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Speaker: The Hon. Jeannie Marie-Jewell

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MEMBERS PRESENT

Mr. Antoine, Hon. Silas Arngna'naaq, Mr. Ballantyne, 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, Hon. John Pollard, Mr. Pudluk, Hon. John Todd, Mr. Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

MADAM SPEAKER (Hon. Jeannie Marie-Jewell):

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

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 55-12(6): Preparing For A Safe Winter Season

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I am sure that we are all very grateful for the wonderful summer and fall weather that we enjoyed this year. However, we all knew that the coming of winter was inevitable. The arrival of winter means that many of us will be able to get back onto the land, even for a short period, and renew our spirits. But in order to make sure that we enjoy and survive the winter, there are a number of safety precautions that we should all be taking now.

Madam Speaker, the Department of Safety and Public Services is mailing information packages to the communities which contain five "infograms" on topics of special interest during the winter season. These infograms are safety tips on the following subjects:

- snowmobile safety
- ice road safety
- heat trace cable (to make sure heat trace cable is properly installed to reduce the risk of fires)
- carbon monoxide poisoning (which can result from faulty furnaces, wood stoves and gas-fired appliances) and

- approved sources of heat for clearing frozen propane lines (no tiger torches, please!).

The infograms on snowmobile safety and ice road safety are available in English, French and Inuktitut, and the others are available in English and French.

I would like to remind Members that the Department of Safety and Public Services staff are very happy to answer any questions about these or other safety issues that the general public may have. I would also like to advise Members and residents of the Northwest Territories that the department has an excellent resources centre located on the first floor of the Northway Building, which carries many different educational aids including brochures, booklets and videos on safety hazards. People in the communities can access the resources centre by calling our resources librarian, Ms. Rita Denneron, at 873-7470. Ms. Denneron provides services in English and Slavey, and there are other departmental staff available who can provide assistance in French and Inuktitut.

Madam Speaker, the Department of Safety and Public Services also provides a wide range of inspection and investigation services. My staff and I sincerely hope that we do not have to conduct investigations of fatalities which occur this winter because of a failure to take safety precautions. I urge all Members and their constituents to take the time to keep informed about basic winter safety precautions. Thank you, Madam Speaker.

---Applause

MADAM SPEAKER:

Thank you. Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for Deh Cho, Mr. Gargan.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Second Annual Dreamcatchers Conference

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, today I rise to tell Members about the second annual dreamcatcher aboriginal youth conference held in Edmonton the weekend of November 18 to November 20. Dreamcatchers was started last year by some very dedicated aboriginal students enrolled in Grant McEwan College.

Last year's conference was designed as a forum for the students and faculty of the young and youth care programs to encourage aboriginal students to consider a career in this worthwhile field. Madam Speaker, as usual with great ideas, the concept has snowballed. The response to last year's conference was overwhelmingly positive so that people kept coming up with more and more ideas to incorporate into this year's conference.

The dreamcatchers aboriginal youth conference still encourages young aboriginal students to take up careers in youth and child care. There will be presentations by people in the field of child and youth care who will show students what a rewarding career working for their people could be. But, through the positive feedback that I spoke of earlier, the dreamcatchers conference has become much more than a forum for youth and child care programs at Grant McEwan Community College. It has become a conference for the aboriginal youth of Canada, a conference where they can learn about their own culture and how to incorporate their culture

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into the Euro-Canadian mainstream without losing sight of their own unique heritage.

Madam Speaker, last year participants, both educators and aboriginal students alike, left the conference feeling recharged, full of new ideas of ways to help people in their own communities.

Madam Speaker, I am proud to say that a group of 15 grade 10 students from Deh Gah secondary school in Fort Providence, after starting over \$800 in debt, have worked very hard to raise the money to attend this very worthwhile aboriginal youth conference.

However, as usual in the smaller communities, they have come up a little short in their fund-raising. I have sent letters to some of the honourable Ministers across...

MADAM SPEAKER:

Mr. Gargan.

MR. GARGAN:

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

MADAM SPEAKER:

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

MR. GARGAN:

Madam Speaker, however, as usual in the smaller communities, they have come up a little short in their fund raising. I have sent letters to some of the honourable Ministers across the way and, as time is of the essence, I urge each one of them to look very seriously at finding a few extra dollars for the youth of my constituency. Mahsi cho.

---Applause

MADAM SPEAKER:

Item 3, Members' statements. Item 4, returns to oral questions. The honourable Member for Hay River, Mr. Pollard.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question 178-12(6): Wages And Benefits Of Family Violence Workers

HON. JOHN POLLARD:

Thank you, Madam Speaker. Good morning. Madam Speaker, I have a return to an oral questions asked of the Premier by Mr. Dent on October 19, 1994. It deals with family violence workers' wages and benefits.

Madam Speaker, the Department of Health and Social Services currently provides contributions to a wide range of community groups to provide health and social services to members of the public. These include alcohol and drug treatment centres, alcohol and drug counselling projects, violence shelters and personal care facilities. In addition, contributions are provided to other community groups which provide less direct services to clients. In total, Madam Speaker, over 305 residents are employed using the funding provided under these contribution agreements. Unfortunately, there has not been enough money to pay these workers at the same level as government employees.

In the past, the department has funded these organizations from a variety of discreet program areas. As a result, the workers provide the services in only one program area and often in isolation of their counterparts who work in other disciplines.

The departments of Health and Social Services were combined to achieve some economies and, as we work our way through the restructuring of the organization, the savings will be quite obvious. The same process needs to occur in the integration of contributions to community groups.

One of the critical projects that is currently under way is the development of a community wellness strategy. This strategy aims at finding innovative ways to help residents deal with a variety of personal issues such as child sexual abuse, spousal abuse and neglect. One of the outcomes of this strategic initiative will be greater involvement by community groups in the determination of how government money will be spent to promote healing and recovery. Ideally, Madam Speaker, communities will explore the mandates of many of the groups currently providing services through government funding with a view towards amalgamation at the community level in an attempt to provide services in a more integrated and more effective manner.

It may be necessary at that point, depending on the priorities set by individual communities, to divert money from some of the programs that have been operating unchanged for many years in an attempt to find more effective ways of healing. At the same time, it may be possible to deal with wage inequities for groups such as family violence workers.

This strategy should be complete for tabling at the winter session of this Assembly. By 1995-96, communities will be empowered to examine all of the relevant resources provided by government to their communities and to set priorities that will address their own unique needs. At that point, Madam Speaker, I am confident that a greater emphasis will be placed on community mental health and combating family violence. 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 269-12(6): Difficulties Cashing Social Assistance Cheques In Natilikmiot

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, this is a reply to a question asked by Mr. Ningark, of the Premier, on October 27, 1994. It deals with social assistance payments for Pelly Bay and Taloyoak.

Madam Speaker, some years ago, at the request of the Kitikmeot Regional Council, the Department of Social Services began limiting the amount of cash that is available to social assistance recipients in the region. Recipients receive \$50 in cash each month, and the remainder of their social assistance is paid directly to suppliers on the recipients' behalf.

A request was received this past summer from the community of Pelly Bay, asking that this practice be discontinued. It was arranged for a delegation from the community to meet with one of the department's assistant deputy ministers, along with the director of social assistance. I understand that Mr. Ningark attended the meeting that was held on July 21, 1994. The concern expressed at the meeting was that the limited amount

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of cash given out was placing hardships on some social assistance recipients.

It was agreed at the meeting that this matter could be addressed by the local Social Assistance Appeal Committee, who have the authority to hear the complaints of any social assistance recipient. It was also agreed that if the appeal committee was not able to resolve the issue, then the department was prepared to re-examine it.

These agreements were outlined in a letter from me to the Speaker of the Kitikmeot Regional Council on September 2, 1994, with copies to the Member, to the mayor of Pelly Bay and to Mr. Ng.

Just recently, I was provided with a copy of a petition signed by members of the Pelly Bay community, addressed on October 7, 1994 to the speaker of the Kitikmeot Regional Council. This petition asks the council to reconsider its position on the issuing of cash in social assistance.

Madam Speaker, this matter has to be resolved. Since the current practice of using vouchers was implemented at the request of the Kitikmeot Regional Council, the ideal way to resolve it would be for the community to come to an agreement with the Kitikmeot Regional Council. Towards this end, I will ask the regional council to give prompt consideration to the petition from the residents of Pelly Bay. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 4, returns to oral questions. The honourable Member for Tu Nedhe, Mr. Morin.

Further Return To Question 296-12(6): Types Of Leases Being Used In Yellowknife

HON. DON MORIN:

Thank you, Madam Speaker. I have a return to an oral question asked by Mr. Dent on October 31, 1994. Types of leases being used in Yellowknife.

In Yellowknife, the Department of Public Works and Services has implemented a modified gross lease approach to the acquisition of office space. In this approach, the baseline portion remains constant over the entire term of the lease. Municipal taxes are paid on the basis of actual cost. Other operations and maintenance repayments will be adjusted annually, based on the changes in the Canadian consumer price index. Thank you.

MADAM SPEAKER:

Thank you. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Item 6, oral questions. The honourable Member for Kitikmeot, Mr. Ng.

ITEM 6: ORAL QUESTIONS

Question 337-12(6): Snowmobile Safety

MR. NG:

Thank you, Madam Speaker. I would like to direct my question to the Minister of Safety and Public Services regarding the statement he just made earlier today. I would like to ask, under snowmobile safety -- the brochure that the department hands out -- whether that would include snowmobile operations on ice, particularly on new ice in early fall. Thank you.

MADAM SPEAKER:

Thank you. Minister of Safety and Public Services, Mr. Nerysoo.

Return To Question 337-12(6): Snowmobile Safety

HON. RICHARD NERYSOO:

Thank you. I don't have that information. I'll provide a copy to the honourable Member.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ng.

Supplementary To Question 337-12(6): Snowmobile Safety

MR. NG:

Thank you, Madam Speaker. I would also like to clarify, Madam Speaker, in his statement it says that the department hopes that they will not have to conduct investigations of fatalities which occur this winter because of a failure to take safety precautions. My understanding is that the coroner's office normally investigates fatalities within the Northwest Territories, so I would like to ask if the Minister could clarify whether both departments are involved. Thank you.

MADAM SPEAKER:

Thank you. Minister of Safety and Public Services, Mr. Nerysoo.

Further Return To Question 337-12(6): Snowmobile Safety

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. In certain circumstances both departments are involved. If you have a situation where you have fires, the fire marshal is involved. If you have situations where there are safety issues that are related to electrical, our department is involved in that. It's specific to the profession that is related to the incident that occurs.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ng.

Supplementary To Question 337-12(6): Snowmobile Safety

MR. NG:

Thank you, Madam Speaker. I would like to ask then, as far as snowmobile operations, like the unfortunate incident that happened in my constituency a week and a half ago, whether or not his department would be involved in those types of safety incidents.

MADAM SPEAKER:

Thank you. Minister of Safety and Public Services, Mr. Nerysoo.

Further Return To Question 337-12(6): Snowmobile Safety

HON. RICHARD NERYSOO:

In those particular incidents, normally that's a matter that is dealt with by the RCMP and the court.

MADAM SPEAKER:

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

Question 338-12(6): Fuel Subsidies For Elders

MR. GARGAN:

Mahsi, Madam Speaker. (Translation) I would like to ask a question of one of the government's Executive Members, but she is not here at the moment so I would like to talk to the Minister who is working in the interim. At this time of year when it's cold, the elders need help with the wood and

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fuel. What I would like to ask Mr. Pollard is, are there any plans to help the elders with these kinds of problems this year?

MADAM SPEAKER:

Mr. Pollard.

Return To Question 338-12(6): Fuel Subsidies For Elders

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, we do have a fuel subsidy program that is available to our elders in the Northwest Territories. That should be in the knowledge of all the social welfare offices across the Northwest Territories. If there is a problem, I will have a directive sent out to them to make sure that they address this issue in the communities they are responsible for. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Gargan.

Supplementary To Question 338-12(6): Fuel Subsidies For Elders

MR. GARGAN:

(Translation) Thanks for that reply. Another question I would like to ask is a lot of people are not educated

and are illiterate, so will these people also be getting help?

MADAM SPEAKER:

Mr. Pollard.

Further Return To Question 338-12(6): Fuel Subsidies For Elders

HON. JOHN POLLARD:

Madam Speaker, regardless of whether the people are able to fill in the forms or not able to fill in the forms, whether they are unilingual or unable to communicate, I will make sure the department knows that they should pay particular attention to these people and assist them with the applications. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 339-12(6): New Fur Pricing Program

MR. ANTOINE:

Thank you, Madam Speaker. Yesterday, the Honourable Silas Arngna'naaq, the Minister of Renewable Resources, made a statement in the House regarding a fur pricing program. He stated that this new program will improve upon and replace the fur incentive subsidy. At this time of the year, many people who depend on trapping are looking forward to their fur subsidy to begin their season. I would like to ask the

Minister to explain a little more clearly how this new fur pricing program will be introduced. Thank you.

MADAM SPEAKER:

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

Return To Question 339-12(6): New Fur Pricing Program

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. The fur pricing program that is being initiated by the Department of Renewable Resources has three main objectives, which are: to establish a guaranteed or minimum price schedule for selected prime wild furs harvested

in the Northwest Territories; to increase participation in trapping, whether they are trappers who stopped trapping years ago or young people who would like to earn an income in trapping; and, to increase the proportion of quality prime wild fur in the Northwest Territories.

The incentive program that was run by the Government of the Northwest Territories, I believe, was an effective program. However, I don't think it encouraged new trappers or trappers who had trapped before to get back into trapping. The intent of the program is to try to bring more trappers in the trapping industry.

The way the program will work is there will be a slight increase of payment to harvesters who bring in pelts to Renewable Resources. There will be a first payment and then a second payment which will follow in the following year, in the following fall of the harvesting season. For example, for trappers who trap this winter will receive a first payment when they bring pelts into the department and they will also receive a second payment in the fall of next year, in 1995. Regardless of whether they bring the fur into Renewable Resources or into private vendors, they will receive the second payment, based on the number of furs they are able to sell. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 339-12(6): New Fur Pricing Program

MR. ANTOINE:

Thank you, Madam Speaker. This program seems to be a good program, but I don't really know how it is going to work. I'm sure the department has trained its people to implement this new program. I would like to ask the Minister, who, in this department, will be involved in this new program and have these people been trained to provide this new service? Thank you.

MADAM SPEAKER:

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

Further Return To Question 339-12(6): New Fur Pricing Program

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. As we speak, the renewable resources officers as well as regional offices, should be distributing information on the new program to all interested harvesters. All members of the staff of the Department of Renewable Resources are aware and understand the program. They have been instructed to deliver the program and to explain to harvesters what the program is about. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 339-12(6): New Fur Pricing Program

MR. ANTOINE:

Thank you, Madam Speaker. Supplementary to the same Minister. Regarding the fur incentive subsidy, the trappers would catch the animal, skin the animal, stretch the fur, let it dry and once it is done, bring the fur in. That is when they get graded on what kinds of prices they receive for them. But, to begin the season, this department had a program which gave incentive grants to trappers. I would like to ask the

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Minister if that grant is still in place and if it takes into account the conditions we discussed last year where an average of five years was taken for trappers who have been going out every year and that average was given as the fur incentive grant. Thank you.

MADAM SPEAKER:

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

Further Return To Question 339-12(6): New Fur Pricing Program

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. The trapper incentive program which is run by the government will be ending this year. Last year, payments for harvesters were given. And, a payment has been sent to each of the trappers who participated in the program last year. This occurred towards the end of October, 1994. The way the new program will work is, for example white fox, a first payment of approximately \$25 dollars will be given to a trapper for a good quality pelt that is brought into Renewable Resources.

As a second payment in the fall, a trapper will receive \$13 for a total price of \$38. However, the second payment will not go out to the trapper until the following fall; so, in October of 1995 the trapper will receive the extra \$13. For every pelt the trapper brings into either a private vendor or Renewable Resources, they will receive the \$13. This will be the same for seals, to a maximum of 5,000 pelts, white fox, coloured fox, marten, mink, beaver and muskrat. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 340-12(6): Study On Economic Feasibility Of Bonsai Trees

MR. LEWIS:

Thank you, Madam Speaker. My question is for the Minister of Economic Development and Tourism. There are people in this city, since we live quite close to the barrenlands, who have taken small trees which may be several hundred years old and have tried to duplicate the Japanese art of bonsai, the creation of trees of rare beauty. I would like to ask the Minister whether his department has done any feasibility work on such a project as a way of using our renewable resources. These little trees, in some cases, have been around for many, many hundreds of years. Some local people have developed this art and I want to know if his department has taken an interest in this particular line of economic activity.

MADAM SPEAKER:

Minister of Economic Development and Tourism, Mr. Todd.

Return To Question 340-12(6): Study On Economic Feasibility Of Bonsai Trees

HON. JOHN TODD:

Thank you, Madam Speaker. Once I was a Japanese suicide pilot..

---Laughter

I understand what the honourable Member is talking about. No, Madam Speaker, we haven't taken any interest in growing little trees, but we would be only too happy to assist those creative entrepreneurs who may be able to scratch a small living out of doing this.

MADAM SPEAKER:

Supplementary, Mr. Lewis.

MR. LEWIS:

Since from time to time I give advice to my constituents on areas that I have some knowledge in, Madam Speaker, and since people may be taking these little trees from an area that doesn't belong to them and transplanting them to make them grow, does the Minister know whether this is a legal or illegal poaching of trees?

SOME HON. MEMBERS:

(Microphones turned off)

MADAM SPEAKER:

Mr. Lewis, I am having a problem with your question. Any question posed to any Minister should be under the direct responsibility of their ministerial portfolio. You may want to rephrase your question or I will have to rule it out of order. Mr. Lewis.

Supplementary To Question 340-12(6): Study On Economic Feasibility Of Bonsai Trees

MR. LEWIS:

I will try again. It is a difficult area, Madam Speaker, because economic activity cuts across so many boundaries. I would like to ask the Minister whether he knows of any regulation that prevents the removal of an economic resource from an area where this particular resource is available?

MADAM SPEAKER:

Thank you. Minister of Economic Development and Tourism, Mr. Todd.

Further Return To Question 340-12(6): Study On Economic Feasibility Of Bonsai Trees

HON. JOHN TODD:

I am not aware of any regulations as it relates to the pilfering of bonsai trees, Madam Speaker.

MADAM SPEAKER:

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

Question 341-12(6): Status Of Review Of Medevac Services

MR. KOE:

Mahsi, Madam Speaker. I have a question for the Minister of Health. Over the past few years, there has been a lot of concern raised about the medevac services in the Northwest Territories. I am under the impression that this issue is under study or was to be studied in some kind of report prepared for this Assembly. Can the Minister advise this House as to what the status is of the review of medevac services in the Northwest Territories?

MADAM SPEAKER:

Acting Minister of Health and Social Services, Mr. Pollard.

Return To Question 341-12(6): Status Of Review Of Medevac Services

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, this issue was looked at and some medevac standards were arrived at. The commitment of the government was that once those standards were arrived at, they would be

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discussed with the industry and the industry would have input into a new medevac policy for the Northwest Territories.

The status at the present time is that those guidelines were developed and they are now being discussed with the health boards. The health boards want to have some more input into it. I anticipate that by the end of this year, all that data would have been gathered and put into a report. So early next year, Madam Speaker, the consultation process will begin with the industry itself. I am confident that the Minister of Health will be able to put a report into this House in the winter session. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 341-12(6): Status Of Review Of Medevac Services

MR. KOE:

It is a major cost concern because a majority of our money in the health care system is being spent on medevacs. I am pleased that the department is proceeding in terms of consultation and involving people who are impacted by the services. What work has been done to involve them in this review?

MADAM SPEAKER:

Thank you. Acting Minister of Health and Social Services, Mr. Pollard.

Further Return To Question 341-12(6): Status Of Review Of Medevac Services

HON. JOHN POLLARD:

Madam Speaker, the concerns of the different regions and communities across the Northwest Territories are being channelled through the health boards. It is hoped that in that way we will know what the community and regional concerns are. So that is being done through the health boards, Madam Speaker. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 341-12(6): Status Of Review Of Medevac Services

MR. KOE:

In the meantime, I will have to assume that it is business as usual and that much of the services and disputes as to the jurisdiction and different areas are just continuing as they were last year.

MADAM SPEAKER:

Acting Minister of Health and Social Services, Mr. Pollard.

Further Return To Question 341-12(6): Status Of Review Of Medevac Services

HON. JOHN POLLARD:

Madam Speaker, I think, in going through the process and looking at the medevac standards, et cetera, it has made us all more aware of each other's problems, whether we are a board, patient or nurse practitioner trying to load someone onto an aircraft. We have all learned that there are problems out there.

That has been instrumental in solving some of the problems, particularly in communication. Yes, we are still working on the same regime that was there before, except that we are more knowledgeable about the

problems. We may be compensating for some of those problems in our own way. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Koe.

Supplementary To Question 341-12(6): Status Of Review Of Medevac Services

MR. KOE:

Mahsi, Madam Speaker. In communities that have access to roads, they also provide road medevacs by road vehicles. When we were visiting communities on the Special Committee on Health and Social Services, we saw the condition of some vehicles that were being used for medevac purposes. Is anything going to be done to look at that aspect of provision of medevac services? Are you looking at vehicles and their condition to upgrade them?

MADAM SPEAKER:

Acting Minister of Health and Social Services, Mr. Pollard.

Further Return To Question 341-12(6): Status Of Review Of Medevac Services

HON. JOHN POLLARD:

Madam Speaker, the Member is correct. Across the Northwest Territories the condition of vehicles, the kinds of services that are available -- and I talk about paramedics versus other people who are perhaps not as well trained -- varies across the Northwest Territories. Health boards and communities have raised this issue to the department and the department is looking at the situation, not only in the air, but on the road as well. I might say, Madam Speaker, that in communities that would be serviced by aircraft for medevac, there is still the concern of ambulance services within that community. So the department is looking at it, Madam Speaker. Thank you.

MADAM SPEAKER:

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

MR. DENT:

Thank you, Madam Speaker. Madam Speaker, my question is for the Minister of Public Works and Services. I would like to thank the Minister for his answer today about the modified gross lease approach to the acquisition of office space in Yellowknife. I noted in his answer that with this new form of lease in Yellowknife, operations and maintenance payments will be adjusted annually based on changes in the Canadian consumer price index. My understanding is that that is forecast over the next year to be two per cent or less of an increase. Given the Power Corporation's application for a 22 per cent rate increase, if that rate increase is approved, it will cause significant difficulty to people who have these leases because they will only be able to go up by the Canadian percentage, whereas the Yellowknife percentage may go up significantly more. If something like a big rate increase in power rates were to be approved, would the Minister reopen these leases and renegotiate the operation and maintenance portion of it?

MADAM SPEAKER:

Mr. Dent, the question appears to be hypothetical, in my view. I would like to ask if you would like to rephrase it? The honourable Member for Yellowknife Frame Lake.

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Question 342-12(6): Renegotiation Of O And M Payments In Yellowknife Office Leases

MR. DENT:

Thank you, Madam Speaker. Madam Speaker, I will try it in a different way, then. Do the gross leases now in use in Yellowknife allow for adjustments outside of the Canadian consumer price index, in the event that the Yellowknife consumer price index is significantly higher?

MADAM SPEAKER:

Minister of Public Works and Services, Mr. Morin.

Return To Question 342-12(6): Renegotiation Of O And M Payments In Yellowknife Office Leases

HON. DON MORIN:

Thank you, Madam Speaker. No.

MADAM SPEAKER:

Supplementary, Mr. Dent.

MR. DENT:

Thank you, Madam Speaker. Would the Minister agree that there is potential for great difficulty to be placed on a leaseholder in the event of such a situation?

MADAM SPEAKER:

Minister of Public Works and Services, Mr. Morin.

HON. DON MORIN:

Thank you, Madam Speaker. Could I have the Member repeat his question please, I didn't hear him.

MADAM SPEAKER:

Mr. Dent.

Supplementary To Question 342-12(6):
Renegotiation Of O And M Payments In Yellowknife Office Leases

MR. DENT:

Thank you, Madam Speaker. The question is, does the Minister recognize that there is potential for significant impact on leaseholders in a situation such as that, in other words, where the Yellowknife consumer price index increases at a much greater rate than the Canadian consumer price index?

MADAM SPEAKER:

Minister of Public Works and Services, Mr. Morin.

Further Return To Question 342-12(6): Renegotiation Of O And M Payments In Yellowknife Office Leases

HON. DON MORIN:

Thank you, Madam Speaker. Yes, I do recognize that the Yellowknife price index could be different than the Canadian price index. Thank you.

MADAM SPEAKER:

Supplementary, Mr. Dent.

Supplementary To Question 342-12(6):
Renegotiation Of O And M Payments In Yellowknife Office Leases

MR. DENT:

Thank you, Madam Speaker. Is the Minister, then, still saying that there is no reason to re-examine the use of these leases and change from the Canadian consumer price index to a Yellowknife consumer price index, when it comes to the operations and maintenance portion?

MADAM SPEAKER:

Minister of Public Works and Services, Mr. Morin.

Further Return To Question 342-12(6): Renegotiation Of O And M Payments In Yellowknife Office Leases

HON. DON MORIN:

Thank you, Madam Speaker. I don't think it is necessary to do that. The Department of Public Works has modified the gross lease approach. People who are leasing office space to us will get paid the base rent and for all the operations and maintenance, the prepayments will be adjusted annually according to the Canadian consumer price index. If there is any change in cost, for example if the price of power or fuel go up higher than that, then those leases will be paid anyway. That is how the leases are drawn up. This is just a holding figure they get paid annually. That's all it is.

MADAM SPEAKER:

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

Question 343-12(6): Illegal Caribou Hunting

MR. PUDLUK:

(Translation) Thank you, Madam Speaker. I would like to ask the Minister of Renewable Resources a question. In my constituency apparently there was a person who was trying to hunt a caribou in a Coast Guard helicopter in our waters. He was with a biologist at the time. I am wondering how many caribou this particular person caught. Does the Minister know anything about this? Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.

Return To Question 343-12(6): Illegal Caribou Hunting

HON. SILAS ARNGNA'NAAQ:

(Translation) Thank you, Madam Speaker. I am quite aware of what the Member is asking about, but I will look into the matter further and get back to him. I will look into the matter about the people who were in the Coast Guard helicopter hunting caribou, and I will get back to the Member for High Arctic. Thank you.

MADAM SPEAKER:

Supplementary, Mr. Pudluk.

Supplementary To Question 343-12(6): Illegal Caribou Hunting

MR. PUDLUK:

(Translation) Thank you, Madam Speaker. Supplementary to my question. I'm sure the hunters and trappers in my area can be blamed for mishaps when it comes to caribou hunting when outsiders hunt caribou in our area. Can the Minister of Renewable Resources inform the communities that hunting caribou might be illegal in some areas? Would the Minister inform the hunters and trappers, as well, about the consequences if illegal hunting of caribou occurs in a community? Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.

Further Return To Question 343-12(6): Illegal Caribou Hunting

HON. SILAS ARNGNA'NAAQ:

(Translation) Thank you, Madam Speaker. With regard to caribou hunting, I will be

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informing all communities and the hunters in the communities who will be affected by this. Thank you.

MADAM SPEAKER:

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

Question 344-12(6): Construction Of Correctional Facility In Fort Providence

MR. GARGAN:

Mahsi, Madam Speaker. (Translation) I have a question for the Minister of Justice, Mr. Kakfwi. On Monday we found out that \$15 million is coming to us. That is a lot of money. Native people think that is a lot of money. In Fort Providence last spring, a person said that perhaps a prison could be built there. He said maybe we can work on this. We talked to the mayors and talked about it. We went to the site where they want the prison built. But, up to today, nothing has happened. With all this money, the question is how they can build something that is so big. There isn't enough money. That's why I want to ask him, are they still talking about building a prison in Providence, or is there not enough money for that?

MADAM SPEAKER:

Minister of Justice, Mr. Kakfwi.

HON. STEPHEN KAKFWI:

(Translation difficulties)

MADAM SPEAKER:

I will just ask Members to bear with us, until there is a translator available.

Return To Question 344-12(6): Construction Of Correctional Facility In Fort Providence

HON. STEPHEN KAKFWI:

(Translation) When I went over to Providence, I had a meeting there with the people, and this is what the people at Providence said. There is a place not too far from Providence, along the Mackenzie River. They looked at that old Con site, so maybe we could build our prison there. Maybe we could gather some more and talk about it. If we work together we could come to some kind of agreement on that.

We went up the Mackenzie River by boat and we looked at that location. Then, not too long ago, the DPW gave us back a report. They told us that it's going to be really expensive to rebuild a site there. I was under the impression that they could fix it up; so, my colleagues and I had a meeting, and we came up with \$3 million. Maybe with \$3 million we'll be able to start something in that location for next year. But for now we have to start planning. If there is going to be

a prison for women, for young offenders, small prisons for different people, how many people would be working there? They will run through different kinds of planning actions, then how will you work on it, how will you go through the development of this planning? So we could give you a figure to work with, and for now you could plan that out so that everybody who is present now will know where it's at.

Maybe Providence will be included in there, maybe McPherson, Aklavik, we don't know yet what is going to happen, who is going to be first. We have to plan it yet, we have to make a report on it first. After that, we could start having more meetings and discussions on it. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Gargan.

Supplementary To Question 344-12(6): Construction Of Correctional Facility In Fort Providence

MR. GARGAN:

(Translation) Mahsi, Madam Speaker. I want to ask the Minister of Justice, when you build things, power and fuel and everything that is included in the house are very expensive. I've already said this before. When you build a prison that big, maybe you don't need some of these things. They could use wood or they could live the traditional lifestyle of Dene people. Now, Madam Speaker, many of the people who are in the prisons now, it's like they live in glass houses, they don't work. Maybe if they were out working, cutting wood and things like that, maybe they would feel useful. Living in a prison, maybe if they lived the traditional ways they might change their ways. That is why I want to ask him, if they could work at things like that; if you think the white way you lose the traditional Dene lifestyle. That is why I want to say if you build a prison and they live the traditional Dene lifestyle in the prisons, maybe they will change their ways. Thank you.

MADAM SPEAKER:

Thank you.

Further Return To Question 344-12(6): Construction Of Correctional Facility In Fort Providence

HON. STEPHEN KAKFWI:

(English not provided)...(Translation) If there are going to be any more prisons built in the future, we

don't want another big facility like we have here in Yellowknife. It is not up to people to say the size of the future facilities. You have to consider that there are a lot of people who go to prison, and you do need facilities to be a certain size to house all of them. But if your constituents wish to have a small sized prison close to the community, if they would like to have even cabins or whatever in the bush and have people be taught traditionally, if people wish to do this, we can work with them to make this happen.

How the work would be done on it and how it shall be maintained. If we have other people work on this for us, they can work on a plan and then we can still discuss further on how it could be made better.

The members of the communities close to the facilities should be the ones to decide on the maintenance and who would be working in the facilities, being local and community members they would be employing. It would be almost the same as the way they are running the Yellowknife facility. If that prison is built in the future, if we would like to make changes or make further recommendations this is what will be discussed. If people have any concerns, we can sit down with them and have a discussion on how we could fix it, how the facilities will be built, how much money will be spent, who would be working in the facilities, the whole process of building this prison will be up to the community members. Thank you.

MADAM SPEAKER:

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

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Question 345-12(6): Devolution Of Programs From Fisheries And Oceans

MR. BALLANTYNE:

Madam Speaker, my question is to the Minister of Renewable Resources. Madam Speaker, there were reports coming out of Ottawa that the federal Department of Fisheries and Oceans is contemplating significant cutbacks. The reports also state that the Minister is looking at the possibility of turning over certain responsibilities to the provinces. Madam Speaker, my question to the Minister, has the Minister looked at the opportunities that this might give us as far as taking over federal programs from the federal Department of Fisheries and Oceans?

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.

Return To Question 345-12(6): Devolution Of Programs From Fisheries And Oceans

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. Yes, we are looking at how we might be able to take over some areas that the Department of Fisheries and Oceans is responsible for. At the present time, we have not come to a conclusion about what areas of the department we will be able to work with. My deputy minister will be meeting with the deputy minister of the Department of Fisheries and Oceans within the next three weeks in Ottawa and I believe they will be starting discussions at that time. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 345-12(6): Devolution Of Programs From Fisheries And Oceans

MR. BALLANTYNE:

Thank you, Madam Speaker. There are two concepts that we deal with when we deal with Ottawa. One is devolution and one off loading. The only difference is devolution means there are still resources to give to us and off-loading means they transfer when all the resources have been stripped. I would like to ask the Minister, is he looking at exploring the possibilities of devolution with the federal Fisheries Minister?

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.

Further Return To Question 345-12(6): Devolution Of Programs From Fisheries And Oceans

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. At the present time, I believe the Department of Fisheries and Oceans will continue to operate offices in the Northwest Territories that have to do with marine fisheries. However, I believe it is the intention of the Minister to transfer freshwater fisheries to the Department of the Environment. The time frame and the specific areas that will be transferred, I am not aware of at this point.

It is our intent to start these discussions at the deputy minister level and find out exactly what it is that the Government of the Northwest Territories would be able to take over. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 345-12(6): Devolution Of Programs From Fisheries And Oceans

MR. BALLANTYNE:

Thank you. Could I have the assurances of the Minister that he will move quickly on this issue before federal cutbacks descend upon us like Attila the Hun. Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.

Further Return To Question 345-12(6): Devolution Of Programs From Fisheries And Oceans

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I have the assurance of the Minister of Fisheries and Oceans, Mr. Tobin, that all the offices that are in the marine fisheries division of the department will continue to be employed by the department. With changes that will be taking place as far as freshwater fisheries are concerned, my deputy minister has confirmed that he will be meeting with the deputy minister of the Department of Fisheries and Oceans within the next three weeks. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 346-12(6): Pricing Of Wild Furs

MR. ANTOINE:

Mahsi, Madam Speaker, my question is for the Minister of Renewable Resources. It has to do with the fur industry. As we all know, we have been involved in the fur industry for many years in the Northwest Territories. This new incentive subsidy the Minister is talking about, is good to help out trappers to get a better price for their furs, but I think we have to look further than that for the fur industry.

As you know, our wild furs in the north are very good quality furs and what we have been doing in the north is sending our furs south to fur auction sales. Our fur is mixed with other furs from southern Canada, and a lot of these furs are farm furs. The way I see it, our trappers are not getting their due price for their furs because their furs drop in price to bring the price of southern furs up. I would like to ask the Minister if his department is doing anything to try to get better prices for the trappers in the north because of our wild furs. Thank you.

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.
Return To Question 346-12(6): Pricing Of Wild Furs

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. At the present time, the Department of Renewable Resources will follow with the fur strategy that was tabled in the Legislative Assembly. The first step the department is taking is hiring a person who will train in a fur grading centre and learn to properly grade fur. This, I believe, will be the first step towards being able to identify wild furs that are harvested from the Northwest Territories. Thank you, Madam Speaker.

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MADAM SPEAKER:

Supplementary, Mr. Antoine.

Supplementary To Question 346-12(6): Pricing Of Wild Furs

MR. ANTOINE:

Thank you, Madam Speaker. I would like to thank the Minister for that answer, but I need to clarify what he means by the first step. By hiring a trainer so our people in the north will be able to grade furs, what stage are we on in this first step? Has this trainer been hired? Has there been a competition for that? Are people identified to take this course? What stage are we on in this first step? Thank you.

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.
Further Return To Question 346-12(6): Pricing Of Wild Furs

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. At the present time, I believe the department is putting together a description of what the trainee would be doing. Exactly where they are at this point, I'm not certain. I believe they will be having discussions with a fur grading centre, though I'm not aware where they are in those discussions at this point. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 346-12(6): Pricing Of Wild Furs

MR. ANTOINE:

Thank you, Madam Speaker. I've been interested in the fur industry for many years. There are a lot of people in my constituency and in the rest of the Northwest Territories involved in the fur industry. At this time of year, people are getting ready to go out and start trapping. Every year for many years, we have been trapping fur and sending them south. The way I see it, and from learning as much I could in the last few years through international travel and so forth about the fur industry, I think our trappers are not getting a good price for their fur because we are locked into sending our furs to an auction down south.

Is there any way in the fur industry to try to identify northern furs as exclusive furs so that we have better prices for our trappers? Thank you.

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.

Further Return To Question 346-12(6): Pricing Of Wild Furs

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. Yes, the department has had discussions with the various fur grading centres and have tried to set up a system where the fur grading centres would be able to keep the NWT furs separate from other furs. But, at this time, we are not aware that this will be possible. It is something that the department is working on, to keep furs harvested in the Northwest Territories separate from furs harvested elsewhere. Thank you, Madam Speaker.

MADAM SPEAKER:

Final supplementary, Mr. Antoine.

Supplementary To Question 346-12(6): Pricing Of Wild Furs

MR. ANTOINE:

Madam Speaker, the furs that our trappers get in the north are top-quality furs. I think they should be regarded as exclusive furs, and therefore, the prices for them should be at the top level of pricing. I would like to ask the Minister if he's aware of the condition of the fur market today? Is it improving, staying the same, or decreasing? Thank you.

MADAM SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.

Further Return To Question 346-12(6): Pricing Of Wild Furs

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I fully agree with the Member that our furs in the Northwest Territories are some of the best in the world. I hope that we will continue to show that we have top-quality furs that are going out on the market. At the present time, Madam Speaker, I am not certain what the exact prices are on fur, but I know the price of fur has increased slightly. The price on fur varies from year to year. I know the price on fur that is sold to the fur grading centres is higher than they were a number of years ago, and whether it will continue to rise, I am not certain. Thank you, Madam Speaker.

MADAM SPEAKER:

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

Question 347-12(6): Community Standards For Rating TV Programs

MR. LEWIS:

Thank you, Madam Speaker. My question is for the Minister of Justice. Parents have difficulty these days in deciding what they should allow their children to watch on television. You can simply turn the switch off or cut the cable off. Each province decides what the community standard is before they rate films. In the NWT, since we don't have any such body to

decide what the rating should be and whether it is all right for a five year old or a certain age group to watch a particular film, how do we determine what the community standard is? Do we have any kind of way of deciding what the rating should be of films that come to the NWT?

MADAM SPEAKER:

Thank you. Minister of Justice, Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Madam Speaker, I will take the question as notice.

MADAM SPEAKER:

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

Question 348-12(6): Protection Of Women From Defense Of Drunkenness

MR. KOE:

Mahsi, Madam Speaker. Over the past week, there have been a lot of concerns raised about the behaviour of people from the affects of alcohol and in line with the rulings of the court of Alberta and the Supreme Court of Canada. These rulings are dealing with extreme drunkenness and the behaviour caused by that. This is of great concern to residents in the north, in particular to women. I would like to ask the Minister who is responsible for the Status of Women, what

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activity is the Minister's department doing to raise this issue with our federal counterparts, so that we can offer protection to the women of the north?

MADAM SPEAKER:

Thank you. Acting Minister responsible for Status of Women, Mr. Morin.

Return To Question 348-12(6): Protection Of Women From Defense Of Drunkenness

HON. DON MORIN:

Thank you, Madam Speaker. I, too, heard the concern on CBC Radio. I don't know what the department is doing. As far as I know, there is one woman who works at the Status of Women and that is Bertha Norwegian. I will work with the Minister of

Justice to write to our federal counterparts and let them know that we are disgusted with the rulings that came out in Alberta; that is, people are getting away with abusing women by pleading that they are drunk and insane. That is abuse of the justice system and it should be corrected. Thank you.

MADAM SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question 348-12(6): Protection Of Women From Defense Of Drunkenness

MR. KOE:

Mahsi, Madam Speaker. Is the Minister aware of any other work that has been done between our territorial officials and other provincial officials responsible for women's issues, to try to develop a common strategy to review these rulings.

MADAM SPEAKER:

Thank you. Acting Minister of the Status of Women, Mr. Morin.

Further Return To Question 348-12(6): Protection Of Women From Defense Of Drunkenness

HON. DON MORIN:

Thank you, Madam Speaker. I am not aware right now what our government is doing in conjunction with other governments to create a strategy. I will ask the women's directorate what they are doing and I will get back to the Member. Thank you.

MADAM SPEAKER:

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

Question 349-12(6): Incorporating Aboriginal Customs In Legislation

MR. GARGAN:

Thank you, Madam Speaker. I would like to direct my question to the Minister of Justice. As most Members are aware, we just passed a Custom Adoption Recognition Act that puts the aboriginal customs into white laws. Is the Minister's department looking at ways of accommodating aboriginal standards? In other words, I have made reference to the aboriginal corrections facility, but we are still governed by

building codes, fire codes, safety codes, health codes, electrical codes and so on. I would like to know if in the future, we will be able to make facilities without the application of all these codes, in order to accommodate aboriginal facilities?

MADAM SPEAKER:

Thank you. Minister of Justice, Mr. Kakfwi.

Return To Question 349-12(6): Incorporating Aboriginal Customs In Legislation

HON. STEPHEN KAKFWI:

Madam Speaker, the question seems to be premised on a statement the Member is making, in which he states but doesn't define what he means by "white law." This Legislature passes a great number of pieces of legislation, with full participation from all Members, aboriginal and non-aboriginal, including the Member himself.

The definition of "white law" as he calls it, needs to be defined by the Member before we can respond to his question. Thank you.

MADAM SPEAKER:

Member for Deh Cho, do you want to clarify your question, as the Minister of Justice does not appear to understand your question? Thank you. Mr. Gargan.

Supplementary To Question 349-12(6): Incorporating Aboriginal Customs In Legislation

MR. GARGAN:

Madam Speaker, thank you. Madam Speaker, yesterday we passed the Custom Adoption Recognition Act. I was opposed to it being put into white laws, but now that it has happened there is nothing that I can do about it, except to say that now that we have incorporated what is considered aboriginal custom into white laws, are we going to start looking at a directive to eliminate some of those barriers that existed before? In other words, can we still be able to build buildings for aboriginal people that don't have to be so restrictive based on codes? That is what I was referring to, Madam Speaker.

MADAM SPEAKER:

Thank you. Minister of Justice, Mr. Kakfwi.

Further Return To Question 349-12(6): Incorporating Aboriginal Customs In Legislation

HON. STEPHEN KAKFWI:

Madam Speaker, the legislation, as I recall, simply gives provisions for parents who have adopted through custom adoption, the tradition of aboriginal people, to make it easier for those people, plus the children, to get certificates certifying that the adoption has taken place and names can be changed. That is what the legislation does. It doesn't direct that the parents have to do that. As I recall, it says that parents may apply through the Commissioner to provide for certificates of name change, for instance. There are hundreds of aboriginal children who still retain the names of their natural mothers, even though they've been adopted through agreement by other families.

This legislation was, in part, provided to make it less of a hardship for these children. Many of these children want and have even passed into adulthood wanting to change their name. It is unfortunate that they have gone through their entire childhood, not being able to have their name changed. The legislation was provided for that. It simply provides provisions to make it easier. Presently, you have to go through the Supreme Court to apply for a name change and we have put in a provision to make it easier.

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That is what the legislation does, it has nothing to do with building codes or standards, as far as I recall. Thank you.

MADAM SPEAKER:

Supplementary, Mr. Gargan.

Supplementary To Question 349-12(6): Incorporating Aboriginal Customs In Legislation

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, by virtue of this House adopting the Aboriginal Custom Adoption Recognition Act, does it still remain aboriginal law, or does it become Euro-Canadian law?

MADAM SPEAKER:

Minister of Justice, Mr. Kakfwi.

Further Return To Question 349-12(6): Incorporating Aboriginal Customs In Legislation

HON. STEPHEN KAKFWI:

Madam Speaker, the fact is, aboriginal custom adoption is recognized in the jurisdiction of the Northwest Territories. It always has been. That is not in dispute here. There is a process outlined now that says if you are adopted through custom adoption, you have to apply to the Supreme Court. You have to fill out an application form and have it heard in the Supreme Court, the social worker has to be involved, the natural parents have to fill out the forms, and affidavits have to be signed.

It is quite a process and it is only readily available here in the capital, it is not easily done in the remote communities. It is our own people, the Inuit, Dene and Metis families who have asked that we try to simplify the process so as to not allow the process to cause hardship on the parents who are adopting and on the children who are adopted. This act just deals with the process. The process was cumbersome before and it is much less cumbersome now. Thank you.

MADAM SPEAKER:

Supplementary, Mr. Gargan.

Supplementary To Question 349-12(6): Incorporating Aboriginal Customs In Legislation

MR. GARGAN:

Madam Speaker, I would like to ask the Minister of Justice, are we the only jurisdiction that has this kind of legislation?

MADAM SPEAKER:

Thank you. Minister of Justice, Mr. Kakfwi.

Further Return To Question 349-12(6): Incorporating Aboriginal Customs In Legislation

HON. STEPHEN KAKFWI:

Madam Speaker, I'm not certain that we are the only one, but I know the Northwest Territories is one of the few, if any, in Canada that recognizes custom adoption as one that is a valid act between consenting adults that involves the rights and well-being of children. It is recognized here. Whether or not it is in other jurisdictions, I'm not certain. I should

point out to the Member as well, that, where before it was the courts that decided whether a custom adoption had in fact taken place, we are now, through the process, allowing people at the community level to say that, in their eyes, it had taken place.

One of the major criticisms of aboriginal people in the past has been that the courts should not have to validate what takes place through customs and traditions. We have placed the authority as close to the community as possible through this legislation. Thank you.

MADAM SPEAKER:

Thank you. Time frame for oral questions has lapsed. The House will recess for 15 minutes.

---SHORT RECESS

MADAM SPEAKER:

Item 7, returns to written questions. Mr. Clerk.

ITEM 7: RETURNS TO WRITTEN QUESTIONS

CLERK OF THE HOUSE (Mr. Hamilton):

Madam Speaker, Return to Written Question 6-12(6), asked by Mr. Pudluk to the Minister of Education, Culture and Employment, concerning the costs associated with translation and television services for session.

Return To Written Question 6-12(6): Costs Associated With Translation And Television Services For Session

1. What is the cost for interpreting services for the Legislative Assembly when the House is in session for one month, including wages and benefits, travel, accommodation, per diems, contract services and any committee meetings?

The costs for interpreting services for the Legislative Assembly when the House is in session is approximately \$345,000 which is calculated based on a cost of approximately \$11,500 a day for 30 sitting days, or six calendar weeks. This amount includes salaries, benefits and overtime for interpreter/translators, as well as the cost of travel, accommodation and meals for regional interpreter/translators. It also includes the average cost of contracting for additional French and aboriginal language services for the Assembly for this period of time.

2. How many hours of Legislative Assembly proceedings are broadcasted each day on radio and television in aboriginal languages?

There are two hours of television broadcasting in Inuktitut and one Dene language every day. Dene languages are used in this broadcast in rotation. The approximate cost of providing television broadcasting of the Legislative Assembly proceedings is \$8,000 a year. There is no radio broadcast coverage of the Legislative Assembly in aboriginal languages at this time.

3. What are the average wages of government interpreters?

The language bureau of the Department of Education, Culture and Employment currently has 26 interpreter/translators.

The salaries of 18 of these employees range from about \$45,000 to \$50,000.

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There are five assistant interpreter/translators and their salaries range from \$38,900 to \$42,700.

There are also three interpreter/translator managers who provide language services. Their salaries range from about \$55,500 to \$65,600.

4. What are the average wages of interpreters at hospitals?

There are currently 75 clerk interpreter/translators working in hospitals boards and health centres in the Northwest Territories. Three earn approximately \$33,000 to \$37,000, and 72 earn approximately \$29,000 to \$33,000.

5. What are the average wages of court interpreters?

The Department of Justice has two interpreter/terminologists on staff, one in Fort Smith and one in Iqaluit. Their salary is, on average, approximately \$50,000.

Legal interpreters on contract with Justice earn \$40 an hour if they are certified and \$30 an hour if they are not certified.

Return To Written Question 9-12(6): Definition Of Special Needs

Return To Written Question 9-12(6), asked by Mr. Antoine to the Minister of Education, Culture and Employment, concerning the definition of special needs in the NWT school system.

1. What is the Department of ECE's definition of special needs?

In 1993 the Department of Education, Culture and Employment stopped using the term "special needs." "Special needs" is a term which emphasizes the weaknesses of students, and using this term causes people to label or categorize students according to their weaknesses or problems.

We now use the term "inclusive schooling," which focuses on the learning supports students require to succeed. "Inclusive schooling" is a philosophical and practical educational approach intended to provide equal access for all students to educational programs offered in regular classroom settings.

In addition to regular classroom instruction, education staff support student learning by providing assistance in a number of ways, such as assistance with homework from time to time, or by providing multiple supports, including an individual education plan and assisting a student with his or her mobility in the school. Students who need greater academic challenges may also need support services to modify or enhance their school program. An "inclusive schooling" approach recognizes that all students have strengths and needs which have to be addressed in the classroom.

2. Are all boards of education required to use the same definition?

All boards of education and divisional boards of education are required to follow: Educating All Our Children: Departmental Directive On Inclusive Schooling.

Return To Written Question 19-12(6): Total Financial Contribution To The Arctic Winter Games

Return to Written Question 19-12(6), asked by Mr. Koe to the Minister of Municipal and Community Affairs concerning total financial contributions to the Arctic Winter Games.

1990:-NWT team participation: \$300,000, GNWT (MACA) contribution to Sport North for team selection and participation.

-AWG host community, Yellowknife: \$ 10,000, GNWT (Culture and Communication) contribution to host community for 1990 games hosting; \$ 16,000, GNWT (MACA) contribution to host community for cultural component of 1990 games hosting; \$300,000, GNWT (MACA) contribution to host community for 1990 games hosting; \$50,000, NWT Arts Council (Culture and Communications) contribution to host community for cultural program; \$500,000, GNWT (MACA) in-kind contribution to host (estimated) community for 1990 games hosting; \$293,000, Federal government (Fitness and Amateur Sport) contribution to host community for 1990 games hosting.

1992:-NWT Team Participation: \$550,000, GNWT (MACA) contribution to Sport North for team selection and participation.

1994:-NWT Team Participation: \$497,000, GNWT (MACA) contribution to Sport North for team selection and participation.

1996:-NWT Team Participation: \$350,000 (estimated), GNWT (MACA) contribution to Sport North for(estimated) team selection and participation.

1998:-NWT Team Participation: \$350,000 (estimated), GNWT (MACA) contribution to Sport North for (estimated) team selection and participation.

-AWG Host Community, Yellowknife: \$450,000 (estimated), GNWT (MACA) contribution to host community for 1998 games hosting; \$500,000 (estimated), GNWT (MACA) in-kind contribution to host community for 1998 games hosting; \$275,000 (estimated), federal government (Department of Heritage, Fitness and Amateur Sport) contribution to host community for 1998 games hosting.

Return to Written Question 21-12(6): Total Financial Contribution From Sport North To Arctic Winter Games

I have a Return to Written Question 21-12(6), asked Mr. Koe to the Minister of Municipal and Community Affairs concerning total financial contributions from Sport North to the Arctic Winter Games.

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The following amounts were contributed, or are estimated will be contributed, by Sport North to the Arctic Winter Games for the preparation, selection and participation of the NWT team:

1990:\$1,141, donations and fund raising; \$140,738, registration fees; \$ 71,905, interest; \$570,677, lottery revenues from prior years; \$75,000, transfer from AWG reserve.

1992:\$17,372, donations; \$24,099, fund raising; \$187,721, registration fees; \$47,873, interest; \$146,959, lottery revenues from prior years; \$313,934, transfer from AWG reserve.

1994:\$8,200, donations; \$178,675, registration fees; \$943,224, lottery revenues and AWG reserves.

1996:\$15,000 (estimated), donations; \$175,000 (estimated), registration fees; \$1,041,000 (estimated), lottery revenues and AWG reserves.

1998:\$20,000 (estimated), donations; \$180,000 (estimated), registration fees; \$1,050,000 (estimated), lottery revenues and AWG reserves.

Return To Written Question 24-12(6): Provision of UHF Radios And GPS To Communities

I have a Return to Written Question 24-12(6), asked by Mr. Pudluk to the Minister of Renewable Resources, concerning the provision of UHF radios and GPS to communities.

I agree that GPS would be useful to hunters, especially for search and rescue. The cost of GPS continues to drop. A good GPS now costs about \$700, which is less than the cost of a rifle and scope. I plan to write to each HTA and provide information on where to acquire GPS and approximate costs. But, it will be up to each HTA to decide if buying this equipment is a priority for their harvesters.

MADAM SPEAKER:

Thank you. 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. Item 14, notices of motion. The honourable Member for Deh Cho, Mr. Gargan.

ITEM 14: NOTICES OF MOTIONS

Motion 13-12(6): Amended Terms Of Reference For The Advisory Committee On Social Housing

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, I give notice that on Monday, November 7th, I will move the following motion.

I move, seconded by the honourable Member for Inuvik, that the name of the Advisory Committee on Social Housing be changed to the Special Committee on Housing;

Further, that notwithstanding Rule 88(2), the membership of the Special Committee on Housing shall consist of:

-three permanent Members from the east;

-three permanent Members from the west;

-the Minister responsible for the Northwest Territories Housing Corporation; and,

-two alternate Members, one from the east and one from the west;

And furthermore, that the following be adopted as the terms of reference for the Special Committee on Housing:

The Special Committee on Housing shall:

a)inquire into such housing matters as may be referred to it by the Legislative Assembly;

b)review and recommend on major new or revised policies or programs proposed by the Northwest Territories Housing Corporation;

c)review and recommend on major issues arising from existing policies and programs of the Northwest Territories Housing Corporation;

d)review and recommend on major housing issues arising from community consultation undertaken by the Northwest Territories Housing Corporation with members of the public, local housing organizations, community governments and interest groups;

And furthermore, that the Special Committee on Housing may, on its own authority,

e)provide advice to the Minister responsible for the Northwest Territories Housing Corporation;

And furthermore the Special Committee on Housing shall:

1)conduct its business in a manner approved by the Legislative Assembly;

- 2)elect one of its members to serve as chairperson;
- 3)elect one of its members to serve as deputy chairperson;
- 4)establish its quorum to consist of four members;
- 5)be provided with the necessary funds for the special committee to carry out its responsibilities from the appropriations of the Legislative Assembly;
- 6)have the authority to sit during sessions, adjournments and recesses of the House;
- 7)undertake such travel as a whole or by individual members as required and approved by the committee to carry out the assigned responsibilities of the committee;
- 8)make regular reports to the Legislative Assembly;
- 9)report to the Legislative Assembly on any advice provided to the Minister responsible for the Northwest Territories Housing Corporation;
- 10)be provided with the necessary administrative support by the Northwest Territories Housing Corporation and the office of the Legislative Assembly.

MADAM SPEAKER:

Thank you. 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.

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ITEM 17: FIRST READING OF BILLS

Bill 19: Supplementary Appropriation Act, No. 1, 1994-95

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, I move, seconded by the honourable Member for Tu Nedhe, that Bill 19, Supplementary Appropriation Act, No. 1, 1994-95, be read for the first time. Thank you, Madam Speaker.

MADAM SPEAKER:

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

AN HON. MEMBER:

Question.

MADAM SPEAKER:

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

---Carried

Bill 19 has had first reading. Item 17, first reading of bills. Item 18, second reading of bills. Item 19, consideration in committee of the whole of bills and other matters: Tabled Document 14-12(6), "Open for Business" - Privatizing the Northwest Territories Power Corporation; Tabled Document 23-12(6), Report of the 1993-94 Electoral District Boundaries Commission Northwest Territories; 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 15-12(6), Report on the Northwest Territories Arts Council; Bill 1, Appropriation Act, No. 1, 1995-96; Bill 8, An Act to Amend the Public Utilities Act; Bill 13, An Act to Amend the Motor Vehicles Act; Bill 14, An Act to Repeal the Public Service Vehicles Act; and, Bill 18, Supplementary Appropriation Act, No. 4, 1993-94, with Mr. Lewis in the chair.

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

CHAIRMAN (Mr. Lewis):

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

MR. DENT:

Thank you, Mr. Chairman. I would like to recommend to the committee that we first of all consider Committee Report 11-12(6), followed by Committee Report 15-12(6), followed by Bill 8 and, after that, we consider Bill 1 and Committee Report 10-12(6), specifically to deal with the budget of the Legislative Assembly. And, depending on how time is going, perhaps we could consider Bill 13 and Bill 14.

CHAIRMAN (Mr. Lewis):

Okay, sounds like a good day's work. Does the committee agree that that is a reasonable proposal?

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Lewis):

Mr. Dent, you want to begin with what item?

MR. DENT:

Mr. Chairman, I would like to suggest that we begin with Committee Report 11-12(6), Report on the First Annual Report (1992-93) of the Languages Commissioner of the NWT.

CHAIRMAN (Mr. Lewis):

Thank you. We are going to deal with Committee Report 11-12(6). Mr. Koe.

Committee Report 11-12(6): Report On The First Annual Report (1992-93) Of The Languages Commissioner Of The NWT

MR. KOE:

Mahsi, Mr. Chairman. Mr. Chairman, the first annual report of the Languages Commissioner of the Northwest Territories was tabled in the Legislative Assembly on December 14, 1993. The Standing Committee on Agencies, Boards and Commissions considered this matter in meetings in Yellowknife on April 19, 1994.

The Language Commissioner's report contained 30 recommendations and the standing committee identified a number of issues to address. The standing committee's report, which has already been read in the House, dealt with such issues as: the reporting relationship of the Languages Commissioner; the role and responsibility of the Languages Commissioner; the need for focus on employee complaints and inquiries; the nature of the position of Languages Commissioner; the responsibilities of the government and the Languages Commissioner; and, full simultaneous translation in the Legislative Assembly. I would now like to deal with each of these individually.

The Reporting Relationship Of The Languages Commissioner

Recommendation 1 in the annual report suggests that a new committee be struck to be responsible for

official languages issues. Members of the standing committee disagree. The Standing Committee on Agencies, Boards and Commissions is quite able to take on the task of reviewing the Languages Commissioner's annual report. Therefore, I have a recommendation.

Committee Motion 64-12(6): To Adopt Recommendation 1, Carried

I move that the Standing Committee on Agencies, Boards and Commissions recommends that the terms of reference of the Standing Committee on Agencies, Boards and Commissions be amended to direct that:

The annual reports and any other reports of the Languages Commissioner shall be referred to the standing committee and to allow the Speaker to provide these reports to the standing committee, in advance of tabling, to expedite the review by the committee.

CHAIRMAN (Mr. Lewis):

Mr. Koe, all the recommendations are part of your report. I think the procedure is that we go through the report because that is part of the report. Then the motions are dealt with later, once you are finished making your report. Mr. Koe.

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MR. KOE:

I am not going to argue with you, Mr. Chairman, but I have already read the report into the record and would like to deal with the individual motions and some preamble to each motion.

CHAIRMAN (Mr. Lewis):

Okay. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Lewis):

Question is being called, but I don't believe we have a quorum. Please ring the bells. We have a motion on the floor and question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Koe.

MR. KOE:

Thank you, colleagues. A formal motion to amend the terms of reference of the standing committee will be forthcoming some time in the next week or so. The standing committee agrees that the Languages Commissioner should report to and appear before the Standing Committee on Finance for budget-related items.

The Need For Focus

The second part of our report deals with the need for focus. The standing committee Members feel that the Languages Commissioner should have defined a limited scope and set of objectives upon first being appointed. The Languages Commissioner has become involved in too many areas and the office has not been able to focus its attention adequately. The standing committee feels that the Languages Commissioner should develop and stick to a limited set of objectives, such as the definitive objectives defined in the 1994-95 main estimates. This will allow the office to be in control of events as much as possible, rather than letting events control the duties of the office.

Committee Motion 65-12(6): To Adopt Recommendation 2, Carried

I move that the Standing Committee on Agencies, Boards and Commissions recommends that the Languages Commissioner annually define a set of goals and objectives to guide the activities of the office. These goals and objectives should be stated in the office's annual budget, and reviewed in the Languages Commissioner's annual reports. Mahsi.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Koe. Your motion is in order. To this motion. Mr. Nerysoo.

Point Of Order

HON. RICHARD NERYSOO:

Just on a point of order, Mr. Chairman, did I hear the honourable Member read that the Standing Committee on Agencies, Boards and Commissions recommends? I would suggest, Mr. Speaker, that it should be this committee because it is the committee of the whole that is now approving the recommendation.

CHAIRMAN (Mr. Lewis):

We are referring to this committee, Mr. Koe. Do you concur? It is in the record. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Lewis):

Question has been called. All those in favour? All those opposed? The motion is carried by this committee.

---Carried

Employee Complaints And Inquiries

MR. KOE:

I would now like to move on to the third component of the report on employee complaints and inquiries. Members feel that such complaints should generally be dealt with through accepted grievance procedures, whether through the Union of Northern Workers or otherwise, as appropriate. If the issue isn't dealt with satisfactorily, the Languages Commissioner may then wish to get involved.

As well, standing committee Members were confused by the frequent use of the word "complaint" by the Languages Commissioner when referring to any contact with the office. We would prefer that the Languages Commissioner be more discriminating when referring to files, perhaps classifying them as "complaints," "inquiries" and so on.

The Nature Of The Position Of The Languages Commissioner

From the beginning, there have been difficulties with the nature of the Languages Commissioner's position. There has been confusion over administrative issues, such as whether the Languages Commissioner is eligible for merit pay increases such as a deputy minister is. Standing committee Members agreed that this area needed clarification.

The standing committee feels that present wage and benefits package is adequate and should remain fixed for the remainder of the term of the incumbent. The standing committee Members also felt that a contractual arrangement would be more appropriate for future incumbents. It was felt that changing the rules in the middle of the incumbent's term would be unfair; therefore, such a change should take effect in

1996 at the end of the present Languages Commissioner's term.

Committee Motion 66-12(6): To Adopt Recommendation 3, Carried

I move that this committee recommends that upon the expiry of the term of the present Languages Commissioner, the position of Languages Commissioner be changed to a contractual position.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Koe. Your motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Lewis):

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

---Carried

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Mr. Koe.

Responsibilities Of The Government And Of The Languages Commissioner

MR. KOE:

Mahsi, Mr. Chairman and colleagues. Many of the report's recommendations direct the government to take action with issues that have been identified by the Languages Commissioner. In most cases, the Languages Commissioner identified these issues because they were the subject of complaints or inquiries to the office. Committee Members expect that the government will address these issues in the proposed official languages handbook.

The standing committee wants to see the official languages handbook completed as soon as possible in order that it might be reviewed in conjunction with the next annual report of the Languages Commissioner.

Committee Motion 67-12(6): To Adopt Recommendation 4, Carried

I move that this committee recommends that the government complete the official languages handbook by December 31, 1994.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Koe. Your motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Lewis):

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

---Carried

Mr. Koe.

Other Recommendations Agreed To

MR. KOE:

Mahsi, Mr. Chairman. The standing committee agreed with the following recommendations in the Languages Commissioner's report, and agrees with the Languages Commissioner that the government should act upon them.

Since some time has passed since the standing committee's report was read in the House, I will repeat these recommendations of the Languages Commissioner.

Recommendation 18 urges the government to avoid all delays in filling positions responsible for the delivery of official languages programs.

Recommendation 21 suggests setting up toll-free telephone numbers, similar to the one existing for French for use by people wishing to contact the government in any official language.

Recommendation 25 suggests that the government collect and develop materials for adult literacy and fluency training.

Recommendation 28 asks the government to provide some information in Dene syllabics for those elders who learned to read and write Dene languages using syllabic alphabets.

Full Simultaneous Translation In The Legislative Assembly

In recommendation 17, the Languages Commissioner asks that the Assembly "...consider whether or not it is necessary to provide full simultaneous interpretation in the Legislative Assembly at all times and in all official languages..." This recommendation, which the Languages Commissioner admitted to be a controversial one, was based on concerns that providing full interpretation was too much of a strain on existing resources when the Assembly was in session.

Standing committee Members feel very strongly that full simultaneous interpretation is a fundamental part of the proceedings of the Legislative Assembly of the Northwest Territories. It is required by the Official Languages Act -- sections 9 and 10(3) effectively require full simultaneous interpretation -- and was the subject of a point of order raised in the House on October 26, 1989 when simultaneous translation in Dogrib was not available.

Full simultaneous translation also allows Members to serve as linguistic role models for their constituents. This is especially true since House proceedings started to be broadcast on the TVNC network. Committee Members noted that constituents are listening when their representatives speak in aboriginal languages. When constituents see and hear their elected representatives speaking in their own language in the House, their pride in their language is bound to increase. Providing Members the opportunity to do so by providing full simultaneous interpretation can only strengthen aboriginal languages in the Northwest Territories.

Conclusion

The passage of the Official Languages Act, along with the initiatives undertaken by the government to promote official languages is a significant milestone in northern and Canadian history. The office of the Languages Commissioner has a significant and crucial role in ensuring that the goals expressed by these initiatives are realized by the government.

Standing committee Members expect that the office of the Languages Commissioner will magnify its responsibilities and duties as it becomes more established and as the government grows to recognize its own responsibilities under the act. The standing committee is pleased to be part of this growth and expects that the adoption of its recommendations will assist in promoting the use of official languages in the government and throughout the north.

Committee Motion 68-12(6): To Adopt Recommendation 5, Carried

I move that this committee recommends that, in accordance with Rule 93(5), the Executive Council table a comprehensive response to the recommendations contained in the report within 120 days of the presentation of the report in the House.

CHAIRMAN (Mr. Lewis):

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

AN HON. MEMBER:

Question.

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CHAIRMAN (Mr. Lewis):

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

---Carried

Mr. Koe.

MR. KOE:

Mr. Chairman, that concludes the Standing Committee on Agencies, Boards and Commissions' report on the First Annual Report of the Languages Commissioner. I would like to thank the Languages Commissioner and her staff, the government, committee Members and other interested people who wrote or talked to us on the report. Mahsi cho.

---Applause

CHAIRMAN (Mr. Lewis):

Do Members agree that we are finished with this item for today?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Mr. Dent, what is the next item? Do you want to go through this list, as they're listed? Okay. Thank you, Mr. Dent. The next item, then, is Committee Report 15-12(6). Mr. Koe.

Committee Report 15-12(6): Report On The Northwest Territories Arts Council

MR. KOE:

Thank you, Mr. Chairman. The Standing Committee on Agencies, Boards and Commissions is pleased to represent their report on the Northwest Territories Arts Council.

The Standing Committee on Agencies, Boards and Commissions supports the work done by the Northwest Territories Arts Council. By guiding the government in providing financial assistance to northern artists, they play an important role in the development of the arts in the Northwest Territories.

Control And Distribution Of Funding

The standing committee examined the issue of arm's-length status for the Northwest Territories Arts Council. This was suggested by the council and is the model used by many provincial arts councils. The standing committee studied the issues of sources of funding for the Arts Council and control over the distribution of that funding and came to the following conclusions:

-The Department of Education, Culture and Employment should continue to provide administrative services to the NWT Arts Council. The additional cost of having a separate administrative structure would overwhelm the limited amount of money available for actual grants to artists;

-The present method of distributing government funds is appropriate. That is, the Minister of Education, Culture and Employment should continue to have final authority

to distribute government funds to artists, based on recommendations from the Arts Council;

-The NWT Arts Council should have the authority to solicit funds from third parties, such as corporations or foundations. The Arts Council should then have the final authority to distribute those funds.

Therefore, I have a recommendation, Mr. Chairman.

Committee Motion 69-12(6): To Adopt Recommendation 1, Carried

I move, that this committee recommends that the government grant the Northwest Territories Arts Council authority to establish a trust fund through

which the council could solicit donations. These donations would then be distributed by the council according to their existing guidelines.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Koe. Your motion is in order. Does anybody want to speak to this motion?

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Lewis):

Question is being called. All those in favour? Those opposed? Motion is carried.

---Carried

Mr. Koe.

Policy Recommendations By The Council

MR. KOE:

Mahsi, Mr. Chairman. Mahsi, colleagues. The council also has a mandate to provide recommendations to the Minister on issues and policies associated with the arts and artists. But members of the council have difficulty meeting this part of their mandate, given that they only meet for about four days a year. The department should seriously consider the trade-off between spending a little more to allow the council to meet longer or more often, and the possible value of policy recommendations which may then be made by the council.

Council Membership

At present, the council has six members. However, it has been suggested that the council's membership be increased to seven: one member representing Yellowknife, three from the rest of the western Arctic, and three from the eastern Arctic. The standing committee agrees with the council and the Minister that this would provide improved regional representation on the council.

I have a recommendation, Mr. Chairman.

Committee Motion 70-12(6): To Adopt Recommendation 2, Carried

I move that this committee recommends that the Northwest Territories Arts Council policy be amended

to provide for a total membership of seven on the Arts Council.

CHAIRMAN (Mr. Lewis):

Your motion is in order, Mr. Koe. To the motion.

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AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Lewis):

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

---Carried

Mr. Koe.

Committee Motion 71-12(6): To Adopt Recommendation 3, Carried

MR. KOE:

I have a final recommendation, Mr. Chairman. I move that this committee recommends that, in accordance with rule 93(5), the Executive Council table a comprehensive response to the recommendations contained in this report within 120 days of the presentation of this report in the House.

CHAIRMAN (Mr. Lewis):

Your motion is in order, Mr. Koe. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Lewis):

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

---Carried

Mr. Koe.

MR. KOE:

Mahsi, Mr. Chairman. That concludes the report of the Standing Committee on Agencies, Boards and Commissions on the Northwest Territories Arts Council. I would like to thank the members of the present Arts Council, its chairman, Sue Rose, and all

the previous members of the Arts Council for the work that they've done over the years. I would like to thank all the artists throughout the north for their contribution to our economy, and for the work they've done for the north. I would also like to thank the department, the officials who have been supporting this council over the years, and the Minister and his staff for their support in preparing this review. Finally, I would like to thank the Members of the committee. Mahsi.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Koe. Do Members agree that we have today finished this item?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Koe. Next on the list given by Mr. Dent on your behalf, we go to Bill 8, An Act to Amend the Public Utilities Act.

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 8: An Act To Amend The Public Utilities Act

CHAIRMAN (Mr. Lewis):

Is the Minister responsible for this act ready to make some opening comments? Mr. Todd.

Minister's Introductory Remarks

HON. JOHN TODD:

Thank you, Mr. Chairman. This is Bill 8, An Act to Amend the Public Utilities Act. The intent of this legislation is the implementation of a levy to recover from rate applicants approximately 50 per cent of the costs of the operation of the PUB.

Prior to the introduction of this legislation, an analysis of the impact of this levy on ratepayers was undertaken. This analysis has shown that a 50 per cent cost recovery would on average cost each ratepayer 34 cents per billing, on a monthly

consumption of 700 kilowatts, for a total of \$4.08 per year.

Mr. Chairman, the Standing Committee on Legislation proposed several amendments to the proposed act during their review that the government and my office has concurred with. Thank you, Mr. Chairman. Mahsi cho.

CHAIRMAN (Mr. Lewis):

Thank you very much, Mr. Todd. On behalf of the Standing Committee on Legislation, Mr. Whitford, do you have a committee report for us? Mr. Whitford.

Standing Committee On Legislation Comments

MR. WHITFORD:

Thank you, good afternoon. Mr. Chairman, the Standing Committee on Legislation has had the opportunity to review Bill 8, An Act to Amend the Public Utilities Act. The committee held public hearings in Yellowknife on September 1, 1994. The standing committee heard representations from the town of Hay River and the city of Yellowknife. Both municipalities expressed great concern over the proposed amendment to the Public Utilities Act.

The municipalities stated that, in their view, the proposed amendment is not warranted, nor is it necessary. They felt that the amendment amounts to nothing more than an additional tax for utility customers. The standing committee is concerned with the possibility that the consumer will be facing increases to their utility bills; not only once, but twice. It appears that the down loading of the costs to upgrade the Public Utilities Board will be carried by the consumer, levied once by the utility to recoup their costs and in tax-based communities, increases in taxes by the municipalities trying to recover their increased costs.

The standing committee was also concerned that the percentage of the operating costs of the utilities board that is to be recovered was not stated or limited by the legislation. The percentage was to be fixed, by order of the Commissioner. The committee, with the agreement of the Minister, amended Bill 8 to ensure that the percentage fixed each fiscal year was not greater than 50 per cent of the actual operating costs.

On September 9, 1994, the Standing Committee on Legislation passed a motion that Bill 8, An Act to Amend the Public Utilities

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Act was ready for consideration in committee of the whole. So concludes the report, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you very much, Mr. Whitford, for that report from the Standing Committee on Legislation. Mr. Todd, would you like to have the help of witnesses? Do Members agree that Mr. Todd can bring his witnesses in?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Mr. Sergeant-at-Arms, conduct the witnesses to the table, please.

For the record, Mr. Todd, perhaps you could introduce your witness for us.

HON. JOHN TODD:

Thank you, Mr. Chairman. On my immediate right is Mrs. Carol Whitehouse, who is the legislative counsel.

CHAIRMAN (Mr. Lewis):

Thank you, and welcome. Do Members have any general comments, statements or questions about this bill? Mr. Dent.

General Comments

MR. DENT:

Thank you, Mr. Chairman. I have some general comments. I do not support this bill and will be voting against it during third reading. I would just like to outline to the committee my reasons for that. I concur with the concerns set out by the Standing Committee on Legislation in their report, but another reason for voting against it is that this, in effect, would become a hidden tax.

The protection of the consumers by the Public Utilities Board is something that benefits all people right now, and it should be a function, I think, of a central government. If the cost of providing this regulation is off-loaded to the Public Utilities Board, then the ratepayers wind up paying an indirect tax. I guess I

have to call into question the comment made by the Minister in his opening comments when he says that the extra costs to the ratepayer of enacting this legislation would be more than offset by the benefits of regulation. I find that hard to understand when, right now, the consumer already has the benefit of regulation through the Public Utilities Board and the costs are paid for through their taxes, which is a much more equitable way of financing something that government should be doing.

Mr. Chairman, I just wanted to outline what I see are concerns about this legislation and outline why I will not be supporting the legislation on third reading. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you very much, Mr. Dent. General comments. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. I will also not be supporting this bill, for the reasons I stated previously and, as well, because it is another form of taxing the consumer. In the opinion of the people I represent, we feel it is unfair to people, certainly in tax-based municipalities. We are going to get hit twice with this tax, not only will we be paying when we pay our power bill. It is my understanding that it is going to be attached to each power bill that for the first 700 kilowatts of power used, there will be approximately 35 cents charged. The average bill is two or three times that and, although it is a small amount, it compounds.

Not only that, when larger consumers we depend on for other utilities, for example water for the city, have to pay increased taxes, that will be passed back to the consumer. I feel that the method of supporting and paying for the Public Utilities Board is already there and adequate. It comes out of the general revenues of the Northwest Territories; and it benefits all people, not only those people in tax-based municipalities who are subject to utility bills. I feel it would serve no purpose to try to recover money using this method when it can come in a much simpler form; the way it is currently done. Therefore, when it comes time to vote on it, I will not be supporting it.

CHAIRMAN (Mr. Lewis):

Thank you, Whitford. Are there any general comments, statements or questions about this act? Mr. Ballantyne.

MR. BALLANTYNE:

Thank you. Actually, I'm quite amazed that the government is bringing forward this particular bill. The government has allowed the Power Corporation to apply to the Public Utilities Board for a 22 per cent power rate increase, and the government has obviously supported the increases in the rate zones. Every time we turn around, the public is being hit with power rate increases. I'm adamantly opposed to this. Some may say this is small, but they are just added on, one after another, after another. Where does it all end?

I think that perhaps if the government has a little bit of a financial obligation in this area, they should do their homework a little better and make sure that the Power Corporation does everything possible to control its costs. So, I, for one, Mr. Chairman, will not be supporting this particular bill. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Ballantyne. We are still on general comments for this bill. Do you want to speak again, Mr. Whitford? Anybody else? No further general comments? If not, there has been a request that we look at the detail.

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Lewis):

So, we will go clause by clause through an Act to Amend the Public Utilities Act. Clause 1.

SOME HON. MEMBERS:

Yea.

SOME HON. MEMBERS:

Nay.

CHAIRMAN (Mr. Lewis):

I would like to call that question again, please.
Clause 1.

SOME HON. MEMBERS:

Nay.

SOME HON. MEMBERS:

Yea.

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CHAIRMAN (Mr. Lewis):

I would like to try one more time to be absolutely sure.
So clause 1.

SOME HON. MEMBERS:

Nay.

SOME HON. MEMBERS:

Yea.

CHAIRMAN (Mr. Lewis):

I am afraid the nays have it. So clause 1 is struck
down. I now have to seek some technical advice to
see what I do with the rest of it.

I would like to recognize Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, may I call for a vote, please?

CHAIRMAN (Mr. Lewis):

You want a recorded vote?

HON. JOHN POLLARD:

A recorded vote would be in order, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Mr. Pollard has asked for a recorded vote on clause
2. Clause 1 has already been nayed. Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, my request is that there be a recorded
vote on clause 1.

CHAIRMAN (Mr. Lewis):

Clause 1 has already been dealt with. I already ruled
that the nays had it. So the recorded vote has to be
on clause 2. Mr. Todd.

Point Of Order

HON. JOHN TODD:

Just for clarification, we did go before the Standing
Committee on Legislation and it recommended, I
thought, to support the bill based upon the two
amendments they asked us to do. Now the Standing
Committee on Legislation Members are naying the
bill. I don't understand what is going on here. By
resolution, they passed it, the last time I met with the
standing committee. Maybe someone could help me
out in terms of procedure, being the layman I am, why
some aggressive Members of the House have
decided to raise their voices louder than those who
don't.

I went before the Standing Committee on Legislation
and they agreed to support the bill based on the two
changes which I put into the bill. What the heck is
going on?

SOME HON. MEMBERS:

(Microphones turned off)

CHAIRMAN (Mr. Lewis):

Order, please. Just a brief response to Mr. Todd.
The government proposed the bill. The committee
has reported on the bill and it is up to the full
Assembly to dispose of the bill, in the way they feel
they should. That is my response to the issue you
have raised. On a point of order, Mr. Ballantyne.

Point Of Order

MR. BALLANTYNE:

Mr. Chairman, Mr. Todd's question doesn't seem to
be a normal question in parliamentary procedure. I
don't think it even warranted an answer. Perhaps the
chairman could tell me what Mr. Todd's point of order
was.

CHAIRMAN (Mr. Lewis):

I believe I set Mr. Todd straight, Mr. Ballantyne, on
the issue he had raised and I believe he is satisfied
with my answer. Mr. Nerysoo.

Point Of Order

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. On a point of order, I want to challenge your ruling on the matter of the first decision.

CHAIRMAN (Mr. Lewis):

Maybe you could state what the issue is that I have to take to the Speaker.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Mr. Chairman, you indicated that the nays had it and yeas were defeated. I believe that the honourable Member requested a recorded vote, so I wanted to challenge the ruling you made, and that Clause 1 had not been agreed to.

CHAIRMAN (Mr. Lewis):

I will rise then and report to the Speaker that the chair has been challenged.

---SHORT RECESS

MADAM SPEAKER:

I will call the House back to order. The honourable Member for Yellowknife Centre, Mr. Lewis.

CHAIRMAN (Mr. Lewis):

Thank you, Madam Speaker. We were dealing with An Act to Amend the Public Utilities Act. We had already proceeded to a clause by clause vote on this bill. After the first clause, I asked for a vote and I wasn't sure whether there were more people in favour or against, so I asked a second time so that I could determine whether there were more numbers or simply more volume from individual Members. I still wasn't absolutely sure, so I asked for the third time for Members to indicate by voice whether they supported this particular clause or not. After the third occasion, I decided that it sounded like more numbers rather than more volume, and it was on that basis that I decided that the clause had been nayed by the Assembly. I was challenged on this analysis of the vote and it has been referred to you, Madam Speaker.

Speaker's Ruling

MADAM SPEAKER:

Thank you. In my observation of committee of the whole, it appears that since we have a consensus

government and it wasn't clear to the chair on the vote because of the number of yeas or nays, and according to section 722 of Beauchesne's it states, "At the commencement of the report stage of a bill, the Speaker by virtue of standing order 76(5) may select or combine motions in amendment for debate as is thought fit. At this time, the Speaker may also give notice of those motions which are of procedural concern and ask for guidance on their procedural acceptability."

It is my ruling that it was very unclear to the chair as to whether the nays or the yeas were the majority. Unfortunately, Mr. Chairman, I believe that to give clear direction from the House, a vote should have been taken at that time for the particular clause of that bill. Therefore, I would ask that the committee go back with the bill and to vote accordingly in order to address the bill. Thank you. The House will resolve into

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committee of the whole with the honourable Member for Yellowknife Centre, Mr. Lewis, in the chair.

CHAIRMAN (Mr. Lewis):

I would like to call committee of the whole to order. On the instructions of the Speaker, we have been asked to go back to clause 1 and have a recorded vote on this clause. I would like to call clause 1. All those in favour, please rise.

Recorded Vote

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Pollard, Mr. Kakfwi, Mr. Morin, Mr. Todd, Mr. Nerysoo, Mr. Arngna'naaq.

CHAIRMAN (Mr. Lewis):

All those opposed, please rise.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Whitford, Mr. Ningark, Mr. Dent, Mr. Ballantyne, Mr. Zoe, Mr. Koe, Mr. Antoine, Mr. Pudluk.

CHAIRMAN (Mr. Lewis):

All those abstaining, please rise. Clause 1 has been defeated. On clause 1, there are six in favour and eight against. Clause 1 has been defeated. We are

on clause 2 and we have been asked to follow the same procedure. Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, may I respectfully suggest that we move on to the next item and not deal with any more clauses in the bill. Without clause 1, the bill is dead. Thank you.

CHAIRMAN (Mr. Lewis):

I need some direction from the committee as to what you want me to do with this bill. It's your bill. Mr. Pollard.

Committee Motion 72-12(6): To Defer Consideration Of Bill 8, Defeated

HON. JOHN POLLARD:

Mr. Chairman, I would move to defer this bill. Thank you.

CHAIRMAN (Mr. Lewis):

That's a motion to defer. It's not debatable. Those in favour? Those opposed? The motion is defeated.

---Defeated

CHAIRMAN (Mr. Lewis):

Clause 2. I'll try it again. Clause 2.

SOME HON. MEMBERS:

Nay.

CHAIRMAN (Mr. Lewis):

Clause 2 is also defeated. Clause 3.

SOME HON. MEMBERS:

Nay.

CHAIRMAN (Mr. Lewis):

Clause 3 is also defeated. Mr. Kakfwi, are you challenging the chairman on this one? I'm not quite clear. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

No, I'm not challenging you.

CHAIRMAN (Mr. Lewis):

I only heard nays, Mr. Kakfwi, so clause 3 is also defeated. Clause 4.

SOME HON. MEMBERS:

Nay.

CHAIRMAN (Mr. Lewis):

I heard only nays, so clause 4 is also defeated. The bill as a whole. I would like to report to the House that Bill 8, An Act to Amend the Public Utilities Act is not ready for third reading.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

What is the wish of the committee, to go on to the fourth item on the list read out by Mr. Dent this morning, the Legislative Assembly budget?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Are we all agreed that we go on to Bill 1 again?

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

Legislative Assembly Of The Northwest Territories

CHAIRMAN (Mr. Ningark):

We are dealing with the Legislative Assembly on page 01-7. Speaker of the Legislative Assembly, Madam Speaker, do you have opening remarks?

Speaker's Introductory Remarks

MADAM SPEAKER:

I am pleased to appear before the committee of the whole today to present the capital estimates for the Legislative Assembly.

The capital request before you today amounts to \$230,000, and it is for the second phase of the site lighting and for interior alterations to the Legislative library and mechanical and control changes.

Mr. Chairman, I will be pleased to respond to any questions that Members may have. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Does the Standing Committee on Finance have any comments? Okay, general comments. Are we ready for detail?

SOME HON. MEMBERS:

Agreed.

---Agreed

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Line By Line

Office Of The Clerk

CHAIRMAN (Mr. Ningark):

Page 01-9, office of the Clerk, buildings and works, headquarters, total region, \$230,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Mr. Koe.

MR. KOE:

I would like to ask the status of this site lighting. We spent \$150,000 last year. The project is called "site lighting design," but there have been no noticeable new lights out in the yard of this Assembly. It's still dark and with the advent of winter now, it seems darker than before. I was wondering what's happening in terms of the project.

CHAIRMAN (Mr. Ningark):

Thank you. Madam Speaker.

MADAM SPEAKER:

Thank you. Mr. Chairman, during the issue of the site lighting, the Management and Services Board decided to look at it as two phases. The first phase being for this current fiscal year, which we installed three light standards at the entrance to the capital site where it intersects with the highway. It will also install additional light standards in the parking lot.

Phase II is basically the amount of funding of \$205,000 which will be used to add on small bottom lights with power utilities to be added to the parking lot, and to install bottom types of lights from the parking lot, past the museum, across the causeway to the capital site close to the city hall boundary. So this is basically the site lighting, as Mr. Koe was wondering. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Total region. Mr. Koe.

MR. KOE:

Thank you. There are no plans, then, to provide lights on the circular road that comes in and out of this Assembly.

CHAIRMAN (Mr. Ningark):

Thank you. Madam Speaker.

MADAM SPEAKER:

There aren't, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Total region, \$230,000. Agreed? Do we agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Total buildings and works, \$230,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Total activity for this page is \$230,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Back to the departmental summary. Capital expenditures, total capital expenditures, \$230,000. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Do we agree that the 1995-96 capital estimates of the Legislative Assembly are concluded?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Agreed. Thank you. Thank you, Madam Speaker.

We are waiting for Mr. Todd to arrive. Thank you.

The committee will come back to order. We are dealing with Bill 13, An Act to Amend the Motor Vehicles Act. Mr. Minister, do you have opening remarks?

HON. JOHN TODD:

I do, Mr. Chairman, thank you. Is this Bill 13 or Bill 14, we're dealing with, Mr. Chairman?

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. We are dealing with Bill 13 and Bill 14. Bill 13 first and then Bill 14.

HON. JOHN TODD:

Mr. Chairman, I don't want to confuse everybody, but my opening remarks incorporate both bills. Is that okay?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 13: An Act To Amend The Motor Vehicles Act

Bill 14: An Act To Repeal The Public Service Vehicles Act

Minister's Introductory Remarks

HON. JOHN TODD:

Mr. Chairman, my remarks today deal with both Bill 13 and Bill 14, as a pair. Bill 14, the repeal of the Public Service Vehicles Act, removes a whole layer of regulation from the trucking industry. Bill 13, amendments to the Motor Vehicles Act, replaces the quasi-judicial function of the five-member highway transport board with a much simpler appeal process to a motor vehicle adjudicator. Taken together, I think these two bills are a good example of how less government can result in better government.

The Public Service Vehicles Act is the legislation establishing the Northwest Territories' highway transport board and its authority for the economic regulation of the trucking industry.

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In 1988, the federal Motor Vehicle Transport Act effectively removed the authority of provinces and territories to regulate inter-provincial/territorial trucking operations. From the time the federal legislation came into effect, the highway transport board became less and less active.

Even though the Public Service Vehicles Act was still in force, the board decided to cease operation altogether as of January 1, 1994. Bill 14 formally repeals the Public Service Vehicles Act and eliminates the highway transport board. The regulatory environment of the Canadian trucking industry has been thoroughly reorganized over the past several years. As the control of market entry has been phased out, new regulations concerning driver and vehicle safety fitness have come into effect. In the mid-1980s the federal, provincial and territorial governments, in close cooperation with the trucking

industry, devised the standards of the national safety code which have since become the basis for more uniform trucking regulations across Canada.

The regulatory authority to implement the national safety code in the Northwest Territories were passed as amendments to the Motor Vehicles Act in 1989. The registrar of motor vehicles is responsible for the administration of the Motor Vehicles Act. Especially since the implementation of the national safety code, the registrar has acquired considerable administrative authority. In the interests of natural justice, the purpose of Bill 13 is to establish a quasi-judicial process to appeal decisions of the registrar in cases involving the cancellation or suspension of drivers licences or vehicle registrations.

In the new safety-oriented environment of motor vehicle regulation, the decisions of the registrar of motor vehicles involve fairly straightforward technical and factual considerations. Just the same, in the event an individual or a company should feel aggrieved, these amendments provide the public and industry with a simple and direct means of appeal to a motor vehicles adjudicator.

The motor vehicle adjudicators replace the quasi-judicial function of the highway transport board with a slightly broader mandate to hear appeals of drivers licence suspensions or cancellations. In practice, we intend to make standing appointments of justices of the peace as motor vehicle adjudicators to hear appeals. This will produce a much faster and less expensive appeal process than recourse to the courts. The bill allows the Minister to designate a specific adjudicator in the event of a more complicated or technical case calling for special expertise. Finally, Bill 13 brings over the regulatory authorities concerning cargo insurance and bills of lading from the Public Service Vehicles Act and places them under the Motor Vehicles Act.

In conclusion, Bill 13 improves the fairness and justice of the Motor Vehicles Act with the addition of a simple and inexpensive appeal process. Bill 14 formally eliminates the highway transport board and thereby simplifies the regulatory environment for the trucking industry. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. On behalf of the Standing Committee on Legislation, Mr. Whitford, do you have opening remarks?

Standing Committee On Legislation Comments

MR. WHITFORD:

Thank you, Mr. Chairman, yes, indeed. I have the Standing Committee on Legislation's comments on both Bill 13 and Bill 14. I will begin by reading into the record the committee report on Bill 13, An Act to Amend the Motor Vehicles Act.

Mr. Chairman, the Standing Committee on Legislation has completed its review of Bill 13, An Act to Amend the Motor Vehicles Act. On October 31, 1994, the committee held a public hearing in Yellowknife to review Bill 13 which proposes to amend the Motor Vehicles Act by: adding the right to appeal the registrar's decision requiring medical examinations and cancelling tickets of registration for vehicles operating under the national safety code; establishing the appeal procedures; providing for the appointment of adjudicators to hear appeals; and, adding regulation-making powers relating to public service vehicles respecting cargo insurance requirements and bills of lading.

The committee was concerned that the Department of Transportation's intent to appoint justices of the peace as motor vehicle adjudicators did not unduly burden those individuals, given the considerable scope of their current duties. The department assured the committee that they do not anticipate more than a few appeals and their consultations with the Department of Justice have met with approval for this approach. In addition, the department assured the committee that the necessary training will be provided to the justices of the peace in order to adjudicate appeals under the act.

The committee is pleased to support Bill 13. It proposes to establish a simple and inexpensive appeal process that will address the grievances of motorists respecting decisions of the registrar. Appeals will be conducted in a fair, straightforward manner, consistent with the principles of natural justice.

Mr. Chairman, on October 31, 1994, the standing committee passed a motion that Bill 13, An Act to Amend the Motor Vehicles Act was ready for consideration in committee of the whole.

Mr. Chairman, I will now go through the Standing Committee on Legislation report on Bill 14, An Act to Repeal the Public Service Vehicles Act.

Mr. Chairman, the Standing Committee on Legislation has completed its review of Bill 14, An Act to Repeal the Public Service Vehicles Act. On October 31, 1994, the committee held a public hearing on Bill 14 in Yellowknife. This bill repeals the Public Service Vehicles Act and eliminates the legislative mandate of the highway transportation board. Federal deregulation in the Canadian trucking industry has led to a substantial reduction in both board activities and application of the act.

The committee is pleased to support a bill that reflects the national move to a safety-oriented approach to the administration of the trucking industry. The committee also supports the retention of the necessary regulations respecting cargo insurance and bills of lading by incorporating them into the Motor Vehicles Act, as noted in the committee's report on Bill 13.

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Mr. Chairman, the Standing Committee on Legislation fully supports this bill. On October 31, 1994, the committee passed a motion that Bill 14, An Act to Repeal the Public Service Vehicles Act, was ready for consideration in committee of the whole. Those are the two reports on Bill 13 and Bill 14, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Whitford. Before I open the floor for general comments, I would like to ask the Minister if he wants to bring in witnesses.

HON. JOHN TODD:

I would appreciate that thank you.

CHAIRMAN (Mr. Ningark):

Sergeant-at-Arms, escort the witnesses in, please.

Welcome. Mr. Minister, for the record, please introduce your witnesses to the committee.

HON. JOHN TODD:

Thank you, Mr. Chairman. On my immediate right, is Ms. Carol Whitehouse, legal counsel. On my immediate left is the deputy minister of Transportation, Mr. Andrew Gamble.

CHAIRMAN (Mr. Ningark):

Thank you. We are dealing with Bill 13, An Act to Amend the Motor Vehicles Act. The floor is now open for general comments. Mr. Zoe.

General Comments

MR. ZOE:

Mahsi, Mr. Chairman. Mr. Chairman, with regard to the bill before us, I have no major problems with it in regard to simplifying the system we have in place by replacing the current board with an adjudicator. I would like to get clarification from the Minister with regard to the additional regulation-making power that is being proposed in the bill. Could the Minister elaborate on those added powers to the Minister?

CHAIRMAN (Mr. Ningark):

Thank you. Minister of Transportation.

HON. JOHN TODD:

Ms. Whitehouse said she can advise you on that, Mr. Zoe.

CHAIRMAN (Mr. Ningark):

Ms. Whitehouse.

MS. WHITEHOUSE:

Thank you, Mr. Chairman. The regulation-making powers that are being added by this bill are taken out of the Public Service Vehicles Act that is being repealed by Bill 13 and are the regulation-making powers that are necessary for the items which will now be covered by the Motor Vehicles Act.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

Thank you, Mr. Chairman. So those added regulations with regard to deposits, insurance policies, bonds, all those items under section 6(b)...Is this a requirement that was currently under the old Public Service Act, which is now going to be incorporated into this act? Is that right?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. JOHN TODD:

That is correct, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. General comments. Are we ready to go clause by clause?

SOME HON. MEMBERS:

Agreed.

--Agreed

Clause By Clause

CHAIRMAN (Mr. Ningark):

We are dealing with Bill 13, An Act to Amend the Motor Vehicles Act. Clause 1.

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Mr. Whitford.

MR. WHITFORD:

We don't have a quorum.

CHAIRMAN (Mr. Ningark):

Thank you for that reminder, Mr. Whitford. I shall ring the bell. All right, I think we now have a quorum. Clause 1.

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 2.

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 3.

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 4.

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 5.

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 6. Mr. Zoe.

MR. ZOE:

Mr. Chairman, under clause 5, where a person may appoint a person to act as an adjudicator for a term of two years or as need arises, there is an area that I would like to touch on. I think the Member for the Standing Committee on Legislation touched on it earlier and it is with regard to training these individuals who are being appointed. Does the department have a training program in place, on the day fixed

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by order of the Commissioner? Would there be a training program in place prior to the Commissioner enforcing this bill?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. JOHN TODD:

Mr. Chairman, I did speak to the Standing Committee on Legislation and indicate to them that discussions

are under way between Transportation and Justice in terms of what is expected, particularly the justices of the peace. I am told that there are three or four appeals a year. It isn't a large amount. If there was a difficult case, we have the ability to appoint a special adjudicator who would be able to handle that. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

I understand what the Minister is saying, but if the adjudicators are going to be the JPs we have in the system, I would assume that some sort of training program should be in place prior to this bill coming into effect. The JPs are the ones the department is currently leaning towards using as adjudicators. If they aren't trained in this area, Mr. Chairman, then we are going to run into problems, although our appeal cases could be three or four a year. It is still going to create that problem if they aren't properly trained. I would like to ask the Minister if we are going to have a specific training program in place prior to this bill coming into force? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Minister of Transportation.

HON. JOHN TODD:

We believe that the JPs have sufficient expertise. There are some discussions under way with the Department of Justice when the JPs meet to talk about this issue, but there is no specific training program in place.

CHAIRMAN (Mr. Ningark):

Qujannamiik. Merci. Thank you. I was going too fast. I was reminded to go a little slower. Clause 5.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Clause 6.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Clause 7.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Bill as a whole?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Does the committee agree that Bill 13 is ready for third reading?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Bill 13 is now ready for third reading. Before we go on to the next bill, I would like to recognize the Arctic College adult upgrading class from Ndilo.

---Applause

CHAIRMAN (Mr. Ningark):

Thank you. We will now proceed with Bill 14, An Act to Repeal the Public Service Vehicles Act. Are we ready for clause by clause?

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Ningark):

Thank you. Clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Bill as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Does the committee agree that Bill 14 is now ready for third reading?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

I would like to thank the honourable Minister and the witnesses for appearing before the committee. Thank you.

What is the wish of the committee? Mr. Dent.

MR. DENT:

Mr. Chairman, I would like to recommend that we consider Bill 1 and Committee Report 10-12(6) to hear the opening comments of Renewable Resources and the Standing Committee on Finance.

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CHAIRMAN (Mr. Ningark):

Are we agreed that we deal with the opening comments of the Minister of Renewable Resources?

SOME HON. MEMBERS:

Agreed.

---Agreed

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

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

Department Of Renewable Resources

CHAIRMAN (Mr. Ningark):

Mr. Arngna'naaq.

Minister's Introductory Remarks

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. Mr. Chairman, the 1995-96 capital budget of the Department of Renewable Resources is just under \$2.5 million. Of this, almost 65 per cent is used to maintain offices and equipment for regional staff. It is through regional offices that the department's programs and services are delivered to the public.

Staff use the equipment to travel on the land and to conduct renewable resource development and management projects. The 1995-96 mobile equipment budget has been reduced by 25 per cent from last year in accordance with the recommendation from the Standing Committee on Finance. The inventory of departmental mobile equipment has also been reviewed and old, surplus equipment is being provided to community organizations.

The remainder of the 1995-96 capital budget relates to purchasing equipment and renovating existing facilities used during forest fire management activities. It is important to maintain all facilities and equipment in good condition when you are managing

forest fires in an area that covers one-third of the Northwest Territories. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. The Standing Committee on Finance review. Mr. Zoe.

Standing Committee On Finance Comments

MR. ZOE:

Thank you, Mr. Chairman. The committee was pleased to note that this department responded well to last year's recommendations, reducing spending on mobile equipment and deleting funding identified for video equipment. Committee Members encourage the department to track the age and replacement requirements of mobile equipment in order to ensure that available funding is being used most effectively.

Forest Fire Suppression

Recommendation 12

The Standing Committee on Finance recommends that the Department of Renewable Resources re-examine its standards and criteria regarding forest fire suppression.

Mr. Chairman, that concludes the report of the Standing Committee on Finance, but I will be making a motion after I hear the general discussion of Members, before we get into detail.

SOME HON. MEMBERS:

(Microphones turned off)

CHAIRMAN (Mr. Ningark):

Mr. Zoe.

Committee Motion 73-12(6): To Adopt Recommendation 12, Carried

MR. ZOE:

Mr. Chairman, maybe I will make my motion before we get into general comments. I move that the committee recommends that the Department of Renewable Resources re-examine its standards and criteria regarding forest fire suppression. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Zoe. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Ningark):

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

---Carried

Mr. Zoe.

MR. ZOE:

Mr. Chairman, that concludes the report of the Standing Committee on Finance. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. General comments. Mr. Zoe.

MR. ZOE:

Mr. Chairman, I move that we report progress.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Zoe. There is a motion that we report progress and the motion is not debatable. All those in favour? All those opposed? Motion is carried.

---Carried

I will rise and report progress to the Speaker on your behalf. Thank you.

MADAM SPEAKER:

I will call the House back to order. The honourable Member for Natilikmiot, Mr. Ningark.

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ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Ningark):

Thank you, Madam Speaker. Madam Speaker, your committee has been considering Committee Report 10-12(6), Committee Report 11-12(6) and Committee Report 15-12(6), Bill 8, Bill 1, Bill 13, and Bill 14, and would like to report progress with nine motions being adopted, that Committee Report 11-12(6) and

Committee Report 15-12(6) are concluded, that Bill 13 and Bill 14 are ready for third reading, and Madam Speaker, that Bill 8 is not ready for third reading. And, Madam Speaker, I move that the report of the committee of the whole be concurred with. Thank you.

MADAM SPEAKER:

Thank you. The motion is in order. Secunder for the motion, the honourable Member for North Slave, Mr. Zoe. Mr. Clerk, we do not have a quorum; would you ring the bells, please.

We just have a quorum. The motion is in order. 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):

There will be meetings Monday morning, Madam Speaker, at 9:00 am of the Standing Committee on Legislation, at 10:30 am of the Ordinary Members' Caucus, and at 12:00 noon of the Special Joint Committee on Division.

Orders of the day for Monday, November 7, 1994.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions

8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills
16. Motions
 - Motion 13-12(6), Amended Terms of Reference for the
Advisory Committee on Social Housing
17. First Reading of Bills
18. Second Reading of Bills
 - Bill 19, Supplementary Appropriation Act, No. 1, 1994-95
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
 - Bill 1, Appropriation Act, No. 1, 1995-96

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

20. Report of Committee of the Whole

21. Third Reading of Bills

- Bill 2, Aboriginal Custom Adoption
Recognition Act

- Bill 13, An Act to Amend the Motor Vehicles
Act

- Bill 14, An Act to Repeal the Public Service
Vehicles Act

22. Orders of the Day

MADAM SPEAKER:

This House stands adjourned until Monday,
November 7th, at 1:30 pm.

---ADJOURNMENT