPEAKER:

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

Member's Statement On Phrases Of The English Language

MR. PATTERSON:

Thank you, Madam Speaker. Madam Speaker, a lot of attention is appropriately paid, in this Assembly and elsewhere, to the aboriginal people, their cultures and language. Today I would like to talk a little bit about

the language and culture of the qallunaaq, the non-native people, especially certain phrases used in our language. Today I want to talk about the English language. I was once a student of English, you may have noticed.

---Laughter

And I've been observing the influence of our language on the proceedings of this Assembly. What you should know about our culture, the qallunaaq culture, is that sometimes, or maybe I should say very often, we qallunaaqs say the exact opposite of what we really mean.

I'll give a few examples. In court, when lawyers want to ridicule their opponent's argument, they refer to the other lawyer as "my learned friend," or where the other is really off the wall, "my esteemed learned friend."

An equivalent has developed in this House, Madam Speaker. When a Member wishes to disagree with an honourable Member, especially when it is an ordinary Member who has the gall to criticize the Minister, you will sometimes hear the phrase -- and sometimes I use this phrase myself, but quite rarely -- "with respect." If the Minister has said something really ridiculous...

AN HON. MEMBER:

(Microphone turned off)

MR. PATTERSON:

You wait. If the Minister has said something really ridiculous, you will sometimes hear the reply prefaced with "with all due respect." This means you get as much respect from me as you deserve, which isn't very much.

---Laughter

When the Minister is really out to lunch -- and of course, that happens very rarely in our House -- you will hear the phrase "with the greatest respect." This means that the Minister deserves hardly any respect at all.

---Laughter

Now, I'm going to have to ask for some more time to complete my Member's statement, with the greatest of respect.

MADAM SPEAKER:

The honourable Member is seeking unanimous consent to continue with his statement. Are there any nays? There are no nays. Proceed, Mr. Patterson.

MR. PATTERSON:

Thank you, Madam Speaker. I'm glad I'm allowed to conclude this because now I'm going to turn to Ministers.

Madam Speaker, ordinary Members are not the only ones who use this kind of language. How do we know when Ministers are showing their true feelings about ordinary Members? Ministers are a little bit more subtle, but there are ways of telling what they really think. For example, when I had the pleasure of serving in Cabinet with Mr. Ballantyne, I always thought he was a master of fending off what he thought was a totally useless question. You could always tell when he thought the question was absolutely silly by his response; after a long, pregnant pause, he would say, "The Member has raised a very good question."

---Laughter

Then he would say, "however," or -- long pause -- "the Member makes a very valid point, but..."

In the current Cabinet, I have made one clear observation; it has to do with Mr. Nerysoo. I have, with careful analysis, figured out that you can calculate exactly how much Mr. Nerysoo disagrees with a Member's point of view very easily. All you have to do to determine how much Mr. Nerysoo disagrees with you is count the number of times he uses the phrase "the honourable Member" in answering the Member's point. It's a very simple formula.

So, Madam Speaker, if Members have been wondering about some of these strange phrases, if they've been hearing qallunaaq people talking this way, I hope this little explanation will help you understand better what is really meant. If you're interested in analysing this further, or describing it further, you should know that when English speakers talk this way, saying the opposite of what is really meant, we are being either ironic or worse, sardonic or sarcastic. I hope this little discussion of the qallunaaq culture has been edifying this morning, Madam Speaker. Thank you.

---Applause

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Nahendeh, Mr. Antoine.

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Member's Statement On Lack Of Fire Protection In Small Communities

MR. ANTOINE:

Mahsi, Madam Speaker. Madam Speaker, today I would like to talk about a concern that I've had over the years with regard to fire protection and fire insurance coverage that is lacking in a lot of the smaller communities, including the communities that I represent: Jean Marie River, Nahanni Butte, Trout Lake and other communities.

I say this because the government here is building infrastructures in the communities such as homes that cost over \$100,000 a piece, and we are building new buildings, as well, such as schools, community centres, and two and three-bay garages that cost hundreds of thousands of dollars. Yet, the fire protection is lacking in these communities. I say this because in some of my communities there have been fires. For example, in Jean Marie River over the last five years, there were seven fires that took out some homes and three-bay garages. Nahanni Butte band office burned down some time ago. In Trout Lake there were a number of fires, including a fire that took out the chicken coop last year and destroyed the chickens there and their program. The fire protection that is there is not adequate.

One of the ideas I've been trying to push with the department is to put some pumps, the type of pumps that are used in fighting forest fires, with enough hose to reach the furthest house away from the water source. If you have this type of protection there, along with what they have -- chemicals -- I think that would help because some of these communities are too small to warrant fire trucks and they don't have water systems, as well. So this type of protection would certainly help them.

With fire insurance coverage, I think these communities, because they don't have fire protection, are not eligible for fire insurance coverage. So we are building expensive infrastructures in small communities, yet we cannot protect them with fire insurance, and I have a concern about that. So I

would just like to express that the government do something about that. Thank you.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. Item 4, returns to oral questions. The honourable Member for Mackenzie Delta, Mr. Nerysoo.

ITEM 4: RETURNS TO ORAL QUESTIONS

Further Return To Question 205-12(6): Planned Use Of Akaitcho In Arctic College Plans

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. This is an oral question that was asked by the honourable Member for Yellowknife Centre, Mr. Lewis, on October 20, 1994, with regard to planned use of Akaitcho in Arctic College plans.

The college system in the Northwest Territories, as you know, is decentralized. It includes campuses and community learning centres across the north which offer programs and services designed to meet local and territorial education and training needs.

The college's head office in the west is located in Fort Smith. College programs are offered in Yellowknife and at the Thebacha and Aurora campuses.

We are currently examining the potential use of Akaitcho Hall to house both the administration and delivery of some of the college programs offered in Yellowknife. The college's Yellowknife activities are offered widely throughout the community and consolidating them in fewer locations would result in a more efficient and effective operation. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. I'm sorry, I didn't see your hand up, Mr. Arngna'naaq, for returns to oral questions.

I'll go back to item 4, returns to oral questions. The honourable Member for Kivallivik, Mr. Arngna'naaq.

Return To Oral Question 154-12(6): Use Of Radio Collars On Polar Bears

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I have a return to oral question asked by Mr. Pudluk on October 17, 1994 on the use of radio collars on polar bears. The particular study the honourable Member is referring to is being conducted in the Alaskan part of the Arctic Ocean. Canadian and American biologists worked from two ice breakers that were travelling to the North Pole from Alaska. Two adult female bears were captured and fitted with satellite radio collars. The bears are being monitored by Alaskan researchers.

Madam Speaker, radio collars are an important tool used in polar bear management. They are used to track polar bear movements and to determine population boundaries. Once this is known, other studies are done to estimate population size in order to ensure that a population is not over harvested. The Department of Renewable Resources will continue to use radio collars whenever they are the best method of obtaining information for managing polar bears. Communities are always consulted before a study using radio collars can begin within the Northwest Territories.

During the last two years in the Northwest Territories, polar bear research and management studies have been focused from McLure Strait east to Baffin Bay. Last fall, radio collars were attached to polar bears in this area. Good information on polar bear movements was collected and biologists began removing collars this fall. The remaining radio collars will be removed next spring. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. The honourable Member for Yellowknife South, Mr. Whitford.

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

MR. WHITFORD:

Thank you, Madam Speaker and colleagues. I have the pleasure today of introducing to you the delegation from Yakutia in Russia. The four gentlemen and two ladies who are in the gallery are on a business exchange program with the Department of Public Works and Services under the

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Honourable Don Morin, to learn Canadian ways of doing business, particularly with regard to project management.

As you well aware, there are a lot of exchanges between Canadians and the Russians in the northern parts to develop ways and means of building and managing buildings. They will be here until December 19th, then they will be going back to Yakutia for Christmas. But, to our pleasure, they will be coming back to Yellowknife again in January to complete their experience. I would like to welcome them to our Legislative Assembly.

---Applause

MADAM SPEAKER:

Thank you. May I remind honourable colleagues that, when they recognize visitors in the gallery, they do have a 30 second time limit. I would like to caution you on that for the future. Item 5, recognition of visitors in the gallery. Prior to going to oral questions, there are a couple of rulings that I would like to advise Members about.

Speaker's Rulings

Yesterday, the honourable Member for Kitikmeot, Mr. Ng, raised a point of order respecting the chair, redirecting a question asked by him to another Minister other than the Minister he had addressed it to. Firstly, I should state that no one can raise a point of order against the Speaker.

SOME HON. MEMBERS:

Ohh.

MADAM SPEAKER:

As Speaker, it is my role to adjudicate between Members on points of order. Rule 12(2) provides that when I have decided points of orders or privileges, my decision is not the subject of debate or appeal.

In reviewing unedited Hansard, page 1005, I note that Mr. Ng asked a question relating to the protection of by-law officers. As Members are aware, by-law areas fall within the jurisdiction of municipalities. Therefore, normally this question would be within the realm of responsibility of the Minister of Municipal and Community Affairs. In an effort to assist the Member for Kitikmeot in getting his question answered, I felt the Minister responsible for the Department of Municipal and Community Affairs would be able to respond to the Member's question. I note also that on page 1005 of the unedited Hansard that the Minister did, in fact, answer the question.

However, on more detailed examination of the question in Hansard, it appeared that the Member was seeking information relating to the legal status of by-law officers, as that legal status pertains to peace officers under the Criminal Code of Canada. As Members are aware, the Criminal Code is a federal statute and, technically speaking, our Minister of Justice has no authority or jurisdiction over it. The issue is one that may cross two Ministers' responsibility.

However, since the Minister of Justice cannot be asked questions that are not a matter he has direct responsibility for, the Member could ask a written question to the Minister of Municipal and Community Affairs because this issue could require a detailed technical and legal response.

The enabling legislation dealing with the appointment of by-law officers falls clearly under the responsibility of the Minister of Municipal and Community Affairs. Therefore, I rule that the Member does not have a point of order.

In addition, yesterday, the honourable Member for Yellowknife North, Mr. Ballantyne, during question period, asked the Minister responsible for the Power Corporation if the Cabinet had approved the 22 per cent low-water surcharge. The Minister answered Mr. Ballantyne's initial question and the Member for Yellowknife North then asked a supplementary question, if the Minister had approved the proposed 22 per cent low-water surcharge.

At that point, I only cautioned the Member on this particular issue and the Member then raised a point of order. I advised the Member that I would take the issue under advisement and review the unedited Hansard. I have now had an opportunity to review the unedited Hansard, page 988 and 989, and am prepared to comment on this matter to the House.

From reviewing Hansard, it is evident that I did not rule the Member's question out of order and, in fact, the Member was able to ask his initial question and three supplementaries. I merely cautioned the Member that this particular issue was before the Public Utilities Board. As Members are well aware, rule 23(g) prohibits reference to any matter before a quasi-judicial or administrative body where any person may be prejudiced in such matter by the reference.

It is the role of the chair to alert Members to the possible application of the sub judice rule so as to

ensure that the Members do not cross the boundaries of what is an acceptable question. In making my comments yesterday, I was merely carrying out my responsibility as Speaker, so as to ensure that there is no violation of our rules, intentional or inadvertent. As stated in my earlier ruling on Mr. Ng's point of order, points of orders cannot be raised against a decision of the Speaker. Therefore, the Member for Yellowknife North does not have a point of order.

Item 6, oral questions.

ITEM 6: ORAL QUESTIONS

Question 212-12(6): Tabling Consolidation Plan Re Health And Social Services

MR. PATTERSON:

Madam Speaker, the Premier made a statement yesterday about the amalgamation of the departments of Health and Social Services. In that statement, she promised to table a detailed plan. I would like to ask the Premier if she is going to be tabling that plan today because I do not believe it was tabled in the House yesterday, as she had indicated she would do in her statement. Thank you.

MADAM SPEAKER:

Thank you. The Premier is not in the House. The honourable Member for Hay River, Mr. Pollard.

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Return To Question 212-12(6): Tabling Consolidation Plan Re Health And Social Services

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, good morning. Yes, we will be tabling that particular document today. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for High Arctic, Mr. Pudluk.

Question 213-12(6): Policy On Payment Of Salaries To Employees On Medical Leave

MR. PUDLUK:

Thank you, Madam Speaker, good morning. I would like to ask the Minister of the Financial Management Board, what is the policy for the payment of salaries

to employees who are forced to take time off for health reasons on a doctor's orders?

MADAM SPEAKER:

Thank you. Minister of Finance, Mr. Pollard.

HON. JOHN POLLARD:

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

MADAM SPEAKER:

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

Question 214-12(6): Funding Of Credit Unions

MR. ALLOOLOO:

Thank you, Madam Speaker. I would like to ask the Minister of Economic Development and Tourism a question. The Minister stated that his department is looking at possibly funding the credit union, which was good news to us. Could the Minister report to the House as to the approval of funds that might be coming forth? Thank you.

MADAM SPEAKER:

I am sorry. The Minister of Economic Development and Tourism is not in the House. The honourable Member for Hay River, Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Madam Speaker. I think the Minister is having his officials approach the EDA Secretariat and I will take the question as notice with regard to the time frame involved in making that presentation. Thank you.

MADAM SPEAKER:

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

Question 215-12(6): Investigation Of Stack Emissions At Royal Oak Mine

MR. LEWIS:

Thank you, Madam Speaker. Two local people made an application, under the Environmental Rights Act, to get the Department of Renewable Resources, responsible for environmental matters, to investigate

stack emissions at Giant Mine. I would like to ask the Minister what the result of that investigation was.

MADAM SPEAKER:

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

Return To Question 215-12(6): Investigation Of Stack Emissions At Royal Oak Mine

HON. SILAS ARNGNA'NAAQ:

The results of the applications made by the two individuals have resulted in an investigation of air pollution from the Royal Oak/Giant Yellowknife Mine. It was determined by health officials that there really is no need for concern.

However, they indicated that the department's monitoring stations remain below levels which could cause a significant health risk to the city residents and the sulphur dioxide that could affect human health isn't a concern. These were the results that we received from health officials. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Lewis.

Supplementary To Question 215-12(6): Investigation Of Stack Emissions At Royal Oak Mine

MR. LEWIS:

It is my understanding, Madam Speaker, that the mine agreed to negotiate with the government on this issue, in an attempt to reduce emissions, even though they weren't at a critical level. What form is that negotiation taking?

MADAM SPEAKER:

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

Further Return To Question 215-12(6): Investigation Of Stack Emissions At Royal Oak Mine

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. Madam Speaker, there have been initial discussions by the department and Royal Oak Mine. The joint work which has been initiated with mine officials to examine options available to reduce the sulphur dioxide levels in

Yellowknife is presently going on at this point. However, I would like to bring together community leaders -- namely, the two chiefs in the area of Yellowknife, the Metis Nation, the Yellowknife MLAs, the new mayor of Yellowknife, representatives of the Department of Indian and Northern Affairs, Environment Canada and a mine representative -- to try to come to an agreeable solution to the problems we have with the mine. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 216-12(6): Funding Available For Training Of By-Law Officers

MR. NINGARK:

(Translation) Thank you, Madam Speaker. My question is directed to the Minister of MACA. In the communities, there are by-laws officers. They are usually in the smaller and larger communities. They have to take some kind of training. Do they train the by-law officers under the departments funding? Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Municipal and Community Affairs, Ms. Mike.

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Return To Question 216-12(6): Funding Available For Training Of By-Law Officers

HON. REBECCA MIKE:

(Translation) Thank you, Madam Speaker. At this time, there is no funding for training for by-laws officers. During 1995-96, we will be trying to come up with funding for that particular area. Thank you.

MADAM SPEAKER:

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

Question 217-12(6): Revenue Generated By NWTPC At Snare

MR. BALLANTYNE:

Thank you, Madam Speaker. Madam Speaker, I thank you for your ruling. I totally respect the

jurisdiction of the Public Utilities Board. My line of questioning is the owners' responsibility in the decision-making. So my question today is to the Minister of Finance. It seems from the Premier, that Cabinet isn't involved in the decision. The Premier is only peripherally involved in the decision. So the owners are really out of the equation. Surely the Minister of Finance would get financial advice.

My understanding is between 1989 and this summer, the water levels were much higher than the 30-year historic average. The 30-year historic average is 152 gigawatt hours. The levels were higher over that period of time and that generated an extra \$7 million to go into the overall system. Was the Minister informed that there was an extra \$7 million generated by the Snare system during this period of time?

MADAM SPEAKER:

Thank you. Minister of Finance, Mr. Pollard.

Return To Question 217-12(6): Revenue Generated By NWTPC At Snare

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, it was drawn to my attention some two weeks ago, that there may have been, shall we say, above-average water in the system in previous years, and that might have generated a bonus. It was drawn to my attention, but I have seen no figures or details. I didn't get that from the Power Corporation. It came up in discussion with our lawyers who are representing us, as customers, and other people of the Northwest Territories at the PUB hearings. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 217-12(6): Revenue Generated By NWTPC At Snare

MR. BALLANTYNE:

Supplementary to the Minister of Finance. It would seem to me that the Minister of Finance, because we are the owner of the Power Corporation, has certain financial responsibilities in this area. When a decision is going to be made by the Power Corporation which will have very serious impacts on the number of communities in the Northwest Territories, the Power Corporation would make all the information available

to the government. Would the Minister agree that the Power Corporation has an obligation to make all

the information available to the owner of the Power Corporation?

MADAM SPEAKER:

Thank you. Minister of Finance, Mr. Pollard.

Further Return To Question 217-12(6): Revenue Generated By NWTPC At Snare

HON. JOHN POLLARD:

Madam Speaker, the Power Corporation is run by its board of directors and it reports to the government and this House, through the Minister responsible, which is the Premier. So in that respect, there is a reporting line and, obviously, as owners of the corporation, we are keenly interested in how the corporation is doing. But do we get into the details on a daily basis? No, Madam Speaker, that is left to the Minister in charge. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 217-12(6): Revenue Generated By NWTPC At Snare

MR. BALLANTYNE:

Thank you. The Minister is aware that under the legislation, the Minister responsible for the Power Corporation can issue directives to the Power Corporation. Would you agree that the Minister responsible for the Power Corporation has it within her power to direct the Power Corporation to have put this extra money which is generated for the whole system into a fund to deal with low-water use?

MADAM SPEAKER:

Thank you. Minister of Finance, Mr. Pollard.

Further Return To Question 217-12(6): Revenue Generated By NWTPC At Snare

HON. JOHN POLLARD:

Madam Speaker, the Power Corporation has not advised me and I do not know if they've advised the Premier that there might have been some bonus water in years gone by. I would reiterate that it was drawn to my attention during a meeting on how our

lawyers would represent us in the PUB hearings. So I don't have any hard and fast data in that regard. But, obviously, the honourable Member has researched this issue, as well, so there may be some meat in this rumour that there was above-average water in the system.

With regard to a directive being issued by the Premier or Minister responsible for the corporation, I guess the answer to that is yes. But I think that what has happened is that the corporation is operating, and even though we freely admit that we own 100 per cent of the corporation, the corporation operates at arm's length from the government as much as possible and the corporation went through the public process of applying to the Public Utilities Board for this particular increase. They would have had to apply to the Public Utilities Board to enable themselves to set up a reserve, I believe, Madam Speaker.

So, yes, I suppose we could have told them to do it, but I think the Minister responsible has chosen to let the Power Corporation do these things in front of the Public Utilities Board

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where everybody can have an input. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 6, oral questions. Final supplementary.

Supplementary To Question 217-12(6): Revenue Generated By NWTTPC At Snare

MR. BALLANTYNE:

Final supplementary to the Minister of Finance, Madam Speaker. I would like to get the assurance of the Minister of Finance that in future when the Power Corporation is going to appear in front of the PUB and ask for an extraordinary increase such as this, that the owner and the Minister of Finance, on behalf of the board of directors, I suppose, the 24 of us, will ensure that the total information package is available; and if there is going to be a severe impact on a community or a number of communities, that a better process of information exchange is developed. Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Finance, Mr. Pollard.

Further Return To Question 217-12(6): Revenue Generated By NWTTPC At Snare

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, I'll pass on that concern to the Premier. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Baffin South, Mr. Pudlat.

Question 218-12(6): Revenue Canada Assistance In Preparing Income Tax Forms

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. My question will be directed to the Minister of Finance. First, I would like to thank him for coming to Cape Dorset and Sanikiluaq, and for having people from Revenue Canada come to those communities. Secondly, I'm sure people are already aware of what I will be mentioning. We did not know in Cape Dorset or Lake Harbour about the following.

Many of the carvers ended up owing a lot of money to Revenue Canada and we seem to have a problem with this. I wonder, Madam Speaker, if the Minister of Finance will be able to prepare, for the new tax year, information for people on how to properly fill out their income tax forms and to avoid further debit to Revenue Canada, especially for the carvers who have a big problem with this. Will the Minister be able to provide some more staff to visit the communities in dealing with income tax returns? Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Finance, Mr. Pollard.

Return To Question 218-12(6): Revenue Canada Assistance In Preparing Income Tax Forms

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, it's true that Revenue Canada did visit south Baffin communities last year. They have told us that it was a useful experience and they felt that people in the communities learned. Unfortunately, the Sanikiluaq hotel was under renovation at that time. There were no accommodations there so they didn't make it to

Sanikiluaq, but they will be, in fact, going there this year. I understand that the communities appreciated the visit as well, and we are working with Revenue Canada now to see if those visits can occur again this spring.

Madam Speaker, I would also point out to the honourable Member that if there is some kind of hardship with regard to people who are just catching up with the system and they owe large amounts of money, Revenue Canada has told me in the past that they would be willing to work out terms that are not too onerous on people in order to catch up those arrears, Madam Speaker. Just for the information for the Member. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Kitikmeot, Mr. Ng.

Question 219-12(6): Departmental Policy For Community Freezers

MR. NG:

Thank you, Madam Speaker. My question to the Minister of Renewable Resources. I would like to ask the Minister if his department currently has a policy to deal with community freezers. Thank you.

MADAM SPEAKER:

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

Return To Question 219-12(6): Departmental Policy For Community Freezers

HON. SILAS ARNGNA'NAAQ:

The area in which the Department of Renewable Resources has been involved in the community freezers has been basically to pass it on to the community hunters' and trappers' associations who have been monitoring and maintaining the freezers in the communities. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ng.

Supplementary To Question 219-12(6): Departmental Policy For Community Freezers

MR. NG:

Thank you, Madam Speaker. I recognize that may be adequate for communities that have freezers. My question is whether the policy would address establishing freezers in communities that currently don't have them. Thank you.

MADAM SPEAKER:

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

Further Return To Question 219-12(6): Departmental Policy For Community Freezers

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. At the present time, we are looking...I believe it's the Department of Public Works which is doing an analysis of the use of community freezers in those communities which do have community freezers; and to re-look at whether the use of community freezers are an efficient means of these facilities. Thank you, Madam Speaker.

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MADAM SPEAKER:

Thank you. Supplementary, Mr. Ng.

Supplementary To Question 219-12(6): Departmental Policy For Community Freezers

MR. NG:

Thank you, Madam Speaker. In two of my communities, they have no power so the establishment of community freezers is very critical to them in the storage of their meat over the course of the summer. I would like to ask the Minister, would it be a priority of his department to address these issues in communities where there is no power and where there are no community freezers. Thank you.

MADAM SPEAKER:

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

Further Return To Question 219-12(6): Departmental Policy For Community Freezers

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. For the communities that are making requests for community freezers, at the present time, we are doing a review on this

particular policy. We are still receiving requests from communities which do not have community freezers. We're looking at ways in which we would be able to address the needs for community freezers, at the present time. Thank you.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Ng.

Supplementary To Question 219-12(6): Departmental Policy For Community Freezers

MR. NG:

Thank you, Madam Speaker. Final supplementary. I would like to ask the Minister then, when he would expect the review of this policy to address these community freezers to be completed. Thank you.

MADAM SPEAKER:

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

Further Return To Question 219-12(6): Departmental Policy For Community Freezers

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I believe the review started this past summer. We should have a complete assessment sometime next year, but I don't have any firm dates at this point, Madam Speaker.

MADAM SPEAKER:

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

Question 220-12(6): Unsafe Blasting Procedures

MR. WHITFORD:

Thank you, Madam Speaker. Madam Speaker, in 1993, a blasting incident took place here in the city of Yellowknife. A lot of work goes on for building buildings, streets and so on that requires lots of rock to be blasted out of the way, and companies come in to do this kind of work. It is a dangerous business at the best of times, Madam Speaker, but if all the safety regulations are not maintained, it puts the public in danger.

There was an incident where a rock went through a roof of a trailer in my constituency. I want to ask the Minister responsible for Safety and Public Services,

under whose department inspections come, what has been done about this incident. In many opinions, the safety procedures were not followed. What is being done?

MADAM SPEAKER:

Minister of Safety and Public Services, Mr. Nerysoo.

Return To Question 220-12(6): Unsafe Blasting Procedures

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I want to indicate to the honourable Member that the case that was brought forward against the individuals involved has been withdrawn, on the advice of the Department of Justice, because of some technical issues that allowed the individuals to carry out the work they were doing were under a permit that had already been issued.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Whitford.

Supplementary To Question 220-12(6): Unsafe Blasting Procedures

MR. WHITFORD:

Thank you, Madam Speaker. The issue of safety comes under the Minister's responsibility. I recognize the fact that, legally, there may be some technical matters that may prevent the case from going ahead, but the question of safety still prevails. My biggest concern and the public's concern is safety. I will ask the Minister whether or not these same companies that were involved in this incident are being inspected a little bit more, perhaps, to ensure all regulations are complied with so the public are in a safe position while work is being done.

MADAM SPEAKER:

Minister of Safety and Public Services, Mr. Nerysoo.

Further Return To Question 220-12(6): Unsafe Blasting Procedures

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. So I can be clear about this, what had occurred was that a safety officer had authorized the use of a previously-issued permit

without indicating to the individuals that there was a requirement for them to undertake to apply and receive a new permit. That situation hasn't been rectified. There is a requirement now for the individuals to apply and receive new licences to blast anywhere.

They have been advised and the appropriate safety measures have been undertaken by the safety officers.

MADAM SPEAKER:

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

Question 221-12(6): Funding For School Principals' Conference

MR. NINGARK:

Thank you, Madam Speaker. Madam Speaker, my question is directed to the honourable Minister of Education, Culture and Employment. Madam Speaker, I am informed by my region that Kitikmeot school principals will be meeting in Yellowknife to attend the school principal's conference.

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Madam Speaker, when the group gets together to meet, usually, in most cases, the meeting is funded by the government or other organizations. My question to the honourable Minister is, is this conference fully funded by this government? Thank you.

MADAM SPEAKER:

Thank you. Minister of Education, Culture and Employment, Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you. I assume that, one way or another, we fully fund the conference, whether it is through the board or through some offsetting cost to us. With regard to the conference, I was unaware of it, and will take the question as notice.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Baffin South, Mr. Pudlat.

Question 222-12(6): Sanikiluaq Medical Referrals To Manitoba

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. My question is directed to the Minister of Health. Madam Speaker, in the Keewatin, if there is going to be a hospital built, we, from Sanikiluaq are not against this idea. But the people of Sanikiluaq would rather go to Winnipeg for emergencies. I wonder whether the people of Sanikiluaq would be able to go to Churchill and Winnipeg for medical attention. Thank you.

MADAM SPEAKER:

Thank you. Minister of Health, Madam Premier.

Return To Question 222-12(6): Sanikiluaq Medical Referrals To Manitoba

HON. NELLIE COURNOYEA:

Madam Speaker, Sanikiluaq is part of the discussions on the proposal to have a health facility in the Keewatin and how the referrals will be taken care of, once a facility is built in the Keewatin. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 223-12(6): Elders' Assistance In Birthing Cases

MR. ALLOOLOO:

Thank you, Madam Speaker. Some time ago, the Department of Health established a birthing centre in, I believe, the community of Rankin Inlet. I asked the Minister about allowing elders and local people to assist pregnant women to have their babies in the communities, rather than going out of the communities for six to eight weeks, away from their families. That disrupts many families and contributes to social problems.

I wonder, if there are capable people in the communities and if a pregnant woman is not in danger of complications, if the department is open to allowing community members to take over where they would really love to, along with nurses?

MADAM SPEAKER:

Thank you. Minister of Health, Madam Premier.

Return To Question 223-12(6): Elders' Assistance In Birthing Cases

HON. NELLIE COURNOYEA:

Madam Speaker, the issue of birthing centres is actively being looked at as an option to provide services closer to home. The Rankin Inlet project was the pilot project and we are doing an evaluation of it right at the moment. I believe, through re-looking at health care delivery, that we should support the use of elders and people who have traditional knowledge about birthing. This is one of the elements of providing health care closer to home, that is supported by the department. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Allooloo.

Supplementary To Question 223-12(6): Elders' Assistance In Birthing Cases

MR. ALLOOLOO:

Thank you, Madam Speaker. Since the department supports that kind of initiative, would the Minister support my community of Pond Inlet, where there is a group of people who have assisted pregnant women to give birth against the policy of this government in the past? I believe last year there were a few births assisted by traditional midwives. Would they support that kind of group now? Thank you.

MADAM SPEAKER:

Thank you. Minister of Health, Madam Premier.

Return To Question 223-12(6): Elders' Assistance In Birthing Cases

HON. NELLIE COURNOYEA:

Madam Speaker, what I would suggest is that we almost have completed an evaluation of the Rankin Inlet pilot project and we would be interested in discussing the issue with the honourable Member's constituents on how we can marry that to the responsibility of government.

As the Member is aware, in all issues like this, once the government takes the responsibility, there are certain legislative responsibilities that aren't placed on

community midwives. That raises the question about just how far we can go. But, we would be interested in discussing that with his constituency. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Allooloo.

Supplementary To Question 223-12(6): Elders' Assistance In Birthing Cases

MR. ALLOOLOO:

Thank you, Madam Speaker. The Minister seems to be saying that there is legislation that hampers the people in the community who are traditional midwives in their practice. What kind of legislation is that?

MADAM SPEAKER:

Thank you. Minister of Health, Madam Premier.

Further Return To Question 223-12(6): Elders' Assistance In Birthing Cases

HON. NELLIE COURNOYEA:

The legislation, Madam Speaker, and the policies guide how we provide health

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services and programs to individuals. Once a process such as midwifery comes under the umbrella of health care of government, then it becomes more complicated because there are more protections for the patient that would have to be addressed because of the responsibility and legislation that guides the health care system in the Northwest Territories. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Allooloo.

Supplementary To Question 223-12(6): Elders' Assistance In Birthing Cases

MR. ALLOOLOO:

Thank you, Madam Speaker. So, my constituents who are assisting pregnant women to give birth outside of normal practice using traditional knowledge -- which allows the mothers to stay with their kids and husbands in the community and prevents the need for these women to go outside of the community,

specifically to Iqaluit -- are breaking the law? Is that what the Minister is saying?

MADAM SPEAKER:

Minister of Health, Madam Premier.

Further Return To Question 223-12(6): Elders' Assistance In Birthing Cases

HON. NELLIE COURNOYEA:

Madam Speaker, the issue is, once that practice is brought under the umbrella of the government, there are certain legal obligations that the government has for patients, that is not inherent in the practice outside of the system. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 224-12(6): Statutory Recognition Of Midwifery Practices

MR. PATTERSON:

Madam Speaker, I would like to like to ask the honourable Minister of Health some further questions about midwifery. Madam Speaker, I understand there are legal constraints presently in place, but I would like to ask the Minister, are there not good legislative models available from progressive jurisdictions like Ontario, where midwives have been given statutory recognition and given the protection of that government. Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Return To Question 224-12(6): Statutory Recognition Of Midwifery Practices

HON. NELLIE COURNOYEA:

Madam Speaker, yes that information is well-known to the department because this issue is not a new issue. Thank you, Madam Speaker.

MADAM SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 224-12(6): Statutory Recognition Of Midwifery Practices

MR. PATTERSON:

Thank you, Madam Speaker. I would like to ask the Minister then, is the department considering developing appropriate legislation for the Northwest Territories to eliminate some of the current legal issues that seem to be impeding the growth of midwifery in the Northwest Territories. Thank you.

MADAM SPEAKER:

Thank you. Minister of Health, Madam Premier.

Further Return To Question 224-12(6): Statutory Recognition Of Midwifery Practices

HON. NELLIE COURNOYEA:

Madam Speaker, because the issue isn't new, there has been a collection of material on how a process could work in the Northwest Territories. It was the government's decision to try a pilot project in Rankin Inlet to see how it worked and where some impediments might constrain the broader delivery of midwifery in all the communities. The information is available, but the pilot project was necessary to see if there could be some areas that could be improved upon by operating the program in one community. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 224-12(6): Statutory Recognition Of Midwifery Practices

MR. PATTERSON:

Madam Speaker, I realize the pilot project may not be fully complete, but it has been up and running for some time now. I would like to ask the Minister, is the pilot project in Rankin Inlet demonstrating that midwifery could be successfully used in the Northwest Territories as an alternative to sending mothers away for childbirth in remote locations. Thank you.

MADAM SPEAKER:

Minister of Health, Madam Premier.

Further Return To Question 224-12(6): Statutory Recognition Of Midwifery Practices

HON. NELLIE COURNOYEA:

Madam Speaker, it is my understanding to a certain degree, up to what we know about the pilot project, that there are certain successes. But, in terms of a total program, which we envisaged it would become, there are some elements of the pilot project that weren't realized.

But, Madam Speaker, I am doing an evaluation very soon on that, and I would be pleased to share that information with the honourable Members. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 6, oral questions. Item 7, written questions. The House will recess for 15 minutes.

---SHORT RECESS

MADAM SPEAKER:

The honourable Member for High Arctic, Mr. Pudluk.

MR. PUDLUK:

Madam Speaker, I seek unanimous consent to go back to item 7, written questions.

MADAM SPEAKER:

Thank you. The honourable Member is seeking unanimous consent to return to item 7, written

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questions. Are there any nays? There are no nays. Proceed, Mr. Pudluk.

REVERT TO ITEM 7: WRITTEN QUESTIONS

Written Question 13-12(6): GNWT Policy On Recovery Of Monies Owed

MR. PUDLUK:

Thank you, Madam Speaker. One of my constituents in Nanisivik is a heavy equipment operator for the Government of the Northwest Territories who has been sick for quite a while. He has a claim for disability insurance which is not yet resolved. The government is charging rent. I understand my constituent was not paid a salary at all by the government for three pay periods in a row.

Would the Minister responsible for the Financial Management Secretariat please advise this House whether it is the GNWT's policy to recover all of a

person's wages for money the government claims it is owed? Thank you.

MADAM SPEAKER:

Thank you. Item 7, written questions. Item 8, returns to written questions. Item 9, replies to open address. Item 10, petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Madam Premier.

ITEM 13: TABLING OF DOCUMENTS

HON. NELLIE COURNOYEA:

Madam Speaker, I wish to table the following document: Tabled Document 36-12(6), Action Plan, Consolidation of Health and Social Services. Thank you.

MADAM SPEAKER:

Thank you. Item 13, tabling of documents. The honourable Member for Mackenzie Delta, Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I wish to table the following document: Tabled Document 37-12(6), news release from Human Resources Development Canada, dated October 5, 1994, concerning the federal discussion paper on improving social security programs, signals change.

MADAM SPEAKER:

Thank you. Item 13, tabling of documents. The honourable Member for Hay River, Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, I wish to table the following document: Tabled Document 38-12(6), Efficiency of the Federation Agreement, Canada/Northwest Territories, August 24, 1994. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 13, tabling of documents. Item 14, notices of motion. The honourable Member for Yellowknife Frame Lake, Mr. Dent.

ITEM 14: NOTICES OF MOTIONS

Motion 12-12(6): Tabled Document 36-12(6) "Action Plan - Consolidation - Health And Social Services" To Committee Of The Whole

MR. DENT:

Thank you, Madam Speaker. Madam Speaker, I give notice that on Monday, October 24th, I will move the following motion.

I move, seconded by the honourable Member for Iqaluit, that Tabled Document 36-12(6), Action Plan, Health and Social Services Consolidation, be moved into committee of the whole for consideration.

MADAM SPEAKER:

Thank you. Item 14, notices of motion. Item 15, notices of motions for first reading of bills. Item 16, motions. The honourable Member for Deh Cho, Mr. Gargan.

ITEM 16: MOTIONS

Motion 11-12(6): Increase In Wages And Benefits For Family Violence Prevention Workers, Carried

MR. GARGAN:

Thank you, Madam Speaker.

WHEREAS, family violence will only be contained and reduced if northern society refuses to continue to tolerate its occurrence;

AND WHEREAS, the Legislative Assembly and the Government of the Northwest Territories have adopted the principle of "zero tolerance" of violence against all people;

AND WHEREAS, there is a desperate and urgent need to offer programs such as shelters and support services across the Northwest Territories;

AND WHEREAS, family violence prevention workers, under very challenging fiscal conditions, continue to provide a variety of quality services to a number of families and individuals that seem to grow dramatically each year;

NOW THEREFORE I MOVE, seconded the honourable Member for Iqaluit, that the Government of the Northwest Territories begin to live up to its adopted commitment to zero tolerance by providing an increased salaries and benefit package to family violence prevention workers, comparable to those

salaries and benefits being equivalent to positions within the Government of the Northwest Territories.

MADAM SPEAKER:

Thank you. The motion is in order. To the motion. The honourable Member for Deh Cho, Mr. Gargan.

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, I have a letter dated August 30th from an Anna Bouvier. She is the chairman of the Zhati Koe Friendship Centre. I think a lot of other Members got the same types of letters about a territorial-wide campaign to increase wages and provide benefits to family violence prevention workers and also to encourage the government to do something about the issues that face agencies dealing with family violence

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.For example, Madam Speaker, in my home town of Fort Providence, the Zhati Koe Friendship Centre does an excellent job of administrating a family violence program, despite the fact they have not received an increase in their core funding for over 10 years. As a point of interest, Madam Speaker, I'm aware of one employee who has not had a raise in 10 years.

She has not complained in the past, Madam Speaker, because of how strongly she believes in the importance of her work.

However, Madam Speaker, when this individual heard that a first-year family violence worker in other communities receives more money for the same work, she understandably became upset and discouraged. Madam Speaker, when the executive director of the Zhati Koe Friendship Centre tried to right the wrong by diverting some money for the operational budget to the employee benefit budget, she was shut down by the program administrator in Yellowknife and consequently had to take back the wage increase she had given. This went a long way in improving staff morale among family violence prevention workers in Fort Providence.

Madam Speaker, one of the primary recommendations that came out of the report of the Special Committee on Health and Social Services was that we, as a government, must give front-line workers in the field more support. Family violence workers in the Northwest Territories are on the front lines, Madam Speaker. They are providing options

and hope for many women and children who have no place else to turn. The full and part-time workers are on call 24 hours a day, ready to respond to the requests of the RCMP and Social Services.

The vast majority of family violence workers receive no housing or settlement allowance and are paid at a rate which is 40 to 50 per cent less than people doing comparable work with the territorial government. Madam Speaker, it strikes me that a lot of the arguments I am using to speak to this motion are the same ones that we used last year to support the alcohol and drug workers in their successful struggle for wage parity.

Madam Speaker, not only do I believe that we, as a government, have a responsibility to these family violence prevention workers to ensure we can attract and keep good people in these positions, I also believe we have a responsibility to women and children who usually, through no fault of their own, are forced to use these facilities or resources.

Madam Speaker, at this moment, there is a conference taking place in Hay River for all the leaders in the Deh Cho area to work towards the inherent right to self-government. One of the directions that the leaders have taken is that they have to start with the healing process of their people and their leaders. I think it is a positive step to reduce the issue of family violence.

The other thing I would like to say, Madam Speaker, is that most family violence workers are women. The government has also taken steps to ensure wage equity between women and men. I think the motion also addresses that issue and the direction the government would like to go. The other thing is, although family violence workers take in abused women, they also take in women to prevent abuse.

I don't think family violence workers should only help assist victims, they should go beyond that to try to deal with the offenders and to play a role in intervention in the courts, too. I believe those are the things that need to be addressed. I think in most cases where there is family violence, the victims are always taken care of but the offenders are left on their own to face their charges and pay the consequences. Families are split up, women are in shelters and that is where it ends. I think family violence workers should not only talk to the wives, but also to the husband to try to address the issue when it starts, not after the fact.

Yesterday we had a workshop and one of the things that came out of the workshop was the importance of coordination between organizations, between RCMP, nurses, educators, and even alcohol and drug counsellors in the community. I think there are a variety of ways to deal with the issue when it happens. I don't think we should continue to think the issue ends when we address the victim.

With that, I would like to urge Members to support the motion. I think most Members already dealt with the declaration by this House regarding zero tolerance and family violence. There have been all kinds of letters written to the Minister. I have copies of 65 letters that were written by native organizations, the YWCA, women's resource centres, the municipalities, the Tree of Peace and all kinds of band councils and organizations that deal with the issue and who are administering programs. I don't think I have to go on. I'm sure a lot of other Members have a lot to say about the issue. I believe family violence prevention workers should be supported and I'm sure all Members will agree.

MADAM SPEAKER:

Thank you. To the motion. The seconder of the motion, the honourable Member for Iqaluit, Mr. Patterson.

MR. PATTERSON:

Thank you, Madam Speaker. I'm very pleased to second this motion. I would like, in speaking to the motion, to talk about the situation of shelter workers who are working for the Aggviik Society at the shelter in my constituency. This is because I know their situation best, Madam Speaker. I know that their situation is very similar to the plight of shelter workers throughout the Northwest Territories, in Mr. Gargan's riding, in your riding, Madam Speaker, and in other places where these people are working under great stress.

Who are these people, Madam Speaker? In my constituency they are, first of all, most likely to be either Inuit -- the vast majority -- or very long-term northern residents. They are women, and they are often single parents with between two to four children. They have served in this very stressful work place for up to four years, with breaks for maternity or stress leave. They are taking every opportunity available to get training in this very difficult work environment. In my constituency, they are taking shelter-worker training in the human services program at Arctic

College, and I'm pleased to note that one worker has actually graduated with the human services diploma.

What do they do? What is this job? First of all, they work shifts and in Iqaluit there is often only one staff person with a daily or nightly average of 16 people in the house, including children. Typically, one of the clients is in crisis and needs

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very careful attention. Most clients, in fact, and their children are often in distress, and often they have been injured.

The staff members undertake a very broad range of duties. They answer the phone, they monitor telephone calls to screen potential threatening calls, they answer the door and screen visitors in the same way, they clean the bathrooms -- there are no janitors -- they do the cooking -- there is no cook on staff -- and, most important, they provide counselling or a listening ear. I've heard the duties described as a combination of sister, mother and friend. I don't really think there is an equivalent position in the GNWT public service. No one I can think of who works for the GNWT, except maybe a Cabinet Minister, has so many duties. Maybe Nellie comes close. Maybe the closest equivalent in the public service is a student residence supervisor, perhaps. I would like to note that I understand that a senior dormitory supervisor at an NWT residence makes pay level 21, which is a pay range of between \$40,000 and \$47,000, plus a host of benefits that, as Mr. Gargan has said, these workers don't have.

Madam Speaker, the shelter worker in my riding, where there is a very high cost of living -- where it costs over \$3 to take a taxi anywhere in town -- make \$10 an hour. The most experienced and best qualified staff make \$12 an hour. I understand that the average take-home pay every two weeks is between \$600 and \$700 net. There are virtually no benefits.

What is keeping these shelter workers at their jobs? Nothing but sheer dedication. No increases have been possible for three or four years, other costs have only increased, so these workers are actually falling further and further behind as their situation is not addressed.

The other point I would like to make is, Madam Speaker -- and I know we're in times of financial restraint -- if these people and the societies and

friendship centres that sponsor them were not delivering this vital service, the Government of the Northwest Territories could never step in and do this job the way it's being done now and at the cost that it is now costing.

One study that was done a few years ago, which took a look at Aggvik Society wages, benefits and operating costs, compared that with how a similar government-run facility like a corrections facility would be run using corrections models, pay scales and staffing levels, showed that the Aggvik Society operation runs at about one-tenth the cost of a comparable government-run institution. So the government is getting, really, very good value for the money that is being spent.

Madam Speaker, it is an important service. The Aggvik Society shelter served over 500 clients last year from all over the region. They are regularly running at 120 per cent capacity. I want to emphasize that there is strong support for this organization in the region and in Iqaluit. They are still maintaining a very modest food budget due to lots of donations of food, including country food, and items like furniture, toys and supplies. Three years ago, when there was a shortfall in the capital requirement to build an addition, the community and the region raised \$54,000 with private donations in a very short period of time.

Again, Madam Speaker, I want to emphasize that I'm well aware of the restraints the government is operating under, but this vital service is being delivered in a very cost-effective manner. I suggest that unless relief is soon found that the breaking point will have been reached for these dedicated workers. They may well find that they simply can no longer afford, even despite their dedication, to continue at this kind of work, and they may be succumbing to any opportunity to take other better paying jobs.

I was very pleased that the government was able to assist alcohol and drug workers with their wages, and I don't think we should confuse this issue with the wage parity issue, Madam Speaker. I think from talking to staff in my constituency who work in this shelter, that they haven't set their sights so high as wage parity. What they would really hope is that a means can be found to allow them to at least begin to catch up with even cost of living increases. These increases will only continue in the coming years.

Fundamentally, Madam Speaker, as Mr. Gargan said, what this is also really about, as his motion indicates, is really how serious we are to honouring our

commitment to no tolerance of family violence. Until we deal with this issue of the long-time lack of progress in improving the wages of these family violence prevention workers, then our society will suffer. Really what this is about is helping our people to be well enough to go to work so that when we have economic progress, when we create new jobs, when we develop new governments, when we implement land claims, the new opportunities will not be out of reach of many of our citizens due to social problems and dysfunctional families.

So, Madam Speaker, I hope this motion will lead to some redress of this long-standing disparity. I think we should give the new Minister of Social Services and Health some time to work on this issue. But I would hope that by the time the main estimates of the Department of Health and Social Services are presented in this House in the new year, we'll have some evidence that this long-standing problem is going to be addressed.

We've adopted a commitment to zero tolerance for family violence. Let's have the political will to identify this issue as a priority, to take a step to live up to the commitment of zero tolerance, with redress for these hard-pressed employees. Thank you, Madam Speaker.

---Applause

MADAM SPEAKER:

Thank you. To the motion, the honourable Member for Yellowknife Frame Lake, Mr. Dent.

MR. DENT:

Thank you, Madam Speaker. Madam Speaker, I would like to speak in favour of this motion as well. As former chair of the Special Committee on Health and Social Services, I know during the committee work, we often heard in communities that people felt the family violence prevention workers needed more support. We know, in talking to the family violence prevention workers, that they agreed salaries were a very, very big problem.

In the final report of the Special Committee on Health and Social Services, we talked about front line workers like those who work in family violence prevention. In our report, we noted they are asked to do too much with too few resources.

Most of their time has to be spent dealing with immediate crises or balancing the range of services they must provide. That is because of a lack of adequate funding. As a result of that, we found those workers didn't have enough time to do prevention or follow-up work. That sort of work is extremely important if we want to be able to properly deal with family violence.

I also made a Member's statement on Wednesday of this week asking that the government deal with salaries as a significant part of their strategy of zero tolerance towards violence. As I noted in my statement, many of the programs across the Northwest Territories have had to shift dollars from programs into salaries in order to keep their salaries at a comparable level to what they started at when the programs began ten years ago, just to keep up with inflation.

What that means now is that there are many who don't meet the minimum standards set by this government for running something like a group home. They can't provide the same level of care that this government insists upon for people in care in government facilities because they don't have adequate funds. I think that is important because we have to make sure that, if family violence shelters are part of our social safety net and part of the whole government strategy for social services and dealing with family violence, they must meet certain minimum standards. I think we have to deal with that very quickly.

At this time, I would also like to commend the workers at the Yellowknife centre, the Allison McAteer House. I think, in spite of difficulty with funding, they do an exceptional job of providing referral support, counselling and shelter. I know they have even found a way to have a child advocate. I think that's a very important function, someone who can work on behalf of children is needed. I think we've heard another Member in this House recommend that this government look into having an ombudsman for children. I think a child's advocate in a community is an immediate step we should work towards in all shelters in operation across the territories.

In spite of declining funding and the tough financial times, the Allison McAteer House staff have still found a way to run an outreach program. Again, this is dependent almost entirely on staff being willing to work for very low wages and doing an awful lot as volunteers. Allison McAteer House is a 12-bed, two-crib facility. I think Members would be interested to

know that during 1992-93, they provided over 4,000 bed nights. In 1993-94, that was down somewhat, but still 3,500 bed nights, and they weren't able to satisfy the demand. They weren't able to provide shelter to people at all the times it was needed.

Madam Speaker, as other Members have pointed out, there will be costs for these salary increases, but I think the Members of the Standing Committee on Finance have already pointed out that Members in this Legislature do expect to see the government prove they are serious about the policy of zero tolerance towards violence. Madam Speaker, to do that, we have to put money where our mouth is.

So, Madam Speaker, I would urge all Members to support this motion. Thank you.

---Applause

MADAM SPEAKER:

Thank you. The honourable Member for Baffin South, Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. First of all, I would like to state that I am in support of the motion. We know for sure that violence in the Northwest Territories will not be decreasing very much, but we certainly hope it will not be increasing. I know the staff from the Aggviik Society are seeking support from us and we should be supporting such societies or shelters throughout the Northwest Territories.

Madam Speaker, there are staff all over the Northwest Territories who work in the field of family violence. Ever since 1986-87, there has been support to start societies in the field of family violence. They were given low wages, probably 50 per cent less than anyone else. We all know we are in fiscal restraint right now, but I know that front line workers go through a very hard time to try to ensure well families in the communities.

It is a very stressful job and they make very low wages. I hope we, as Members of the Legislative Assembly and Ministers, will be working hard to try to solve some of these problems. I know they are making very low wages and we need to help them and support them. They counsel people who are in shelters, children, women and men, and they work towards better communities. I hope everyone will be in support of this motion. I hope they will be looking

into the cultures of aboriginal people and how they have worked towards having better communities and how they counselled in the old days.

I am in support of this motion for having higher wages for front line workers in our communities.

---Applause

MADAM SPEAKER:

Thank you. The honourable Member for Natilikmiot, Mr. Ningark.

MR. NINGARK:

Thank you, Madam Speaker. I would like to commend the mover of the motion, my friend and honourable colleague, Mr. Gargan, and also Mr. Patterson. I've known Mr. Gargan since I became a Member of the House, and on many occasions, I thank the honourable Member for realizing there are people who need help out there, the ordinary people. Not the politicians, not the leaders, but those who need our help.

Madam Speaker, I've attended many meetings since I've become a Member. Sometimes we've talked about this problem of family violence at the regional level, at the community level, even in churches, even in homes. But so far, up to this point in time, we have not really dealt with the matter. We've talked about it, and on every occasion I've heard women talking about this at public meetings.

Madam Speaker, we, the politicians, work and live in a luxurious building such as this. Madam Speaker, we pay ourselves a very handsome salary. Madam Speaker, I think the victims of family violence deserve to be recognized by us. Madam Speaker, those who look after the people, need to be paid reasonable wages. For that reason, Madam Speaker, I will support the motion. Thank you.

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---Applause

MADAM SPEAKER:

Thank you. To the motion.

AN HON. MEMBER:

Question.

MADAM SPEAKER:

Question is being called. It's a closed debate. The honourable Member for Deh Cho, Mr. Gargan.

MR. GARGAN:

Thank you. Again, just to remind the Members that we did approve the Standing Committee on Finance recommendation 4 regarding the Northwest Territories spending priorities to be targeted on special needs children, the school-base youth program and family violence.

Madam Speaker, this is too much of an important issue just to ignore, so I would also like to ask that we have a recorded vote.

MADAM SPEAKER:

Thank you. To the motion. A recorded vote is requested. All those in favour?

Recorded Vote

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Gargan, Mr. Zoe, Mr. Pudluk, Mr. Allooloo, Mr. Whitford, Mr. Ningark, Mr. Lewis, Mr. Patterson, Mr. Pudlat, Mr. Dent.

MADAM SPEAKER:

Thank you. All those opposed, please stand. All those abstaining, please stand.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Arngna'naaq, Ms. Mike, Ms. Cournoyea, Mr. Morin, Mr. Nerysoo.

MADAM SPEAKER:

Ms. Mike, you were not in your chair. You are to be in your chair at the time of voting. Your vote does not count, Ms. Mike. Results are 10 in favour, zero voting no, four abstentions. The motion is carried.

---Carried

---Applause

Thank you. Item 17, first reading of bills. Item 18, second reading of bills. Item 19, consideration in committee of the whole of bills and other matters: Tabled Document 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 10-12(6), Report on the Review of the 1995-96 Capital Estimates; Committee Report 11-12(6), Report on the First Annual Report (1992-93) of the Languages Commissioner of the NWT; Bill 1, Appropriation Act, No. 1, 1995-96; Bill 2, Aboriginal Custom Adoption Recognition Act; Bill 3, Guardianship and Trusteeship Act; Bill 5, Mine Health and Safety Act; Bill 7, An Act to Amend the Arctic College Act; and, Bill 8, An Act to Amend the Public Utilities Act, with Mr. Whitford in the chair.

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

CHAIRMAN (Mr. Whitford):

Good Friday afternoon. The committee will now come to order. What is the wish of the committee? The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. I would like to recommend that the committee continue consideration of Bill 1 and see if we can't conclude the Department of Education, Culture and Employment. If we should conclude that department, then I would like to recommend that we consider Bill 5, Mine Health and Safety Act, and if we conclude that, then move back to Bill 1 for Safety and Public Services.

CHAIRMAN (Mr. Whitford):

Does the committee agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 1: Appropriation Act, No. 1, 1995-96

Committee Report 10-12(6): Report On The Review Of The 1995-96 Capital Estimates

Department Of Education, Culture And Employment

CHAIRMAN (Mr. Whitford):

We have agreement. Does the Minister wish to go to the witness table and invite witnesses to assist you?
Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Yes, I would like the concurrence of Members of the committee.

CHAIRMAN (Mr. Whitford):

Do Members of the committee agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Sergeant-at-Arms, would you assist the witnesses to the table?

Thank you, Sergeant-at-Arms. Minister Nerysoo, would you be so kind as to introduce your witnesses to the committee?

HON. RICHARD NERYSOO:

Thank you. On my left is the deputy minister, Mr. Hal Gerein, on my right, director of capital planning, Mr. Jim Kaulbach.

MR. WHITFORD:

Good afternoon, gentlemen. Welcome to committee of the whole. When we concluded yesterday afternoon, we were working on the Department of Education, Culture and Employment details book, page 16-15. I think we concluded but did not approve total buildings and works. It's the second line down. Are there any comments on that? Total buildings and works, \$21.458 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

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CHAIRMAN (Mr. Whitford): We have agreement. Equipment acquisition, headquarters, total region, \$360,000. The chair recognizes the Member for Nahendeh, Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. On the video equipment in Yellowknife for \$70,000; during the review of the 1994-95 capital estimates, the standing committee had raised concerns regarding purchase of video equipment. In February of 1994, the department responsible provided us with a briefing on in-house video productions. The essence of the briefing was that most of the government's video production spending goes to the private sector, and that most of the in-house spending is for production of a TVNC series called The Tube.

Following that briefing, the committee asked the Department of Education, Culture and Employment to provide more detailed information on the costs of this series. We suggested that the department contract the production of two episodes of The Tube to the private sector as a test case. As a result, until the information has been received from that request and, until the results of the pilot projects are known, the committee feels it is not appropriate to recommend approval of further expenditures.

The Minister indicated two days ago that his department had produced two segments of The Tube and that the cost of producing one or two episodes would be the same as the total costs, presumably meaning the cost of producing one season in-house. The committee doesn't feel it is appropriate to recommend approval of further in-house capital expenditures. Once the pilot project has been evaluated, a decision can then be made on replacement equipment and the future of video production.

As a result, the Standing Committee on Finance made a recommendation. As a result of that recommendation, I would like to make a motion, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Mr. Antoine, proceed with your motion.

Committee Motion 32-12(6): To Delay \$70,000 From Educational Development For Video Equipment Acquisition, Carried

MR. ANTOINE:

Thank you, Mr. Chairman. I move that the 1995-96 capital estimates for the Department of Education, Culture and Employment, under the activity educational development, for the item video

equipment acquisition, Yellowknife, in the amount of \$70,000, be delayed. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Your motion is in order. To the motion. I have a copy of the motion and the other copies are being distributed, so I will just pause for a moment until everyone gets one and can have a look at it.

I think everyone has a copy of the motion. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All those in favour? It has been brought to my attention that we're short a quorum. I shall sound the bells. Where is the whip when we need one?

It appears that we have a quorum, plus. We have a motion on the floor. Question has been called. All those in favour? All those opposed? Motion is carried.

---Carried

Mr. Minister, did you wish to speak? No, he has declined. Equipment acquisition, headquarters, total region, revised, \$290,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total equipment acquisition, \$290,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

With some heart here, gentlemen. Contributions, headquarters, total region, \$4.215 million. The chair recognizes Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. Regarding the project listed as renovation, Yellowknife, which shows \$125,000, my understanding is this has to do with renovations to Sir John Franklin. I'm also aware that the Minister has advised Yellowknife Education District No. 1 that he would make a submission to FMB to reprofile some of this money in future years. I was just wondering if the Minister has any news in that regard for us?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Minister Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I'm not certain. I can say this to the honourable Member, I have never indicated that I would reprofile the dollars. What I said was that we needed to get together to deal with the issue of the transfer of the facilities and the staff. Part of the final decision would be the issue of putting in place the capital resources to meet the planned expenditures provided in the capital plan.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The chair continues to recognize Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. So, the Minister is saying that it is incorrect that he has agreed to make an FMB submission to have some funds reprofiled?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Minister Nerysoo.

HON. RICHARD NERYSOO:

Mr. Chairman, the problem is we have not come to a final conclusion on all the transfers to Sir John Franklin High School. There are other issues, personnel issues, that have not been resolved. However, as part of the transfer responsibilities, we are also dealing with the issue of

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profiling the capital plan so it best reflects the cash flow requirements of the project. That is hopefully part of our final arrangements with the school board.

If you are talking about reorganizing money, maybe that's where it is at. Once we meet, we will deal with the question of anticipated cash flow and maybe that is what you're talking about.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Nerysoo. Any further comments? Contributions, headquarters, total region, \$4.215 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Fort Smith, total region, \$2.204 million. The chair recognizes the Member for Deh Cho, Mr. Gargan.

MR. GARGAN:

I wanted to know why \$1.969 million for the Chief Jimmy Bruneau school in Rae-Edzo is in the detail of capital, as opposed to being under region?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Nerysoo.

HON. RICHARD NERYSOO:

Thank you. Because it is a contribution made directly to the divisional board.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Nerysoo. Does that answer the question, Mr. Gargan? Mr. Gargan.

MR. GARGAN:

I understand. Do the other regions have that same arrangement?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Nerysoo.

HON. RICHARD NERYSOO:

That's correct. This was a special arrangement reached with that particular divisional board. That is not to suggest, though, that depending on the

recommendations, this might not be considered in the future.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Nerysoo. The chair recognizes the Member for Nahendeh, Mr. Antoine.

MR. ANTOINE:

I find that quite interesting because I think the Deh Cho divisional board wanted a similar type of arrangement with the school in Simpson. What's the difference between the school board in Rae and the school board in the Deh Cho? Why weren't similar arrangements reached with them? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Minister Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. In this particular case, because the Dogrib Divisional Board of Education was a society before that had certain responsibilities such as the whole matter of O and M maintenance for 16 years, this is just part of a renovation project that they initially had responsibility for. That was not the case with the other boards that were established. It is not that it can't be done, but from a policy decision, we decided that the best way to approach this was through Public Works and Services.

There are only three boards that we deal with directly: Yellowknife No. 1, Yellowknife No. 2 and the Dogrib Divisional Board of Education in Rae-Edzo.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Nerysoo. Fort Smith, total region, \$2.204 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Inuvik, total region, \$658,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Baffin, total region, \$89,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Kitikmeot, total region, \$312,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total contributions, \$7.478 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total activity, \$29.226 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Department summary, capital expenditures, total capital expenditures, \$35.111 million. The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

MR. DENT:

Mr. Chairman, before we conclude this department, on Wednesday I had asked the Minister some questions about the breakdown in the national infrastructure program to communities. I had asked for more information that wasn't provided yesterday as I had asked for. I was wondering if I could get the

concurrence of the committee to go back to the issue and ask the Minister some questions?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Does the committee agree? There doesn't seem to be any agreement, Mr. Dent. I didn't hear anybody agree. You wanted the committee's concurrence. Mr. Dent is seeking concurrence to return to an issue.

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SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Gentlemen, I had my hearing aid on and I didn't hear anything. The committee agreed. Mr. Dent has a request for the Minister, and the Minister has indicated he's prepared to respond. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you. I apologize to the honourable Member for not responding to him, I did have the information. Had we gone with the allocation based on pure formula, it would have been \$1.336 million as opposed to \$1 million.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Nerysoo. The chair continues to recognize Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. The Minister, in advising how some funds were allocated, indicated that it was done by formula. According to unedited Hansard, that formula was: those not employed in the community, divided by not employed in the NWT, times \$3.5 million.

So, Mr. Chairman, I went to the unemployment figures that are found in the 1994 labour force survey, report number one, and examined the number of unemployed residents in communities and compared that to the allocations for the communities. I found that the allocation per unemployed person in a community ranges from a low of \$1,300 per

unemployed person to a high of \$10,000 per unemployed person.

AN HON. MEMBER:

Wow!

MR. DENT:

I wondered if the Minister could explain the formula better. Perhaps there's a misunderstanding in Hansard. If there was indeed a formula used, I'm having trouble understanding how we could have that big a range in the program.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you. Just so that we're clear, the formula was not something that I established as the Minister. The formula was established by the Financial Management Board Secretariat as part of the calculations. The other thing that one has to realize is that, irrespective of the formula, what we were trying to do was make certain that there was at least a fair distribution in all the communities that exist in the Northwest Territories. So, as a result of that, there was a sharing of an additional \$336,000 with the smaller communities throughout the Northwest Territories. But I will ask Mr. Gerein to add additional information to this particular issue.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Nerysoo. Mr. Gerein, please.

MR. GEREIN:

Mr. Chairman, on behalf of the Minister, we'd be willing, again, to share the entire distribution of resources, which we have with us, on a community-by-community basis, with the committee if they so wished. However, the formula was basically the number of unemployed in the community, divided by the number of unemployed in the NWT, times the number of dollars available. Then there were caps put on the largest allocation and floors put on the smallest allocation, in order that there be an allocation that the communities could work with. It was determined, I believe, that \$25,000 was a reasonable amount for any project in the smallest community, and that the largest community would be capped at \$500,000 federal, \$500,000 territorial, where the tax-

based municipalities would have to contribute a further \$500,000, thereby getting a project worth \$1.5 million. I hope that helps, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gerein. Mr. Dent, is that the conclusion of your questioning? Mr. Dent.

MR. DENT:

I guess I'm just still wondering...It seems a bit strange that we have such a huge range. For instance, Pelly Bay, according to the figures I have, got \$1,198 per unemployed person, Fort Liard got \$1,258 per unemployed person who lives there. Like I said, it goes up to as high as \$10,000 per unemployed person in Rae Lakes. I was just looking for an explanation. I think I may have to follow up on this in another forum, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. We will return to the capital expenditure book. Department summary, capital expenditures. The honourable Member for North Slave, Mr. Zoe.

MR. ZOE:

Thank you, Mr. Chairman. I would like to ask a couple of questions of the Minister before we conclude the department in relation to capital. Mr. Chairman, the Department of Education, Culture and Employment has done a review of the Dogrib Divisional Board of Education programs and operations this last year. They've recommended, through their review, under section 1.2.3, under item 9 that the Dogrib Divisional Board should consider relocating its office to Rae so the public can have better access to the board offices and staff.

It is my understanding that the Dogrib Divisional Board of Education has agreed with this review. I know they've written to the Minister suggesting that the move should now be incorporated into the Dogrib Divisional Board of Education's capital plan. I wonder if the Minister could comment on that, Mr. Chairman.

Secondly, I would like to raise the issue of health services. Mr. Chairman, in the current year, 1994-95, in the capital budget, the department has replaced the school in Snare Lake. I know the divisional board has made numerous requests through my office, directly to the Minister and directly to the Minister responsible for Government Services, that health services should

be provided, particularly in that school so they can link with other schools in what I think is called, the computer-based north of 60 bulletin board system. They want to tie into that.

Because we don't have adequate telephone services in that community, the divisional board is asking the Minister's office to assist them in convincing his colleague in Government Services to resolve this issue very quickly. Again, it is related to the capital budget, so I want to ask the Minister if he could comment on the two requests made by the Dogrib Divisional Board of Education

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CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Minister Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. First on the issue of the telephone system. That is not really our responsibility at this juncture. While we have been key in dealing with the technological side, including video telecommunications and developing distance learning, we have other partners. The actual decision to introduce telephone services does not rest with this government. It is a matter that has to be dealt with with NorthwesTel.

For the first part of your question, I'm not sure if it was from the board review. Is that where it comes from? There has to be a board review. The issue has to be dealt with, with the board, if it's a board review. We have to get some indication about what you're referring to so we can be more specific. If it is a board review, then it is something that has to be dealt with, with the divisional board.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The chair continues to recognize the Member for North Slave, Mr. Zoe.

MR. ZOE:

Mr. Chairman, the correspondence that was sent to the Minister is dated October 7th. In that letter, it states, "It should be noted that your own department also made a similar recommendation in the 1994 Education, Culture and Employment review of our board's programs and operations, section 1.2.3, item 9, which reads: 'The board should consider relocating

its offices to Rae, where the public would have greater access to the board offices and staff.'"

The Dogrib Board of Education has reviewed this report that was done by your department and they concur with the recommendation that their offices should be moved to Rae. They are currently in the wing of the high school. They want to start using the resident's wing of the school for students. I think the request is reasonable. The suggestion is that the administrative office be relocated from Edzo to Rae. I think that request has gone to the Minister and I'm just wondering if it is going to be included in future capital plans of the department?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Minister Nerysoo.

HON. RICHARD NERYSOO:

I won't debate the issue, Mr. Chairman. I will have to go back and look at that. My officials here say that that report was an independent assessment. We participated in it, but it is an independent review. It is not the department's agreement at this time. We have to review the report before we make final conclusions.

The letter that was sent to me was from John B. Zoe, who is the chair of the board, and he requests that we consider it. I think that before I do, I have to review the capital plan for that region. That has to be a consideration in any future capital planning.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Zoe is concluded. Total capital expenditure, \$35.111 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

We have agreement. Does the committee agree that the Department of Education, Culture and Employment is concluded?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

I would like to thank the committee, the Minister and his staff for assisting the committee in dealing with these matters.

Bill 5: Mine Health And Safety Act

I'm just giving the Minister and his witnesses a chance to leave the witness chair. The instructions were to proceed, if there was time, with Bill 5, Mine Health and Safety Act. Bill 5 you will find in your green binders under tab 5. Bill 5, Mine Health and Safety Act. Is the Minister prepared to make his opening comments on this bill? Minister responsible, Mr. Nerysoo.

Minister's Introductory Remarks

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Mr. Chairman, I am pleased to introduce Bill 5, the Mine Health and Safety Act. The preparation of the bill is the result of three years of hard work by not only the staff in my department, but also by those who participated in the process from the mining industry, both labour and management. I would like to sincerely thank the Standing Committee on Legislation for the excellent advice and support that Members gave me personally with respect to the conduct of this bill. I also would like to thank the Mine Occupational Health and Safety Board for their valuable recommendations.

First of all, I want to emphasize the responsibility of our government to represent the public interest in mine occupational health and safety legislation. This is achieved by having standards of worksite safety which minimize the human suffering and public expenditures associated with accidents and industrial disease.

Mr. Chairman, this bill is markedly different from the present Mining Safety Act and regulations which has been criticized as being both antiquated and unwieldy. The structure and content of the new bill reflects recommendations made over the years by special commissions, coroners' inquests and a long list of accident investigation reports. In addition, this bill has been written so as to be readable, understandable and accessible to all persons.

Mr. Chairman, Bill 5 sets out clearly the responsibility of all persons engaged in mining whether owner, management, supervisor, employee, contractor or mine inspector. Unlike the existing Mining Safety Act,

this bill also provides for the establishment of occupational health and safety committees for mines, and sets out the responsibility of the committees to conduct worksite inspections and to participate in inspections conducted by inspectors.

The new bill clearly describes the right of an employee to refuse to perform any work or operate equipment which may

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endanger the health and safety of the employee or any other person. This right is clearly supported by a further provision that prevents discrimination against any employee who exercises the right to refuse.

Furthermore, the bill sets out the powers of inspectors to inspect or search a mine and the duties of persons at a mine to cooperate with an inspection or a search.

In closing, Mr. Chairman, the new Mine Health and Safety Act contains many changes too numerous to mention in these opening remarks. I and my officials will be pleased to answer any questions you may have as we proceed with the clause-by-clause review of the bill.

Mr. Chairman, I also want to thank again, the Standing Committee on Legislation for their advice. While at the time, I may have thought it may be difficult, I think from the changes that we've made and the idea of setting up a totally new board we were able to successfully conclude the matter. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Nerysoo, for your opening remarks. Now I'll ask the chairman of the Standing Committee on Legislation if he's prepared to make his comments on the bill. The chair recognizes the Member for Deh Cho, Mr. Gargan.

Standing Committee On Legislation Comments

MR. GARGAN:

Thank you, Mr. Chairman. Mr. Chairman, in April of this year, the Minister of Safety and Public Services introduced Bill 5, the Mine Health and Safety Act, and after second reading it was referred to the Standing Committee on Legislation for public review.

As Members are aware, the development of this bill has been a controversial issue for some time now. The need for new and effective mine safety legislation

that puts the health and safety of mine workers first has long been recognized by all parties.

Between August 29th and September 10, 1994, the committee held public hearings in Yellowknife on several bills, including Bill 5. The committee received presentations on the proposed Mine Health and Safety Act from local representatives of the St. John Ambulance of Canada, the Northwest Territories Chamber of Mines, Nanisivik, Cominco, the Dene Nation, and organized labour representatives from the Northwest Territories Federation of Labour, the Canadian Auto Workers, the United Steelworkers of America and the Northwest Territories Area Council of Steelworkers. In addition to hearing presentations from witnesses, the committee took advantage of the opportunity to tour two mine sites, Royal Oak in Yellowknife and Echo Bay's Lupin Mine, to become more familiar with mining operations on surface and underground.

During the public hearings, there were several issues raised by the witnesses concerning various aspects of the proposed bill. These issues dealt with the statutory responsibilities of owners to communicate with the chief inspector rather than the Minister, the authority of the chief inspector to rule on appeals under the act, the absence of health and safety provisions for staking and other preliminary exploration activities, the right to refuse unsafe work and the establishment of a Mine Occupational Health and Safety Legislation Committee to conduct periodic legislative reviews.

In addition, it was suggested that the process for developing this important legislation include input from labour, management and government in an interactive setting with all parties present. The committee felt, based on the issues raised, that such a process was warranted, and recommended on September 10th that the Minister of Safety and Public Services consider "convening the Mine Occupational Health and Safety Board" established under section 39(1) of the current Mining Safety Act "for the purpose of reviewing Bill 5 in conjunction with the public transcripts of the standing committee's review."

On October 6, 1994, the committee was pleased to receive a report of the board's findings from the Minister, which outlined the issues addressed and proposed several amendments to the bill which were consistent with suggestions made by witnesses during the public review. In effect, there were four main areas of contention that the board examined,

three of which have resulted in amendments to the bill.

The bill before you was amended upon recommendation of the Mine Occupational Health and Safety Board and the Standing Committee on Legislation to provide mine owners with direct contact with the Minister, in addition to the chief inspector, in matters respecting notifications and submissions required under the act.

Bill 5 formerly contained a "right to refuse" unsafe work which stated that the employee shall refuse such work. It was pointed out by labour representatives that such a statutory duty to refuse rendered it no longer a right, but made it an obligation. Both the board and the standing committee agreed with this view and the bill has been amended to say that an employee may refuse unsafe work.

On the issue of appeals to the chief inspector where the chief inspector would be required to fulfil administrative, technical and judicial roles, particularly with respect to appeals of orders of his own office or incidents of alleged discrimination, the board felt that establishing other avenues of appeal and adjudication would prove cumbersome. Instead, it was recommended, and the committee agreed, that an internal procedure be developed for appeals and instituted as policy.

During the public hearings it was brought to the committee's attention that Bill 5 only provided for the establishment of a Mine Occupational Health and Safety Legislation Committee by the Minister "from time to time." Labour representatives felt strongly that continued participation and education involving labour, management and government is essential to ensure effective mine health and safety legislation and, therefore, the establishment of this committee should be mandatory, not discretionary. The board agreed with this assessment and recommended further than the bill be amended to reflect the need for the Mine Occupational Health and Safety Legislation Committee to review the legislation within one year after proclamation and every 18 months to two years thereafter. Bill 5 was amended accordingly.

At this point, I would like to point out, on behalf of the Standing Committee on Legislation, that our review of the proposed Mine

Health and Safety Act has proved to be a learning experience. It is very rewarding to see all parties come together in the spirit of cooperation to reach a common goal -- ensuring the health and safety of our citizens engaged in the mining industry.

I would like to take this opportunity to thank all the people who appeared before the committee in the interests of improving the mine safety legislation. I would also like to acknowledge the outstanding efforts and dedication of the Minister of Safety and Public Services and his staff. Their cooperation and speedy attention to the numerous requests of the standing committee during the public review process contributed greatly to the timely completion of this report and, ultimately, to the development of a Mine Health and Safety Act our people can live with.

I am pleased to inform you that the committee supports Bill 5 as the successful result of the hard work, careful deliberations and unwavering commitment of all parties. Therefore, on Wednesday, October 19, 1994, the Standing Committee on Legislation passed a motion that Bill 5 was ready for consideration in committee of the whole as amended and reprinted.

Mr. Chairman, that concludes the standing committee's report on Bill 5, the proposed Mine Health and Safety Act.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Members of the committee, I've been asked to recognize the Arctic College students of the Yellowknife teachers' education program who are in the gallery here today.

---Applause

In addition to that, Bill Erasmus, the president of the Dene Nation.

---Applause

Thank you. Welcome to the Assembly.

The next item of business...Is the Minister prepared to bring witnesses to the committee to assist him in dealing with this bill?

HON. RICHARD NERYSOO:

Yes, Mr. Chairman. If they're not here, we can begin immediately.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Do you wish the Sergeant-at-Arms to assist you if they are here?

Thank you. Mr. Minister, would you introduce your witnesses to the committee, please?

HON. RICHARD NERYSOO:

I guess I'll start on my far left with Mark Aitken and Dave Turner. On my right, Mr. John Quirke, deputy minister.

CHAIRMAN (Mr. Whitford):

Welcome, gentlemen, to the committee. General comments on the bill. The chair recognizes the Member for Iqaluit, Mr. Patterson.

General Comments

MR. PATTERSON:

Thank you, Mr. Chairman. I really am delighted that we're finally at the stage where this bill can be presented in the Assembly for passage. I would just like to reflect a bit on the tortured history that has gotten us to the point we are at today. I believe it extends to the previous Assembly and the previous government and previous Ministers.

I just want to reflect that, to my knowledge, we are at the stage we're at today as a result of a lot of hard work on the part of at least four Ministers who were previously involved; Mr. Whitford, myself, Mr. Todd and Mr. Nerysoo. We should recognize that we've come a long way to get here today.

I just want to recall a few of the hiccoughs that have occurred. Maybe "hiccup" is too mild a word to describe some of the gyrations we had to go through to get to where we're at today. But Members of this Assembly will recall a great consternation over the constitution of the mine review committee, the composition of that committee. Those were difficult times that resulted in lots of problems. Then the Royal Oak strike intervened and really stopped the work, stopped progress on the bill because of the gravity of that situation.

Then Mr. Todd became Minister and boldly tried to change the composition of the committee, and met with some mixed success. In fact, I think the committee derailed, once again, despite his good efforts.

Recently, to Mr. Nerysoo's credit, the committee has been revived again, there's new blood. And we've achieved miraculous agreement from the various interests to recommend this bill. I think that, without knowing a lot about the details of this bill, the fact that there has been consensus reached satisfies me that we have a good piece of legislation.

I just want to say, Mr. Chairman, that not only the Ministers deserve credit. I know that Mr. Quirke has worked extremely hard on this and has suffered, as we have seen progress stopped, blocked, even stepped backward. So I would like to mention his dedication to getting us to where we're at today.

Another unsung person who I think should be acknowledged is Mr. Terry Vaughan-Thomas. Mr. Vaughan-Thomas came out of retirement in British Columbia. I think initially he thought he would have a short task. I know, because the arrangements were initiated when I was Minister that Mr. Vaughan-Thomas agreed to work at a very modest cost and in very modest circumstances, and I think that he deserves some recognition today for having had the necessary personal qualities to bring management and labour together, seek compromise and, most importantly, keep going with this piece of legislation.

So, Mr. Chairman, I would just like to reflect that the committee has managed to rise like a phoenix over and over. Finally, we have a bill that we can approve in this House. I think it's noteworthy today as we start to go through this clause by clause, that we reflect on what a long road it's been to get here.

So, I congratulate all concerned; the people who gave their time to sit on the committee and slog through the detailed clause by clause considerations, fight out the issues and come

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to the compromise that has resulted in the present bill. I want to congratulate everybody and say that this is a major achievement, and I think we now have a modern piece of legislation. I look forward to the clause by clause consideration of Bill 5.

CHAIRMAN (Mr. Whitford):

Clause by clause. The chair recognizes the Member for Yellowknife North, Mr. Ballantyne.

MR. BALLANTYNE:

Thank you. I just wanted to say a few brief words. I offer my congratulations to the Minister, to the deputy and to the chief mining inspector on one side and to Mr. Gargan and the committee on the other side. This actually went back even before the last four Ministers; there were probably six Ministers who were involved, one way or another, with this process.

It is not just a matter of politics. One of the sad realities is that there has been, in the nature of the relationship between the mine management and labour, historic separation in the way each side views the industry and views each other. Probably the only element that management and labour truly have in common is that both of them blame government for all their ills.

A good Minister of mine safety, one who has truly done their job, will be equally criticized by both sides. That is probably the best you could ever expect. Mr. Nerysoo picked up the ball and, a lot of people have worked on this over the years. It was a very difficult thing to do. It was over ten years ago, the last time there was a meeting of minds. I think people have to recognize that the reality is the mining industry is a tough industry. The mine management side and the ownership side really have to work very, very hard to raise the capital they need to run profitable mines.

The mine workers, on the other hand, work very, very hard and they are very proud of the work they do and are very independent in their thinking. It is the natural progression that there are going to be some differences between the two. The government has to act as the referee, and sometimes does a good job, and other times not quite as good a job. At the end of the day, though, we have a responsibility to make sure there is proper legislation so that mine workers can work in a safe environment. I think Mr. Nerysoo brought together the last element, putting together a group who could actually put together this package that is before us.

So, I think now that the dust has settled on the battles of the last decade, it is time for all of us to congratulate everybody, in government, in unions, representatives of non-union workers, and the mining industry. At the end of the day, they have come together for mutual benefit and in mutual interest, to put forward this compromised bill.

I'm sure nobody is 100 per cent happy with the bill. That's the nature of doing business in Canada in the 1990s. I, for one, will be quite happy to support this bill. Thank you, Mr. Chairman.

---Applause

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Clause by clause. The honourable Member for Yellowknife Centre, Mr. Lewis.

MR. LEWIS:

Yes, it's Friday, Mr. Chairman and I know Members want to get on with it, but I've been with the Legislation committee for three years and I know that when the committee asked the Minister to go back for one more last chance, to make this an even better bill than what it was, and to overcome the objections, it was very difficult. When you have worked with something for so long, you get so tired and so bogged down, it is hard to get enthusiastic to go back over the same ground.

I think it's a tribute to the Minister and the staff that they recognized there was still something that could be done. I know I saw a lot of wry faces, kind of pinched faces, when they realized this was not yet over. The people who worked on this bill to bring it to this stage have to be congratulated for going back once more and doing the job we have all been asked to do. Thank you.

---Applause

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Lewis. Clause by clause?

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Whitford):

Clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 4.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 5.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 6.

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SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 7.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 8.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 9.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 10.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 11.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 12.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 13.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 14.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 15.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 16.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 17.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 18.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 19.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 20.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 21.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 22.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 23.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 24.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 25.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 26.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 27.

SOME HON. MEMBERS:

Agreed.

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---Agreed

CHAIRMAN (Mr. Whitford):

Clause 28.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 29.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 30.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 31.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 32.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 33.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 34.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 35.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 36.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 37.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 38.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 39.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 40.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 41.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 42.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 43.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 44.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 45. The chair recognizes Mr. Nerysoo.

Committee Motion 33-12(6): To Amend Clause 45 Of Bill 5, Carried

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Mr. Chairman, I move that clause 45 of Bill 5 be amended by:

a) striking out the period at the end of the English version of paragraph (h) and by substituting a semicolon; and

b) striking out "underground and open pit" in paragraph (q).

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The motion is in order. It has been translated. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

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

---Carried

Clause 45, as amended.

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SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 46.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 47.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 48.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 49.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 50.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Sorry for the delay. Clause 51.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

The bill as a whole, as amended.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Does the committee agree that Bill 5, as amended, is concluded?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

We have agreement. You are a good committee. Does the committee agree that the bill is ready for third reading?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Minister, thank you, very much, on behalf of the committee, for appearing

before us, and I thank the witnesses for their assistance. What is the wish of the committee? Mr. Dent.

MR. DENT:

Mr. Chairman, we had initially said that we would finish Education, Culture and Employment, Bill 5, and then get into SAPS, excuse me, Safety and Public Services.

---Laughter

CHAIRMAN (Mr. Whitford):

Boy, what an industrious committee today. Mr. Minister, are you prepared to make your opening remarks for Safety and Public Services?

Department Of Safety And Public Services

Minister's Opening Remarks

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Yes, I'm prepared to make my statement. I'm pleased to present the Department of Safety and Public Services' 1995-96 capital main estimates. The total capital requirements for the Department of Safety and Public Services are \$185,000.

The capital needs of the department are, for the most part, driven by enforcement legislation. Section 35(3) of the Mining Safety Act requires that the government provide and repair mine rescue equipment. Expenditures of this nature (\$35,000) are recovered from the active mines, through an assessment and credited to a capital recovery account.

An additional \$58,000 is required by mine safety for environmental testing equipment to ensure that environmental standards for safe working conditions in underground mines, as specified in legislation, are complied with.

The safety division requires \$92,000 for occupational health lab equipment to test for a variety of metal, gas, chemical, radiation, fibre or dust particles that could affect the health and safety of exposed people.

I will be pleased to answer any questions you may have. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Is the chairman of the Standing Committee on Finance prepared to make his remarks? The honourable Member for Nahendeh, Mr. Antoine.

Standing Committee On Finance Comments

MR. ANTOINE:

Thank you, Mr. Chairman. The Standing Committee on Finance has very brief remarks on Safety and Public Services. Once again, this department's capital budget is restricted to items related to enforcing the various acts administered by the department. The committee accepts the department's substantiations for health laboratory and mine rescue equipment. Mahsi, Mr. Chairman.

Safety

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Any general comments? Do Members agree that we proceed into the details? Details are found on page 07-9.

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Details of capital, safety. Equipment acquisition, headquarters, total region, \$92,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total equipment acquisition, \$92,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total activity, \$92,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Mine Safety

CHAIRMAN (Mr. Whitford):

Mine Safety. Equipment acquisition, headquarters, total region, \$93,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total equipment acquisition, \$93,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total activity, \$93,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Department summary, capital expenditures, total capital expenditures, \$185,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Does the committee agree that the Department of Safety and Public Services is concluded?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

I would like to thank the Minister for his assistance; with no witnesses this time. He handled it all on his own. What is the wish of the committee from here on? Mr. Dent.

MR. DENT:

Mr. Chairman, I move that we report progress.

CHAIRMAN (Mr. Whitford):

We have a motion to report progress. The motion is in order and is not debateable. All those in favour? All those opposed? Motion is carried.

---Carried

I shall rise and report to the Speaker.

MADAM SPEAKER:

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

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Whitford):

Thank you, Madam Speaker. Madam Speaker, in your absence, your committee has been considering Bill 1, Bill 5, and Committee Report 10-12(6), and would like to report progress with two motions being adopted, and, that Bill 5 is ready for third reading as amended. And, Madam Speaker, I move that the report of the committee of the whole be concurred with.

MADAM SPEAKER:

Thank you. Your motion is in order. Secunder for the motion? The honourable Member for High Arctic, Mr. Pudluk. 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 21, third reading of bills. The honourable Member for Mackenzie Delta, Mr. Nerysoo.

ITEM 21: THIRD READING OF BILLS

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I would like to seek consent to proceed with third reading of Bill 5.

MADAM SPEAKER:

The honourable Member is seeking consent to proceed with Bill 5. Are there any nays? There are no nays. Proceed, Mr. Nerysoo.

Bill 5: Mine Health And Safety Act

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I move, seconded by the honourable Member for Hay River, the Honourable John Pollard, that Bill 5, Mine Health and Safety Act, be read for the third time.

MADAM SPEAKER:

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

AN HON. MEMBER:

Question.

MADAM SPEAKER:

Question is being called. All those in favour? The motion is carried unanimously.

---Carried

---Applause

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It's my understanding that the Deputy Commissioner of the Northwest Territories is prepared to assent to bills. Mr. Clerk, will you ascertain if her Honour, the Deputy Commissioner of the Northwest Territories, is prepared to enter the Chamber and assent to bills?

ASSENT TO BILLS

DEPUTY COMMISSIONER (Mrs. Maksagak):

Madam Speaker, and Members of the Legislative Assembly, I want to take this opportunity to say how pleased I am with the recent visit of Her Majesty Queen Elizabeth and His Royal Highness Prince Phillip. I feel that both the western and Nunavut celebrations gave us the opportunity to give the royal couple a successful overview of who we are and how we live, while providing some of that famous northern hospitality.

I would also like to express my appreciation to the Honourable Daniel Norris for his work as Commissioner of the Northwest Territories. He was always supportive of the goals and objectives of the people of the NWT, and I wish him the best of luck in his future endeavours.

Madam Speaker, and Members of the Legislative Assembly, as Deputy Commissioner of the Northwest Territories, it gives me great pleasure to assent to the following bills: Bill 4, An Act to Amend the Liquor Act; Bill 5, Mine Health and Safety Act; Bill 6, Access to Information and Protection of Privacy Act; Bill 9, An Act to Amend the Charter Communities Act; Bill 10, An Act to Amend the Cities, Towns and Villages Act; Bill 11, An Act to Amend the Hamlets Act; and, Bill 12, An Act to Amend the Commissioner's Land Act.

MADAM SPEAKER:

Item 22, orders of the day. Mr. Clerk.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Madam Speaker, orders of the day for Monday at 9:00 am of the Standing Committee on Legislation, and at 10:30 am of the Ordinary Members' Caucus. Orders of the day for Monday, October 24th.

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. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills
16. Motions

- Motion 12-12(6), Tabled Document 36-12(6) "Action Plan

- Consolidation - Health and Social Services" to Committee of the Whole

17. First Reading of Bills
18. Second Reading of Bills
19. 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 10-12(6), Report on the Review of the 1995-96 Capital Estimates

- Committee Report 11-12(6), Report on the First Annual

Report (1992-93) of the Languages Commissioner of the NWT

- Bill 1, Appropriation Act, No. 1, 1995-96

- Bill 2, Aboriginal Custom Adoption Recognition Act

- Bill 3, Guardianship and Trusteeship Act

- Bill 7, An Act to Amend the Arctic College Act

- Bill 8, An Act to Amend the Public Utilities Act

20. Report of Committee of the Whole

21. Third Reading of Bills

22. Orders of the Day

MADAM SPEAKER:

Thank you. This House stands adjourned until Monday, October 24th, at 1:30 pm.

---ADJOURNMENT