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MADAM SPEAKER (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, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Hon. Jeannie Marie-Jewell, 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 43-12(6): Minister Absent From
The House

HON. NELLIE COURNOYEA:

Madam Speaker, I wish to advise Members that the Honourable Rebecca Mike will be absent from the House today to attend a meeting of Ministers of Municipal Affairs in Toronto. Thank you.

MADAM SPEAKER:

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

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On The Northern Rental
Purchase Program

MR. KOE:

Mahsi, Madam Speaker. Madam Speaker, I rise today to speak about the northern rental housing program. The northern rental purchase program had its origins in the Eskimo loan program of the 1950s where, in the eastern Arctic and northern Quebec, employees of the federal government and other interested parties were given the option of moving into rental/purchase units. Rents varied from \$2 to \$67 per month.

The program was then introduced into the western Arctic by the Department of Indian Affairs and Northern Development in the 1960s, basically to provide adequate, safe housing to returning TB patients. Before the introduction of public housing to the Northwest Territories in 1974, the housing stocks in the Northwest Territories were built by the Department of Indian Affairs and Northern Development.

The northern rental purchase program which this government inherited upon taking responsibility for housing programs in the Northwest Territories was set up in such a way that tenants could apply money and rent towards the basic price. Credit from rent paid would then reduce the purchase price of the house. Major improvement costs would be added to the final purchase price and a depreciation amount would be reduced from that final purchase price. The house could then be purchased by the tenants using a combination of cash and credit. In some cases, a mortgage would have to be obtained. In all cases, the buyer would have to obtain some sort of title to the land that the house was to be situated on or have the unit moved to another lot.

This entire program, while it still does exist, has enjoyed a limited amount of success. The major reason for the lack of success of the program is the fact that the units the Housing Corporation inherited from DIAND were poorly constructed and hardly worth...

Madam Speaker, my time is up. I seek unanimous consent to continue.

MADAM SPEAKER:

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

MR. KOE:

Mahsi, Madam Speaker, and mahsi, colleagues. The major reason for the lack of success of the program is the fact that the units the Housing Corporation inherited from DIAND were poorly constructed and hardly worth the tenants buying when one took into consideration the amount of money that would have to be spent to bring the house up to code. In addition, once a unit is upgraded using funds from the Canada Mortgage and Housing Corporation, the unit, by virtue of the contribution agreement, has to be taken off the

rental purchase program stock and placed on the public housing stocks.

It is basically a vicious little circle. Although a tenant might be able to afford to buy the unit they are living in, they would not be able to afford the repairs. The Housing Corporation has had to rely upon contribution agreements in the past with the Canada Mortgage and Housing Corporation and has, by necessity, taken the path of least resistance. It is cheaper to remodel the old units into proper units; however, the only source of funds available dictates that the units must become part of public housing stock.

So, although people are now living in units that meet minimal, acceptable standards for living, the units are no longer available for purchase. The rental purchase program has now been replaced by other programs such as HAP and the new access to housing program. There are still units available for purchase under the rental purchase program but, as all the units were constructed in the 1960s and early 1970s, it is not economically feasible for tenants to purchase, given the cash outlay necessary to bring the units up to an acceptable standard. There has also been a significant number of units that have been abandoned due to fire and disrepair.

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Madam Speaker, this is an interesting program and it raises a lot of questions which I will be pursuing later with the Minister responsible. Mahsi.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Baffin South, Mr. Pudlat.

Member's Statement On Assistance For Victims Of Child Sexual Abuse

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. First of all, I would like to thank the Member for High Arctic. I would like to support his previous statement with regard to child abuse. There are quite a few children who have been raised as victims of child sexual abuse. I know they are suffering. So, Madam Speaker, I am standing today for us to deal with victims of child abuse. We are not going to try to put them on the spot, but try to cure them. We have to try to review our misgivings for that reason. We have to pursue victims' assistance further for children. We have to work harder because we know they are

suffering and that diseases can carry on for the remainder of their life. If there is any way we can help them further, that is part of the reason why I am standing up today, Madam Speaker.

---Applause

MADAM SPEAKER:

Thank you. Item 3, Member's Statements. The honourable Member for Amittuq, Mr. Allooloo.

Member's Statement On Nunavut Tunngavik Economic Development Conference

MR. ALLOOLOO:

(Translation) Good morning, Madam Speaker. I am pleased to announce that I just came back from an economic meeting in Rankin Inlet sponsored by Nunavut Tunngavik, as well as the Government of the Northwest Territories. (Translation ends)

The conference was an astounding success. Over 200 delegates attended from all walks of life: there were young people making contributions to the conference; elders speaking their own native tongue making contributions; representatives of women's groups; church groups; small businesses from the communities and regions; and, multinational corporations such as mining companies, airlines and banks. Throughout the week, the meeting rooms were filled with positive energy. Everyone had something worthwhile to contribute whether they were an elder, a student or a community leader.

During the week, we worked together to develop a plan for achieving economic stability in Nunavut. Although the conference's major theme was economy, several issues were identified that we as Inuit, or the population of Nunavut, will have to overcome in order to make ourselves economically viable and stable. For example, Madam Speaker, we could have the most solid financial plan for Nunavut, a solid educational strategy and a solid transportation strategy and if we don't deal with the social problems such as substance abuse, family violence, sexual abuse and social breakdown, we will be no further ahead.

We have started talking about these issues and we must continue...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. Allooloo.

MR. ALLOOLOO:

Thank you, Madam Speaker, and colleagues. We must continue talking about these problems at the community level and working towards solutions; solutions that come from within the community. The professionals from outside could help us, but the real answer is the community has to deal with the problems and find solutions.

Once we are healthy again, outside investors will feel more confident investing in Nunavut. Madam Speaker, several other important themes emerged: the need to focus on education, particularly; making use of what is available today such as distance learning facilities. Taking university courses through distance learning technology. We also spoke of the importance of protecting our environment and preserving traditional values and using traditional values to go ahead and develop our Nunavut. During the Nunavut leaders' summit to be held in January in Gjoa Haven, we intend to explore some of these options further.

In closing, Madam Speaker, I would like to share with you a phrase that someone used during the closing of the conference. "When I believe it, I will see it. If we strongly believe that this future we are planning for ourselves is attainable, it will surely come to pass." Thank you.

---Applause

MADAM SPEAKER:

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

Member's Statement On RCMP "G" Division Annual Awards Ceremony

MR. WHITFORD:

Thank you, Madam Speaker. Madam Speaker, Members are probably wondering why there are chairs set up in the great hall in front of our chamber doors. I wondered that as well this morning, Madam Speaker, and I made some subtle enquiries. I am pleased to inform the House that I have here a leaked, Protected "A" classification document from the

RCMP. It informs the detachment that there is going to be an annual awards ceremony for "G" division.

It says, "Once again, we want to publicly acknowledge the hard work and dedication of our members and employees by holding a proper and befitting ceremony for such an event. We will gather to witness the following Members receive awards as indicated: long service medal, gold, 35 years, Sergeant Don Newman; long service medal, bronze, 25 years, Inspector McLeod; Staff Sergeant Chris Bergman; Staff Sergeant Rod O'Brien; long service, medal, 20 years, Staff Sergeant Dave Grundy; Sergeant Butts, who is also receiving the CO's commendation; Corporal Morash; Corporal Ron Jones; Corporal Forsythe-Erman and Constable Moffitt." The

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ceremony, according to the memo, will be held in the great hall at 1500 hours; in layman's terms, that is 3:00. "Dress will be Review Order #1 c/w stripped Sam Brown." I think that is the belt and sash they wear. "Medals for all ranks."

Madam Speaker, this is good news because people don't recognize the fact that RCMP are dedicated people. They work hard for people in the north and I have been familiar with them -- on a friendly basis, I must say -- for the last 35 or 40 years. I used to deliver laundry to them in Fort Smith when I was a kid. I have had a good acquaintance with them over the years and I would like to take this occasion, because I know some of them personally and I am sure...Madam Speaker, I seek 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. Whitford.

MR. WHITFORD:

Thank you, Madam Speaker. I know some of them personally and want to say to them this is indeed a great occasion and I would encourage Members to take some time to go and shake their hands after the ceremony at 3:00 this afternoon. Thank you, Madam Speaker.

---Applause

MADAM SPEAKER:

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

Member's Statement On Nunavut Tunngavik Economic Development Conference

MR. PATTERSON:

Thank you, Madam Speaker. Madam Speaker, I, too, have just returned from the conference organized by Nunavut Tunngavik called Nunavut Sivummut: Beyond Tomorrow. This conference, which was attended by delegates from all over Nunavut and southern Canada, spent three full days working very hard to examine issues and strategies to ensure a better economic future in Nunavut.

The delegates included Inuit community leaders, NTI executives and board members, representatives of regional Inuit associations, development corporations, banks, co-ops, mining companies, federal and territorial governments and several MLAs who were able to get away for the session. As in large meetings of this kind, a very important part of the meeting was the networking that took place behind the scenes. I'm sure that the seeds of many joint ventures and other initiatives have already been sown at this conference.

Madam Speaker, I was struck by two things about the meeting. Firstly, the high degree of optimism and confidence with which all delegates looked to the future and, secondly, the high degree of consensus reached on the major challenges and solutions ahead. The major focus of discussions and recommendations were on strategies to deal with social issues; particularly, less reliance on outside, professional help and more reliance on the strong base of human resources already in our communities to deal with healing.

There was a very strong emphasis on more job-oriented education strategies, on the urgent need for trades training, on the need to have more professional training, and the need to motivate and develop a trained workforce, beginning with our youth. There was also a great emphasis on reducing transportation costs and providing more access to capital. Delegates focused on small business, privatization, less bureaucratic and more decentralized business assistance programs. There was also widespread agreement on the merits of a northern mineral accord to capture resource revenues, and much talk about reducing the reliance on government.

MADAM SPEAKER:

Mr. Patterson, your time has lapsed.

MR. PATTERSON:

I would request consent to conclude my statement, Madam Speaker.

MADAM SPEAKER:

Thank you. The honourable Member is seeking unanimous consent to continue. Are there any nays? There are no nays. Please proceed, Mr. Patterson.

MR. PATTERSON:

Thank you, Madam Speaker. There was much talk about reducing the reliance on government and the reliance on social assistance, especially for young people.

Madam Speaker, I want to extend my congratulations to Nunavut Tunngavik Inc. I think this is one of the first major events they have organized, other than ceremonies celebrating the signing of the land claim agreement. I especially want to congratulate their economic advisor, Mr. Tagak Curley who organized this meeting, for pulling off a very successful, productive conference. I would also like to thank the Honourable John Todd, his department and the Government of the Northwest Territories for major financial support, along with many important corporate sponsors.

Madam Speaker, I look forward to receiving the economic strategy document which will result from this conference. It is expected to be released by the end of this year. Qujannamiik.

---Applause

MADAM SPEAKER:

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

Member's Statement On Mr. Kakfwi's Good Sense Of Humour

MR. BALLANTYNE:

Thank you, Madam Speaker. Today is Friday, and last Thursday Mr. Kakfwi made a very eloquent plea for a sincere compliment. I was going to try to give him one on Friday, but he wasn't here. So, today I thought I would make a sincere effort to show Mr.

Kakfwi that I can give him a sincere compliment. What I wanted to say was that Mr. Kakfwi has a good sense of humour. Mr. Kakfwi is also a very proud and sensitive man. So, I wanted to say that he had a good sense of humour, but then I was afraid that he would want me to say that he has a great sense of humour. I might have said that he has a great sense of humour, but that is not as good as having the best sense of humour, and I was afraid that if I didn't say he had the best sense of humour, he would think I meant he had the worst sense of humour.

---Laughter

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So, I'm sorry for the complexity of trying to give Mr. Kakfwi a compliment, because I really do think he has a good sense of humour. But now Mr. Kakfwi would ask me if I am sincerely sorry. Well, I'm sort of sorry, but I am certainly not that sorry, though Mr. Kakfwi may not think that I am sorry. So, Mr. Kakfwi, in spite of popular opinion, I think you have a good sense of humour, and you demonstrated it yesterday, sort of. Thank you.

---Laughter

---Applause

MADAM SPEAKER:

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

Member's Statement On The Potential of Northern Culinary Products

MR. LEWIS:

Thank you, Madam Speaker. I rise today, Madam Speaker, to talk about spice. I would like to thank Madam Speaker, and I hope this won't be taken the wrong way, for putting spice into my life.

---Laughter

As Members will know, I have always been interested in projects of a modest nature that really do something for economy. I have always believed in renewable resources and what renewable resources means to the vast majority of our people. At my age, I appreciate spice and I would like to thank the Speaker for making us aware that there is a lady in Fort Smith

who, for several decades, has been trying to develop a northern spice.

I was struck many years ago when I was in New Orleans that they had developed a distinctive cuisine and everywhere you went you could buy spice, all kinds of spice, that could accompany cajun cooking. These were the kinds of gifts that people bought when they were in New Orleans and they were looking for something for \$5 to \$10. They would take some spice home because this was a reasonably priced memento of their visit to that part of the world.

Very often over the last couple of decades, I have been interested in our northern environment. I have picked up lots of stuff from the bush, things like wild chives and wild sage. I've done all kinds of work myself to try to make food more interesting. I would like to compliment Madam D on a project called "Madam D's gold medal gourmet meat seasoning," which Members are aware of. This is the kind of project that, in my opinion -- if we were to look at it as a modest thing -- if developed, could have a massive impact. Northern cuisine and northern products like this have great potential, some of which can be collected from our own bush and developed into a distinctive northern product.

AN HON. MEMBER:

Hear, hear.

---Applause

MADAM SPEAKER:

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

Member's Statement On Search And Rescue Program

MR. ANTOINE:

Mahsi, Madam Speaker. I am pleased, Madam Speaker, with the announcement made by the Minister responsible for Municipal and Community Affairs yesterday with regard to the NWT search and rescue program. Unfortunately, she is not in the House today. I understand this program is a two-year training program for search and rescue on the ground and in the water. It is funded by the federal government and involves work with the RCMP.

Madam Speaker, I have been a volunteer in the past to search for people who went missing on the river in

my constituency. I know what is required to do a search. It is very important that there be a quick response to emergencies with the proper equipment. These are the two areas where I have had concern in the past. In many cases, when rescue is required, there needs to be a coordinated, cooperative effort by people in the communities and, as well, to have the proper equipment available, especially if you have to go in the water.

The searches I have been involved with were coordinated effort, but I think the proper type of training and rescue management is what people in the communities have been asking for in the past. I just wanted to say that if there is such training, not only the municipal government but as well the band councils in the communities should be involved in this type of training.

I would like to ask the Minister questions, however she's not in the House so I'm going to have to wait until she gets back into the House. Mahsi.

---Applause

MADAM SPEAKER:

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

Member's Statement On Policy For Trucks Watering NWT Roads

MR. GARGAN:

Madam Speaker, as I'm sure all Members know, I'm one of the few MLAs who are fortunate enough to live close enough to their home communities to be able to drive home most weekends, when I'm not stuck in Yellowknife working. Today, in honour of Halloween, I'm going to tell a tale of monsters and government inefficiency.

I have spoken in the past, Madam Speaker, about the dangers of travelling on the highway between Yellowknife and Fort Providence. I have talked at length about the perils of buffaloes on the road, I have complained in turn about too many highway patrols and not enough highway patrols.

Madam Speaker, there are monsters on the highway; monsters with little sense, monsters that obviously run on government logic. With their headlights and beacons flashing, these monsters travel the gravel highways of the Northwest Territories. Madam

Speaker, the monsters I refer to are the trucks that water the gravel roads.

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Madam Speaker, as everyone knows, there are two types of water truck monsters: the first type is the one that is owned by the Department of Transportation; the second type of water truck monsters are privately owned and can be found in smaller communities along the gravel highways of the north.

Madam Speaker, that was the type I saw a few weeks ago when I made my way back to Yellowknife. I came across this private water truck monster from Fort Rae very early in the morning. I knew it was a private truck because it was very early in the morning. It was driving very slowly down the road dumping its water on the road. Unfortunately, Madam Speaker, it was drizzling and raining at that time. I really wondered, Madam Speaker, about the intelligence of these monsters, for this is not the first time I have observed this seemingly ridiculous performance. I thought to myself, how could the brain of this animal be so small. If it had any sense, wouldn't it just dump its load of water in a ditch...

MADAM SPEAKER:

The honourable Member for Deh Cho, Mr. Gargan.

MR. GARGAN:

Madam Speaker, I would like to get unanimous consent to conclude by statement.

MADAM SPEAKER:

The honourable Member is seeking unanimous consent to continue. Are there any nays? There are no nays. Proceed.

MR. GARGAN:

Thank you, Madam Speaker. I don't know when you cut me off but I'll just continue from where I left off.

Coming from a town where the road and its employment opportunities are appreciated, I understand the reasoning behind the watering of the roads: to reduce dust to help the grader operators in doing their jobs to make the roads safer for all travellers. So, in essence, Madam Speaker, the water truck monster is our friend. It is part of a plan that makes our highways safe. So I'm sure the Members can understand my confusion when I saw

this friendly monster on the highway making a dangerous situation even more so.

Then, Madam Speaker, I thought about the nature of the beast. The monster may have sense enough not to water the road during the rain, but must for fear of riling the government policy monsters who I am sure everyone knows are much more dangerous than the friendly water truck monsters. This policy must read something like this: "Thou shall take said full water truck out onto said highway, then thou shall empty said contents on said highway. Thou shall give no concern to present weather patterns, thou shall show no common sense or thou shall lose your contract or be fired."

Madam Speaker, we must allow the water truck monsters to be free; free to make their own decisions on how much water must go on our highways. It is a simple matter of physics: one inch of mud is safer than four inches of mud. Besides which, Madam Speaker, having just kissed and made up with the highway patrol, I would not want to get a ticket for having a dirty licence plate. Thank you.

---Applause

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

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

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. This is a return to an oral question that was asked by Mr. Ningark on October 21, 1994 regarding funding for a school principals' conference.

A principals' conference organized by the Kitikmeot Division Board of Education is scheduled to take place on Saturday, November 5th and Sunday, November 6th in Yellowknife. The conference is considered important by both the board and the principals to give them an opportunity for professional development, generally, and to discuss all operational issues together. The majority of the conference costs are being funded by the board, and the principals are contributing by paying for their own accommodation.

Prior to the 1994 school year, divisional boards of education were allocated specific funds through the NWT school funding formula for principals' meetings or conferences. This specific category of funds is no longer identified in the formula, and the boards are now funded for general administration. The amount of administration funding in the formula was reviewed last year through the school finance review, and a number of changes were made in the calculation for administration to provide funding more equitably to all boards.

In establishing its budget priorities for this year, the Kitikmeot divisional board executive committee identified funding for a principals' conference, but the amount did not cover the full cost of the conference planned by the principals. The principals approached the board and proposed that they pay for their own accommodation, and the board agreed with the proposal. I believe this is a good example of local decision-making, and I commend the board for its planning and the principals for their initiative and dedication. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 4, returns to oral questions. The honourable Member for Hay River, Mr. Pollard.

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

HON. JOHN POLLARD:

Thank you, Madam Speaker, good afternoon. Good morning, I beg your pardon, I always get that wrong on Fridays, Madam Speaker.

Madam Speaker, I have a return to an oral question asked by Mr. Brian Lewis on October 12, 1994 concerning merit increases.

Zero per cent increases and not salary freezes were negotiated for the teachers and put in place for excluded employees. Madam Speaker, this means that current salary schedules will be maintained for these groups of employees. Merit increases will continue to be awarded as they have been in the past.

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Madam Speaker, the average merit increase for government employees is 3.8 per cent. This is an important point which is often omitted when discussing zero per cent negotiated increases. Many

other governments have imposed freezes to both salary schedules and merit increases.

I have a second return, Madam Speaker, if I might.

MADAM SPEAKER:

Proceed.

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

HON. JOHN POLLARD:

Madam Speaker, this is a return to an oral question asked by Mr. Ludy Pudluk on October 21, 1994 with regard to the policy on payment of salaries to employees on medical leave.

Madam Speaker, employees who take time off for health reasons on a doctor's order are entitled to receive full salary based on the number of earned sick leave days they have available to be taken. If they have no earned sick leave days accumulated then they can be advanced up to 15 days on approval of their deputy minister.

If the employee has no sick leave days available, they will be put on sick leave without pay and paid allowances only. They may be eligible to collect unemployment insurance benefits for the period of sick leave without pay until they are approved and become eligible for disability insurance. If the employee is injured at work, they are eligible to receive full salary for up to 30 days for injury on duty. After the 30-day period, they may continue to receive benefits from Workers' Compensation. The amounts of money paid to an employee on disability or Workers' Compensation benefits would be approximately 70 per cent of their annual salary, plus settlement and accommodation allowance. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 5, recognition of visitors in the gallery. Item 6, oral questions. The honourable Member for Inuvik, Mr. Koe.

ITEM 6: ORAL QUESTIONS

Question 273-12(6): Inventory Of Northern Rental Purchase Program

MR. KOE:

Mahsi, Madam Speaker. Madam Speaker, this morning I talked about the northern rental purchase program. I have a question for the Minister responsible for the Northwest Territories Housing Corporation. Can the Minister give us an estimate of how many northern rental housing units are still on the inventory of the Housing Corporation?

MADAM SPEAKER:

Thank you. Minister responsible for the Housing Corporation, Mr. Morin.

Return To Question 273-12(6): Inventory Of Northern Rental Purchase Program

HON. DON MORIN:

Thank you, Madam Speaker. Approximately 450 units.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 273-12(6): Inventory Of Northern Rental Purchase Program

MR. KOE:

Mahsi, Madam Speaker. The northern rental purchase program was set up in such a way so that tenants could apply money paid in rent towards a purchase price. This was a credit that was accumulated and, in combination with other adjustments, would eventually reduce the purchase price of a unit. Since the late 1950s, early 1960s, tenants have been in these units and if they are still in these units, they must have accumulated a lot of credit.

Can the Minister indicate as to whether or not the Housing Corporation is still calculating and accumulating credits for tenants in northern rental units?

MADAM SPEAKER:

Thank you. Minister responsible for the Housing Corporation, Mr. Morin.

Further Return To Question 273-12(6): Inventory Of Northern Rental Purchase Program

HON. DON MORIN:

Thank you, Madam Speaker. The sale of the northern rental units is based on credits for past rent due. When a given tenant requests to purchase the unit, the Housing Corporation will send in staff to deal with that tenant on a one-to-one basis. They will figure out the rent they have paid in the past, make the calculations and sell the unit for a very small price. Thank you.

MADAM SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question 273-12(6): Inventory Of Northern Rental Purchase Program

MR. KOE:

As I mentioned, there must have been accumulation. There are approximately 450 units, so there must be an accumulation of credits somewhere. Does the Minister have any idea about the number of credits accumulated by tenants over the years?

MADAM SPEAKER:

Thank you. Minister responsible for the Housing Corporation, Mr. Morin.

Further Return To Question 273-12(6): Inventory Of Northern Rental Purchase Program

HON. DON MORIN:

Thank you, Madam Speaker. I doubt very much if there is any information available about accumulated credits for all 450 units because the Housing Corporation deals with this on a one-to-one basis with the client. Client's rents vary, the conditions of the units vary and, in some cases, we wouldn't even sell these units to clients because some of them are in very, very bad shape and they are better off burned. But, because of our housing shortage, we are still using these units. Thank you.

MADAM SPEAKER:

Final supplementary, Mr. Koe.

Supplementary To Question 273-12(6): Inventory Of Northern Rental Purchase Program

MR. KOE:

Mahsi. The original intent of the northern rental program was to provide affordable housing to northerners who

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would be able to purchase these and own their own homes. So, my supplementary to the Minister is, is this still the intent of the program.

MADAM SPEAKER:

Minister responsible for the Housing Corporation, Mr. Morin.

Further Return To Question 273-12(6): Inventory Of Northern Rental Purchase Program

HON. DON MORIN:

Thank you, Madam Speaker. Yes, it is still the intent for people to get into home ownership and try to get them there with the lowest possible price. Thank you.

MADAM SPEAKER:

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

Question 274-12(6): Programs For Sexually Abused Children

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. This morning I talked about sexual abuse among children. My question is for the Minister of Health and Social Services. Madam Speaker, there is a great illness that afflicts children who have been sexually abused. Do you have any programs or funds allocated to support children in this dilemma? They have many illnesses and they have to go through a healing process. I wonder if there will be any funding set aside for programs for people who have gone through sexual abuse. Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Health and Social Services, Madam Premier.

Return To Question 274-12(6): Programs For Sexually Abused Children

HON. NELLIE COURNOYEA:

Madam Speaker, the program for child sexual abuse across Canada called "Easy Targets" is one of the programs aimed at attempting to deal with child sexual abuse and the problems that surround it. Child sexual abuse, as we all know, is a major social issue in the Northwest Territories. In recognition of this very important issue, the Department of Health and Social Services has applied specific resources to address the issue.

Madam Speaker, a total of 5 PYs and \$929,000 is available to deal with the issue. This includes child sexual abuse specialist positions located in Fort Simpson, Inuvik, Iqaluit and Baker Lake. There is a coordinator also based in Yellowknife. Also included is \$200,000 in contribution funding support to non-profit groups which will offer programs to combat sexual abuse of children. As well, Madam Speaker, the department does provide counselling and support through contract services in each region. As much as possible, Madam Speaker, we are attempting to provide resources at the community level.

Madam Speaker, the mental health and child sexual abuse specialists are available to work with clients, with families and to do community development work to address the issue of sexual abuse. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 275-12(6): Medical Travel Policy

MR. NG:

Thank you, Madam Speaker. My question is to the Minister of Health and Social Services, and it has to do with medical patients travelling to and from Yellowknife for treatment. The reason I am bringing this up, Madam Speaker, is that on two occasions before session started, I was travelling home on the early morning flight and at the airport I encountered constituents who were here for medical treatment and they were bumped to the later flight; about three hours later in the afternoon.

I felt it was an inconvenience for these medical patients who were travelling home. I would like to ask the Minister, is there a policy or directive in the Department of Health and Social Services that deals with medical patient travel?

MADAM SPEAKER:

Minister of Health and Social Services, Madam Premier.

Return To Question 275-12(6): Medical Travel Policy

HON. NELLIE COURNOYEA:

Madam Speaker, we do have a policy on medical travel. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ng.

Supplementary To Question 275-12(6): Medical Travel Policy

MR. NG:

Thank you, Madam Speaker. I would like to ask the Minister, is there a specific preference policy or carrier of first choice in that policy for medical patients? Thank you.

MADAM SPEAKER:

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

Further Return To Question 275-12(6): Medical Travel Policy

HON. NELLIE COURNOYEA:

Madam Speaker, I am not aware that there is a carrier of first choice. Thank you, Madam Speaker.

MADAM SPEAKER:

Supplementary, Mr. Ng.

Supplementary To Question 275-12(6): Medical Travel Policy

MR. NG:

Thank you, Madam Speaker. Does the department of the government have a reduced rate with airlines as a fact of volume on transporting medical patients? Thank you.

MADAM SPEAKER:

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

Further Return To Question 275-12(6): Medical Travel Policy

HON. NELLIE COURNOYEA:

Madam Speaker, Not to my knowledge.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Ng.

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Supplementary To Question 275-12(6): Medical Travel Policy

MR. NG:

Thank you, Madam Speaker. Recognizing that, Madam Speaker, we should be ensuring that the comfort and convenience of our patients, who are sick or recuperating, are taken into consideration. Will the Minister check into the policy to ensure if that is not there, she will amend it to ensure that that is the priority for medical patients? Thank you.

MADAM SPEAKER:

Minister of Health and Social Services, Madam Premier.

Further Return To Question 275-12(6): Medical Travel Policy

HON. NELLIE COURNOYEA:

Madam Speaker, I am sure when a patient is ill and has received treatment, that is the policy: to try to cater to their health needs as much as possible. From time to time, there may be issues such as this that would give us a link to some areas that may be overlooked. If there are specific incidents, it is good to know about those because it would reflect whether the policy has been overlooked and would allow us to make the corrections. We really should know about the specific instances, so we can make those corrections and to see whether we are applying the policy for the well-being of the patients we are dealing with, Madam Speaker. Thank you.

MADAM SPEAKER:

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

Question 276-12(6): Correcting Inadequacies In Payroll Tax System

MR. WHITFORD:

Thank you, Madam Speaker. Madam Speaker, last year in December, I asked the Minister of Finance some questions concerning the payroll tax. The payroll tax, as I understood it then, was to get money from fly-in and fly-out employees. It refunded any money that bona fide territorial residents of the territories put into the program. However, some categories of some employees were not taxed in the normal fashion that would allow the territorial government to access their money. As a consequence, they ended up getting back the refund without having put any money into that. I asked the Minister at the time if he would manage to plug some of those loopholes and the Minister replied that he didn't have the right size plugs to plug those loopholes. I wonder if, since December 6th of last year, the Minister has managed to plug some of these loopholes.

MADAM SPEAKER:

Minister of Finance, Mr. Pollard.

Return To Question 276-12(6): Correcting Inadequacies In Payroll Tax System

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, perhaps I should first clarify that the payroll tax is for everyone who earns a living in the Northwest Territories. They have to pay payroll tax on that. The tax credit system was coincidental. It is a totally separate system. The fact that they mesh quite well with regard to what you pay in and what you get out for Northwest Territories residents was totally coincidental, Madam Speaker. They are, in fact, separate issues.

I would agree that there are people in the Northwest Territories who earn money that do not pay the payroll tax, but because they are residents of the Northwest Territories, they are entitled the tax credit. I did say that I would look into this anomaly. I have to report to the House that I have looked into it and the amount of money we estimate that we are losing in this regard is some \$200,000.

I am of the opinion now that, first of all, the approaches I have tried to make are considered unconstitutional and I haven't been able to do them legally. If I were to put in a very complicated system together, that \$200,000, I am afraid to say, would be

non-profitable for the residents of the Northwest Territories because we would probably have more in administrative expenses than the revenues that we gain. I have been unable to plug those so-called loopholes, Madam Speaker. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Whitford.

Supplementary To Question 276-12(6): Correcting Inadequacies In Payroll Tax System

MR. WHITFORD:

Thank you, Madam Speaker. I am quite surprised. If the payroll tax had not been introduced, I am sure that tax credit wouldn't have been introduced. I think they are one in the same. There were, at the time, some groups of people -- employers -- who objected to this payroll tax and some still do. I wonder if the Minister would be able to inform this House as to whether or not all employers who are required to pay the payroll tax on behalf of their employees, have indeed been paying their portion of that tax on behalf of their employees.

MADAM SPEAKER:

Thank you. Minister of Finance, Mr. Pollard.

Further Return To Question 276-12(6): Correcting Inadequacies In Payroll Tax System

HON. JOHN POLLARD:

Madam Speaker, all of the employers who have registered with us are paying the payroll tax and are deducting it from their employees. There is one organization that hasn't registered with us and is not remitting and that is the Dene Nation of the Northwest Territories. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 277-12(6): Progress On Providing Orthodontic Services In NWT

MR. PATTERSON:

Thank you, Madam Speaker. My question is to the Minister of Health and Social Services. Madam Speaker, I think many times in this House and

through the Special Committee on Health and Social Services, it has been recommended that the government could save sizeable amounts of money by locating specialists in the Northwest Territories, rather than sending people out at great expense to

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visit those specialists. I would like to ask the Minister about orthodontic services.

I understand that proposals have been in hand in the Department of Health for months, if not years -- some from dental practices in the Northwest Territories -- to allow for a different way of delivering orthodontic services: by bringing orthodontists to the north, rather than sending people to Montreal, Winnipeg, et cetera, at great expense. What progress has been made on this long-standing issue? Thank you.

MADAM SPEAKER:

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

Return To Question 277-12(6): Progress On Providing Orthodontic Services In NWT

HON. NELLIE COURNOYEA:

Madam Speaker, there have been several proposals received from the regions to provide the orthodontist services. The former Minister did indicate that a territories-wide orthodontic program would be explored. Locating a qualified and interested orthodontist in the feasibility study proved to be very difficult. It also became apparent that a territories-wide program may not be feasible because it would require a significant amount of organization and direction from a central agency. Proposals have been submitted to the Department of Health and Social Services from the Keewatin and Baffin, to provide orthodontic services within the regions. The rationale for these proposals is that patients requiring these services are now being transported to major southern centres for treatment.

These regional proposals to provide orthodontic services will be dealt with individually, starting with the Keewatin region, followed by the Baffin and then the western regions. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 277-12(6): Progress On Providing Orthodontic Services In NWT

MR. PATTERSON:

Thank you, Madam Speaker. Madam Speaker, if I understand the Minister's answer correctly, the department, having received concrete proposals from existing dental clinics about how they could deliver the service, has finally decided that they don't need to hire another orthodontist to do a feasibility study, nor do they need to establish an expensive central agency, none of which was suggested by the private clinics that put the proposals to the department some months, if not years ago.

Bearing that in mind, Madam Speaker, is how much longer are we going to have to wait for some action on these sensible and cost-saving proposals? Thank you.

MADAM SPEAKER:

Minister of Health and Social Services, Madam Premier.

Further Return To Question 277-12(6): Progress On Providing Orthodontic Services In NWT

HON. NELLIE COURNOYEA:

Madam Speaker, as I indicated, in one instance of a regional proposal, we've asked them to resubmit the proposal for some modifications. These discussions take place so that the services can be provided. In the meantime, the program delivery continues. I believe we always have to make sure that when we change the services, the services are going to be the types of services that people have become accustomed to, by referring to southern agencies. So it's just a matter of working them out, Madam Speaker.

I believe that these submissions are not years and years old. The regional centres have been asked to entertain how they can provide this service themselves. As we all know, orthodontists are hard to come by, and in the proposal that we had asked to be resubmitted was a proposal so that the orthodontist didn't really...It was the same type of service that we had provided before but it was regional. The referrals were still going to be somewhere else and the orthodontist was still going to be somewhere else. There is some question as to the total cost.

So we're not dismissing it. We feel that there can be some cost-savings, and we'll keep working at it and try to get to a resolution on these matters. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 277-12(6): Progress On Providing Orthodontic Services In NWT

MR. PATTERSON:

Madam Speaker, the honourable Minister referred to the need to provide new services in a manner that is consistent with what people have been accustomed to receiving through the south. I have to say -- maybe tongue in cheek -- that what my constituents are accustomed to receiving is not only orthodontic services, but a chance to do some free shopping in Montreal every six weeks or so at the expense of the Government of the Northwest Territories. So I hope that that is not going to be built into the new plan.

I would like to ask the Minister -- and I do recognize that there is an effort being made to change the method of delivery -- is it realistic for this House to expect, by the time we reconvene in the new year to consider the estimates for the Department of Health for operations and maintenance for the coming year, that there will finally be in place a new method of delivering orthodontic services or a plan to deliver orthodontic services in Baffin and Keewatin that does not feature this expensive travel to Winnipeg and Montreal? Thank you.

MADAM SPEAKER:

Minister of Health and Social Services.

Further Return To Question 277-12(6): Progress On Providing Orthodontic Services In NWT

HON. NELLIE COURNOYEA:

Madam Speaker, I know that it's difficult to get all the information so that we can justify it financially. I believe that there has to be more closer-to-home orthodontic care, and how we provide it is not being suggested

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in the same manner from all regions. So, in fairness to the regional health boards, I believe that we have

to address it according to the care people need. I believe that there has been some criticism that for 10 minutes of care or tightening of braces, we're sending a lot of people out, not only to southern Canada but also in the west from the Delta to Yellowknife. So I think that we just have to diligently work at it and try to resolve it as quickly as possible. Certainly, with the cost, to try to justify what we're spending now and maybe have broader care by having an orthodontist move into the regions or closer to the people. So that's how we're addressing it. And we'll try to move as quickly as possible. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Inuvik, Mr. Koe.

Question 278-12(6): Number Of Northern Rental Units Purchased

MR. KOE:

Mahsi, Madam Speaker. I would like to follow up with the Minister of Housing on the northern rental housing program. Since the inception of the program, does the Minister have any idea of how many northern rental units have been purchased by tenants?

MADAM SPEAKER:

Minister of Housing, Mr. Morin.

Return To Question 278-12(6): Number Of Northern Rental Units Purchased

HON. DON MORIN:

Thank you, Madam Speaker. The information I have is that back in January of 1991, there were approximately 569 units left on the northern rental inventory stock. I had requested today how many units there were and they said 450, so they must have sold around 119. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 278-12(6): Number Of Northern Rental Units Purchased

MR. KOE:

I presume that's an assumption because some units have been burned or destroyed or disregarded

because of the conditions. Is the Housing Corporation actively pursuing and working with tenants to try to sell these units to tenants?

MADAM SPEAKER:

Minister of Housing, Mr. Morin.

Further Return To Question 278-12(6): Number Of Northern Rental Units Purchased

HON. DON MORIN:

Thank you, Madam Speaker. In the past, the Housing Corporation, as far as I am concerned, was not actively pursuing the selling of these northern rentals to tenants. The program was there; the tenants were not properly informed about it, but they are being properly informed and they are actively pursuing selling these units now. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 278-12(6): Number Of Northern Rental Units Purchased

MR. KOE:

Mahsi, Madam Speaker. The tenants who have been in these units over the years would have accumulated credit. If they paid rent, they would have accumulated credit. So somewhere there should be an amount of how many credits have been accumulated because these are an asset to the individual tenant. But in the books of somebody else, this government or the Housing Corporation, it's a liability. So my question is, is this government recording on its books somewhere the amount of credits accumulated by tenants?

MADAM SPEAKER:

Minister of Housing, Mr. Morin.

Further Return To Question 278-12(6): Number Of Northern Rental Units Purchased

HON. DON MORIN:

Thank you, Madam Speaker. I doubt very much if these credits are on anybody's books. This program deals with individual clients, because different clients have paid different rents, some haven't paid rents, it depends on the condition of the unit. I understand

that one-third of the rents, up to 50 per cent of the purchase price I believe it is, is allocated to the client when he requests to purchase the unit. Then there is also a deficiency list of problems with the unit and that's how the client can purchase the unit. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 278-12(6): Number Of Northern Rental Units Purchased

MR. KOE:

Mahsi, Madam Speaker. To me that doesn't make sense because you know the number of units and obviously because of the housing shortages across the north, you have to assume that most of these units are occupied. If they are paying rent, they would accumulate a credit. So my question is why is this not being recorded because it is an asset to an individual. They are accumulating credits towards eventual home ownership. So why hasn't this been recorded?

MADAM SPEAKER:

Minister responsible for the Housing Corporation, Mr. Morin.

Further Return To Question 278-12(6): Number Of Northern Rental Units Purchased

HON. DON MORIN:

Thank you, Madam Speaker. I guess it is an accounting procedure that may not be necessary. If a client wishes to buy his unit, he just has to go into a housing authority office, ask for the information and they will give it to him. If client walks into an office, they would have information there on how much rent he has paid in the past; they would do client counselling with him and then sell him the unit. Thank you.

MADAM SPEAKER:

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

Question 279-12(6): Amendments To Dental Mechanics Act

MR. WHITFORD:

Thank you, Madam Speaker. Madam Speaker, last year we raised the issue concerning the Dental

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Mechanics Act. There is a business established in my constituency that repairs and makes dentures right here in the Northwest Territories. There are a number of problems associated with the establishment of this business which didn't allow the dental mechanic to practice the profession he was trained to do. It was due, in part, to the fact that the Dental Mechanics Act was fairly out of date. It hadn't been amended since 1974.

There were requests from myself and my colleagues to the then Minister of Health for some changes and the changes were said to be forthcoming. I would like to ask the Minister of Health whether there are any amendments proposed for the Dental Mechanics Act to help clear up some of the problems this business was facing.

MADAM SPEAKER:

Minister of Health and Social Services, Madam Premier.

Return To Question 279-12(6): Amendments To Dental Mechanics Act

HON. NELLIE COURNOYEA:

Madam Speaker, with regard to the status of the requests, a legislative proposal has been prepared that will change the Dental Mechanics Act to allow denturists to make partial dentures with a prescription from a dentist and repair partial dentures without supervision. The new act would also allow denturists to continue to make and repair full dentures without supervision.

The department officials have requested a meeting with the one denturist in the Northwest Territories to outline the scope of the proposed legislation. Madam Speaker, it is my understanding that we have taken the proposal to a certain point and the denturist probably will not be totally happy. I was made aware that he would like to have the ability to make and repair partial dentures without the requirement of prescription from a dentist. However, we will be meeting with the denturist on the legislative proposal, Madam Speaker. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Whitford.

Supplementary To Question 279-12(6): Amendments To Dental Mechanics Act

MR. WHITFORD:

Thank you, Madam Speaker. Can I get some indication as to when these meetings will be taking place? Not the exact dates, but a time frame, Madam Speaker. This has been going on, and on and on. I think it would be to the benefit of people that this be cleared up. Can I get an idea of the time frame?

MADAM SPEAKER:

Minister of Health.

Further Return To Question 279-12(6): Amendments To Dental Mechanics Act

HON. NELLIE COURNOYEA:

As I stated, Madam Speaker, the request has gone out to the one dentist we have in the Northwest Territories to meet and look at the legislative proposal. So, whenever the dentist is available, we could sit down and have that meeting and see if we can proceed from there. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 280-12(6): Establishment Of Birthing Centres In Baffin Region

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. I directed a question to the Minister of Health on October 14th; it was stated that Ludy Pudluk directed the question, but I asked the question. Madam Speaker, I asked about how the Keewatin birthing centre was being operated. It is doing very well. Birthing centres are always needed. There is one birthing centre as well in Povungnitut. It is operating quite well, as is the birthing centre in Rankin Inlet.

At this time, Madam Speaker, I would like to ask the Minister of Health whether there will be further birthing centres established in the Baffin region. The Baffin health board had a meeting and it was requested that, if at all possible, further birthing centres be

established. Would the Minister of Health support this idea? Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Health and Social Services, Madam Premier.

Return To Question 280-12(6): Establishment Of Birthing Centres In Baffin Region

HON. NELLIE COURNOYEA:

Madam Speaker, we have not, as a health delivery system, really established planning for health centres. It was decided to try a pilot project and I believe it is going well. Like I indicated before, if a community is interested, I am certainly willing to sit down with the Baffin board to see how we can further establish that type of service in communities.

I believe in the long term, we should start planning to have that as part of the health delivery system at the community level. I would be pleased to deal with the Baffin Regional Health Board to see how we can proceed. I believe the Rankin Inlet final report will be available soon, although we do have an interim report on how it is going.

It looks as though birthing centres are very good for an individual community, but the people from outside of the community don't necessarily feel it is an advantage to go to that centre. So, I think we have to work this into the future. Thank you, Madam Speaker.

MR. PUDLUK:

Point of privilege.

MADAM SPEAKER:

Point of privilege, Mr. Pudluk.

Point Of Privilege

MR. PUDLUK:

Madam Speaker, point of privilege. I would like to raise a point of privilege on events that occurred yesterday during returns to oral questions. Madam Speaker, the events are described on pages 1348 and 1349 of the unedited Hansard. As the House is aware, I raised a point of order on the events of yesterday. And you ruled, Madam Speaker, that indeed I did have a point of order.

I have had some time to consider this matter and I feel I would like to raise this matter as a point of privilege. Madam Speaker, as the House is aware, the confusion was created when the Premier indicated that her return to oral question 136-12(6) was in response to a question asked by myself, Mr. Ludy Pudluk. In fact, the question was asked by Mr. Kenoayoak Pudlat. My point of privilege, Madam Speaker, is that this type of mistake causes embarrassment to me, as Member for High Arctic, and I would suggest, to the Member for Baffin South, as we now televise our proceedings and parts of our proceedings are reported on the radio.

These types of mistakes cause unnecessary confusion to our constituents. I am one Member who normally will forgive many of the mistakes by government that occur in the House, but I feel personally slighted by this particular event; as I am my own person hopefully representing the constituency of High Arctic for the last 19 years. I would request an apology from the Premier. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Madam Premier.

HON. NELLIE COURNOYEA:

Madam Speaker, I do apologize to the Member. I should have stood up immediately and apologized. Madam Speaker, we all know that the Member is one of the longest, outstanding Members represented in this Legislative Assembly and that the Member himself has demonstrated a long and distinguished career here. The least we can do is correctly refer to him in responding to questions he has asked. I sincerely do apologize to the Member.

---Applause

MADAM SPEAKER:

Thank you. Your point of privilege has been noted and with the Member apologizing, Mr. Pudluk, I am sure this clears up this matter. Item 6, oral questions. The honourable Member for Natilikmiot, Mr. Ningark.

Question 281-12(6): Minister's Authorization For More Flexibility In Social Assistance Payments

MR. NINGARK:

Thank you, Madam Speaker. Madam Speaker, my question is directed to the Minister of Health and Social Services. Madam Speaker, there is a general perception out there that because social assistance recipients are only allowed so much of the cheque to be cash, spousal assault has gone down; there is less gambling; school attendance is up and children are dressed better. I don't believe so, Madam Speaker. Maybe a small fraction of those who receive social assistance are, in fact, abusing the system.

Madam Speaker, I don't believe in blaming the poor people for this social problem. Is the Minister willing to give more autonomy and flexible decision-making to the local appeal committees and social workers who know best in the system? Thank you.

MADAM SPEAKER:

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

Return To Question 281-12(6): Minister's Authorization For More Flexibility In Social Assistance Payments

HON. NELLIE COURNOYEA:

Madam Speaker, I believe the thrust of this government is to give as much flexibility and accountability to communities as possible. This is where people know best what is happening within the community. They know the type of decisions that are important to be made for their own people. Not every community is the same. Not only myself, but this government is dedicated to try to give decision-making opportunities to the communities. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ningark.

Supplementary To Question 281-12(6): Minister's Authorization For More Flexibility In Social Assistance Payments

MR. NINGARK:

Thank you, Madam Speaker. The flexibility is not there in my community, in Taloyoak. Does the flexibility apply to all communities across the territories? Thank you.

MADAM SPEAKER:

Minister of Health and Social Services, Madam Premier.

Further Return To Question 281-12(6): Minister's Authorization For More Flexibility In Social Assistance Payments

HON. NELLIE COURNOYEA:

Madam Speaker, I believe it should. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ningark.

Supplementary To Question 281-12(6): Minister's Authorization For More Flexibility In Social Assistance Payments

MR. NINGARK:

Thank you, Madam Speaker. Would the Minister make sure it is across the territories? Thank you.

MADAM SPEAKER:

Thank you. Madam Premier.

Further Return To Question 281-12(6): Minister's Authorization For More Flexibility In Social Assistance Payments

HON. NELLIE COURNOYEA:

Madam Speaker, in these changing times and in the direction the Government of the Northwest Territories wants to go in giving those communities the decision-making powers, Madam Speaker, I will make every attempt to do so. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Inuvik, Mr. Koe.

Question 282-12(6): Assistance Provided In Purchasing Northern Rental Units

MR. KOE:

Mahsi, Madam Speaker. Madam Speaker, the northern rental program has been in existence from the 1950s in the east and the 1960s in the west. I can imagine there are probably still some tenants who have occupied these units

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from the day they were built. The Minister of the Housing Corporation, in an earlier response to one of my questions, stated that clients who want to purchase a unit can walk down the street and apply through the Housing Corporation. That is fine if there are housing officers in the community. It is fine if the tenant knows what the options are and what their rights are. What assistance has been given to tenants to work towards the purchase of these units?

MADAM SPEAKER:

Thank you. Minister of Housing, Mr. Morin.

Return To Question 282-12(6): Assistance Provided In Purchasing Northern Rental Units

HON. DON MORIN:

Thank you, Madam Speaker. Whenever a tenant makes it known that he is interested in purchasing a northern rental unit from the Housing Corporation, then the same type of client counsel is given to that tenant as a potential home owner. The Housing Corporation will meet with that client. They will discuss with him the costs of operating and maintaining that unit. They will also help the client to obtain title or leasehold interest in the land the unit is on. They will tell the tenant about the amount of fuel, power, water and sewer the unit has used in previous years. They will also do a condition rating of the unit. Then they will go over the back rents with the tenant and I believe one-third of that rent would go towards the purchase of the unit. Also, if the unit had been renovated in previous years, they would consider that in the selling price. These are for the units that were built prior to 1975. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 282-12(6): Assistance Provided In Purchasing Northern Rental Units

MR. KOE:

That is fine and I appreciate the response. Again, my concern is that some tenants don't know that they have an option or are eligible to purchase. When you give them notice and go through the information, you forget to advise the tenant how much credit they have. In this day and age, when we are advocating home ownership, why isn't the Housing Corporation more proactive in looking at turning over some of these units to the tenants?

MADAM SPEAKER:

Minister of Housing, Mr. Morin.

Further Return To Question 282-12(6): Assistance Provided In Purchasing Northern Rental Units

HON. DON MORIN:

Thank you, Madam Speaker. We are going to be proactive. We are proactive in selling the northern rental units. I will direct the president of the Housing Corporation to write to all 450 tenants requesting them to express their interest on the purchase of their unit. I fully realize that a portion of these tenants are elders and have lived in those units for many years and cannot afford to operate and maintain that unit. So they will stay under the public housing stock. Then the elders can enjoy living in those units at a very minimum rent. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 282-12(6): Assistance Provided In Purchasing Northern Rental Units

MR. KOE:

Mahsi, Madam Speaker. I thank the Minister for taking the action he said he would. It is possible that some of these tenants, especially long-term tenants now have such an amount of credit built up that they have more credit than what the unit is worth. I'm wondering if the Housing Corporation has considered just turning over some of these units to the tenants. If they can afford the upkeep of them, maybe we should be looking at giving the units to individuals.

MADAM SPEAKER:

Minister responsible for the Housing Corporation, Mr. Morin.

Further Return To Question 282-12(6): Assistance Provided In Purchasing Northern Rental Units

HON. DON MORIN:

Thank you, Madam Speaker. Like I said yesterday in defence of my budget, in some cases these units can be sold for as low as a dollar. They can't be given, but they can be sold. Thank you.

MADAM SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question 282-12(6): Assistance Provided In Purchasing Northern Rental Units

MR. KOE:

Thank you. So, will the Minister be looking into an initiative...Where tenants can afford the upkeep, would he turn them over for a dollar, if their credits are such an amount that they are higher than the unit is worth?

MADAM SPEAKER:

Minister responsible for the Housing Corporation, Mr. Morin.

Further Return To Question 282-12(6): Assistance Provided In Purchasing Northern Rental Units

HON. DON MORIN:

Thank you, Madam Speaker. I will direct the Housing Corporation president to try to sell as many of these units as possible as soon as possible and to make sure that clients get all the credits available to them. Thank you.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Deh Cho, Mr. Gargan.

MR. GARGAN:

Thank you. I don't have the allocations here with me, but I would like to ask the Minister, in his housing home ownership allocation last year there were also what are known as rent supplements. I understand there are a total of 133 units, but I don't know where the units are going to be. I would like to ask the Minister where those units were allocated.

MADAM SPEAKER:

Minister responsible for the Housing Corporation, Mr. Morin.

HON. DON MORIN:

Thank you, Madam Speaker. I didn't understand the question. Can I please ask the Member to repeat the question? Thank you.

MADAM SPEAKER:

Mr. Gargan.

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Question 283-12(6): Allocation Of Rental Supplement Units

MR. GARGAN:

Madam Speaker, in the allocation of units this year, there aren't allocations shown for rental supplements. I understand that this year, 1994-95, there were 133 units allocated under rental supplements. I would like to ask which communities got those.

MADAM SPEAKER:

Minister responsible for the Housing Corporation, Mr. Morin.

Return To Question 283-12(6): Allocation Of Rental Supplement Units

HON. DON MORIN:

Thank you, Madam Speaker. Under the rent support program allocations for 1994-95, Arctic Bay got three units; Broughton Island got three units; Cape Dorset got six units; Clyde River got four units; Hall Beach got three units; Igloolik got nine units; Iqaluit got 14 units; Lake Harbour got two units; Pangnirtung got nine units; Pond Inlet got nine units; and, Sanikiluaq got three units; for a total of 65 units for the Baffin.

In the Keewatin, Arviat got six units; Baker Lake, nine units; Chesterfield Inlet, two units; Coral Harbour, two units; Rankin Inlet, two; Repulse Bay, two; and, Whale Cove, two; for a total of 25 units.

In the Kitikmeot, Cambridge Bay got nine units; Coppermine got five units; Gjoa Haven got three units; Pelly Bay got two units; and, Spence Bay got two units; for a total of 21 units.

North Slave: Rae Edzo got two units and Yellowknife got six units; for a total of eight units.

South Slave: Fort Simpson got two units; and, Hay River got four units; for a total of six units.

Western Arctic: Fort Franklin got two units; Sachs Harbour got two units; and, Tuktoyaktuk got four units; for a total of eight. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Gargan.

Supplementary To Question 283-12(6): Allocation Of Northern Supplement Units

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, I would like to ask the Minister if he could provide me with that information.

MADAM SPEAKER:

Minister responsible for the Housing Corporation, Mr. Morin.

Further Return To Question 283-12(6): Allocation Of Northern Supplement Units

HON. DON MORIN:

Thank you, Madam Speaker. Yes.

MADAM SPEAKER:

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

Question 284-12(6): Compassionate Travel Policy

MR. NG:

Thank you, Madam Speaker. My question is for the Minister of Health and Social Services. In our communities, there are some individuals who have special needs and require extended care. They are usually attended to outside of their communities or outside of the NWT if the service is not available in the communities. In some cases, the immediate family members are social assistance clients of the department.

It is my understanding that there is a compassionate travel policy in the department to allow immediate family members to reunite with patients who are down south or outside of their community. I would like to ask the Minister to explain what the policy covers: which family members, how often, what expenses and that type of thing. Thank you.

MADAM SPEAKER:

Minister of Health and Social Services, Madam Premier.

Return To Question 284-12(6): Compassionate Travel Policy

HON. NELLIE COURNOYEA:

Madam Speaker, I will provide the Member with the written policy so that he may peruse it. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Supplementary To Question 284-12(6):
Compassionate Travel Policy

MR. NG:

Thank you, Madam Speaker. I would like to ask the Minister if she is aware of whether in that policy, the length of stay for individuals outside visiting their relatives is flexible?

Thank you.

MADAM SPEAKER:

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

Further Return To Question 284-12(6):
Compassionate Travel Policy

HON. NELLIE COURNOYEA:

Madam Speaker, to my knowledge, yes.

MADAM SPEAKER:

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

Question 285-12(6): Incident At Royal Oak Mines

MR. WHITFORD:

Thank you, Madam Speaker. Madam Speaker, I have a question I would like to direct to the Minister responsible for mine safety. This morning, I was advised that there was an incident involving the safety of miners at the Royal Oak Mine here in Yellowknife. Many of my constituents work in that mine and I'm quite concerned about what occurred there. Apparently, ambulances were called and it had something to do with an incident underground.

I would like to ask the Minister if he would be able to advise this House and myself, through you, what had occurred there?

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MADAM SPEAKER:

Minister of Mines, Safety and Public Services, Mr. Nerysoo.

Return To Question 285-12(6): Incident At Royal Oak Mines

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. Yes, there was an incident at approximately 8:00 pm on October 27th; that was last night. Three workers were apparently assigned to work and when they arrived at the workplace, they apparently encountered smoke. They returned to the surface and informed their shift boss that they did not feel very well and, in fact, thought they had been exposed to noxious fumes.

All three were administered oxygen by the first aid attendant. An ambulance was called and the three workers were taken to Stanton Territorial Hospital. Gas tests were taken at the 11-19 C Stope at approximately 9:00 pm last night and all gas levels were below the threshold limit for a normal eight-hour exposure.

Apparently, all three workers were released from the hospital at 10:45 pm and all three returned to work after being released.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Whitford.

Supplementary To Question 285-12(6): Incident At Royal Oak Mines

MR. WHITFORD:

Thank you, Madam Speaker. It is my understanding that the mine is a very large place. There are a lot of tunnels and stopes that are there. I wonder if the inspectors conducted or will be conducting more tests in that area to see if there is anything that might cause problems in the future, or did they just restrict their investigation to that one area.

MADAM SPEAKER:

Minister of Safety and Public Services, Mr. Nerysoo.

Further Return To Question 285-12(6): Incident At Royal Oak Mines

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I would assume that the staff would be doing tests in a number of areas within the location. The tests that were done were specific to the location where the incident was alleged to have happened. I will advise the Members of Yellowknife as to the extent of the gas testing that took place.

MADAM SPEAKER:

Thank you. Item 6, oral questions. The honourable Member for Iqaluit, Mr. Patterson. Sorry, we have run out of time for oral questions, Mr. Patterson. I just saw the time clock before you stood up. Our time frame for oral questions has lapsed.

Item 7, written questions. Item 8, returns to written questions. Item 9, replies to opening address. Oh, I'm sorry. Mr. Clerk, item 8, returns to written questions.

ITEM 8: RETURNS TO WRITTEN QUESTIONS

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

CLERK OF THE HOUSE (Mr. Hamilton):

Madam Speaker, Return to Written Question 13-12(6), asked by Mr. Pudluk to the chairman of the Financial Management Board concerning Government of the Northwest Territories policy on recovery of monies owed.

The government's practice with respect to recoveries from employees is based on policies and terms of the collective agreements with our unions. The Union of Northern Workers' contract stipulates that we can only recover 20 per cent of an employee's net pay for any overpayment of monies. The Northwest Territories Teachers' Association contract stipulates a 10 per cent of gross recovery factor. The exception to this rule is recovery of salary paid for any period of time the employee was away without approved leave (AWOL) from the worksite. Recovery of rent is not covered in either collective agreement, therefore, when rent is owing it is our practice to work out an amount of recovery that will ensure that the employee is not left with a zero net pay.

When there are numerous recoveries being made from an employee's pay it is still our practice to try to ensure the employee receives some money each payday. However, if we receive notice of a period of

AWOL it is recovered at 100 per cent and could result in a zero paycheque.

MADAM SPEAKER:

Thank you. The House will recess for 15 minutes.

---SHORT RECESS

MADAM SPEAKER:

Item 9, replies to opening 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. The honourable Member for Hay River, Mr. Pollard.

ITEM 13: TABLING OF DOCUMENTS

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, I wish to table Tabled Document 47-12(6), a list of organizations who were invited to the October 24, 1994 affirmative action meeting and those who did attend. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 13, tabling of documents. Item 14, notices of motion. Item 15, notices of motions for first reading of bills. Item 16, motions. Item 17, first reading of bills. The honourable Member for Hay River, Mr. Pollard.

ITEM 17: FIRST READING OF BILLS

Bill 18: Supplementary Appropriation Act, No. 4, 1993-94

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, I move, seconded by the honourable Member for Sahtu, that Bill 18, Supplementary Appropriation Act, No. 4,

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1993-94, be read for the first time. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Your motion is in order. We don't have a quorum. Please ring the bell. Thank you. To the motion.

AN HON. MEMBER:

Question.

MADAM SPEAKER:

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

---Carried

Bill 18 has had first reading. Item 18, second reading of bills. The honourable Member for Mackenzie Delta, Mr. Nerysoo.

ITEM 19: SECOND READING OF BILLS

Bill 20: An Act To Amend The Student Financial Assistance Act

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. Madam Speaker, I move, seconded by the honourable Member for Tu Nedhe, that Bill 20, An Act to Amend the Student Financial Assistance Act, be read for the second time. Madam Speaker, this bill amends the schedule for the Student Financial Assistance Act to increase for the 1994-95 and subsequent fiscal years. The maximum aggregate amount of principal that may be outstanding in respect of all loans made under the act. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Your motion is in order. To the principle of the bill.

AN HON. MEMBER:

Question.

MADAM SPEAKER:

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

---Carried

Bill 20 has had second reading and accordingly the bill stands referred to a committee. 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; Tabled Document 36-12(6), "Action Plan - Consolidation - Health and Social Services"; Minister's Statement 11-12(6), Return to Session; 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; Bill 15, An Act to Amend the Legislative Assembly and Executive Council Act, with Mr. Whitford in the chair.

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

CHAIRMAN (Mr. Whitford):

Okay guys, be nice. It is a tough job, but someone has to do it. 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 to the committee that we continue consideration of Committee Report 10-12(6) and Bill 1, continuing with the NWT Housing Corporation budget. If we finish considering that, perhaps we could move on to Bill 3.

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

Northwest Territories Housing Corporation

CHAIRMAN (Mr. Whitford):

Okay. We will consider Committee Report 10-12(6) and Bill 1, with the NWT Housing Corporation with the Honourable Don Morin in the witness chair. Would

the Minister like to take the witness chair and have some witnesses to assist him?

HON. DON MORIN:

Thank you, Mr. Chairman. Yes.

CHAIRMAN (Mr. Whitford):

Sergeant-at-Arms, would you assist the Minister in bringing in his witnesses? Minister of the Northwest Territories Housing Corporation, Mr. Morin, would you be so kind as to introduce your witnesses to the committee?

HON. DON MORIN:

Thank you, Mr. Chairman. To my right is Al Menard. He is the president of the NWT Housing Corporation. To my left is Dave Murray. He is the vice-president of programs.

CHAIRMAN (Mr. Whitford):

The three M's. Thank you and welcome, gentlemen. I think we were no general comments when we left off. General comments. Line by line? The chair recognizes the Member for Iqaluit, Mr. Patterson.

General Comments

MR. PATTERSON:

Mr. Chairman, I missed the opening remarks of the Minister for the Housing Corporation, but I have had a chance to review those remarks and I note some initiatives that are outlined by the Minister. My concern is, Mr. Chairman, I believe the corporation is going to have to change substantially as a result of the sad realities of reduced federal cost-shared funding and the need to do more with less or make better use of the existing resources, recognizing that they are reduced. How is the corporation going to change to recognize the new realities in housing in the Northwest Territories? I know the communities are expected to promote

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home ownership and that the corporation will be trying to promote more home ownership. That, to me, would mean there will need, in future, to be less emphasis on construction because there will be less construction by the Housing Corporation and more programs designed to encourage people to build their own homes.

I think the Minister is well aware that if we are expecting local housing authorities and associations to do that job, they are going to need a lot more support than they have had in the past. The corporation is tilting towards home ownership, as opposed to building more social housing units. If the corporation is moving to increase rents for those who can afford to pay, again, the pressure will be on the communities. Could the Minister explain how the corporation is restructuring itself to meet the new realities and, particularly, I would like to know whether there is a plan to provide more support, training, development work to community associations and authorities? Everything I hear is they are going to have to do more work and they are going to have more responsibilities. Communities are the key to the new housing strategies in the Northwest Territories. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Patterson. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. Up until this budget year, the Housing Corporation has not delivered any fewer homes in the community. We have been delivering the same amount. In the past three years, we have made major, major changes to the Housing Corporation programs and how we deliver them. We have also been doing constant lobbying and trying to get federal dollars reinstated to the Northwest Territories. In some cases, we have been successful. We have been extremely successful in changing the programs and having them made acceptable to the clients. It has taken a lot of consultation work and we have done major consultation at the regional level. At all the regional meetings, it has been made loud and clear to us that we have to refocus the Housing Corporation. We knew that as well. So we are making moves to do that. In the past, the Housing Corporation was focused on delivering units and delivering as many as possible through the construction program. In the past, we haven't been right up to par on the support we are giving our local housing authorities and associations. We are going to change that. Through our new vision statement from the corporation, the new principles and goals that have recently been revised and approved by me, as well as the Minister of Finance and SCOF, are more community-oriented. We tried our best to downsize at headquarters and put that funding into the regions and, ultimately, into communities.

Restructuring doesn't mean that we are going to reduce funding. It means that we have to restructure, so that we can better serve the clients in 1994 compared to years previously. We just have to change the way we do business. Thank you.

CHAIRMAN (Mr. Whitford):

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

MR. PATTERSON:

Mr. Chairman, I am pleased to hear about the restructuring and the new goals that the Minister referred to. When will this House and Members of the public learn more details about this process? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Patterson. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. We have made a commitment already to have something in the next session.

CHAIRMAN (Mr. Whitford):

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

MR. PATTERSON:

Mr. Chairman, I realize that the general comments have been exhaustive in the last few days and I don't want to prolong the opening remarks, but I would like to make two comments for the record.

First, the district consultation process was excellent. I participated in the one in Baffin. It was impressive that the corporation chose neutral chairpersons to steer the discussions and that gave people a lot of confidence that the Minister, president and the officials were genuinely open to new ideas.

Secondly, I would like to say that, although we are awaiting the Minister's response to the recommendations of the Advisory Committee on Social Housing, I also wish to commend the Minister for being willing to share the decision-making with that committee. There was some concern that the committee might be only advisory or worse, a rubber stamp. My observations of that committee is that, in

fact, the Minister has allowed Members to participate in decision-making on this critical issue, recognizing that it is sensitive and will require broad support in this Assembly, if it is to succeed. So I would like to commend him for that.

There is one area I would like to mention that I think is lacking in the corporation. I find the district staff responsive, beginning with the district manager. I think I have said this before in the House. But like the other department the Minister is responsible for, Public Works and Services, the Housing Corporation does not seem to be leading the way on affirmative action. I hope that when the new corporate goals and objectives are brought forward, that an aggressive affirmative action training program and policy to bring northern people into the corporation will be part of that strategy. My constituents have expressed to me that this is an area in which there could be more progress, particularly at the management level. It is hard work and it takes the aggressive recruitment of northern people to get them involved. It takes training person years, but I think this is an area that I will be looking for more progress and more corporate commitment in the new restructured corporation. Those are just comments, Mr. Chairman. They don't require a response. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Patterson. General comments. The chair recognizes the Member for Baffin South, Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Mr. Chairman. I have a small comment to make. It is to the Minister of the Housing Corporation. We are all aware that housing rent is increasing every time we turn around. It doesn't matter whether it is the Housing Corporation staff housing or rental housing. We are always faced with an increase. Because of this, I will be asking the honourable Minister this question: Is it because the federal government is asking for more cutbacks, that this increase is

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taking place rapidly? Or, is it because of the shortage of housing? It seems that after the \$40 million cut from the federal government, rent for housing has really increased.

We also see a lot of people in public housing units evicted from their houses because they aren't able to pay their rent. We have to go through the hamlet councils in the communities if we are going to go into a public housing unit. What is the reasoning for the monthly increase for the units? Many residents in the communities are not able to keep up with the payment and I can imagine, in the future, this will keep happening. The rent will just keep on increasing. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Pudlat. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. There have been no increases in rent as of today. The proposed new rent scale will come to this House for approval. It has been through extensive consultation at the community level, regional level and MLAs. This government has agreed, so far, to phase that in over three years. The committee is recommending four years. The reason for the rental scale increases...There will be decreases as well for those lower-income people. All rent is based on your ability to pay. In home ownership communities, it is based on 25 per cent of your gross income. In non-home ownership communities there is a false cap. It will be affordable to people. It is based on their ability to pay; a percentage of their wages.

The Member is quite correct when he says that it is based on cutbacks to the federal government as well as housing shortages. If we do not take this artificial cap off, the federal government will levy a penalty against our government's funding, so we would lose money. Also, there is a shortage of 3,600 units in the Northwest Territories. We are 3,600 units short. As long as we continue to allow high-income people to live in public housing, we are saying to those poor people in our communities, the 3,600 people who are waiting for housing, that they can't get into housing because we are going to subsidize high-income people.

I don't think we can afford to do that any longer. We have to encourage those high-income people to vacate public units and move into home ownership and allow social housing units to be available for low-income people who they were designed to serve in the beginning. We are trying to do that in the smoothest possible manner. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The chair continues to recognize Mr. Pudlat and then Mr. Gargan. I seem to have switched on the legal people's microphone accidentally. Just bear with us a moment. Maybe I'll just switch chairs. We seem to be having technical problems, so we'll take a short break until this matter is cleared up.

---SHORT RECESS

CHAIRMAN (Mr. Whitford):

These proceedings can continue. Sorry for the inconvenience. The problem seems to have been corrected. When we left before the break, the speaker would have been Mr. Pudlat. Mr. Pudlat.

MR. PUDLAT:

(Translation) This is just a short statement. Mr. Chairman, we all know how we started off and the fact that the federal government is no longer responsible for housing in the Northwest Territories. When we started getting housing in the Northwest Territories, it was very easy to pay for. At one time, I remember I paid \$2 a month for rent. We also were able to get a barrel of fuel a month. They would deliver it to the side of our house and we weren't even asked to pay for it. I know it is quite different now, as opposed to that time. But I am telling the story, although a lot of people know about it.

Utilities cost quite a lot now and it is quite difficult for people who own and rent houses to pay for their utilities. That's the reality in our constituency. We have to represent our constituents and their concerns of today are different from yesterday. It seems the federal government was trying to encourage the Inuit to move into communities. That's how they lured them to larger centres: by having houses which didn't cost enough. In this day and age, we have to pay for everything. It is getting more and more difficult to live in the communities for that reason. That is all I wanted to comment on. This is not exactly a question, so there is no real need for an answer. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Pudlat. The honourable Member for Deh Cho, Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. Mr. Chairman, in the Minister's opening statement he mentioned that the corporation has now been operating for 20 years and this is their anniversary. I wanted to wish him happy anniversary.

The thing the Minister didn't announce is that, although we have \$49 million this year for housing -- and I was leading up to this yesterday -- we also have \$9 million for remote housing programs. I'm just wondering what is happening with this money. Is it going to become part of the \$49 million, or is that additional money to put extra houses into the communities?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. We're still exploring the possibilities of how the \$9 million can be best used. We still have not received final word from the federal government on how we can use it in our existing programs. My understanding, from the dealings of our staff with CMHC, is that it could be streamlined into our program. Also, our government increased our allocation by \$17 million for housing. I'm sure the Minister of Finance will be quite anxious to get some of that money back as well.

MADAM SPEAKER:

Thank you, Minister Morin. Mr. Gargan.

MR. GARGAN:

Well, perhaps the Minister of Finance doesn't have a housing problem, but I do. I would like to ask of the Minister, in his deliberations with the Minister of Finance, that he try to address some of the concerns that I expressed yesterday.

MADAM SPEAKER:

Thank you, Mr. Gargan. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. I would just like to assure the Member that if anything is going to happen,

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where allocations are going to be changed, beefed up, or whatever, it will all be done in a fair manner. Thank you.

NWT Housing Corporation

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Morin. General comments. The NWT Housing Corporation, page 03-11. Contributions, headquarters, total region, \$4.274 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Fort Smith, total region, \$4.855 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Inuvik, total region, \$6.472 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Baffin, total region, \$16.235 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Keewatin, total region, \$9.245 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Kitikmeot, total region, \$7.919 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total contributions, \$49 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

The chair recognizes the Member for Deh Cho, Mr. Gargan.

MR. GARGAN:

With regard to the numbers, I would think there is a rationale for why the Baffin gets four times more than the Fort Smith region. Does it have to do with transportation?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. In 1994-95, the Baffin's allocation was 27 per cent of the units we had. In 1995-96, it is 27 per cent. For the Keewatin, it was 17 per cent in 1994-95 and it is 17 per cent in 1995-96. The Kitikmeot was 14 per cent in 1994-95 and it is 13 per cent in 1995-96. The South Slave was 11 per cent in 1994-95 and it is 11 per cent in 1995-96. The North Slave was 15 per cent in 1994-95 and it is 16 per cent in 1995-96. The western Arctic was 16 per cent in 1994-95 and it is 16 per cent in 1995-96.

The money is allocated by units, not by dollars. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Morin. Mr. Gargan, you have a puzzled look. It will pass. Total activity, \$49 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Information item, page 03-13. It is an information item only. Mr. Gargan.

MR. GARGAN:

With regard to the \$49 million, that doesn't include the \$9 million for remote housing, right?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Morin.

HON. DON MORIN:

No, this is \$49 million that I'm requesting this Legislative Assembly to fund the NWT Housing Corporation for capital.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Morin. Information item, page 03-13, corporate summary. Are there any comments? Information item, district operations, page 03-14.

SOME HON. MEMBERS:

Agreed.

---Agreed

Capital Programs/Financing Programs Summary Schedule

CHAIRMAN (Mr. Whitford):

Thank you. Capital programs/financing programs summary schedule. Page 03-15. Mr. Gargan.

MR. GARGAN:

With regard to the senior citizens' home repair program for \$200,000, I would like to ask the Minister if that is a fair allocation or are we getting more demands for senior repair programs than the numbers warrant? In the Taloyoak report, the recommendation is that we exempt senior citizens from paying rent only if they are not living in public houses. There may be senior citizens who own their own homes who

have to pay extra costs because of the condition of the unit.

I hope that if you are going to recommend something about the exemption of senior citizens and elders, we also make sure there is enough money to provide the necessary repairs to housing for seniors who also might be experiencing hardship because of the conditions of their unit.

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CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. I know that \$200,000 doesn't look like a lot of money for the senior citizens' repair program. Seniors can also get emergency repairs in HIP as well. Seniors are eligible. I agree that we should look after our seniors first, if at all possible and make sure they have proper housing. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Morin. The chair continues to recognize Mr. Gargan.

MR. GARGAN:

Most of the problems come through me -- and I appreciate the Minister's help and Tom Beaulieu has been very helpful -- but I sometimes find that the requests I make get changed by the local organizations. I think, in this case, it happened on the reserve. I would like to be informed when those decisions are made so that I don't raise people's expectations that money was identified for their unit and the band decides to put it somewhere else. I have run into those situations.

As long as the corporation informs me, at least I could then tell the client that the money was there for them, but the band decided to use it somewhere else. At least it doesn't make me look bad and I don't give them false expectations.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. Any time there are any changes or issues arising in the Member's riding, I'll make sure that Mr. Beaulieu, the district manager, gets in contact with him and keeps him well-informed on all issues. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Morin. Capital programs/financing programs. Summary schedule, page 03-15.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Information item, notes to detail of capital, page 03-16.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Information item, notes to detail of capital, page 03-17. Mr. Gargan.

MR. GARGAN:

What is this modernization and improvement for \$2.282 million?

CHAIRMAN (Mr. Whitford):

Sorry, Mr. Gargan, what page are you referring to?

MR. GARGAN:

Page 03-16.

CHAIRMAN (Mr. Whitford):

Thank you. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. This is a cost-shared program, called M and I program. The North Slave district gets \$240,000; South Slave district, \$250,000; western Arctic district, \$467,000; Kitikmeot, \$365,000; Keewatin, \$385,000; and, the Baffin, \$575,000. This

is for public housing repair and extraordinary repair and it is cost-shared by CMHC. It will be cost-shared 25 per cent or 50 per cent; it depends.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Morin. Mr. Gargan.

MR. GARGAN:

Maybe I could address this under this section. I know the corporation operates a senior citizens' home in Fort Providence. All the equipment that is there now has been there since the building was built. I'm referring mostly to stoves and fridges.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Morin.

HON. DON MORIN:

Thank you, Mr. Chairman. Yes, this summer we did a paint job, basically an inside face-lift, on the seniors' home in Providence. We have written to CMHC, the owner of the building, to request that we work with them to upgrade that building and solve the problems they have. We did approximately \$60,000 worth of work in painting and drywall repairs and some repairs to the flooring. Silverado Painting is going in to finish the painting.

We did work on all 16 units of the seniors' residence in Fort Providence under the M and I program.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Morin. Information item, notes to detail of capital, page 03-17.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Summary

CHAIRMAN (Mr. Whitford):

Thank you. Return to 03-09, department summary. Capital expenditures, total capital expenditures, \$49 million. Mr. Dent.

Committee Motion 41-12(6): To Defer Consideration Of The Capital Estimates For The NWT Housing Corporation, Carried

MR. DENT:

Mr. Chairman, I move that we defer further consideration of the Housing Corporation budget.

CHAIRMAN (Mr. Whitford):

Thank you. We have a motion to defer. The motion is not debatable. The motion is in order. 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

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This department, the Northwest Territories Housing Corporation, is deferred. The matter is set aside for a period of time, Mr. Minister. On behalf of the committee, I would like to thank you and your witnesses for your assistance to this committee today.

HON. DON MORIN:

Thank you, Mr. Chairman. Normally at this time, I would like to thank my staff for preparing the budget and I usually thank the committee for passing the budget, but I will wait.

---Laughter

CHAIRMAN (Mr. Whitford):

Thank you. I will inform the committee of your intentions to thank them later. Thank you, Mr. Minister. I'll give him a minute to clear the area.

Bill 3: Guardianship And Trusteeship Act

I think we are going to move on to Bill 3 in your green books, under tab 3.

The committee will again come to order. We were on Bill 3, Guardianship and Trusteeship Act. It is in your green books under tab 3. When the matter was set aside, there was a motion dealing with clause 1. The motion was put forward by Mr. Lewis. I guess we are going to be dealing with that motion. I understand the motion had not been ruled in order at the time. I would like to recognize Mr. Lewis.

MR. LEWIS:

Thank you, Mr. Chairman. I've had a chance to meet with both Ministers sponsoring this bill, Mr. Chairman, and they are proposing amendments that are achieving a similar purpose of the one I had introduced. Therefore, I will withdraw my amendment.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Lewis. The motion has been withdrawn. Mr. Lewis.

---Withdrawn

MR. LEWIS:

Having withdrawn my motion, Mr. Chairman, and since we are on clause 1 and I need some time to explain what has happened, I would like to return briefly to general comments, with the unanimous consent of the House.

CHAIRMAN (Mr. Whitford):

Thank you. I don't think we need unanimous consent. We need consent of the committee. Does the committee agree that we return to general comments?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

The committee agrees, Mr. Lewis. General comments. Minister Kakfwi, would you like to bring your witnesses into the chambers before we proceed with general comments? The Minister has indicated that he would. Sergeant-at-Arms, would you assist the Minister with his witnesses.

Thank you. Minister Kakfwi, would you be so kind as to introduce your witnesses to the committee?

HON. STEPHEN KAKFWI:

On my right, Mr. Chairman, is the assistant deputy minister of Health and Social Services, Penny Ballantyne. On my left is Mr. Shawn Flynn, legislative counsel from the legal division. On his left is Mr. Larry Pontus, public trustee for the Department of Justice.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister and welcome, Mrs. Ballantyne, Mr. Pontus and Mr. Flynn, to committee of the whole. General comments. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the amendments that were proposed by Mr. Lewis with regard to the Guardianship and Trusteeship Act on October 24th, would add to the concept of "supported decision-making." We reviewed the proposed amendments of Mr. Lewis and we are in general agreement with the thrust of the amendments. However, we had some concerns...

CHAIRMAN (Mr. Whitford):

Mr. Minister, with all due respect, I believe the amendment was withdrawn and there is no longer an issue in committee at this time. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the statement I am making has to do with the reason for the original proposed amendments and the rationalization for why they were withdrawn in the second instance.

CHAIRMAN (Mr. Whitford):

There was no debate on the matter, Minister Kakfwi, and the motion was withdrawn. I think we were looking for general comments from the committee. We'll proceed with general comments from the committee. The chair recognizes Mr. Lewis.

General Comments

MR. LEWIS:

Thank you, Mr. Chairman. Members will recall that I had proposed an amendment to this act to include a definition of assisted or supported decision-making. It was my intention to introduce two consequential amendments to effect the idea that an individual could make a decision on their own, or they could get some assistance in doing that. That has now been withdrawn, so there is no debate on that issue any more.

My proposal, however, is still something that is active since we would like to make it clear that an individual does have the right to make decisions and, whenever we can, we should maximize the possibility of that

individual making decisions, even though it may mean seeking other people's support and help in making it.

The reason I believe this kind of discussion should take place in this House is that it seems to me that any act, whatever act we propose and pass in this House, which gives direct power over somebody else's life goes to the very heart of our own democracy and offers the biggest challenge, in my opinion, to how we protect individual rights.

This act, in my view, should include the recognition that an individual can be helped or supported in making a decision. And, even if they got help in making it, it would still be their own decision. I was asked by the Minister sponsoring this bill if I would consider an alternative way of achieving that purpose, of maximizing the individual's right to make their own decision, even if they have to seek help in making it.

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It may not be as strong as what I proposed and it may be buried in the act rather than highlighted in the act. I know, however, that judges often examine debates in Hansard in order to interpret the spirit as well as the letter of the law. That is the purpose of my general comments today. I thought it was very important that we have on record some discussion on this aspect of the bill, so that whenever it would come to court, the judge could look at the Hansard and know this is really what the Members intended. He would be guided by the spirit of whatever discussion we have here.

My main concern, Mr. Chairman, is that the main focus of this act is on guardianship and trusteeship. I don't have to go into great detail with Members on the origins of the words "guardian" and "trustee," but anyone who watches the late night movies are familiar with the concept of being locked up and having a trustee who looks after all the other prisoners. I know the words have lost that meaning today. They mean something else. But it really means an authority figure who is placed to control somebody's life, rather than a person who may be represented by somebody else.

The act seems to me to be more concerned with the third party rather than with the individual, who should be the focus of the bill, in my opinion. It is designed more for the system than it is for the individual.

AN HON. MEMBER:

Hear, hear.

MR. LEWIS:

I recognize that the system has needs too, but if that becomes paramount in any system, that the focus is on trusteeship and on guardianship, then I believe we are sending the wrong message to the people who sent us here to pass acts for the people we represent.

I appreciate that the effort to put focus on the represented person rather than on guardianship or trusteeship raises many questions of labelling. That has been a major issue for people in this country, but when you have unfortunate peoples, we tend to give them unfortunate names. Very often they cause damage. Whether the person is called senile, handicapped or vulnerable, this problem is perhaps unavoidable. However, Mr. Chairman, I did raise this in committee and I did say that I would have preferred some other way of naming this act, rather than to focus on guardianship and trusteeship. My own particular preference would have been Represented Persons Act. I will give my reasons for this.

All of us in this House have had the experience of putting ourselves into someone else's hands; when we put our trust, for example, in a lawyer, an accountant, a surgeon or even a priest. All of us, to some degree, have had a feeling of helplessness. I recall when we first took our seats in this Assembly, we were all lost to some degree. We put ourselves into the hands of Mr. Hamilton or more experienced Members in this Assembly in order to guide us through some difficult days.

Even today, after seven years in this House, I went to see Mr. Hamilton to ask what I do if I want to make general comments because we are already in clause 1. If I wait until the government's amendments come in and I want to say more than what is in the amendment, I won't be able to do it. I would be called by the chair. The simple solution is to get a return to general comments, so that I can make a broader statement about the concerns I have. So even after seven years, not being as quick thinking as I was seven years ago, I still went to check with the Clerk to see what I should do to help to support me in making my decision.

Mr. Chairman, even in the seating arrangements in this House, especially in the seating arrangements of Cabinet, there have been traditional ways over the years of getting support to Ministers, when they need it, by making sure they sit next to someone who will

be ready and able at a second's notice to put them on the right track if they are momentarily a bit perplexed in trying to respond to an issue or a question.

Mr. Chairman, I raised the issue of supported decision-making in committee, but was told that my concerns were already covered in the act. I found it very difficult to propose changes since, as I have said, the focus of the bill is on guardianship and trusteeship; not so much on the individual's needs. I turn now, Mr. Chairman, to something which Members may want to reflect upon. Maybe I am exaggerating and maybe I am taking this issue further than it needs to be taking. This says a lot about the way we operate here.

The major criticism of this Assembly is that it is a continuation of the old tradition of paternalism and colonialism, where Big Daddy will look after you. We will take away your freedom and there is some great big bloated uterus on the banks of the Ottawa River that will make sure that everything you do will be done right because there are smart people who know better than us about the way we do things.

The major criticism I have heard from aboriginal people is that they are a colonized people and they want control over their own lives. I, therefore, find it incredible that a public government, which wishes to break with the past, wants to highlight guardianship and trusteeship. Those things are needed. I am not arguing about the need to have something in place that will achieve the purpose. I have made this point with Mr. Kakfwi and the Premier. I believe they are both very sensitive to this concern. I am surprised that the talented people who drafted this bill were not alerted to the larger implications of highlighting the business of guardianship and trusteeship.

AN HON. MEMBER:

Hear, hear.

MR. LEWIS:

It sends the wrong message to the people who we serve. I know there is a tradition, Mr. Chairman, in this Assembly that all issues are resolved in committee. I have been a loyal and active Member of Mr. Gargan's committee. I believe that it has been a very effective committee under Mr. Gargan's chairmanship. We have achieved good things: for example, with the Mining Safety Act. A lot of work was done to resolve the problems.

I believe, however, that the bill we have in front of us should be discussed further in this House, so that our concerns are recorded in Hansard. Then the judge who looks at this can see that this is the spirit in which we would like to have this act dealt with.

Mr. Chairman, I do not oppose this bill. I do not oppose the idea that we need to have an act to achieve the purposes

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outlined by government. I would just like Members to spend a little more time on this bill and see whether, even at this late stage, we can make it a far better bill. Maybe it will just be minor changes. I have said that what the government proposes will achieve some of the things by broadening the idea of competence; by including some concept of assisted decision-making. It is the type of bill, Mr. Chairman, that raises fundamental issues about our northern society and how it is governed. For that reason, although we do good work in committee and resolve many of the issues that are brought to us, this is the kind of thing we should talk about because it tells a lot about our system to the people we serve. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Lewis. General comments. The chair recognizes Mr. Patterson and then Mr. Gargan.

MR. PATTERSON:

Thank you, Mr. Chairman. Mr. Chairman, I am aware that this legislation has been called for many years because of the vacuum that was in place and that there were situations that had to be addressed that couldn't be addressed because of the lack of legislation. One of the principal driving forces behind this legislation was the rather narrow concern to protect people working in the field from liability for their actions.

Mr. Chairman, I just want to put on the record that, although I am not opposed to the legislation going forward for reasons I have just indicated, I, too, having studied the bill somewhat, not having been able to participate in the hearings of the Standing Committee on Legislation, I have a very strong feeling of unease that there is too much "big brother" in this legislation and too little respect for the dignity of the individual.

I believe that enlightened jurisdictions in Canada, who have had experience with this issue for many years,

have made considerable progress in establishing the presumption that guardianship should be avoided wherever possible; in establishing the presumption that a person has the right to make decisions for themselves; as an operative presumption, which can only be set aside under the gravest of circumstances and after all other possible alternative measures have been considered.

Mr. Chairman, looking at the bill, I don't see the philosophy of maximum support for independent decision-making present in this bill. I wonder whether we have let the lawyers and the professionals take over this process and develop something that will be a very elegant process for professionals working in the established bureaucratic and legal system, and perhaps is not as sensitive as it might be to the needs of the individual, particularly recognizing that many of the people who will be affected by this legislation are aboriginal people whose first language is not English, who are not familiar with the legal system and who may find life in an institution, for example, quite different from the way they have lived their lives and the values and traditions that have governed them for most of their lives.

Mr. Chairman, I am anxious to hear the Minister's comments because I am sure he is sensitive to this issue and has undoubtedly considered it in bringing this legislation forward. If we agree that it is right that these drastic powers should be avoided wherever possible, if we agree that there should be a presumption in favour of the person's right to make decisions for themselves, then why should we not put that kind of a presumption right up front at the beginning of this legislation in a whereas clause that will spell out that this act should be interpreted in such a way as to respect the right of the individual to govern their own lives and the presumption that people can make their own decisions without interference by the state, in every possible circumstance.

I understand that representatives for the Association for Community Living made a suggestion to the drafters of this legislation that if we agree on these important principles, especially as they are applied in the cross-cultural situation, where we all know people can be vulnerable, why not put in a whereas clause that will make it clear and will set the stage for the application of this legislation. I understand that the association was told that we don't put whereas clauses in legislation. I know a piece of legislation where there is a whereas clause and that is the

Official Languages Act of the Northwest Territories. That is one that has such a clause.

I was rather disappointed that it was dismissed as technically impossible when for one of the most culturally sensitive issues that has gone before our Legislature -- official languages -- it was felt appropriate and desirable to put in a whereas clause to set the tone for the legislation. I want to ask the Minister and endorse Mr. Lewis's comments, if this is the spirit with which we want to approach this legislation, would it not be appropriate to state that up front so that all the judges, lawyers and non-native social workers, who may be involved in this situation, will understand the fundamental concern of Members: that these powers are to be exercised with extreme caution?

I just want to cite one section that to me shows that big brother is alive and well in this legislation. I know this is general comments, but I was alarmed to see in section 11(2) that it is proposed, under powers of the guardian, that a court could give the guardian powers under 11(2)(e) and (f) to decide whether the represented person should work and, if so, the nature and type of work for whom he or she is to work. That is (e). Sub (f) is, "decide whether the represented person should participate in any educational, vocational or other training and, if so, the nature and extent of that training."

Mr. Chairman -- and this is for the Minister -- if a person is fit to work or go to school, isn't the person themselves fit to decide what course or job they take? To me, this is an indication that the state is intervening unnecessarily. Perhaps there is a good reason for this, but common sense would seem to me that if someone is capable of working, they should be capable of deciding what job they should take, and the same with training.

I have a question about the general character of this bill and, specifically, could you comfort us by devising a simple preamble to the bill that would clarify the rights of the individual being preminent? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Patterson. Minister Kakfwi.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. It is unfortunate, as the both Members agree, that Members weren't able, for

whatever reason, to have their views dealt with to their satisfaction within the normal process that this legislation goes through. So we are trying to come up with some suggestions

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that would meet with the approval of Mr. Lewis, even though the committee had set his concerns for individual rights aside, in his opinion.

Mr. Patterson, who was gone and unable to have input earlier, is now addressing them and they should be addressed, however late they are. I would say that it is ironic for me to see, in a constituency that is overwhelmingly aboriginal, that the most restrictive legislation in North America dealing with any group of people is being inflicted on aboriginal people. The legislation still stands today in the Parliament. It treats aboriginal people as lesser people. The Indian Act, a copy of which is sitting in front of me right now, is an example of that. Aboriginal people don't need lectures on the dangers of people intruding on individual and collective rights of people. It is great to hear that Members are concerned about any possible intrusion.

It has been my view that Mr. Lewis's and Mr. Patterson's concerns are already taken care of and the committee was right to proceed in the manner they did. As I have said, they are real. Whether it is reality or a perception, isn't the point. We have come up with some suggestions that I think still meet with Mr. Lewis's concerns. At least, he is satisfied with the proposed amendments we will make and we are making about nine of them, after having some discussion with him.

We should be clear that the primary aim of this legislation is to help individuals who clearly need help, but the operative word in this legislation is they won't be helped through this legislation unless it is of a substantial nature. That is, in order for a trustee or guardian to be appointed by a court, we have to demonstrate to the courts that there will be substantial benefit to the individual. Maybe Mr. Patterson didn't read all of the legislation, but it is very clear that the courts will be very specific about which things the represented person will have help with from the appointed guardian or trustee. The courts have to specify exactly what the appointed trustee or guardian may do on behalf of the represented person. It's going to be specific, so it's not all-inclusive. You don't hand the represented person into the hands of a

guardian and wish them good luck; it's specific, very specific.

I think Mr. Patterson is raising the same type of concern that Mr. Lewis was in ensuring that the least amount is done; that we don't create a dependant and a big brother. This legislation provides for that. It is true that a guardian may start choosing the types of jobs that that represented person may take or go after. They can be empowered by the courts to decide which educational facility or course or program the represented person should or may take. But, again, those are specific things that could be assigned to the guardian in this case, and that's for a specific reason. For instance, that's to protect a mentally incompetent person from being abused by potential employers, or being placed in unsuitable programs that are not of benefit to them. That's the intent.

Again, a court can make those specific assignments. That's the intent of it. So it's not as repugnant as the Member makes it out to be. In fact, it's reassuring to know that those specific things can be assigned. In a case where it is made clear that a mentally incompetent person is being abused under present circumstances, for instance, by being employed and exploited unduly by employers, a court may decide that yes, a guardian should assist that person and make a decision on what types of jobs this person may take to protect them from abuse. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Kakfwi. The chair continues to recognize the Member for Iqaluit, Mr. Patterson.

MR. PATTERSON:

Mr. Chairman, I hope I wasn't that person Mr. Kakfwi referred to when he said that aboriginal people don't need to be lectured.

I took notice of Mr. Antoine's comments when the bill came up before, about his concern that we understand that our elders are often very independent-minded people, and that this is something we're proud of and we respect. I'm not trying to lecture anybody. But -- I'll say the phrase I joked about the other day -- with respect to the Minister's comments, he's saying to me oh, don't worry, we spell out all these powers for the guardian to choose a job, to choose a training program, to protect the individual from abuse by an employer or by an educational institution...so all these extensive

powers are there so that the guardian will be able to exert tremendous control over that person's life. That is a paternalistic approach. It's like an approach to rearing one's child. You can take a very domineering approach of taking steps to control every minute of that child's life, or you can take another approach which is to provide the maximum support and information so that child can make decisions in their own best interests and stand and protect themselves because they're strong and independent. I guess I have yet to be satisfied that the paternalistic approach is the way to go.

I would like to ask again whether the Minister has considered the suggestion of a preamble in this bill -- and I realize this is perhaps a late suggestion, I have not had the opportunity of participating through the Standing Committee on Finance, but I have done a little bit of research and talked to people who are concerned about these issues -- that if there's a concern about paternalism, perceived or real, would it hurt to lay out at the beginning of the act a presumption about the presumed independence, and the presumption that there should be the maximum support for independent decision-making and avoidance of guardianship so that everybody who is involved with administering these sections, including judges, will understand that the intention of the Legislature was to respect the right of individuals to make independent decisions, or to be supported to make independent decisions before the heavy arm of the state intervenes? I would like to ask the Minister again -- and the Minister is telling the House that the concerns have been addressed in the bill, the safeguards are there -- why don't we put it up front in a preamble? We weren't afraid to do it in the Official Languages Act; why don't we do it in this act so it will set the tone and provide clarification that these powers and this paternalism is to be exercised with the greatest of caution and the maximum respect to the individual and that person's right to make supported or independent decisions for themselves? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Patterson. General comments on Bill 3. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, maybe we should lighten up a little. The comments I made about aboriginal

people and the comments the Member took possible exception to, for me in my mind, what I see is it was non-aboriginal people who passed all these laws that restricted the lives of aboriginal people over the last few years. Now, I just have the perception that it's going to be the non-aboriginal people who are going to lead the charge the other way. I just find it ironic that those who fixed it want to fix it again.

In any case, the comments are welcome and we'll deal with them as rationally as we can. I still say to Mr. Patterson that if he reads the legislation, he will see that it is written in a way that respects human dignity; it does not give guardians unlimited power at all. For instance, if a person believes that a mentally incompetent person is being abused, they can make an application to a court. It's the judge, it's the court that decides if in fact there is any substantial benefit. You have to establish that there is substantial benefit to assigning a guardian and then the courts will assign that guardian only those specific powers that are required to remedy the specific situation where abuse occurred in the first place.

It is very clear in the legislation, Mr. Patterson, that that is the way it goes. It meets fully with the concerns that you have. If a person, for instance, is continually abused in his quest to have jobs and he is being abused by employers, as a concerned citizen you can apply to have a guardian assigned to that person. You can go to the judge and say, Your Lordship -- or whatever you call them -- I have substantial proof that this person has been seriously abused as a result of his need to have a job and, therefore, I request that I be assigned guardianship because I know that I can find him a job and help him find a job where he will not be. Can I have that specific task? I will take that on.

And, even in that case, as well-intentioned as you are, the judge will probably ask, Isn't there somebody else who is related to this person who can do it? Because we will have amendments introduced that the first choice will always go to friends and relatives. In any case, once that is done and the judge is convinced, first of all, that there is abuse and there is a section in here that can provide remedy, the courts will say "Yes, but you have to do it in the least restrictive manner possible," because that is also in the legislation. You have to do it while preserving the dignity of that individual.

So, that is in there. You have to read and appreciate the full nature of what the intention is.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Kakfwi. The chair continues to recognize Mr. Patterson, and then Mr. Gargan.

MR. PATTERSON:

I'm going to try for a third time. Mr. Chairman, the Minister is assuring me that the information throughout respects the dignity of the individual. My question is, if that is the tone of the legislation, if it is the spirit of the legislation, if the presumption is that the individual shall be presumed to have the right to make independent decisions or supported decisions wherever possible, then why not put it in the preamble of the legislation and spell it out?

So, that those of us who haven't read all the detail and those of us who are not familiar with every nuance of every clause can know, up front, at the beginning of the legislation, that this is what it's all about: that the Northwest Territories is not retreating to the past for its model, is not resurrecting colonial models and principles of the past, but instead is presenting a balanced process that is not going to be paternalistic or like big brother?

I think that is the way to do it. It would certainly satisfy me because I think these preambles do assist courts to understand how they should rule when there are difficult judgements to be made; when there are cross-cultural situations; when there are professionals making judgements about, for example aboriginal elders who may not fully understand the language, let alone the process of the law. Why not spell it out in the preamble, as was recommended by the only association I know that exists to protect and represent people in this category? Why can't we have a preamble in there?

If it is apparent throughout the act, then why not state it up front, at the beginning of the act, like we do in the Official Languages Act? It would give me great comfort if that was there. I would like to know if it was considered, or if it could be considered. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Patterson. Minister Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Chairman, I can't reject what the Member is asking, but I don't want to frivolize the process, either. This has been worked on extensively. There has been extensive consultation with a wide range of

groups, many individuals and the Standing Committee on Legislation. The Member admits that he hasn't read it. He hasn't looked at the entirety of this legislation but he has concerns. I can't start to agree to proposed amendments and suggestions by the Member. It frivolizes the process.

The legislation, as it is drafted now, is a generally-agreed-to document. If a person comes along who hasn't read the legislation and doesn't appreciate the full contents of it -- the specific wording -- then it frivolizes the work because then I start agreeing to proposed amendments based, perhaps, on unfounded fears and misconceptions. I can't do that. I'm not rejecting it. I simply suggest the Member take the time to read and go through it with seasoned lawyers and people who are experienced legislators to comprehend the intent and the scope of the legislation before him.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Kakfwi. General comments, Mr. Patterson.

MR. PATTERSON:

Mr. Chairman, I have spoken to people who have been involved in the long process that the Minister refers to and I've been told the Association for Community Living suggested, on this fundamental and philosophical issue we are talking about for the respect for the dignity of the individual, that a preamble could provide the comfort that those who are concerned about this issue seek.

I'm further told that the Minister's legal advisor said no, that it was out of the question because we don't do preambles in legislation in the Northwest Territories. Yet, I know that the Official Languages Act has a preamble. I'm not just coming up with an off-the-wall suggestion here, Mr. Chairman. I'm trying to understand why what I thought was a reasonable suggestion

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was apparently rejected out of hand as being unprecedented, while I know that it is not unprecedented.

I'm just trying to find out whether this suggestion was ever considered seriously. Was it rejected because the particular legislative draftsman wasn't aware of the fact that preambles have been used even in the Northwest Territories to set the tone of a piece of

legislation? What's the background on this? Was there a good reason for rejecting that suggestion or not? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Patterson. The chair will recognize the Premier.

HON. NELLIE COURNOYEA:

Mr. Chairman, the Minister of Justice and I are sponsoring the bill. In relation to the comfort clause and as to the point the Member is making, the legislation was put together embodying the concerns that were raised. It was assumed, after the long consultation, that the comforts of taking care of individuals were embodied in the legislation.

The other issue to carefully consider away from them and us, is by and large if it's an aboriginal person and that person requires a guardian, the chances are the guardian would be an aboriginal person. It's not intended in this legislation to have a guardian who is not of the family or close to, or anything else like that. The guardian would more than likely, more apt to be, for an aboriginal person, an aboriginal person.

The legislation in itself has gone through the necessary procedures more than any other legislation, and the question of where is this comfort, it's to be embodied in the legislation. I just wanted to make that point.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Premier. General comments. The chair recognizes the Minister, Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. Just to state again, these concerns were all raised in the course of consultations. All the concerns that were heard over the course of it were dealt with appropriately, I think, and adequately.

As I say, if the Member reads the legislation and goes through it clause by clause, and he allows the proposed amendments also to be moved and dealt with, I think he will see that the concerns, as he's stating them, are already taken care of in this legislation. But we can't convince him if he doesn't know and he hasn't read the legislation. That's why I make the suggestion if, at the end of the day, after doing his homework and reading this legislation and

getting adequately briefed by Legislatures, he feels his concerns are still not addressed, then we can look at it. But, as I say, we can't do it frivolously. I'm not discarding it, but I'm just asking if he could put some substance behind the concerns. He may find that the concerns have been adequately dealt with already and that's what I'm suggesting. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Kakfwi. The chair recognizes the clock. It is 2:00 pm. The time for these proceedings has come and gone. The chair will rise, but before that, I would like to thank the Minister and the witnesses for assisting the committee on this matter. We look forward to seeing you again to continue the debate. Mr. Gargan and Mr. Lewis have to wait until the next day. Thank you, witnesses.

MADAM SPEAKER:

I call the House back to order. Item 20, report of committee of the whole. The honourable Member for Yellowknife South, Mr. Whitford. Point of privilege, Mr. Patterson.

Point Of Privilege

MR. PATTERSON:

Madam Speaker, as you may know, we've just been in committee of the whole considering Bill 3, Guardianship and Trusteeship Act. During the committee of the whole debate, during general comments on the bill, Madam Speaker, I raised some questions of principle on the general intent of the bill. I was told that I was too late, that I was frivolous, that I was lecturing and that I hadn't done my homework.

Madam Speaker, my point of privilege is that, as an ordinary Member, I feel I have the right to ask questions as a privilege during committee of the whole consideration of the bill and I would respectfully request that you review the Hansard to determine whether my privileges as an ordinary Member to debate fully at this stage of the bill have been infringed by the remarks and the attitude of the Minister presenting the bill. Thank you.

MADAM SPEAKER:

Thank you. I will report on your point of privilege once I have reviewed Hansard, Mr. Patterson. Item 20, report of committee of the whole. The honourable Member for Yellowknife South, Mr. Whitford.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Whitford):

Thank you, Madam Speaker. Madam Speaker, your committee has been considering Bill 1 and Bill 3 and Committee Report 10-12(6), and would like to report progress with one motion being adopted, and, Madam Speaker, I move that the report of committee of the whole be concurred with.

MADAM SPEAKER:

Thank you. The motion is in order. Seconder for the motion, the honourable Member for Yellowknife Frame Lake, Mr. Dent. 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. Item 22, Mr. Clerk, orders of the day.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Madam Speaker, there will be a meeting of the full Caucus immediately after adjournment this afternoon. There are meetings Monday morning at 9:00 am tomorrow morning of the Standing Committee on Legislation and at 10:30 am of the Ordinary Members' Caucus.

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Orders of the day for Monday, October 31st.

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
17. First Reading of Bills
 - Bill 16, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2
 - Bill 21, An Act to Amend the Fair Practices Act
18. Second Reading of Bills
 - Bill 18, Supplementary Appropriation Act, No. 4, 1993-94
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
 - Tabled Document 36-12(6), "Action Plan - Consolidation - Health and Social Services"
 - Minister's Statement 11-12(6), Return to Session
 - 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

- Committee Report 13-12(6), Report on the Elimination of the Alcohol and Drug Board of Management

- 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

- Bill 15, An Act to Amend the Legislative Assembly and Executive Council 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 31st at 1:30 pm.

---ADJOURNMENT