



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

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The Honourable Jeannie Marie-Jewell, Speaker

MEMBERS PRESENT

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

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Jeannie Marie-Jewell):

Thank you. Good afternoon. I have a letter from the Commissioner dated March 17, 1994: "Dear Madam Speaker, I wish to advise that I recommend to the Legislative Assembly of the Northwest Territories, the passage of Bill 17, Loan Authorization Act, 1994-95, during the Fifth Session of the 12th Legislative Assembly. Yours truly, D L Norris, Commissioner."

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

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 49-12(5): Transfer Of Sir John Territorial High School

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. Madam Speaker, the extension of senior secondary grades in each region means that fewer and fewer students are travelling to Yellowknife to attend school. The budget for the department which has gained the agreement of this Assembly included the closure of Akaitcho Hall. In addition, the decrease in the number of regional students attending school in Yellowknife means that the Board of Secondary Education, which has been administering Sir John, is no longer appropriate.

As a result, I am pleased to announce today that it has been agreed by Yellowknife Education District No. 1 and myself that we proceed to negotiate the transfer of responsibility for Sir John Franklin Territorial High School to the public school board, effective July 1.

---Applause

Under the agreement, the Board of Secondary Education will be dissolved on June 30.

For many years, parents of students in the Yellowknife public school system have been asking for direct authority for the education of their children, from kindergarten to grade 12. With the transfer of responsibility for Sir John Franklin, parents will have that authority.

Students from outside Yellowknife who attend high school in the city will be accommodated through agreements developed by their divisional board and either the Yellowknife public school board or the Yellowknife Catholic school board. These agreements will ensure that the needs of regional students are recognized, and will emphasize that divisional boards and community education councils are accountable for the delivery of education for those students, parents and families they represent.

The Yellowknife public school board and the Yellowknife Catholic school board may both participate in the negotiation of agreements with divisional boards for senior secondary education. Both districts will be providing home boarding programs. The Catholic school board is already responsible for programs from kindergarten to grade 12, as will the public school board, starting in July.

My department and Yellowknife Education District No. 1 have agreed that the education district will hire any staff beginning their duties at the high school this fall. Arrangements will be developed to accommodate existing staff who belong to the NWT Teachers' Association and the Union of Northern Workers. It is our target that these arrangements be concluded by July, 1994.

The department and the education district are committed to consulting with the parties affected by the transfer as it progresses. A working committee has begun consultations, as well as drafting the necessary detailed arrangements.

Madam Speaker, it is important that parents have the means to guide the education of their children throughout their school years. I am pleased that the extension of senior secondary grades in each divisional board means that parents across the NWT are able to maintain a closer link to both guide and support the education of their children. I am also pleased that grade extensions have resulted in Yellowknife parents gaining the authority they have been seeking. Thank you, Madam Speaker.

---Applause

MADAM SPEAKER:

Thank you. Item 2, Ministers' statements. Madam Premier.

Minister's Statement 50-12(5): Ministers' Absences From The House

HON. NELLIE COURNOYEA:

Madam Premier, this statement is with regards to Ministers' absences from the House. The honourable Stephen Kakfwi will be absent from the House the week of March 21, 1994 to attend a federal/provincial/territorial Ministers of Justice meeting in Ottawa. Mr. Kakfwi will depart late Monday afternoon and will be back in Yellowknife on Friday afternoon.

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Madam Speaker, the Honourable John Todd will be absent from the House on Friday, March 25, 1994 to attend the Nunavut trade show and business conference. Mr. Todd will also be attending a meeting of Ministers of Internal Trade in Halifax the week of April 4, 1994. This meeting is of some importance to the NWT because negotiations concerning the reduction of trade barriers between the provinces and territories is at an advanced stage. Mr. Todd will be absent from the House for the planned duration of the Sixth Session in April. Thank you.

MADAM SPEAKER:

Thank you. Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for Yellowknife Centre, Mr. Lewis.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Recall Of MLAs

MR. LEWIS:

Thank you, Madam Speaker. For the past several weeks, I've been doing research on the issue of the recall of MLAs. A Gallup poll during February of this year indicated that 75 per cent of Canadians favoured recall. When I first examined the history of recall, I found that objections to recall were based on the fears of abuse by various sectors of the public. Most elected people were against recall because it could

be abused by various powerful interest groups. There seemed to be no proposal which provided safeguards that elected people would feel comfortable with.

Although I initially had doubts about recall, and especially about writing recall legislation which would satisfy both the public and politicians, I now believe that recall legislation is both desirable and possible in the Northwest Territories. Across the country, we see political parties adopting codes of conduct and ethics but with no means for Members to be removed if they no longer have the trust of the people who elected them. Governments are reluctant to enact legislation because it could be used against politicians by the vested interests of the rich, powerful or very well-organized interest groups. If politicians don't bow to their demands, they could become the object of recall.

The solution, of course, Madam Speaker, is to find some way of fixing the flaw since recall is a clearly desirable mechanism if appropriate safeguards can be established. I believe that this is possible. I hope to table in the Legislature a paper on recall which I believe will convince Members that recall is both desirable and necessary. I would ask Members to be open-minded about it and request that it be put on the agenda of our strategic workshop in Fort Smith in April. Thank you.

---Applause

MADAM SPEAKER:

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

Member's Statement On De Beers' Lawsuit Against Ecology North

MR. ANTOINE:

Mahsi, Madam Speaker. Members of this Assembly are, no doubt, aware of the David and Goliath situation that has developed over the past few days, as a result of the giant De Beers diamond company threatening legal action against the northern environmental organization, Ecology North. Because of De Beers' actions, people in Yellowknife have been deprived of an opportunity to see a documentary film entitled The Diamond Empire that was televised on American public broadcasting system only six weeks ago. This was seen by people in the north on the PBS TV channel, already. It is obviously the intention of De Beers to ensure that nobody else in the NWT sees the film.

I understand it is Ecology North's intention to encourage public discussion about the diamond industry by presenting information that the great majority of people in the Northwest Territories have not yet seen. Last week in Yellowknife, a De Beers' representative, Mr. George Burne, showed a promotional video about the diamond industry from the company's point of view. But there are other points of view about the industry, points of view that northerners should know about in order to be fully informed about an industry that could have a very big impact on our lives in the years to come.

I am sure that all my colleagues in this Assembly will agree with me that northerners are certainly intelligent enough to judge for themselves what is true and what is not true. We don't need big international mining companies making up our minds for us by telling us what sorts of information we can or cannot see. If that sort of conduct is typical of the diamond industry, the people of the NWT should think very carefully indeed before giving approval to any diamond mining on our lands.

In closing, Madam Speaker...(microphone turned off)

MADAM SPEAKER:

Mr. ...

MR. ANTOINE:

...full public debate about diamond mining in the NWT by suggesting that this Assembly...

MADAM SPEAKER:

I'm sorry, Mr. Antoine.

MR. ANTOINE:

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

MADAM SPEAKER:

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

MR. ANTOINE:

If this sort of conduct is typical of the diamond industry, the people of the Northwest Territories should think

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very carefully indeed before giving approval for any diamond mining on our lands.

In closing, Madam Speaker, I would like to stimulate open public debate about diamond mining in the NWT by suggesting that this Assembly consider sponsoring a public showing of both The Diamond Empire and De Beers' own film A Treasure in Trust. Mahsi, Madam Speaker.

---Applause

MADAM SPEAKER:

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

Member's Statement Re Congratulating Science Institute On Production Of Information

MR. WHITFORD:

Thank you, Madam Speaker. Happy St. Patrick's Day to all you Irish out there. Madam Speaker, I would like to congratulate the Science Institute for handing out to us the other day, March 14, this nice tape and songbook put together by the Science Institute in conjunction with a well-known Yellowknifer, Jamie Bastedo, Science and Song.

I'm not doing a plug for the Minister, but with his concurrence I listened to part of the tape and looked at the words in the book, and it is quite entertaining. It deals with a number of northern subjects that we're all familiar with, but put into a language that you can understand.

In addition, Madam Speaker, Mr. Bastedo is well-known to the radio listeners. He has a program on CBC which he does on a weekly basis. He deals with a number of fairly complicated science issues, ecosystems in the territories, from a different perspective. He's easy to listen to and very informative. He does them live from on the rocks outside of the city, in the swamps, in the bushes and on the land. He has a unique way of putting things into a very listenable perspective. He's done everything from sandpits to swamps, he even talks about how mosquitoes come to be, and makes you not want to swat the little critters but give them a hug after he's finished.

In seriousness, Madam Speaker, this is an interesting way of putting science to the public in a way that is entertaining. I would encourage the Members not only to listen to the tape, but to pass it on to -- if they don't have children themselves -- families with children. It's quite entertaining. Thank you very much.

MADAM SPEAKER:

Thank you. The Speaker would like to recognize in the public gallery, the grade ten students from Chief Jimmy Bruneau School in Rae-Edzo, and their teacher Paul Byrns.

---Applause

Item 3, Members' statements. The honourable Member for Mackenzie Delta, Mr. Nerysoo.

Member's Statement On Outstanding Achievements Of Jeremy Jaud

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I would like to take this opportunity to congratulate and recognize an outstanding young athlete from the Northwest Territories on his accomplishments to date. Many of the Members here, including the Members of Yellowknife, know a young man by the name of Jeremy Jaud, who has received national recognition for his swimming skills.

He has been ranked first in Canada for his age group in the 100 metre, the 200 metre backstroke; third in the 200 metre free-style; fifth in the 200 metre backstroke; and, sixth in the 400 metre individual medley.

Madam Speaker, Jeremy Jaud is also committed to academic excellence. He completed his grade ten at Sir John Franklin High School and received a scholarship to attend grade 11 in Winnipeg, Manitoba at Winnipeg Collegiate. He has maintained an 84 per cent grade average while swimming 18 hours per week and dry land weight training six hours per week. He has won numerous awards such as the Unisys Award at the 1993 Canada Games as a member of the Northwest Territories summer games swim team.

Madam Speaker, this is an important note for Members. Jeremy will be going to represent Canada on the Canadian Youth Team at the Eight Nations Swim Meet in Cadiz, Spain on April 2, 1994.

---Applause

Madam Speaker, it is important for us to recognize athletes like Jeremy and to support this level of excellence achieved in both athletics and education. He is a role model for all the youth of the Northwest Territories, and a national symbol of what may be achieved within our educational and athletic system. I would like to ask all of my fellow Members to join me in recognizing the accomplishments of this young man who not only represents the north, but now will represent Canadians. Thank you.

---Applause

MADAM SPEAKER:

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

Member's Statement Re Disappearance Of Young Women

MR. GARGAN:

Thank you, Madam Speaker. Today I wish to speak about the four young aboriginal girls who have gone missing from the Yellowknife area over the past five years. I find it appalling that the RCMP took so long to form a task force to deal with these disappearances.

Madam Speaker, when a male trapper goes missing or is overdue, planes and ground searches are immediately organized. Because we were dealing with young women, the police and indeed the entire community looked at this issue as more of a runaway problem rather than the sinister tones these disappearances have taken.

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Madam Speaker, one family can take solace in at least being able to bury their daughter. But, for the remaining families, it is a never-ending battle between hope and despair. They struggle to retain their faith while being burdened by media sensationalism surrounding prostitution and abduction of young people. These families deserve our sympathy and support during their time of need. We, as the government, should be doing everything in our power to ensure that the RCMP do everything possible to solve those cases.

Madam Speaker, we also need to change people's attitudes. I am positive it would have been much

easier for the RCMP to find out what happened to these young women if they would have treated their disappearances as suspicious right from the start. Mahsi cho, Madam Speaker.

---Applause

MADAM SPEAKER:

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

Member's Statement On Aspirations Of Constituents

MR. BALLANTYNE:

Thank you, Madam Speaker. Today, Madam Speaker, I would like to talk about my constituents in Ndilo and Dettah and their aspirations, my constituents along the Ingraham Trail and their aspirations and my constituents in Yellowknife proper and their aspirations. Their aspirations are all different, but I believe that they can be brought together.

The Yellowknives Dene Band is taking a reasonable and pragmatic approach to get the land they need to unify their band and to bring together band members in Yellowknife, Dettah and Ndilo. They also want to provide the band with a land and economic base so they can co-exist with Yellowknife as an equal partner on their historic lands. The cottagers along the Ingraham Trail are looking for land tenure -- ideally, they would like fee-simple ownership -- and some say in the development of land use planning for the area. My other constituents in Yellowknife proper are looking for a long-term political and economic structure so they can bring up their children and expect some security for the future as they plan their lives for the next 20 years.

I believe that these three groups of people all have some stake in the resolution of this situation. In many ways, this will be symbolic of the new north. People in Yellowknife have to reach out to the Yellowknives band. Chiefs Sangris and Beaulieu are open to negotiation and I believe it's a golden opportunity for people with different objectives to come together and resolve issues. I want to put on the public record that I believe the aspirations of the Yellowknives Dene Band can be accommodated. From this opportunity can come a new partnership between Yellowknife and the Yellowknives, which could be a model for

cooperation in the whole western Arctic. Thank you, very much.

---Applause

MADAM SPEAKER:

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

Member's Statement On Privatization Of NWT Power Corporation

MR. PATTERSON:

Thank you, Madam Speaker. Madam Speaker, there are many complicated issues before us every day as politicians. The tough issues get left to us. One of these is the issue of privatization of the NWT Power Corporation. I know, Madam Speaker, that MLAs and many organizations already have strong views and concerns on this issue. I would like to see the issue debated fully in public and in this Assembly. However, Madam Speaker, if we are to have a debate in this Assembly and if there's to be a good public debate, I hope it is a reasoned debate and I hope it will be based on facts.

The Union of Northern Workers is concerned about this issue and seeking to influence public opinion and, it seems, the opinions of MLAs. Yesterday, I received a hand-delivered letter in this Chamber on Union of Northern Workers stationery signed by Mrs. Josie Gould, chairperson of the committee against privatization. An attachment to the letter suggests to me that the UNW is engaged in fear-mongering. The attachment is titled, No Deal: How Your Power Bill Will Increase When the Subsidy is Removed. A list of communities then follows with examples of how monthly power bills will at least double when the subsidy is removed.

Madam Speaker, the fact is, the setting of electrical rates is the responsibility of the Public Utilities Board, not the Union of Northern Workers. The subsidy is undoubtedly an issue of concern if the NWT Power Corporation is to be privatized or partially privatized. However, I think it is irresponsible of the UNW to publish information suggesting power bills will increase when the subsidy is removed, as if it is a statement of fact, as if the UNW can accurately predict what rates the PUB would set, as if the UNW knows that there is no other way a subsidy can be provided, such as by a government program.

Madam Speaker, Members of this House, let us have a debate on privatization of the Power Corporation. Let us have a public discussion, but let the debate be based on a reasoned discussion of the issues, not on scare tactics and fear-mongering. Thank you.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. Item 4, returns to oral questions. Item 5, oral questions. The honourable Member for Yellowknife Centre, Mr. Lewis.

ITEM 5: ORAL QUESTIONS

Question 310-12(5): Services For The Disabled

MR. LEWIS:

Thank you, Madam Speaker. My question is to the Minister of Education. Under the Education Act, under the section dealing with the responsibility of the Minister, it says "the Minister shall have charge of and be responsible for, e) The provision of special classes, facilities and instruction for students who require special education programs."

In Yellowknife over the past year, the boards and the Stanton Hospital have ceased to provide special assistance for children who have very definite physical problems to do with hearing and speech. This service is not being provided. I would like

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to ask the Minister, since the act makes him responsible, is he aware of this situation?

MADAM SPEAKER:

Thank you. Minister of Education, Mr. Nerysoo.

Return To Question 310-12(5): Services For The Disabled

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. Yes, we are aware of the situation. We have signed a tripartite agreement with Social Services and Health and the matter of providing services to those with specialized needs is one of the matters that is going to be addressed in the discussions between the departments.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Lewis.

Supplementary To Question 310-12(5): Services For The Disabled

MR. LEWIS:

Thank you, Madam Speaker. I have received information that the tripartite committee was supposed to finish its work by the end of February. Is this agreement the result of the meeting of the tripartite committee?

MADAM SPEAKER:

Thank you. Minister of Education, Mr. Nerysoo.

Further Return To Question 310-12(5): Services For The Disabled

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. That is one of them, but the honourable Member should know that there are a number of other issues that we are required to address, not only the matter of specialized services, for example for the hearing impaired. Speech therapy is another of the issues. The question of psychological analysis assessments is another. Those are a number of the issues that we really need to address. We realize they are important and, as such, we are trying to develop a method by which we can respond to the needs of our students.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Lewis.

Supplementary To Question 310-12(5): Services For The Disabled

MR. LEWIS:

Several parents, in this city anyway, have missed this service for over a year now and many of the students are suffering. I would like to ask the Minister, does he have any kind of time line or date by which he can tell us this issue will be resolved to the benefit of those children?

MADAM SPEAKER:

Thank you. Minister of Education, Mr. Nerysoo.

Further Return To Question 310-12(5): Services For The Disabled

HON. RICHARD NERYSOO:

Thank you. I'm hoping we can have most of it resolved by the beginning of the new school year. However, the honourable Member should be aware that it is a tripartite arrangement and we require a working arrangement with Health and Social Services in order for us to do the best we can. It is a major concern for us from a program delivery perspective and we understand and appreciate the concerns that the parents have and have tried to respond as quickly as possible.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Natilikmiot, Mr. Ningark.

Question 311-12(5): Policy On Transportation Of Deceased Children

MR. NINGARK:

Thank you, Madam Speaker. My question is to the honourable Minister of Social Services. Madam Speaker, a few days ago, a young mother came to Yellowknife, medevaced from Pelly Bay. She was in labour. Subsequently, she gave birth to a premature baby at Stanton Hospital. We all know it is very painful giving birth to a child, especially when the child is not alive at birth. What is more painful, which occurred at the airport yesterday, was two people witnessed the mother carrying her little lifeless baby in the coffin. I don't think this is acceptable to anyone, anywhere, at least it is not acceptable in my society. Madam Speaker, the next incident that took place is even more shocking. One of the bystanders asked another bystander if the mother was carrying a fish in the box. Thank God, the mother never heard the question. My question to the honourable Minister is, what is the department's policy when a mother goes to another place, gives birth to a child and the child is not alive, how does the department look after the transportation of a dead child? Thank you.

MADAM SPEAKER:

Thank you. Minister of Social Services, Ms. Mike.

Return To Question 311-12(5): Policy On Transportation Of Deceased Children

HON. REBECCA MIKE:

Thank you, Madam Speaker. The present policy of Social Services, as it stands, is when the patient goes out of their community and if that patient happens to pass away, then Social Services is responsible for

transportation costs of the deceased body. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ningark.

Supplementary To Question 311-12(5): Policy On Transportation Of Deceased Children

MR. NINGARK:

Thank you, Madam Speaker. Is it the policy of the Department of Social Services that the mother is to carry a lifeless little body in a coffin to her community from the medical centre? Thank you.

MADAM SPEAKER:

Thank you. Minister of Social Services, Ms. Mike.

Further Return To Question 311-12(5): Policy On Transportation Of Deceased Children

HON. REBECCA MIKE:

Thank you, Madam Speaker. No.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ningark.

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Supplementary To Question 311-12(5): Policy On Transportation Of Deceased Children

MR. NINGARK:

Thank you, Madam Speaker. If the answer is no, will the Minister ensure that this incident doesn't happen again in this system? Thank you.

MADAM SPEAKER:

Thank you. Minister of Social Services, Ms. Mike.

Further Return To Question 311-12(5): Policy On Transportation Of Deceased Children

HON. REBECCA MIKE:

Thank you, Madam Speaker. I will make sure that this kind of incident doesn't happen again and I will work with my colleague, Mr. Pollard, to see what has happened. Whether there was miscommunication between Stanton Hospital and my department. If

there was miscommunication, then I don't think my department is aware of it. We are aware of it now, and we will inform Mr. Ningark what happened and take it from there. Thank you.

MADAM SPEAKER:

Item 5, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

Question 312-12(5): Explanation Of Situation Involving Mother And Deceased Child

MR. PATTERSON:

Madam Speaker, I am pleased to hear the Minister say that she will ensure this kind of incident never happens again. Following on the questions of Mr. Ningark, could the Minister explain to this House how such a situation could have occurred and did occur as the Member for Natilikmiot described? How could that have happened? Thank you.

MADAM SPEAKER:

Thank you. Minister of Social Services, Ms. Mike.

Return To Question 312-12(5): Explanation Of Situation Involving Mother And Deceased Child

HON. REBECCA MIKE:

Thank you, Madam Speaker. I just learned of the incident on my way to work from Mr. Ningark. I can only speculate, at this point in time, if the Stanton Hospital did not inform my department about the situation this lady found herself in. I can only speculate. We have no way of knowing unless Stanton Hospital lets us know. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 312-12(5): Explanation Of Situation Involving Mother And Deceased Child

MR. PATTERSON:

Madam Speaker, I appreciate the Minister is going to look further into the matter. I wonder if she would undertake to inform Members of this House of the circumstances in that case, so we can all ensure that procedures are in place so such an event will not occur again. Thank you.

MADAM SPEAKER:

Thank you. Minister of Social Services, Ms. Mike.

Further Return To Question 312-12(5): Explanation Of Situation Involving Mother And Deceased Child

HON. REBECCA MIKE:

Thank you, Madam Speaker. My honourable colleague, Mr. Pollard, informs me that his department is gathering the information already and will provide it to this House. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Deh Cho, Mr. Gargan.

Question 313-12(5): RCMP Investigation Of Girls' Disappearance

MR. GARGAN:

Thank you, Madam Speaker. I would like to direct my question to the Minister of Justice. I made a statement this afternoon with regard to several girls who have been missing from Yellowknife, and other girls who have been missing for quite some time also. There is a young girl from my own constituency, her name is Leona Brule. She has been missing since 1988. There has never been any information on what might have happened to her or who last saw her. Her parents don't know anything. I can only speak for the parents in my constituency about the concern they have. Since the whole investigation of the Giant Mine issue has now been resolved, how much time is now being spent to see if the RCMP could get any leads in finding these young ladies?

MADAM SPEAKER:

Thank you. Minister of Justice, Mr. Kakfwi.

Return To Question 313-12(5): RCMP Investigation Of Girls' Disappearance

HON. STEPHEN KAKFWI:

Madam Speaker, the RCMP have been investigating the disappearance of certain people. Some of these files have been open for a number of years. These files have never been closed. The investigations into each of the disappearances are ongoing. When the task force was set up to investigate the incidents at Giant Mine a year and a half ago, they took the expertise in the task force and made them available to the members of the RCMP detachment who were

assigned to carry on the investigations into these missing persons. There has been some support, advice and consultation provided to the investigating officers by members of the task force. I last checked with them about two or three months ago to ask what the status was and they had said that they felt the investigations should be enhanced as a result of the additional support and expertise that was made available to these investigations. Other than that, I did not ask for details. They believe letting out pieces of information that come up in the course of investigations could compromise the investigation. So I have left it at that. But I have felt the same concern as the Member for families and friends who have to suffer with the uncertainty of what exactly has happened to these individuals. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Gargan.

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Supplementary To Question 313-12(5): RCMP Investigation Of Girls' Disappearance

MR. GARGAN:

Thank you, Madam Speaker. I would like to ask the Minister of Justice if the parents are at least being kept informed with regard to the progress of their investigation?

MADAM SPEAKER:

Minister of Justice, Mr. Kakfwi.

Further Return To Question 313-12(5): RCMP Investigation Of Girls' Disappearance

HON. STEPHEN KAKFWI:

Madam Speaker, I will ask the RCMP to see what could be done within the scope of the investigation to keep families abreast of their work on a regular basis. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Kitikmeot, Mr. Ng.

Question 314-12(5): Sale Of Staff Housing

MR. NG:

Thank you, Madam Speaker. My question is directed to the Minister of Personnel. Earlier, when we reconvened this Fifth Session in February, there were many concerns that were raised regarding the GNWT staff housing strategy. Some of the concerns were about tenants living in public housing units who were ineligible and some staff who weren't given an opportunity to choose a unit which they deemed appropriate for their current and future needs. The Minister acknowledged some of these problems and concerns. I would like to ask her if she has had an opportunity now to address these and other issues raised by Members during that time in reviewing the GNWT staff housing strategy. Thank you.

MADAM SPEAKER:

Thank you. Minister of Personnel, Ms. Mike.

Return To Question 314-12(5): Sale Of Staff Housing

HON. REBECCA MIKE:

Thank you, Madam Speaker. The department and I have been working on some questions that have been raised in this House, and the review will be done by the Cabinet after the second round of staff housing sales is complete. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ng.

Supplementary To Question 314-12(5): Sale Of Staff Housing

MR. NG:

Supplementary, Madam Speaker. Thank you. So now the Minister is referring to a second round of housing sales, and from what I understood, the occupants of staff housing units on December 16 were supposed to be involved in the final round of sales. I would like to clarify, then, is there going to be another round of sales to employees as a result of this review of the GNWT staff housing strategy.

MADAM SPEAKER:

Thank you. Minister of Personnel, Ms. Mike.

Further Return To Question 314-12(5): Sale Of Staff Housing

HON. REBECCA MIKE:

Thank you, Madam Speaker. The staff housing sales are ongoing. After the second round of sales, I informed the House that I would keep the Members individually informed as to what is happening in their constituency, and I believe it was just two days ago, I think, that I signed the letter informing the Members of the interested staff who would like to purchase in their constituencies. Like I said, I would be willing to meet with them individually. I sent the letter two days ago. The Members should have them by now. My intention was that, once that is done, then the Member would bring the concern to my office. I don't know if the Member has received the letter or not. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ng.

Supplementary To Question 314-12(5): Sale Of Staff Housing

MR. NG:

Thank you. I take it, then, that the Minister is saying that there will be another round of sales to employees. I just wanted to get that clarified. I don't believe I have gotten the answer from her answer, so I would like to ask that question again. Thank you.

MADAM SPEAKER:

Thank you. Minister of Personnel, Ms. Mike.

Further Return To Question 314-12(5): Sale Of Staff Housing

HON. REBECCA MIKE:

Thank you, Madam Speaker. We do have expression of interest from the staff at this point in time, and after this round, depending how many staff will be purchasing and if there are enough staff houses left, then, yes, there will be another round of sales. Thank you.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Ng.

Supplementary To Question 314-12(5): Sale Of Staff Housing

MR. NG:

Thank you, Madam Speaker. Final supplementary. The Minister is aware of some of the specific problems in the Kitikmeot region as a result of delays of staff occupying units which they wish to purchase. She has already committed to looking at those on an individual basis, I guess, and I would like to ask her if she is still committed to rectifying that situation of these seven individuals as quickly as possible, I guess, and working on an arrangement that would be suitable to them in purchasing government staff housing units?

MADAM SPEAKER:

Thank you. Minister of Personnel, Ms. Mike.

Further Return To Question 314-12(5): Sale Of Staff Housing

HON. REBECCA MIKE:

Thank you, Madam Speaker. Like I said in the past, after we get the expression of interest from the staff in purchasing the unit that they are occupying, I would be

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willing to meet with individual MLAs if they do have a concern, work with them and take it from there. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Yellowknife Frame Lake, Mr. Dent.

Question 315-12(5): Cost Of Power Subsidy Recouped From Power Corporation

MR. DENT:

Thank you, Madam Speaker. Madam Speaker, my question is for the Minister responsible for NWT Power Corporation. Madam Speaker, I was wondering if the Minister could advise the House whether the recovery from the NWT Power Corporation to this government covers the cost of the power subsidy which is paid out by the government?

MADAM SPEAKER:

Thank you. Madam Premier.

Return To Question 315-12(5): Cost Of Power Subsidy Recouped From Power Corporation

HON. NELLIE COURNOYEA:

Madam Speaker, the dividend or the amount is determined by what the government has determined as the cost of the subsidy, so it does recover. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Baffin South, Mr. Pudlat.

Question 316-12(5): Consultation With Lake Harbour Re Boat Shelter

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. My question is directed to John Todd, the Minister. I realize he responded to a question concerning a safe haven for Lake Harbour. I know he responded properly, Madam Speaker, but I would like clarification, if possible. He indicated that there would be a survey done. Was that to be in consultation first with the Lake Harbour hamlet council, and, if so, when will this occur? Is it for this spring or in the summer? Thank you, Madam Speaker.

MADAM SPEAKER:

Minister of Economic Development and Tourism, Mr. Todd.

Return To Question 316-12(5): Consultation With Lake Harbour Re Boat Shelter

HON. JOHN TODD:

Thank you, Madam Speaker. The first part of the question would be that we would consult with the municipality on the priorities they see for transportation capital spending. On the second part as to when this will take place, I am not in a position today to know exactly when that is, but I will get back to the Member. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Yellowknife North, Mr. Ballantyne.

Question 317-12(5): Extension Of Ndilo And Dettah Boundaries

MR. BALLANTYNE:

Thank you, Madam Speaker. I have a question for the Minister responsible for Municipal and Community Affairs. I know that the Minister has received correspondence from the chiefs from Ndilo and Dettah concerning the extension of their boundaries. My question to the Minister is, is the Minister prepared to convene a meeting of the Yellowknives Band and other interested parties, including the city of Yellowknife, to try to resolve this situation in a positive way?

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Return To Question 317-12(5): Extension Of Ndilo And Dettah Boundaries

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I received a letter from the chiefs around the end of February. I responded in writing to the chiefs earlier this month and indicated that I have asked the deputy minister to convene a meeting between the Yellowknives Dene Band, the city of Yellowknife, the Department of Indian and Northern Affairs and the Department of Intergovernmental and Aboriginal Affairs, and to expect a call from Mr. Menard in the near future. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

Question 318-12(5): Review Of Fort Smith Leadership Program

MR. PATTERSON:

Thank you, Madam Speaker. Madam Speaker, I'm interested in the Fort Smith leadership school even though it's far from my riding, because there was consideration given at the time that school was set up to the possibility of establishing a parallel school in Nunavut. I think that is even a more topical issue, with Nunavut coming in 1999. I would like to ask the Minister of Education something I meant to ask when his budget was presented and that is, has there been a review done of the Fort Smith leadership school, now that it has been in operation for several years? Thank you.

MADAM SPEAKER:

Thank you. Minister of Education, Mr. Nerysoo.

Return To Question 318-12(5): Review Of Fort Smith Leadership Program

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. Yes, but the matter is before Cabinet for consideration.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 318-12(5): Review Of Fort Smith Leadership Program

MR. PATTERSON:

Thank you, Madam Speaker. Madam Speaker, once Cabinet has considered the matter, is the Minister of Education open to the idea of sharing the results of the review with Members of this Assembly? Thank you.

MADAM SPEAKER:

Thank you. Minister of Education, Mr. Nerysoo.

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Further Return To Question 318-12(5): Review Of Fort Smith Leadership Program

HON. RICHARD NERYSOO:

Madam Speaker, I'll take into consideration the comment made by the honourable Member.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 318-12(5): Review Of Fort Smith Leadership Program

MR. PATTERSON:

Madam Speaker, I think the Minister has said in his answer, I'll think about it. I guess I would like a little clearer answer than that. Could I ask the Minister if he's open to sharing the results of the review with Members of this Assembly, or is there some reason why the review should not be made public? Thank you.

MADAM SPEAKER:

Thank you. Minister of Education, Mr. Nerysoo.

Further Return To Question 318-12(5): Review Of Fort Smith Leadership Program

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. I think the honourable Member knows, having served in Cabinet, that reports are not always a matter for public distribution. However, after consideration and after I ask my colleagues if it is with their consent and their approval that the documentation be released, I will suggest that all documentation be released, not just the report. One of the comments that was made to me was that the Nunavut divisional board did not support a leadership program in Nunavut, at the time the offer was made. I'm not aware of that fact and I've raised that point yesterday that it was my view, that if you have a leadership program, it should also be extended to the Nunavut part of the Northwest Territories.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Nahendeh, Mr. Antoine.

Question 319-12(5): Emissions From Giant Mine

MR. ANTOINE:

Mahsi, Madam Speaker. Yesterday, I made a Member's statement concerning emissions from Giant Mine. This morning, I noted two interesting news stories. First, on the radio, the Minister of Renewable Resources reacted to my statement by saying that Giant is on its last legs. It seems he was implying that we shouldn't expect Giant to spend any money cleaning up its emissions. However, in yesterday's Yellowknifer, there was a story that said Royal Oak Mines posted a net income of \$15 million in 1993. Royal Oak's manager of investors' relations, Graham Eacott, was quoted as saying Giant Mine has many more years of life. Figures in the news report suggest that Giant has at least eight and as many as 20 year's worth of reserves.

I would like to ask the Minister of Renewable Resources why he stated that Giant Mine was on its last legs? Thank you.

MADAM SPEAKER:

Thank you. Minister of Renewable Resources, Mr. Kakfiwi.

Return To Question 319-12(5): Emissions From Giant Mine

HON. STEPHEN KAKFWI:

Madam Speaker, it was my impression that Giant Mine has antiquated pieces of equipment and it is seen as being very economical to run as it is. Any changes to its mode of operation would be extremely expensive and, therefore, they would be more inclined to shut down than to be open to any suggestions that the way it mills the ore be brought up to date. That was the basis for my comments to the media yesterday.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 319-12(5): Emissions From Giant Mine

MR. ANTOINE:

Thank you, Madam Speaker. In the radio report, the Minister implied that forcing Giant to meet guidelines would result in lost jobs, but the company is profitable and their mine here in Yellowknife is obviously producing well now that the strike is over. Has the Minister obtained any figures, either from Royal Oak or from independent sources stating how much it would cost to significantly reduce Giant Mine's sulphur dioxide emissions? Thank you.

MADAM SPEAKER:

Thank you. Minister of Renewable Resources, Mr. Kakfwi.

Further Return To Question 319-12(5): Emissions From Giant Mine

HON. STEPHEN KAKFWI:

Madam Speaker, the facts may differ, depending on the sources you get them from. But one thing is clear. If the Member feels the emissions from Giant Mine are grossly unacceptable, then what is acceptable has to be established. Right now, we have draft guidelines that have been circulated to the industry and to the public since January. The responses we are getting to the draft guidelines -- that try to articulate what is acceptable for emissions of sulphur dioxide and other floating pollutants -- are going to help us get a public read on what is acceptable and not acceptable. Until then, it is difficult to make any

kinds of suggestions about what is and what isn't acceptable, simply because there are large economic questions involved here. We need some basis upon which to have a discussion.

First of all, who can answer the question as to whether there's enough profit in an operation to warrant the operators and owners spending their money on changing their method of operation and, as a government, will we accept the liability for making the continued operation of a mine questionable in putting the livelihood and income of large numbers of families in Yellowknife on the line, without being able to answer the question, what we are prepared to do about it? Would we be prepared to jeopardize operations and, if so, would we accept responsibility for picking up the pieces thereafter?

MADAM SPEAKER:

Supplementary, Mr. Antoine.

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Supplementary To Question 319-12(5): Emissions From Giant Mine

MR. ANTOINE:

Mahsi, Madam Speaker. There is an outstanding complaint filed lawfully through the Environmental Rights Act. It has been outstanding for almost three years now. The Minister has a legal and perhaps a moral responsibility to act on this situation. I think that the Minister should study the issue more thoroughly. He and his department should be aware of how much it would cost Royal Oak to reduce their emissions. Another radio report had Royal Oak claiming that it would cost over \$5 million to clean up the emissions. This may be the cost of one option, but the Minister should be aware of a variety of options available to the company. Will the Minister commit to responding to this House, within the month, with estimates of the different options for reducing Giant Mine's sulphur dioxide and arsenic emissions? Thank you.

MADAM SPEAKER:

Thank you. Minister of Renewable Resources, Mr. Kakfwi.

Further Return To Question 319-12(5): Emissions From Giant Mine

HON. STEPHEN KAKFWI:

Madam Speaker, perhaps there is a way to get some honest and accurate estimates on the profits that companies make and their commitment to ongoing operations when they expect some outside demands being made on them. I would take that question and ask for some assistance, within government, to help Renewable Resources to answer the question the way the Member has placed it and get back within a month, as he says. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 319-12(5): Emissions From Giant Mine

MR. ANTOINE:

Mahsi, Madam Speaker. The Minister also suggested in the...(inaudible)...that we don't have a perfect world. I agree with him. He compared my concern with Giant Mine's emissions to emissions from vehicles and furnaces in homes. We cannot make Yellowknife air perfectly clean, and private individuals are attempting to reduce their own pollution. But when it comes to sulphur dioxide in Yellowknife, Giant Mine is by far the biggest source. The report his department prepared last year stated that Giant Mine contributes the bulk of arsenic and sulphur into the Yellowknife environment. In comparison, the NWT Power Corporation Jackfish Lake diesel plant's yearly sulphur dioxide emissions are less than Giant puts out in one day. Is the Minister committed to ensure that acceptable standards for emissions are met, and will he be negotiating on an individual basis with every large company that chooses to set up operations in the north? Thank you.

MADAM SPEAKER:

Thank you. Minister of Renewable Resources, Mr. Kakfwi.

Further Return To Question 319-12(5): Emissions From Giant Mine

HON. STEPHEN KAKFWI:

Madam Speaker, the commitment is there from the department to address this issue. The way we are doing it is by drafting guidelines and inviting the public to comment on draft guidelines that would set what is, in the public view, acceptable standards to govern emissions. Once these guidelines are set, then we have some standards to try to use to monitor new and

current developments to see if everyone can comply. In the event that there is no compliance with these, then we would start to draft regulations that would be legally enforceable. But the guidelines themselves simply say what we think is going to be demanded by the public with regard to these emissions.

The Member has referred to the comments I made to the media. We don't have access to it, since the media takes total ownership of the comments I made. It is a bit out of context. I have simply taken the view that in this world are people who demand a pure, clean world and there are others who may be from industry who say they should be totally unregulated. Somewhere in the middle there will be a happy medium where all of us have to compromise a little in order to reach a workable solution to the problems. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. Item 6, written questions. Item 7, returns to written questions. Mr. Clerk.

ITEM 7: RETURNS TO WRITTEN QUESTIONS

Return To Written Question 10-12(5): Inequity In Services

CLERK OF THE HOUSE (Mr. Hamilton):

Madam Speaker, Return to Written Question 10-12(5) asked by Mr. Allooloo to the Premier concerning inequity of services.

A complete listing of the number and type of government positions and the number and type of recreational facilities for communities with a population of less than 550 have been provided to the Member.

All other Members were provided with the same information for communities within their constituencies.

MADAM SPEAKER:

Thank you. Item 8, replies to opening address. Item 9, petitions. Item 10, reports of standing and special committees. The honourable Member for Nahendeh, Mr. Antoine.

MR. ANTOINE:

I think it is the next one.

MADAM SPEAKER:

Item 10, reports of standing and special committees. Item 11, reports of committees on the review of bills. The honourable Member for Nahendeh, Mr. Antoine.

ITEM 11: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS

Report On Bill 14

MR. ANTOINE:

Mahsi, Madam Speaker. Madam Speaker, I wish to report to the Assembly that the Standing Committee on Finance has reviewed Bill 14, An Act to Amend the Borrowing Authorization Act, and wishes to report that Bill 14 is now ready for committee of the whole. I request that this bill be ordered into committee of the whole for today. Mahsi.

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MADAM SPEAKER:

Thank you. The Member is requesting that Bill 14 be placed into committee of the whole. Are there any nays? There are no nays. Pursuant to rule 70, on the order of the Assembly, Bill 14 is ordered into committee of the whole for today. Item 11, reports of committees on the review of bills. Item 12, tabling of documents. The honourable Member for Yellowknife Centre, Mr. Lewis.

ITEM 12: TABLING OF DOCUMENTS

MR. LEWIS:

Thank you, Madam Speaker. Tabled Document 40-12(5) is from a constituent of mine indicating a year long process to establish a service for special needs students in the city of Yellowknife.

MADAM SPEAKER:

Thank you. Item 12, tabling of documents. The honourable Member for Baffin South, Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. I wish to table two documents. Tabled Document 41-12(5), a letter from John Ikkidluak who is the Baffin regional wildlife chairperson, to the Minister of Renewable Resources, along with a response from the Minister. Thank you.

MADAM SPEAKER:

Thank you. Item 12, tabling of documents. The honourable Member for Deh Cho, Mr. Gargan.

MR. GARGAN:

Thank you, Madam Speaker. I wish to table Tabled Document 42-12(5), an article from the Globe and Mail dated March 15, 1994. This article is on permafrost damage in Siberia. I think it illustrates to the Members of the north, that in a fragile environment we need to make sure that proper environmental reviews are done before full scale development takes place out in the tundra. Thank you.

MADAM SPEAKER:

Item 12, tabling of documents. The honourable Member for High Arctic, Mr. Pudluk.

MR. PUDLUK:

Thank you, Madam Speaker. I have two documents I wish to table today. Tabled Document 43-12(5) is a letter from Aziz Kheraj, President of Kheraj Enterprises, Resolute Bay, to Dave Murray, President of the NWT Housing Corporation, regarding rent supplement and construction proposal in Pond Inlet, as well as a letter addressed to myself from Mr. Kheraj about the same subject matter. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 12, tabling of documents. In accordance with section 85(2) of part 3 of the Legislative Assembly and Executive Council Act, I wish to table Tabled Document 44-12(5), the Annual Report of the Conflict of Interest Commission for the period December 17, 1992 to January 14, 1994. Thank you.

Item 13, notices of motion. The honourable Member for Deh Cho, Mr. Gargan.

ITEM 13: NOTICES OF MOTION

Motion 23-12(5): Special Order Of Reference To Standing Committee On Agencies, Boards And Commissions Of The First Annual Report Of The Languages Commissioner Of The Northwest Territories

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, I give notice that on Monday, March 21, I will move the following motion.

I move, seconded by the honourable Member for Iqaluit, by special order of reference, that Tabled Document 11-12(5), the first Annual Report of the Languages Commissioner of the Northwest Territories, for the year 1992-93, be referred to the Standing Committee on Agencies, Boards and Commissions;

And further, that the Standing Committee on Agencies, Boards and Commissions be empowered to review and report back to the Legislative Assembly on the recommendations contained in Tabled Document 11-12(5);

And further, that the Standing Committee on Agencies, Boards and Commissions consider this matter and make recommendations on the mechanism to establish reporting relationships and accountability of the Languages Commissioner to the Legislative Assembly.

And furthermore, that the Standing Committee on Agencies, Boards and Commissions provide a final report to the Legislative Assembly prior to the prorogation of the Sixth Session of the 12th Legislative Assembly.

MADAM SPEAKER:

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

ITEM 14: NOTICES OF MOTIONS FOR THE FIRST READING OF BILLS

Bill 15: An Act To Amend The Income Tax Act

HON. JOHN POLLARD:

Thank you, Madam Speaker. Good afternoon. Madam Speaker, I give notice that on Monday, March 21, 1994, I shall move that Bill 15, An Act to Amend the Income Tax Act, be read for the first time. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 14, notices of motions for first reading of bills. The honourable Member for Hay River, Mr. Pollard.

Bill 17: Loan Authorization Act, 1994-95

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, I give notice that on Monday, March 21, 1994, I shall move that Bill 17, the Loan Authorization Act, 1994-95, be read for the first time. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 14, notices of motions for first reading of bills. The honourable Member for Mackenzie Delta, Mr. Nerysoo.

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Bill 16: An Act To Amend The Arctic College Act

HON. RICHARD NERYSOO:

Thank you, Madam Speaker. Madam Speaker, I give notice that on Monday, March 21, 1994, I shall move that Bill 16, an Act to Amend the Arctic College Act, be read for the first time.

MADAM SPEAKER:

Thank you. Item 14, notices of motions for first reading of bills. Item 15, motions. The honourable Member for Kitikmeot, Mr. Ng.

ITEM 15: MOTIONS

Motion 22-12(5): Setting Of Sitting Hours By Speaker, Carried

MR. NG:

Thank you, Madam Speaker. I have a motion regarding the setting of sitting hours by the Speaker.

I MOVE, seconded by the honourable Member for Hay River, that the Speaker be authorized to set such sitting hours as the Speaker, after consultation, deems fit to assist with the business before the House.

MADAM SPEAKER:

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

AN HON. MEMBER:

Question.

MADAM SPEAKER:

Question has been called. All those in favour? All those opposed?

---Laughter

Motion is carried.

---Carried

Item 15, motions. Item 16, first reading of bills. Item 17, second reading of bills. The honourable Member for Sahtu, Mr. Kakfwi.

ITEM 17: SECOND READING OF BILLS

Bill 10: An Act To Repeal The Metric Conversion Act

HON. STEPHEN KAKFWI:

Madam Speaker, I move, seconded by the honourable Member for Hay River, that Bill 10, An Act to Repeal the Metric Conversion Act, be read for the second time.

---Applause

Madam Speaker, this bill repeals the Metric Conversion Act.

SOME HON. MEMBERS:

Hear, hear.

MADAM SPEAKER:

Thank you. Your motion is in order.

MR. BALLANTYNE:

Ten miles for you!

---Laughter

MADAM SPEAKER:

To the principle of the bill. The honourable Member for Iqaluit.

MR. PATTERSON:

Madam Speaker, when the Northwest Territories reluctantly went metric more than a few years ago, I think I was a lone voice yearning for the days of feet, pounds, yards and acres to be retained as part of our Anglo-Saxon heritage. Madam Speaker, my pleas fell on deaf ears, but I'm pleased to speak in favour of this

motion, although I suspect it might not herald the beginning or the end of metric.

---Applause

MADAM SPEAKER:

Thank you. To the principle of the bill.

SOME HON. MEMBERS:

Question.

MADAM SPEAKER:

Question has been called. All those in favour? All those opposed? Bill 10 has had second reading and, accordingly, the bill stands referred to a committee.

---Carried

Item 17, second reading of bills. Item 18, consideration in committee of the whole of bills and other matters: Bill 1, Appropriation Act, No. 2, 1994-95; Committee Report 2-12(5), Review of the 1994-95 Main Estimates; Minister's Statement 5-12(5), Session Business; Tabled Document 1-12(5), Towards an NWT Mineral Strategy; Tabled Document 2-12(5), Building and Learning Strategy; Tabled Document, 34-12(5), Tradition and Change, A Strategy for Renewable Resource Development in the NWT, February 1994; and, Bill 14, An Act to Amend the Borrowing Authorization Act, with Mr. Lewis in the chair.

ITEM 18: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Lewis):

I would like to call the committee to order. What would the committee like to do? Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. I would like to recommend that the committee start this afternoon by considering Bill 14, An Act to Amend the Borrowing Authorization Act. If we conclude that, then move into consideration of Bill 1, Appropriation Act, No. 2, 1994-95 along with Committee Report 2-12(5), Report of the Review of the 1994-95 Main Estimates, specifically, to conclude the Department of Safety and Public Services and to move into the Department of Justice, if that is possible.

CHAIRMAN (Mr. Lewis):

Do Members agree with Mr. Dent's proposal?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 14: An Act To Amend The Borrowing Authorization Act

CHAIRMAN (Mr. Lewis):

We'll go to Bill 14 then. The Minister responsible for this bill, Mr. Pollard.

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Introductory Remarks

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, the purpose of the Act to Amend the Borrowing Authorization Act is to increase the government's borrowing authority to cover temporary cash shortages in the current fiscal year. Mr. Chairman, the current act authorizes government borrowing up to \$65 million. The government's cash position has decreased substantially from initial forecasts, and short-term borrowing requirements are currently projected to exceed \$90 million in March, 1994. The increase in borrowing, Mr. Chairman, has resulted from non-payment by Canada of Indian and Inuit health billings for 1993-94 and 1992-93, federal grant adjustments related to income tax payments, and increased expenditures reflected in supplementary appropriations No. 1 and No. 2.

Mr. Chairman, in addition to increasing the borrowing authority, the act is being amended to change the reference to the Comptroller General to the deputy minister of Finance, since the Comptroller General is no longer responsible for the administration of this act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Does the Standing Committee on Finance have comments on this bill? Mr. Antoine.

Standing Committee On Finance Comments

MR. ANTOINE:

Thank you, Mr. Chairman. The Standing Committee on Finance reviewed this bill, Bill 14, An Act to Amend the Borrowing Authorization Act, on March 16, 1994. The committee understands the need to deal with this bill quickly. The Members discussed the proposed changes to the act and agreed it should be moved into committee of the whole for further discussion and action.

The Standing Committee on Finance did not feel it was necessary for the Minister to appear before the committee regarding this bill. Therefore, individual committee Members will take this opportunity in committee of the whole to ask questions. Mahsi, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thanks very much, Mr. Antoine. Mr. Pollard, are you prepared to deal with this from your seat or would you like to go to the witness table?

HON. JOHN POLLARD:

With the committee's indulgence, Mr. Chairman, I would like to bring in a witness and move to the witness table. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Do Members agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Okay, Mr. Pollard, thank you, very much. Sergeant-at-Arms, seat the witnesses comfortably at the table, please. Thank you, Mr. Pollard. For the record, would you introduce the familiar figure on your right.

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, the gentleman on my right, your left, is Mr. Eric

CHAIRMAN (Mr. Lewis):

General comments on the bill in front of us? Mr. Antoine.

General Comments

MR. ANTOINE:

Thank you, Mr. Chairman. What has created the urgent, short-term need to increase the borrowing authorization at this time? Thank you.

CHAIRMAN (Mr. Lewis):

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, there are a number of items that have caused this problem. We originally had expected to be in a cash deficit position of some \$19 million at this particular stage of the game. Unfortunately, there were some 1992-93 adjustments made by the federal government to our grant payments which totalled some \$25 million. There was an adjustment to current year's income tax payments of \$10 million. As I mentioned in the opening statement, supplementary appropriations No. 1 and No. 2 were net \$25 million, so that hurt our borrowing or increased our deficit position, therefore, increased our need to borrow. So those are a number of things that happened. With regard to the federal issues, income tax and grant payments, these are fairly normal things that move back and forth, depending on prior years, et cetera, and, unfortunately, this year, Mr. Chairman, they have been against us. In other years they have been on the positive side, but today, I have to report to the House that they have been against us this year. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you. Mr. Ng. Sorry, Mr. Antoine, were you finished?

MR. ANTOINE:

Yes.

CHAIRMAN (Mr. Lewis):

Okay, Mr. Ng.

MR. NG:

Thank you, Mr. Chairman. I would like to ask - the request is going from \$65 million to \$100 million. What is the limit of \$100 million based on, or is it just an arbitrary figure that has been chosen at this time?

CHAIRMAN (Mr. Lewis):

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, when we take the originally forecast deficit position of \$19 million and we adjust it by the amounts that I have just put before you and we look at other outflows and net changes and assets and liabilities, which would probably be another \$17 million, then that number comes very close to \$96 million, so that is why we are asking to go to \$100 million. It may not be necessary for us to borrow all of that money. I have already signed an arrangement with the federal government to get some \$50 million or \$55 million into our coffers, and that should happen in the next week, but that would mean, if I waited that long, that I would exceed the borrowing authority that this House has given us, and I would be in contravention of an act of this House. So that is the reason we have chosen \$100 million as it is a round figure up from \$96 million, which, if everything doesn't work as we are hoping it is going to work in the next couple of weeks, would

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be the amount that we would be short by. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Mr. Ng, do you have any more questions?

MR. NG:

(Microphone turned off)

CHAIRMAN (Mr. Lewis):

Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. I am just wondering about the planning process. This bill seemed to come very quickly and right at the last minute. I would just like to get a feel or gain an understanding from the Minister as to why we did not have a better indication that this was going to be necessary and why this was not presented in a more timely manner.

CHAIRMAN (Mr. Lewis):

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, we knew in January we had a \$20 million run on the bank, and we knew that something was wrong in our government spending, but we had anticipated receiving the \$55 million from the federal government, certainly by the end of February. Unfortunately, negotiations took longer than expected and, in the end, it required my presence in Ottawa to assist to get the matter taken care of. Even if we had received the money last week, as we were supposed to, we would probably be in good shape right now. So it is that situation that has caused the problem.

There is another problem in that the Government of Canada sent us a bill for \$2.5 million this month instead of sending us money. That is an issue that is related to the allocation of the capital costs of a satellite across Canada, which seems a rather silly thing to be talking about when we receive money from Canada, so instead of receiving money, we received a bill.

On the other issues with regard to the grant payments for 1992-93 adjustments and the current year's income tax payments, those things are moving all the time, so they are very difficult to forecast.

So it is a cumulative effect of all those issues, Mr. Chairman, that brought this to a head.

CHAIRMAN (Mr. Lewis):

Thank you. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. The Minister has, a couple of times, mentioned some \$55 million. Where is that \$55 million or what is the \$55 million from the federal government tied to?

CHAIRMAN (Mr. Lewis):

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, the House knows we are in litigation with the federal government for some \$79 million for funding for aboriginal health care payments to this government, and that was up until March 31, 1992. Since then, we have received no money at all from the federal government vis-a-vis health payments that they would have had to pay. In other words, we have received very, very little money from them. So the \$55 million is the amount that I think we agree with them that they owe us, and they have at last, last

Thursday, agreed with us that they do owe us some \$50 million that they would have had to pay anyway. So it is a partial payment on the amount that we have expended for aboriginal health care for the last two years. I guess it is part of the payment that we have demanded from them, and it is the part that they are willing to pay at the present time. So it amounts to some \$25 million for the last two fiscal years, and it is a partial payment of the health billings for aboriginal people in the Northwest Territories. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Pollard. Are you finished, Mr. Dent? Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. Mr. Chairman, I think it has been explained to us that there are short-term problems that require the increase of the borrowing authorization at this time, as outlined by the Minister. I would like to ask the Minister, over the longer term, what is the rationale for increasing the limit on borrowing authorization? Thank you.

CHAIRMAN (Mr. Lewis):

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, there is no longer term intent on this particular bill. This is to get us by for the next few weeks, and it may be that I can come back into this House and reduce the amount back down to \$65 million for next year. But we will be into a situation of borrowing, as we always are in March at the end of the fiscal year. It is just something that we always do.

What is happening, though, to our cash reserves is whereas we had a surplus of cash before that we could draw down upon and tide ourselves over for that particular time, we are now starting to run deficit budgets. This year we will have a deficit of some \$23 million or \$25 million, and if we continue to do that, we will continue to have to borrow money. Maybe the next time we are going to be borrowing money in February as opposed to March, and it will gradually creep backwards and backwards until we are borrowing large amounts of money toward the end of the year. I am hopeful that is not going to occur. As you know, the budget before us right now is virtually balanced, and we certainly will need to increase borrowing authority in future years if we continue to

run deficit budgets. At the present time, this is merely to get us by into April, and, as I say, I may be able to come back in and reduce this amount back down to \$65 million for next year. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Pollard. Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. Mr. Chairman, I would like to ask the Minister through you, the reality is, however, that this act will establish a long-term, larger borrowing authorization, unless it is amended in future. It is not a temporary measure, it is a permanent arrangement unless subsequently changed by another amendment. Is that not correct? Thank you.

CHAIRMAN (Mr. Lewis):

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, Mr. Patterson is correct. It is a permanent act for temporary borrowing. It does

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give me the power to sign notes with various institutions and borrow up to \$100 million on behalf of this government and this Legislative Assembly. It could not go on and on because ultimately there is a federal rule that prevents us from borrowing over a certain amount. So if we were to increase it from \$100 million to \$150 million, sooner or later we would catch up with the federal rule. But Mr. Patterson is correct, this bill will be on the books. Unless I bring it back in again and request that the amount be lowered, technically we could go for years and borrow up to \$100 million. It would be my preference, Mr. Chairman, to bring this bill back and reduce the amount back to \$65 million, if we were able to forecast that. Thank you.

CHAIRMAN (Mr. Lewis):

Before I recognize Mr. Patterson, I would like to draw Members' attention to Bishop Christopher Williams, who is in our gallery.

---Applause

Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. I think that is the answer that the Standing Committee on Finance had wanted to get from the Minister. I would like to nail it down a bit further by asking Mr. Pollard, through you, if our prayers are answered and the fiscal situation of the Northwest Territories does improve, federal money starts to flow, the health billings dispute is settled in our favour, if the financial situation improves, I take it then that Mr. Pollard is willing to go on record as saying that as a responsible Minister of Finance he would come back and have this authorization maximum reduced through a legislative change. Is that correct?

CHAIRMAN (Mr. Lewis):

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, I will go even further than that. I would be prepared to come back with a bill and have it rescinded and then forecast what we would need the next year if we had to borrow money. I would be prepared to come back and ask to rescind the bill or drop the amount down to \$1 to keep the bill alive and only come back to the House and asked for what we need next year. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Pollard. General comments. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. Mr. Chairman, the Minister of Finance mentioned a number of things that are a factor in the system having to borrow more money than anticipated. One of those things is that the streamlining initiative is not working or is too slow. A second one is amalgamation is not working as anticipated or the process is too slow. Maybe one of the factors in incurring more money than we expected is the fact that we have to invest in a new legislature. Those may be just temporary. Perhaps somewhere down the road, we should be seeing a turn around to our advantage. Is one of the factors of having to borrow more than we expected because of the system having to put money into the new Legislative Assembly building, maybe streamlining is not working as we expected or perhaps the amalgamation process is too slow. What are the factors in the

system causing us to borrow more money than we expected? Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Ningark. Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Over the last ten years, if you take our budgets over that time, they have been balanced. We have used our surplus cash in different ways. We finance our loan fund out of our surplus cash. As we get closer and closer and start going into debt, the amount of surplus cash we have available to us to cover dry periods, such as we are going through right now, becomes less. I think what the Member is asking is are we streamlining and cutting back on our budgets or are we incurring large expenditures at one time that are going to affect the amount of cash we have in the bank. I guess there is a bit of all those things in there. If we are going to continue to balance our budgets, and at the same time we want to increase the service to people in the Northwest Territories, there is only so much you can take out of the system by streamlining. There is only so much efficiency you can get out of the system.

The only other way to do it is to increase our revenues. I don't have to tell you that increasing revenues might mean putting up taxes or increasing service fees. There are other ways to look at this issue. We receive \$860 million from Ottawa each year and they would like to cut back on that amount. I don't think that is a secret. We know there is a perversity factor so when we do get volume increases in the Northwest Territories, we don't get all of those volume increases coming to us. If you say to people we are going to raise your taxes, they get worried and I don't think there is a Member in this House who wants to go out and do that at the present time.

The other way to do it is for us to recognize that Canada is short of funds and to convince Canada, if they were to eliminate the perversity factor in the formula, that would allow us to go ahead with development in the Northwest Territories. I think Mr. Todd has made some eloquent statements and speeches lately in this House and outside of this House with regard to potentials that are virtually on our doorstep. I think the answer is we have to convince the federal government to drop the perversity clause in our agreement and then allow for the orderly development of the Northwest Territories economy so we can become more self-sufficient and

we won't be sitting here saying, Ottawa has cut back on us again and we don't have the money to cover the bank draft. I think that is the answer. We have to expand our economy to become more self-sufficient and not have to dance to the Ottawa tune every time it is played. That is my personal feeling, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Pollard. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. Mr. Chairman, I am a bit concerned if we increase the authorization to borrow money for the system, we might get carried away and want to spend because we have the authority to borrow money. I'm not saying that government Ministers, MLAs and employees are travelling in style, but if we keep increasing the authority to borrow money, then perhaps we might get carried away and borrow more money.

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If there's a real need to go ahead with programs in the system for the benefit of those people who really need them at the community level in the areas of education, social services and the other wonderful things we do for people who need them, then I have no problem. If, in fact, we know we're going to get \$55 million, we borrow that money now and within two to six months we get that money from the government, I have no problem. But, if we don't really have the assurance that money will be given to us, then I'm a little bit leery of this request. But, again, as I said before, if there is a real need for it, so be it. Thank you.

CHAIRMAN (Mr. Lewis):

I don't know if there was a question there, it was just a point, I think. Mr. Pollard.

HON. JOHN POLLARD:

Well, the Member raises a good point, Mr. Chairman, and that is, the differentiation between this bill, which allows us to borrow money to meet the requirements of the government and the expenditure pattern and the budgets that have been approved by this Legislative Assembly, when they passed the O and M and capital budgets previously. The things to look at are the bills before the House that deal with capital and O and M spending. That is the limit that this Legislative Assembly sets upon the government for its

spending powers. This is merely to meet those obligations that this Legislative Assembly has already passed. So, it is not going to be the tempting issue where we have another \$50 million that we can go out and spend. This does not authorize any extra spending, over and above what this Legislative Assembly has approved in either the capital or O and M budgets before this House, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Pollard. Are you concluded, Mr. Ningark? Okay. Mr. Ballantyne.

MR. BALLANTYNE:

Thank you, Mr. Chairman. First of all, this particular bill doesn't give me cause for alarm. I think the Minister has presented quite a balanced explanation of the bill. I think it should be clear to all Members that what we are talking about here is our short-term borrowing needs. Though on one day in March, at the very worst, we have to borrow \$96 million, in April, that is not the case. So, this is very different than a long-term debt and I think the Minister explained that quite well.

The other point that the Minister made is that it is a red light, it's a warning light. It is something we should take notice of, not getting really alarmed about, but as, year by year, we eat into our accumulated surplus, this becomes more and more of a reality. We don't have the leeway we've had in the past. I have no problem supporting this bill. It doesn't give me a great cause for alarm, but I think we should be all very aware of the fact that the trend, if it continues, could give us problems in the future.

I do have one question for the Minister. The Standing Committee on Finance expressed some concern over the reorganization of the Department of Finance and the Financial Management Board and the role of the Comptroller General as secretary of the Financial Management Board. We notice that in this bill, there has been a change in responsibility from the Comptroller General to the deputy minister of Finance. Perhaps the Minister could explain that change. Is it in any way a small effort to try to redress the balance? Thank you.

CHAIRMAN (Mr. Lewis):

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, this is another one of the changes we have to make after making the large change to the responsibilities. In this particular instance, the responsibility clearly lies with the Department of Finance and clearly lies with the deputy minister of Finance and so the Comptroller General's name is being taken out of this bill. Finance is gaining a little back, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Lewis):

Any other general comments? Are you ready to go clause by clause?

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Lewis):

Bill 14, clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Clause 4.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

The bill as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

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

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Bill 14 is now ready for third reading.

---Applause

I would like to thank Mr. Pollard and Mr. Nielsen for being with us today. Before we take a break, would you like to indicate what you want to deal with when we come back? What item would you like to deal with after we come back from the break?

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SOME HON. MEMBERS:

Safety.

CHAIRMAN (Mr. Lewis):

Okay, we'll come back to Safety and Public Services after we have a short break.

SOME HON. MEMBERS:

Agreed.

---Agreed

---SHORT RECESS

Bill 1: Appropriation Act, No. 2, 1994-95

Department Of Safety And Public Services

CHAIRMAN (Mr. Lewis):

I would like to call the committee back to order. Before the break, we agreed to go on to the Department of Safety and Public Services. With us, we have Mr. Nerysoo.

Safety

I would like to turn your attention to page 08-10 in the main estimates. We're on safety. Any comments on safety? Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Could I get the House to invite witnesses in, please?

CHAIRMAN (Mr. Lewis):

Mr. Nerysoo would like to have some help. How do Members feel about that?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Lewis):

Mr. Nerysoo, your witnesses are invited to the table. Sergeant-at-Arms, would you conduct them to the table, please? Total O and M figure is \$2.316 million. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. You might want to introduce the witnesses for the record, but I have a question for the Minister. When we left off discussion of this page a couple of days ago, the Minister had indicated, in response to a question I asked, that he was going to Cabinet with some proposals to deal with the urgent need to increase the number of safety inspectors for construction sites. I would like to find out if, indeed, he has submitted a proposal to Cabinet for a method to deal with the need for an increase.

CHAIRMAN (Mr. Lewis):

Mr. Nerysoo, before you answer Mr. Dent's question, would you identify your witnesses, please?

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. On my right is the deputy Minister, Mr. John Quirke. On my left is Mr. Henry Dragon, the director of finance. In reply to the question, the submissions will be ready by the end of this month.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Nerysoo. Any other questions on this item? The figure is \$2.316 million, total O and M.

SOME HON. MEMBERS:

Agreed.

--Agreed

Mine Safety

CHAIRMAN (Mr. Lewis):

Next page, 08-11, mine safety. Any questions on this item? Total O and M, \$890,000. Mr. Ballantyne.

MR. BALLANTYNE:

Thank you, Mr. Chairman. Mr. Chairman, as we know, there's been a lot of discussion in this House about mining. I think it's been demonstrated in the last couple of days, even by De Beers' rather unfortunate intervention to keep a film from being shown, that we have a lot of work to do in order to get the support across the territories that we need to take advantage of a tremendous opportunity. I've been impressed by the Minister of Energy, Mines and Petroleum Resources. I think he's taking a very balanced approach. The Minister of Renewable Resources is attempting to take a balanced approach with the environment and the Premier is taking a balanced approach.

I think we have to realize that there will always be critics, but we have a responsibility to do everything we can, as a government, to make sure that all our responsibilities are well done, in the environment, as far as our relationships with aboriginal people and in safety. I think it's incumbent upon us to ensure that we have an adequate number of mining inspectors to deal in this area because of the incredible new activity. I wonder if the Minister could tell us if he has a proposal to have an increase in mining inspectors expected to go before FMB in the near future?

CHAIRMAN (Mr. Lewis):

Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. The submission that we have completed includes the matter of mining inspectors as well.

CHAIRMAN (Mr. Lewis):

Are you concluded Mr. Ballantyne? Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. I, too, am wondering -- and it deals with the question before -- about mine safety. We are getting a proliferation of potential mines with this diamond rush. While I recognize that a mine may be a mine anywhere, in the diamond industry there may be different techniques and work methods. I know that the mining inspectors here, as capable as they are, may require some additional training that would bring them up to speed on inspection of the types of mines that may result from the exploration activity that is taking place now all over the north.

I wonder if the Minister or deputy minister may be able to share with us some of the plans, if any, or assuage my concerns that there is no difference between diamond mining and the conventional mining we know so much about in the territories? Is there any kind of additional training they may need? Should they visit some diamond mines, for example, to get a better understanding of what it's like?

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Whitford. Mr. Nerysoo.

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HON. RICHARD NERYSOO:

First of all, I want to say that I've spoken with the deputy minister and with the staff on this matter. I think there is a need for us to train our present mine safety officers in the kinds of developments we're talking about in the diamond mining area. I would suggest to Members that the problem we have -- and it is one I have to address with Cabinet -- is there are no skilled safety officers in Canada at the moment who could provide the training. We may have to go elsewhere to provide the training, but it is a matter we consider to be serious and our officers, if they are to provide the best service to the mining industry, require the necessary training. Even if we offer the

training here in Yellowknife, we still have to bring in the expertise to provide that training.

CHAIRMAN (Mr. Lewis):

Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. That's exactly what I was getting at. I'm happy to hear that the department has already taken some action in that area. You can't be too early with something like safety training and mine safety inspections when it comes to another type of mine, recognizing the fact that it probably takes a good period of time to become proficient in those areas. It is good to hear that the department is already doing something. It is something that, if his Cabinet colleagues agree and something comes forward, we would be quite supportive of, certainly here in Yellowknife. We know how important the industry is to the north and how important the safety of the people who work in it is. We hear all the time how vitally important it is to the workers. I'm pleased to hear that. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Whitford. There were no questions there, I believe. Any other comments on this item? Mine safety, total O and M, \$890,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Fire Safety

CHAIRMAN (Mr. Lewis):

Next page 08-12, total O and M, \$734,000. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. We probably have a pretty good track record here in the territories for personnel in fire safety. We have a fire department that appears to be quite professional and thorough, but the north is growing and the numbers of buildings that are being built is growing and there are different types of buildings being built. They pose problems that are unfamiliar to our present fire fighters.

There is always a need for training and upgrading for the present staff we have. I have heard, numerous times, from the fire chiefs -- I've had the pleasure of meeting with them on at least three different occasions when they have their annual meetings -- and there is a request from them to have a training school set up somewhere in the north. We have about 65 communities and some fairly good sized fire departments.

They can get training in the provinces right now, in Alberta, Manitoba and Ontario, but the fire chiefs feel it would be good to have a fire school closer at hand. It has been suggested by the out of Yellowknife and out of tax-based community areas that more fire training be delivered at home, at least in the Northwest Territories, and have raised this issue at a number of different times, towards the establishment of a fire training centre in the north somewhere. It doesn't have to be Yellowknife, but somewhere in the north where northerners can go to get some northern experience.

This year, in Yellowknife alone, we had three major fires in the dead of winter. I don't think the conditions anywhere could be as bad as they were, minus 45 degrees with a fierce wind blowing. It tests men and equipment -- or fire fighters, I should say, because we have some very capable lady fire fighters -- and it tests the fire fighters to their limits. There is a lot that needs to be learned from winter fire fighting such as the different techniques of putting on water and handling equipment. We learned a few things by experience, but sometimes that experience could be fatal.

I think a school that has a unique northern content to the extreme conditions that we face here would have a lot of benefit to our fire fighters and security to the people that depend so much on them. I know that the department has heard this request and may have given it some thought, and I just wondered if any more thought had been given to the establishment of a fire school in the Northwest Territories. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Whitford. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. The honourable Member is obviously correct that there have been a number of proposals that have been submitted. In fact, as far back as 1988, the concept of a fire training school had

been proposed. It is also a submission that has been received by this government. We have not, as you know, received the appropriate Cabinet approval to proceed with it. I note that there is still a great deal of concern that has been expressed by people in the communities as to the need and the appropriateness of the training that they receive in terms of improving their fire fighting skills. So it is a matter that obviously has to be considered and dealt with by Cabinet. Just to remind Members that it is part of the consideration in our capital needs assessment, but whether it receives final approval in consideration is a matter that needs to be addressed by Cabinet.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Nerysoo. Are you finished, Mr. Whitford? Mr. Whitford.

MR. WHITFORD:

Thank you. Something like this idea is probably appropriate, and it is time, as I said, as the conditions that we face here are quite unique.

To some degree, I guess, the provinces would benefit from something like this, as well, because there are northern parts of the provinces and the Yukon that do have these types of conditions. If we had a specific program here that would include severe weather conditions as a component, you know it would certainly be saleable. It would not be just for our own people here, but it would also be self-supporting in part, in much the same way as the provinces do. They sell us parts of their programs and it helps to offset the cost. We could also

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sell components of this school to the provinces, and it might offset the cost of running a school like that. So, as part of the thinking, if ever it goes any further, I certainly hope that would be added to it to support the notion that we can do something here in the north that is uniquely northern and be able to sell that uniqueness to other people. This is just by way of a concluding comment, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Whitford. Maybe you want to respond, Mr. Nerysoo?

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Just to say to the honourable Member that I think the suggestion that he is making is a very good one. I will consider it and, of course, speak to my colleague, the Minister of Municipal and Community Affairs, as to how we might be able to approach this particular matter, along with other provinces and, for that matter, our sister territory, the Yukon, as to how we might be able to develop a cooperative approach on this particular matter.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Nerysoo. Total O and M, \$734,000, fire safety. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

Labour Board And Labour Services

CHAIRMAN (Mr. Lewis):

Next item, labour board and labour services, total O and M, \$428,000. Mr. Ballantyne.

MR. BALLANTYNE:

Thank you, Mr. Chairman. On this particular activity, over the years, I see that the budget allocated to it has stayed pretty consistent. I wonder if the Minister could tell me, is the Minister satisfied that there are enough resources in this area so we don't have an unnecessary backlog of issues in front of the board?

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Ballantyne. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you. I can't say I am satisfied because, obviously, there has been a very significant growth in the population and the economy in the Northwest Territories, in terms of inspections in this particular area, or, for that matter, in response to complaints. There has been quite a significant increase in that. So I think that, without question, we have to address this. I don't know to what extent we will address it, but I want to say to you that this is another portion that is in that particular overall package that is to be brought forward to Cabinet for consideration, and once we

review that, then we would be able to deal with this particular matter.

CHAIRMAN (Mr. Lewis):

Mr. Ballantyne.

MR. BALLANTYNE:

I know the Premier had hoped to deal with this particular issue in the overall labour package he had brought forward, and I understand, at some point, the Premier will come back with perhaps a different approach to that.

In the meantime, I would like to go on the record as saying that this does have the potential of causing us problems. As the work-force increases and changes, the issues become more complex, and we are inevitably going to find much more demand on the labour board to try and adjudicate some of the problems that are going to arise.

So I would just like to reiterate that I think it is important for the Minister to work in conjunction with the Premier with whatever plan she is going to bring forward, but, at the same time, though, I think this should be looked at on its own because I don't think we probably will have the luxury of being able to wait for a long time to deal with this one. It is just a comment I would like to make, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Ballantyne. Just a comment then. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. I would like to ask the Minister if the labour standards office has any staff in the Keewatin or Kitikmeot regions and other regions, because I know there are all walks of life who work for different agencies who may have some complaints but no access to a staff member who may be able to help them out. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Ningark. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Just to indicate to the honourable Member that we do not have any staff in the regions. All the staff we presently have are

located in headquarters. The one way people from the communities and the regions might get in touch with our officers is through a toll-free number that is provided to receive complaints from the regions.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Nerysoo. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. Given that there is a toll-free number that a complainant is able to access, many employees in northern communities, especially in the eastern Arctic, are unilingual, I wonder if there is a way that person can get in touch with a person who is able to communicate in the chosen language? Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Ningark. Mr. Nerysoo.

HON. RICHARD NERYSOO:

I'll review the comments that have been made because I think it's a legitimate concern and, as a government, we should somehow try to respond to the requests that are being made by unilingual individuals.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Nerysoo. Are you finished, Mr. Ningark? Okay, we're on labour board and labour services, total O and M, \$428,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Public Utilities Board

CHAIRMAN (Mr. Lewis):

The next page is 08-14, Public Utilities Board, total O and M, \$543,000. Mr. Ballantyne.

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MR. BALLANTYNE:

Thank you, Mr. Chairman. The philosophy of the board is to move toward a cost-based rate system and there has been a lot of work done in that

particular area. I wonder if the Minister could give us an update as to when we can expect to move fully behind the concept of cost-based rates?

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Ballantyne. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I realize the PUB is under my responsibility here but generally, for financial and accounting procedural reasons, the Minister who is responsible for those particular questions is Mr. Todd, who is not here at the moment. At the appropriate time, the honourable Member could raise those questions with him.

CHAIRMAN (Mr. Lewis):

Do you want to leave this item until another time? If the committee agrees, and Mr. Todd is in his seat, we can direct the question to him. We are on page 08-14, Public Utilities Board. Mr. Nerysoo has explained why he can't respond to the question that has been asked. I wonder, for the record, if we could have the question repeated for Mr. Todd's benefit?

MR. BALLANTYNE:

Thank you, Mr. Chairman. The question has to deal with the Public Utilities Board. For a number of years, it has been the underlying philosophy of the board -- and indeed of the government -- to move toward a cost-based rate system. The feeling of the government was to show the real costs and if we have to have subsidies that we do them up front so everybody knows the rules of the game. There has been a lot of work done in this particular area by the board. I wonder at what point does the Minister expect us to move fully behind the concept of a cost-based rate system?

CHAIRMAN (Mr. Lewis):

With the agreement of the committee, Mr. Todd.

HON. JOHN TODD:

Thank you, Mr. Chairman. As the honourable Member said, the Public Utilities Board has been working along with the NWT Power Corporation in trying to come to some kind of understanding about what the real cost is and what the charge-back should be. It is a fairly complicated system we have out there with a whole variety of different rates. I was

talking with the chairman of the Public Utilities Board last week and I am anticipating that they're going to be able to present to the NWT Power Corporation fairly soon the results of their review of that particular issue.

CHAIRMAN (Mr. Lewis):

Mr. Ballantyne.

MR. BALLANTYNE:

Maybe, Mr. Chairman, the Minister could give me a more definitive time frame. Very soon, within three months?

CHAIRMAN (Mr. Lewis):

Mr. Todd.

HON. JOHN TODD:

Thank you, Mr. Chairman. I never asked the chairman of the Public Utilities Board exactly when this was going to come about. I know it's a priority, both for the PUB and the NWT Power Corporation. I'm not in a position today to tell you definitely when that review would be complete and when it would then be vetted through the appropriate public consultations. I don't have a definite answer. I know it's a priority and I know we've been fairly aggressive in trying to complete the review that was undertaken several months ago.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Todd. Mr. Ballantyne.

MR. BALLANTYNE:

That's fine. I wonder if the Minister could undertake to find out and let me know when we could expect it to be completed? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Mr. Todd.

HON. JOHN TODD:

Yes, Mr. Chairman, I'll undertake to try to define more clearly when we think this report will be complete.

CHAIRMAN (Mr. Lewis):

Thank you for your help with that, Mr. Todd. Public Utilities Board, total O and M, \$543,000.

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Lewis):

Thank you. Details of grants and contributions, page 08-15. Total grants, \$15,000. First Mr. Whitford and then Mr. Ningark.

MR. WHITFORD:

Thank you, Mr. Chairman. Under fire safety, the NWT Association of Fire Chiefs, that figure of \$10,000 has remained steady for quite awhile. Given the economic times we're facing, I recognize that the government doesn't have as many dollars as they would like, but to operate a program like that, \$10,000 five years ago was a lot of money but as it is still the same five years later, it diminishes in value. I'm wondering why it has remained at \$10,000 for all these years. Is this sort of a fixed thing? Is this all they've asked for? I would like to recommend they get more.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Whitford. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you. Clearly, we don't have the additional resources to provide any increases in the dollars. We've been able to receive appropriate approval to maintain those numbers. That is generally the reason why it has not been increased at all.

CHAIRMAN (Mr. Lewis):

Thank you, very much, Mr. Nerysoo. Mr. Whitford.

MR. WHITFORD:

While I recognize the financial difficulties we're in, I also recognize the valuable contribution that the fire fighters make to the north in every community. The fire chiefs assemble here to discuss various problems and it is an important area. I would like to encourage the department to see where they can find additional dollars. Even a few dollars more would considerably offset the costs they are faced with now. I know we can't do anything at this time, but for future consideration if you happen to find a few more dollars, I and a lot of people feel it is vitally important that the

chiefs do get together to discuss mutual problems to come up with some solutions that will benefit us all. I would just like to put that plug in, Mr. Chairman, to the Minister.

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CHAIRMAN (Mr. Lewis):

Thank you, Mr. Whitford. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. I think I should have mentioned this in the activity area. I know the training of fire fighters in our jurisdiction is very important regardless of where the fire fighters may live or how small the community may be. Fire prevention is very important. Recruitment occurs from time to time and those new fire fighters may require training. Also there is a new technology and new equipment being invented from time to time and there are new chemicals that are used to extinguish fire being invented. How often do the voluntary fire fighters get their training? Is it on a yearly basis or is it at the discretion of the fire chief? How often do we get training for our fire fighters in the system? Thank you.

CHAIRMAN (Mr. Lewis):

Thank you. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I would like to ask the deputy minister to be more specific about the method of providing training programs.

CHAIRMAN (Mr. Lewis):

Mr. Quirke.

MR. QUIRKE:

Thank you, Mr. Chairman. First of all, the office of the fire marshal, despite what people think, does not have statutory responsibility to provide fire training to municipalities. However, he does have the statutory responsibility to recommend to the Minister of Safety and Public Services what type of training programs fire fighters need. The responsibility of the actual organizing and funding of fire fighting training is the responsibility of Municipal and Community Affairs. The office of the fire marshal does assist local fire fighters when we do visit our communities for inspections and we are always willing to help as much

as possible. But it is a situation where we can only do that when we are in the community, depending on our travel budget, et cetera. The legislative mandate is with MACA and not with the fire marshal.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Quirke. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. I have one final point. Since I used to work for the municipality of Pelly Bay as a senior administrative officer, our fire chief used to come over and wonder about when the next training program was going to be. Subsequently, when I took over a seat in the House, the same person and other people have approached me about the possibility of training just about every year. I thought I would bring this to the attention of the Minister and his deputy. It is very important that we try to keep the communities, especially the fire fighters, updated on what new equipment is available, how to operate it, the types of new chemicals used to extinguish fires, et cetera. I thought people should be informed, especially those who are there to prevent fires. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you. Any response, Mr. Nerysoo?

HON. RICHARD NERYSOO:

We are working with MACA to deal with those particular issues. We will be developing a report to respond to the concerns the honourable Member has raised, along with other matters.

CHAIRMAN (Mr. Lewis):

Okay. Details of grants and contributions, \$15,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Grants and contributions, \$15,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Grants, \$15,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Not necessarily in that order. The next page is an information item, Workers' Compensation Board, zero. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Information item, Liquor Commission, revolving fund...Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. Could I ask the Minister, what the fee is for a special occasion licence?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. RICHARD NERYSOO:

Mr. Chairman, I don't have that information with me. I could provide it to the honourable Member.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. I wonder if I could take a few minutes to comment on the liquor inspection situation in Iqaluit. Right now, as I understand it, an arrangement has been made with an individual in Iqaluit who has a reputation of having the ability to do a good job and being well-respected in the community. I am pleased that arrangement has been made since the town of Iqaluit asked to be relieved of the responsibility for doing liquor inspections. I would just like to suggest, since the present arrangement is

expiring in March, that it could be improved upon. Although the millions of dollars of revenues that come out of liquor sales in Iqaluit probably could cover the cost of a full-time inspector, I am now not convinced that there is a justification for a full-time liquor inspector in that community, but I think what the department has come up with is inadequate. I would like to explain why.

As I understand it, the present part-time inspector has been given the sum of \$1,000 to do his work inspecting licensed premises for a six month period from November 1993 to March 1994. At \$20 an inspection, that works out to about 50 inspections or about ten a month. Since there are ten licensed

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premises in town, that works out to about one inspection a month if each premise is regularly inspected. I think that this is restrictive and is inappropriate. As it is now, I am told the people who run these licensed premises know that once an inspection has taken place, they are not going to see the inspector for another month or so. I would like to have a little more flexibility and action in the licensed premises in Iqaluit, and I know the Minister is aware that this is a very sensitive issue in Iqaluit. There was a stabbing last fall in front of one of the premises, and there are a number of good citizens who are very worried about this. So what I would like to see is the amount of inspections increased, and I would also like to see the inspector given some flexibility, so that, if people are saying a particular premises is out of control or is not acting responsibly, the inspector will have the flexibility to be able to go in there nightly for three, four or five days running to keep the premises on their toes.

I would also like to comment on special occasion licenses. There is a fair degree of concern about this in Iqaluit. There are quite a number of special occasion permits sought. I believe the fee is small compared to what you could charge, and I think that when one considers the cost of purchasing liquor, in Iqaluit anyway, people who are applying for these special occasion permits, whether they are charged fifty dollars or ten dollars, might not see much difference when one looks at the cost of the liquor. So I would like to suggest to the Minister that the fee could be increased. I think it is quite modest right now. I think this would ensure people take their responsibilities more seriously and don't apply for these things lightly.

Secondly, I would also like to suggest that rather than having the permit issued from the liquor warehouse where all they get is a sheet spelling out the rules that have to be followed, like you have to serve food and all those kinds of things -- and only once, at that -- I would like to see the liquor inspector giving out those permits. I believe he would then be able to explain the rules to each person who gets a permit, and also, they would know that the permit is being given by the person who is responsible for inspecting and the person who could blow the whistle if a special occasion permit is not handled properly.

So I guess I have a couple of suggestions here, Mr. Chairman: more inspections; more flexibility in inspections; increase the special occasion permit; and, have the liquor inspector issue that special occasion permit rather than a clerk at the liquor warehouse. I think, if those things were done, we would have an adequate liquor inspection system in Iqaluit without necessarily having to go to the expense of a full-time liquor inspector. So those are comments, Mr. Chairman, I am sure the Minister will take into account. If he wishes to respond, fine, but, otherwise, I am sure he will look into it and consider that advice. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Patterson. Mr. Minister, you are not obliged to respond but if you wanted to, it is up to you.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Just so that I can be helpful to the honourable Member, we are presently assessing the need for a full-time inspector and the fact is it may show that we don't need one. But we are also assessing the whole matter and taking into account the volume of liquor, the number of licenses and the possibility of even expanding the role of the inspector. So we are taking that into consideration. I want to say that our target date for completion is March 31, 1994, so we may be able to respond.

I think the comments that you made are very constructive, and we will be as responsive as possible.

I must say that the only reason that special occasion permits are being issued out of the liquor warehouse is because, of course, the municipality gave up the responsibility of issuing those special occasion permits. Your advice about the inspector issuing them is certainly a good one.

We are also looking at the whole matter of establishing guidelines surrounding the whole matter of issuing special occasion permits, so that might also be very helpful to us. Mr. Chairman, I also have a copy of fees and qualifications for liquor licenses and permits that I would be prepared to give the honourable Member. It does say that special occasion permits, in the ordinary sense, are twenty dollars, and special occasion permits resale based on load occupancy, zero to 50 persons is twenty dollars, 51 to 150 persons is seventy dollars, 151 to 300 persons is one-hundred dollars and more than 300 persons is one-hundred and twenty dollars. So I would be prepared to give you that document.

CHAIRMAN (Mr. Ningark):

Thank you. Information item, page 08-18, detail of work performed on behalf of third parties. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

We now go back to page 08-7, program summary, total operations and maintenance, \$6.512 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Does the committee agree this activity, Department of Safety and Public Services, is concluded?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

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

---Applause

CHAIRMAN (Mr. Ningark):

Qujannamiik. The next on the list that we have decided in the committee of the whole to appear before the committee is Justice. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

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Department Of Justice

CHAIRMAN (Mr. Ningark):

Okay. The honourable Minister of Justice, Mr. Stephen Kakfwi, would you have any opening remarks?

Introductory Remarks

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. Mr. Chairman there are a number of points that I want to bring to the Members' attention which I believe will be of interest as we review the budget for the Department of Justice.

Reorganization

Following the integration of corrections into the Department of Justice and the addition of an assistant deputy minister, Solicitor General branch, additional components of the department have been reorganized.

The firearms and the coroner's offices, which were originally part of court services, and then recently became part of the directorate, became part of the new division.

Community justice, which was previously a section of the corrections division, is now a division with a director reporting to the assistant deputy minister, Solicitor General branch. Community justice issues are, of course, much broader than institutional corrections. So this change demonstrates the importance of community justice issues in the overall mandate of Justice.

Victims of crime services which was previously part of the policy and planning division, directorate, has been moved to the community justice division, Solicitor General, thereby allowing for a closer coordination of

victims services with other community justice initiatives.

The public trustee administers the criminal injuries compensation program, so the budget for that program has been moved from policy and planning to the public trustee's office, which is part of legal services.

Legal interpreter training, which was part of the court services division is now part of the legislation division, which is responsible for the administration of official languages in the department, including French language legislative drafting and, now, interpreter training. The reorganization I have mentioned to date was achieved using existing resources.

Legal Aid

Following upon the recommendations of the Auditor General and the Public Accounts committee, a number of changes are being implemented. Notably, a new automated system for information management is being developed and will be in place for implementation during the first quarter of 1994-95. The Legal Services Board will be funding this internally.

Two staff lawyers have been hired to work out of the Yellowknife office, pursuant to the recommendation of the Strength at Two Levels report. Based on financial estimates provided within the Strength at Two Levels report, cost-savings to the legal aid program are estimated at \$500,000 a year. This, together with staff lawyers in the regions, should assist in controlling fees paid to lawyers, which is the largest expenditure in the legal aid budget.

Registries And Court Services

The budget for court services shows an increase of two PYs, one for the sheriff's office and the other for administration of the Supreme Court. This increase is due to forced growth as the demand on court services to provide timely case management continues to grow. Last year, the volume grew by 20 per cent.

Following upon the successful completion of the land titles transfer from the federal government, a new fee structure has been implemented. Other fees in legal registries will be amended, effective April 1, 1994, and together these will generate additional revenues from commercial transactions, estimated at \$300,000. Similarly, a new rate structure for court fees was introduced on January 1, 1994, which will generate an

additional \$350,000 a year. These new fees will bring the rate structure for registries and court services more in line with those in the south.

Regarding justices of the peace, another change was introduced in 1993-94. Consistent with the recommendation of the justice of the peace task force, fees for justices of the peace were increased to a level that reflects their increasing community justice responsibility. It will provide an appropriate level of compensation to ensure judicial independence and community respect for the position. Under the direction of Sam Stevens, new and experienced JPs continue to train and upgrade their skills through the continuing JP training program.

Corrections And Community Justice

The grants and contributions policy of the Department of Justice has been amended effective April 1, 1994. Notably, policies have been introduced to cover contributions to community groups for projects and programs in the areas of community justice and victims services. This was done in the interests of rationalizing and streamlining the approval process by which the department supports community groups in their work on behalf of victims and in the promotion and development of community justice.

Many projects were previously funded by way of complex contracts. Now many more will be funded through simplified

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grants and contributions. Consequently, the budgets for victims services and community justice show significant shifts from other O and M to grants and contributions.

The department will continue to emphasize the development of community justice as its contribution to the transfer of power and authority to communities, in line with the government's community transfer initiative. Community justice, in the long run, will be the principal vehicle for addressing the escalating costs in the justice system occurring as a result of the population increase and the increasing crime rate. In the area of corrections, this represents a crisis in our institutions, because the buildings are aging and are inadequate to meet the demand. Even if the introduction of community justice is enormously successful in bringing down crime rates and incarceration rates, we are going to need additional facilities in the corrections system. We hope to

address this in the capital budget process over the coming years.

Firearms

In the area of firearms, the Department of Justice is in the process of negotiating a new firearms agreement with the federal government. The recent amendments to the Criminal Code have increased the costs of administering firearms acquisition certificates and especially the requirements for firearms safety training.

The Department of Justice is trying to negotiate the new cost-sharing agreement with the federal government, but at this time there is still disagreement about the content and design of the firearms safety training program and about whether the federal government will pay for the costs of delivering this program. The firearms safety course is to be approved province by province and territory by territory, but the federal government has established a national standard which stresses the use of handguns. We would like to have a course that will be recognized by all provinces, but at the same time, we don't like the idea of requiring hunters to learn about handguns before they can obtain a firearms acquisition certificate.

The federal government feels that the course can be delivered on a user-pay basis, but the high costs of delivery in the NWT makes this impossible. Until all this is settled, the true costs of delivering the service and the offsetting revenue can not be reflected in the budget.

I have set the arrangements in place to meet with the Minister later this month, when we will discuss especially the matter of firearms and the new requirements placed on us by the recent amendments to the Criminal Code.

Law Enforcement

There is another significant development in the area of law enforcement, which is not reflected in the estimates because negotiations are not finalized. The department is in the process of negotiating with federal officials, participation of the Northwest Territories in the federal First Nations community policing initiative. This would allow for the negotiation of tripartite agreements on a community by community basis, which could range from policing continuing much as it is now, to greater community control, and eventually to an independent police force

accountable to a community or region, if that is the wish of the community.

We have also finalized an agreement which will allow for community policing projects commencing in Fort Good Hope and Coral Harbour. These will allow for the training of community residents to participate in community law enforcement. The evaluation of these projects will be useful in setting the direction for community policing.

Conclusion

Mr. Chairman, the delivery of justice programs in the Northwest Territories is becoming increasingly difficult. Resources are becoming scarce and, at the same time, the demand on the existing resources are growing. The volume of criminal charges is increasing, more people are requesting legal aid and the number of inmates is increasing. Like everyone else, the justice system is being asked to do more with less. As the Minister, I accept this reality and so does the department, but the department does not and cannot control the demand, and if the demand continues to grow as it has, we will not be able to continue without additional resources. The upcoming year will no doubt be a challenge to the department, the government and the Legislative Assembly as we wrestle with this reality.

I invite the Members to provide comments and review our budget projections. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. On behalf of the Standing Committee on Finance, do you have any introductory remarks, Mr. Ng?

Committee Report 2-12(5): Review Of The 1994-95 Main Estimates

Standing Committee On Finance Comments

MR. NG:

Thank you, Mr. Chairman. Yes, on behalf of the Standing Committee on Finance from our review of the Department of Justice.

River Ridge Review

The committee is glad to see the Minister addressing the River Ridge Young Offenders' facility and concerns related to its triple designation. We await the results of the review of River Ridge -- and of the

facilities in Iqaluit and Hay River as well -- which the Minister instituted following the recent difficulties at River Ridge. Committee Members noted that the Minister expects the review to be completed before the end of the fifth session of the 12th Assembly.

Resource Allocation To The Department

The committee is concerned that the Minister talked about feeling fleeced of resources to fulfil his department's mandate. It is the Minister's responsibility to make a strong and forceful

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case at the Cabinet table for the resources needed to meet the objectives of the department.

Police Services

Concerns have been expressed by many communities, large and small, about the lack of adequate police resources.

Recommendation 21

The committee recommends that the Department of Justice undertake a comprehensive study to determine community policing needs and take the necessary steps to ensure that all communities in the NWT have adequate policing protection.

Community Justice

A fundamental difficulty with the administration of justice in the north is that we have a justice system developed by one culture being applied to others. The First Nations of the north have a very different view of justice than do the mostly European immigrants who introduced our present justice system. This makes the Department of Justice's task quite a difficult one.

While the department has undergone some reorganization to help them do their job, the department still has a way to go to establish a presence at the community level. Communities have, for many years, felt that they have not seen the workings of the department except through the presence of the RCMP and the court circuits. Community justice specialists should help communities to access available funding to develop and implement programs at the community or regional level. They can then, with the department's help, set up community policing programs like those currently operating in Coral Harbour and Fort Good Hope, or

on the land programs for offenders. As well, community justice specialists should provide advice about individual rights under the justice system, how justice procedures work in the north, and so on. The committee expects these new community justice specialists to be proactive.

Firearms Legislation And Safety Training

Recommendation 22

The committee recommends that the Department of Justice make every possible effort to ensure that the new federal firearms legislation, which has already been passed, is applied in the Northwest Territories so as to interfere as little as possible with hunting methods widely practised by northern hunters and families.

Zero Tolerance For Violence

The committee recognizes and supports the Minister's efforts in developing a strategy for dealing with violence in the NWT and in moving forward with the declaration on family violence on behalf of the Legislative Assembly of the Northwest Territories. The declaration states that the Legislature of the NWT, "adopts the principle of zero tolerance of violence against all people and endorses the goal of eliminating family violence by the year 2000."

However, the committee, during the review of the main estimates, did not see any clear indication of how these goals were going to be achieved. There appears to be few, if any, new resources in this department or in any department which are allocated to making this a reality. The committee addresses this issue more fully, in this report, in the section on Social Services.

Recommendation 23

Partners In Youth

The Partners in Youth project being piloted in Edmonton was discussed under Education. We strongly recommend that the Department of Justice participate with the Departments of Education and Social Services in implementing such a proposal in selected northern schools on a pilot basis.

That concludes the report.

Committee Motion 22-12(5): To Adopt Recommendation 21, Carried

I would like to move on recommendation 21. I move that this committee recommends that the Department of Justice undertake a comprehensive study to determine community policing needs and take the necessary steps to ensure that all communities in the NWT have adequate policing protection.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Ng. Your 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

CHAIRMAN (Mr. Ningark):

Mr. Ng.

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Committee Motion 23-12(5): To Adopt Recommendation 22, Carried

MR. NG:

Thank you, Mr. Chairman. I move that the committee recommends that the Department of Justice make every possible effort to ensure that the new federal firearms legislation, which has already been passed, is applied in the Northwest Territories so as to interfere as little as possible with hunting methods widely practised by northern hunters and families.

CHAIRMAN (Mr. Ningark):

Thank you. 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

CHAIRMAN (Mr. Ningark):

Mr. Ng.

Committee Motion 24-12(5): To Adopt Recommendation 23, Carried

MR. NG:

Thank you, Mr. Chairman. I move that the committee recommends that the Department of Justice continue to assume the lead role and work with the Department of Social Services to develop an action plan for eliminating violence against all people by the year 2000. The development of the action plan should take into account the results of the Justice House Report, the family law review and Building a Strategy for Dealing with Violence in the NWT. A preliminary report on the overall status of this initiative should be made available to the Standing Committee on Finance at least one week prior to its review of the 1995-96 capital budget.

CHAIRMAN (Mr. Ningark):

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

CHAIRMAN (Mr. Ningark):

Thank you. We have now progressed into general comments. Since this particular section is comprised of very important subject matter, perhaps Mr. Minister would like to bring in his witnesses? Mr. Minister has nodded his head. Sergeant-at-Arms, would you bring in the witnesses please? Thank you. For the record, Mr. Minister, would you introduce the witnesses?

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. On my left is the acting deputy minister of Justice, Graeme Garson. On my right is the director of finance and administration for the Department of Justice, Louise Dundas-Matthews.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. Welcome to the committee of the whole. I would remind Members to behave yourselves, we have the Minister of Justice at the witness table. Are we ready for general comments? Mr. Whitford.

General Comments

MR. WHITFORD:

It is good to see Mr. Garson in an acting position in the Department of Justice. I think we need him over at the side and not to get too comfortable. What is the status of the search for the new deputy minister?

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. The position was advertised across the country for a number of weeks. The exercise is possibly completed now and there may be, if things are finalized and offers are accepted, a new deputy minister in place within the next few weeks.

CHAIRMAN (Mr. Ningark):

Thank you. General comments. Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Mr. Chairman. I would like to make some comments and I do have a question. It may not particularly be with regard to your department. I will phrase the question first. We have a lot of problems with Justice. For the people who go through the justice system in the Northwest Territories, it takes a long time. Sometimes when the time comes for the courts to handle the trial, they postpone the trial. For young people, it is quite often that the court date is postponed, so their mind becomes disturbed. When young people are having to wait for so long, it is a great problem in my area. For instance, when their court date is postponed, that disturbs the young people who are under the justice system. Maybe you might not be able to answer this question directly. What possible reasons do you have in postponing things or taking a long time to have these young people going through the system? My constituents would like to know exactly what possible reasons there would be to postpone trials. Is it financial or maybe it is because we have too much work to do in the Northwest Territories? The work

load is so heavy we have to keep postponing court dates. You must have a definite reason, possibly financial or the work load. That is my main question, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Pudlat. The Minister of Justice.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. When Members raise this question, I gather it is from the point of view that members of their constituencies, their families or communities want to know why there is such a long time for courts to dispense with their decisions or conclude the deliberations. I know there are tremendous costs involved in courts. In many cases, for instance, stealing candy from a store may not seem to be a serious offence, nonetheless it does sometimes result in bringing about very costly court proceedings. We find, in many cases, the people who are arguing on behalf of the young adults who are being charged, it is their lawyers who very often ask for a delay to put off court until a later date until they are more properly prepared and have had adequate time to put a case together on behalf of their clients.

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There are also problems of weather where court parties are unable to travel according to their original plans. There is the additional problem where sometimes witnesses who are required by the courts do not show up or are unable to make it on the proposed court dates. There is also the problem of money, so that we are unable to make it convenient for everyone by increasing the number of lawyers, courts and judges to try to make the courts take care of their business in a much more expedient fashion. I'm not certain, even if we did, that we could speed the process up. I know it is tiresome and people find it very frustrating but, as I understand it, those are some of the reasons why it appears in many cases it takes months and months to conclude business with certain people who are called to the courts. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Kakfwi. Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Mr. Chairman. Your answer is appreciated. I'm not just talking about minor

charges, I'm talking about very serious charges that have to be dealt with through the justice system. I'm not just concerned about murder charges, but for other more serious charges. We all know these reasons. Maybe we'll have reason to be happier about the future when there is a better relationship with the justice system and it considers cultural factors in the communities. When the majority of native people have started to take over the justice system, it will be much easier on the native people they have to deal with.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Pudlat. I don't know if there was a question there. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

In response to the comment regarding more serious offenses, it is the view of many people that these cases taken an even longer time than other cases. I think this is raised because, in the end, these may result in some of the accused pleading guilty to get it over with, which follows some of the comments Mr. Gargan has made in earlier proceedings. In any case, because of the seriousness of the charges and the impact it could have on the life of not only the accused but their families and the victims, the lawyers involved take an extraordinary amount of time to do a meticulous review of the facts to make sure they have the case down as best as they can before they proceed to the courts.

Because it means dealing with the life of the individuals, whether they are going to be incarcerated for a week or three years, that's the reason it takes an extraordinary amount of time. In the case of really serious charges, I know that lawyers, particularly, want a great deal of time so they are absolutely sure of their work and they don't make any legal mistakes or technical mistakes before proceeding. That results in some of the delays that are experienced by the public. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Kakfwi. Any other comments under law enforcement? Mr. Ballantyne.

MR. BALLANTYNE:

Thank you, Mr. Chairman. I have a few general comments to make about the department. In my observations over the past couple of years, I think I'm pretty satisfied with the work the Minister and the

department have done. They've taken on new challenges. Taking over corrections, in itself, is a big challenge. I think they've absorbed that very professionally. As the Minister has stated, in a time of escalating crime, diminishing dollars and competing demands on the system, every year it becomes more difficult to provide the same level of service. I think, keeping all that in mind, the Minister and the department have done a competent job in dealing the many problems they have to deal with.

I have a few comments to make. One is about the sort of thing that causes crime and some ideas of how we, as a government and as a society, have to deal with crime with less dollars. I've travelled around the world and have spent years in many countries. Each culture likes to think of itself as different and better than others, but the reality is, everyone is very, very similar in certain areas. There is probably about the same percentage of people in each culture who are very good and very bad and most people fall somewhere in the middle. That doesn't change wherever you go around the world.

I think we have to recognize that there are increasing pressures now, not just here but everywhere in the world, on society. There is violence on television, more people competing for fewer jobs, less security, it is the age of mass communication and what have you. Here, it is compounded with cultural clashes with one culture being forced to abide by the rules that have been imposed upon them by another culture, and there is high unemployment. All those things have played a part. But, I think we also have to recognize that individuals have to take some responsibility for their actions in this society, as in all societies.

So, when I look at how one would categorize different degrees of crime, it seems to me that the justice system as we know it in Canada is, in many ways, pretty archaic. Society has changed much faster than the justice system has been able to adapt to that society. I like the emphasis of the department on a community-based justice system and I think the philosophy is right. As the Minister has found out, unfortunately, all the different components of the justice system move very slowly to achieve that end. By the time you get to the place you should have been four years ago, you are still four years behind because everything has changed that quickly in the meantime.

I think there has to be a greater realization by everybody in the justice system that communities

have to play a much more important role, that parents have to play a much more important role and that you can't depend on the justice system to redress all the ills there are in the world. It just won't work. The system was never structured to do that.

Who makes up the population of our correctional institutions? From what I understand, the profile of the young offender has changed over the last ten years. The young offender now is probably a little more violent than the young offender was five years ago. The crimes are a little more serious. The use of drugs is maybe a little more prevalent than it was before. There was a time when we could say that 95 per cent, or whatever, of crimes were directly alcohol related but I think people are seeing much more serious manifestations now of problems in our system. We all know that the system is having a heck of a time trying to keep up with all of this.

It would seem to me, though, at a time when you have less money and you have to prioritize, the first and obvious thing, to me, anyhow, is who do you try to salvage out of all of this? I

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mean, if you only have so many dollars, obviously you concentrate any new resources you have on young people. You can't afford any more. Let's not kid ourselves, the time is coming when we won't be able to spend the same amount of dollars across the board as we do now. So, if we have to -- hard though this may be to prioritize -- number one, we spend any new dollars on young people. Intervene early, intervene aggressively with young people. So, to me, that is the first, obvious priority that one has to make.

I think the second reality one has to make is that...Again, back to the idea that individuals do have some responsibility and that our jails right now are filled with a lot of fairly non-violent type offenders. Canada and the United States are two of the few countries left in the western world that fill their jails with non-violent offenders, and though a lot of this is out of our responsibility because the Criminal Code is a federal responsibility, more and more I think we have to look at alternate ways of dealing with non-violent offenders. They should not be in jails. It makes no sense to me whatsoever to have non-violent offenders in jails. What happens is that you bring young non-violent offenders into jails for B&Es, for instance, they come into contact with more hardened types and then you end up creating criminals. That makes no sense.

The third thing, at least from my point of view, is that, somewhere along the line, society is going to have to recognize repeat violent offenders. There are some people who cannot be rehabilitated in every race and culture in the world. I think society -- again, this is my view -- has to look at it from a total perspective. You do whatever you can to help young people to keep them out of the life, but if somebody has repeated and is hurting people, especially young people...I mean, if you look at a repeated violent offender, it is one category. Repeated violent sexual offender is a worse category, and the repeated violent sexual offender against children is the worst category. I think that with the third category, there is no way. I mean, society has an absolute responsibility to keep them right off the streets. I don't care how. There comes a point where you give up your rights, and the rights of potential victims are much, much more than the rights of a repeated child sexual offender, for instance.

Somehow we get everything all mixed up. Somehow we seem to live, and, at least in my opinion, back in the semi-idealistic state of the 1960s where everybody is basically really good and it is just a matter of unlocking the key to their sugar and sweetness. The reality is that some people aren't good, some people are awful and some people have to be put away for good.

I think we need a balanced approach that says we rehabilitate when we can and we do everything we can for young people. As somebody repeats and moves through the system, we are not going to have as many resources any more, and essentially we are warehousing. The third and most drastic case is that we are putting them away for good. What we are saying is they are out of the way.

So, from my point of view, that is an overall perspective, for whatever it is worth. I would really like to see us concentrate in those areas, and, in those areas that aren't under our control, for the Minister to bring them to the attention of the federal Minister in federal/provincial meetings. I know there is a lot of sympathy for parts of it, but very few people put that whole package together. It is almost like, on one side you are totally for rehabilitation or, on the other side, hang them all. It is not that. It has got to be a balance based on some reality and based on some philosophy.

So I don't think I have a lot more to say right now. I think the department is on the right track. I would like to hear the Minister articulate perhaps a little bit more clearly how different components of the system fit

together, and I think that MLAs here generally see what the department is trying to do. I think we do understand the difficulties that the department is facing in the 1990s and wish you all the best of luck in dealing with these problems. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Any response, Mr. Kakfwi?

HON. STEPHEN KAKFWI:

I would like to thank the Member for his comments. The view he takes to focusing whatever additional resources we may get in the future and to prioritizing those for work with the young offenders, the young people who get into difficulties with the law, is something that I agree with. I think it is critical that we try to do something at the early stages. Again, it may mean that we try to get the courts to recognize that incarcerating a person for a one-time mishap with the law is not in the interests of society and that there are many non-violent people who, because of a moment of poor judgment, end up before the courts and end up being taken away from their residences, their families and communities and from being a productive member of their community, simply because the court has deemed they should be punished through incarceration.

There is a school of thought that says that with limited dollars we are not, in fact, dispensing justice. We are running a wheel that is depriving certain members of what justice can provide because of the way we dispense justice in other areas. So I agree that we have to do something.

There is a real need, I think, for us to get the communities to accept responsibility for their own citizens and for the mishaps that their citizens heap on themselves and their neighbours. There is a need for communities to decide how to dispense and deal with justice with regard to those people who commit crimes, who disturb the peace and harmony of communities and who inflict damage on other members of the community.

It is that single approach, I think, to try to get an idea of what we can do to make justice more relevant and more realistic, that I think will come. That is what is going to bring the changes we want.

In the meantime, we do find that we are still looking at ways to stretch our dollars as much as we can, just

keeping the existing system going. But, as the Member says, it is true. We cannot continue the way we are. We simply can't afford it, and the more we encourage communities to take responsibility for their own troubled youth, for their young people who get into trouble and for the adults who have to go to courts, I think the sooner some of the solutions to the problems that we have, at least, in terms of cost, will be more properly addressed.

It is my view, as well, that the cost of policing is better addressed by getting communities involved in feeling

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responsible for their own policing requirements. They can perhaps do a better job of policing themselves and also of using existing police resources to meet their needs. Some of the pilot projects we have will hopefully give us some ideas on how to do a better job. Again, because as Members know, the public does not feel there are enough RCMP officers out in the communities or in Yellowknife. There's a growing demand for more and more. These are all almost external to the communities right now. The RCMP and ourselves are working with communities and groups to try and address that. In the end, perhaps we will find that the high cost of policing may be better addressed through our trying to work directly with communities.

On the business of courts again, I think it would be addressed through the community justice initiatives. I think the cumbersome process that the present court system brings and provides to the north can largely be addressed and avoided if communities take more responsibility for their people who have to go before the courts. The more interventions there are, the more communities owning up and taking responsibility for young offenders, for adult offenders, and for providing remedies to these cases, the cumbersome, escalating court costs that we have of judges, lawyers, court workers, court costs, and charters will be addressed through that approach. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you very much, Mr. Kakfwi. Are you finished, Mr. Ballantyne? Mr. Ningark?

MR. NINGARK:

Thank you, Mr. Chairman. Mr. Chairman, from the opening remarks of the Minister, I agree with town control to a degree. I am a proponent of the safe

society. I like my community to be safe for my family and my friends. I would like all the communities in the territories to be safe. Basically, we are dealing with human life here, which is very important. Thank you, Mr. Minister.

Mr. Chairman, I think Mr. Ludy Pudluk, Mr. Pudlat and perhaps Mr. Minister and Mr. Whitford, started handling the stock of a firearm when it was too large for us to really suit it. We were brought up in a society whereby you learn how to handle a firearm when we were really, really young. In fact, I think most of us shot birds when we were only about eight or nine years old. Given the behaviour of the younger generation, we have to be very cautious but at the same time still respect the tradition that people live by, which is hunting.

In my community of Pelly Bay, on two occasions a polar bear came in right between the houses and luckily there was not much restriction in terms of having to lock firearms in the house. People in the community were able to act quickly, they didn't have to look for keys, they didn't have to open a padlock in order to get hold of a rifle. As a result, the polar bears, on two occasions, were disposed of before they did any harm to anybody in that community.

I think innocent people are paying the price which is induced by the people who abuse the use of a firearm. I hope that the system will be more sensitive to the needs of the native people who use a firearm for hunting and safety aspects, Mr. Chairman.

Animals such as polar bears know no boundaries. They will wander into a community instinctively in search of food. Sometimes they can be very, very dangerous. I think that putting more restrictions on the use of firearms is, in fact, going to put the lives of human beings in danger in some communities where they are frequented by animals such as polar bears. I agree with the Honourable Minister that we should try and prevent the firearms from getting into the wrong hands. I agree with that one hundred per cent, especially in the wrong situation, but I think we should really try to be sensitive to people who use their guns only for the purpose of hunting.

In most native communities, we don't have any sport hunting except from the people coming in from the outside. I would urge the honourable Minister, Mr. Chairman, and my colleagues to try to be a little more sensitive to the needs of the people in our jurisdiction, especially Dene in the western Arctic living in small communities, and Inuit people in the eastern Arctic

living in small communities, who may be endangered by animals such as black bears, grizzlies, polar bears, and wolves. In the event that such animals wander into the community and all the firearms are locked up, a person may not be able to find the key or open the padlock as quickly as required. That might put the safety of the population of a community into severe danger. Mr. Chairman, I hope Mr. Minister will consider that very seriously.

In the other area of having to go for training or be tested in order to renew your firearm, I think just about every member in a small community, especially in the native population, has gone through the system already knowing how to handle rifles. What if the person is not able to pass the test required by the system but is able to handle rifles, has been handling rifles all his or her life as part of their hunting equipment? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Ningark. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Thank you. The concern that the Member is raising is one that I share and see as a very serious problem that will arise between ourselves and the federal government. There's probably some reason for it, but I'm certain probably other jurisdictions across this country will be raising the same types of concerns. What appears to have happened is the federal government has decided to design a national course which will require a test in order for people to acquire new firearms acquisition certificates. It is very likely that, at this time, most people in the territories who have used rifles all their lives for hunting and harvesting will not be able to pass this test.

The test is quite complex. It would take over two days for a hunter to take this course and even after taking the course, after one trial test, the department informs me that eight out of ten people failed the test. These were all formally educated people who could read a handbook and memorize it within a relatively short time. The test requires extensive knowledge of handguns, the types of firearms prohibited, the different types of rifles, including semi-automatics, the different types of shotguns, the types of barrels, the trajectory of bullets and how you can tell calibre. It talks about muskets from the 17th century and before that.

It talks about many things that, really, have nothing to do with the day to day life of most people up here in the Northwest Territories who just need to use rifles for the purpose of hunting. I know for instance that in some communities, like Colville Lake, there isn't a truck for well over a hundred miles of that place, and yet they would be required to answer questions about how they can safely store firearms in a truck. There is probably not one soul in that community who is interested or who has even thought about acquiring a handgun, and yet they would be required, for the most part, to be very familiar with the operation, handling and storage of handguns and how to transport them.

We have a problem on our hands. I think I mentioned in an earlier response that, because of all the political goings on across this country during the last year -- with the Prime Minister from two terms ago announcing his resignation, with the Conservative election campaign, the convention, the crowning, the summer honeymoon, the disastrous fall election for the PCs and the new Liberal Government -- that political attention has not been on this issue and it was left largely to officials to try to negotiate a suitable arrangement.

As we see, the officials have not been able to negotiate an arrangement with the federal government. So we are faced with the federal government going ahead and requiring this massive course and test to be imposed on people here in the north in a month, unless we can come up with a political arrangement that is more acceptable within a week or so. I'm expecting to meet with the Minister next week in Ottawa to try to come up with some arrangements so that we can go ahead with some sort of course, and perhaps even have his course taken by those people in the Northwest Territories who want to belong to shooting clubs and who want to shoot largely in shooting ranges.

We will see if we can come up with some sort of a compromise for those people who hunt every day, every week, every month, who have been handling rifles all their lives and who just want to have the right to buy new rifles as they need them, on a regular basis, without having to learn about muskets, handguns and other paraphernalia that, I think, is quite properly required for urban users. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you very much, Mr. Kakfwi. Have you finished, Mr. Ningark? Okay, I have two other people on my list. Mr. Patterson and Mr. Pudluk. Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. Am I butting in before the Dean of the Assembly? I wouldn't want to do that. I think Mr. Pudluk might have had his hand up before me.

CHAIRMAN (Mr. Lewis):

Do you wish to defer to Mr. Pudluk?

MR. PATTERSON:

Yes.

CHAIRMAN (Mr. Lewis):

Mr. Pudluk.

MR. PUDLUK:

You don't really have to treat me like that.

---Laughter

(Translation) Thank you, Mr. Chairman. Thank you, Mr. Patterson. I have a short comment to make with regard to the Department of Justice and with regard to firearms. I have already stated my position with regard to firearms. The concern I have is along the same line as my colleague from Natilikmiot. I agree with him and I am in support of his comment. I was happy to hear the responses that were given by Mr. Minister.

I would like to mention something about youth being dealt with in the courts. Right now, the communities are getting more involved in the court system. I can use Baffin as an example because I'm familiar with the Baffin region. One of the things I have noticed is that the Inuit young people's criminal concerns are dealt with in the communities. I am very much in favour of this because it seems to be working very nicely. It seems to be very helpful. If a young offender had gone through the court system, they would go through more of a rough time if they had to spend some time in the correctional institute here or in the Baffin region. It is much better for the young offender to be dealt with by the youth justice committees in the communities.

I would like to congratulate the Department of Justice for decentralizing the court system and having the communities more involved with the court system. I think they are looking at ways whereby young offenders can be taken out on the land as

punishment, or they can be given these types of courses. I think it is much to the benefit of some young offenders in our communities.

With regard to the elders who are involved with the youth criminal system, even though they are not given a wage for the job they are doing, they want to be more involved because they understand the problems and they feel they can contribute. They have also gone through the same problems themselves when they were young. It is because of this that the elderly who are volunteering today are more willing to help the youth in trouble.

As the people were getting into the...(inaudible)...there was a lot of...(inaudible)...between whether they should follow a southern life-style or...(inaudible)...that is when the communities were coming to a group of people in a new community. When we were younger, we had different ways of being disciplined. I am talking about myself as a younger person in the early 1960s. They had different ways of dealing with youth back then. Today it seems like the old people and the young people have a better understanding with one another. Because of this, the older people are taken more seriously and want to be more involved with the youth who are in trouble. I think if the older people in the communities are involved with youth, it can have a more beneficial result than a southern way of correcting and disciplining youth who are in trouble today. That is all I have to say, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Lewis):

Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. As the Member suggests, we are committed to try to focus more resources and support for communities to take over responsibility for young offenders, particularly, but adult offenders also. As I said earlier, there is a certain amount of money available in this area. If more cost-effective ways are found by the communities to deal with adult offenders, it means there will be more money available to deal with the needs of

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young offenders with program money being made available. There is only so much money in the pot and we have to do a better job in some areas and we

believe the communities are the best people to do that. They can take care of adult offenders and young offenders for less money, which means we can provide more money in areas where it is needed like programming and coming up with pilot projects so the communities can initiate projects they think will be meet their needs and the needs of the young offenders, in particular. As the Member suggests, we still feel we are right and the support is there from communities and Members. We are quite aware of it. Thank you.

CHAIRMAN (Mr. Lewis):

I have a problem because next on my list, after Mr. Patterson, would be Mr. Pudlat, not Mr. Pudluk. He, in fact, hadn't been on my list and you gave up your position. So I have to recognize Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Mr. Chairman. I also wanted to thank the Minister because I have worked with him closely on these different issues and I visit him in his office concerning justice issues. I would like to extend my gratitude to the Minister because he is a very welcoming person when it comes to talking about justice issues. He sits down and tries to find ideas. I really appreciate that.

Concerning the firearms issue, I just wanted to make a short comment. If the amendment to the Criminal Code was not so binding...I agree it is more suitable for urban enforcement. But not for hunters who have to travel on the land and be prepared for encounters with wildlife at unexpected times, especially in the spring and summer, sometimes in the winter also where there are outpost camps. As an example, there have been polar bears approaching outpost camps. Like John Ningark said, there is no border or no stopping an aggressive polar bear. This places a problem if we are going to have to safe-keep our firearms because encounters do occur. While I realize the danger of keeping firearms available around children, we are aware now of the training requirement which is mandatory.

I remember when we were children, our parents would accompany us and they taught us how to use firearms, rifles, et cetera, properly. I realize we have to enforce some safety standards to avoid unnecessary deaths. But people who make a living as hunters are going to have a difficult time enforcing or abiding by the requirement of safe-keeping and locking up firearms. I have spoken about this at

length with many of the hunters. This is something that I will fully support, especially because of our encounters with wildlife that happens at any time. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

That was a general comment. You wanted to give a response, Mr. Kakfwi?

HON. STEPHEN KAKFWI:

Yes, thank you. One of the immediate problems with this new course that is required...You are required to take a course or pass a test in order to acquire what you call a certificate that would allow you to buy a gun. A good percentage of our population is unilingual. This course, as far as I can tell, is not going to be available in Inuktitut. So it immediately discriminates against all unilingual people in the Northwest Territories. The federal government wants this course to go ahead, but it is just not suitable for the Northwest Territories.

There is no undertaking right now to have it translated or provided in, for instance, an Inuktitut language. The costs of providing the course across the north so that all people of the north have equal access to the course and to the test on a regular basis is tremendous. It means you have to send people out, a number of people out, on a regular basis throughout the north to sit down in a community a number of times a year for two to three days. I gather the course would run even longer if it's to be translated.

The logistics and the costs of providing this course haven't really been adequately addressed yet by this government and the federal government. Again, these things will be brought to the Minister's attention next week. He will be assured that all Members of this Legislature share the concern for safety and share the need to call nationally for safe handling of firearms storage. It will also be brought to his attention very clearly that there are polar bears wandering around the Northwest Territories. In some of the communities, as the Members say, right in the communities. There are bears still walking into my home town on a regular basis, as are wolves. Dogs are still attacked, people are still threatened by wildlife in many of our communities. It's a far cry from Toronto, Montreal, or Ottawa. The Minister will be told of these things that the Members are raising. Thank you.

CHAIRMAN (Mr. Lewis):

Thank you. Mr. Pudlat

MR. PUDLAT:

(Translation) Thank you, Mr. Chairman. That was a good response. I understand the course is intended to ensure people are able to properly handle rifles and handguns. I'm sure that's the intention of making the course mandatory. For example, though, if a person is able to properly handle a rifle and he's a good hunter, if the course becomes mandatory he's going to obviously need to be well educated to be able to take the course even if he's already able to safely handle a rifle. I'm sure this will change procedures and manners in which to obtain a firearms acquisition certificate. All these problems are going to occur if the course becomes mandatory. You have to be very educated and very knowledgeable about other things that don't seem to relate too much to properly handling rifles and like you mentioned, whether it will be in Inuktitut is still not definite. If this course becomes mandatory we are going to have to push to have it provided in the aboriginal languages because we are going to continue to use our rifles, this is a part of our way of life up here. I'm not happy with the idea of having to take a course, because you have to be educated to take it in the first place. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Lewis):

Thank you, Mr. Pudlat. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

The comments the Member is making are quite accurate. If you look at the Canadian firearms safety course that was supposed to be provided to Members in the last few days, you'll see in section one for instance, that it refers to the history of firearms and how cannons and old muskets were designed. You're expected to know what kind of design evolved in the 14th century, when certain loading procedures were required, the type of parts that these old muzzle loaders had, what a match lock is, a wheel

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lock, a flint lock, they talk about percussion caps, how you tell a calibre of rifle, the measurement within the barrel of a rifle is how to tell the difference between a 270 and a 243, the difference between a 12 gauge, a 10 gauge, a 20 gauge. Much of this stuff is not relevant nor has it ever been of interest to most

people in the Northwest Territories who hunt for a living.

For instance, section two talks about firearms safety. That's a good section. Section three talks about ammunition. There again, who cares about black powder? We don't use the stuff. You're expected to learn about trajectory, all of a sudden, for different rifles; what type of rifle shoots the farthest and what doesn't; and how a bullet travels. This is good but I don't know that you want to get into being so specific.

There are different parts of this book that are good. For instance, in section four it talks about muzzle loading and antique firearms -- the dos and don'ts of muzzle loading.

CHAIRMAN (Mr. Lewis):

You've made your point very well. It's now just passing six o'clock and we have an appointment with the deputy commissioner of the RCMP. I would like to rise and report progress because I think it was a good time to interrupt.

MADAM SPEAKER:

I call the House back to order. Item 19, report of committee of the whole.

ITEM 19: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Lewis):

Thank you, Madam Speaker. Your committee has been considering Bill 1, Bill 14 and Committee Report 2-12(5) and would like to report progress with three motions being adopted, and that Bill 14 is ready for third reading. Madam Speaker, I move that the report of the committee of the whole be concurred with.

MADAM SPEAKER:

Thank you. Is there a seconder for the motion? The honourable Member for Kitikmeot, Mr. Ng. 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

MADAM SPEAKER:

Item 20, third reading of bills. The honourable Member for Hay River, Mr. Pollard.

ITEM 20: THIRD READING OF BILLS

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, I seek consent to proceed with third reading of Bill 14, An Act to Amend the Borrowing Authorization Act. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. The honourable Member is seeking consent.

AN HON. MEMBER:

(Microphone turned off)

---Laughter

MADAM SPEAKER:

Bill 14. Are there any nays? There are no nays. Proceed, Mr. Pollard.

Bill 14: An Act To Amend The Borrowing Authorization Act

HON. JOHN POLLARD:

Thank you, Madam Speaker. I thank you and the House for the courtesy. Madam Speaker, I move, seconded by the honourable Member for Baffin Central, that Bill 14, An Act to Amend the Borrowing Authorization Act, be read for the third time. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Your 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

MADAM SPEAKER:

It is my understanding that the Commissioner of the Northwest Territories is prepared to assent to bills. Mr. Clerk, would you ascertain if His Honour the Commissioner of the Northwest Territories is prepared to enter the Chamber and assent to bills?

ASSENT TO BILLS

COMMISSIONER NORRIS:

Please be seated. Madam Speaker and Members of the Legislative Assembly, as Commissioner of the Northwest Territories, I hereby assent to: Bill 2, An Act to Amend the Charter Communities Act; Bill 3, An Act to Amend the Cities, Towns and Villages Act; Bill 4, An Act to Amend the Hamlets Act; Bill 5, An Act to Amend the Partnership Act; Bill 6, An Act to Amend the Workers' Compensation Act; Bill 7, Personal Property Security Act; Bill 8, An Act to Amend the Legislative Assembly and Executive Council Act; and, Bill 14, An Act to Amend the Borrowing Authorization Act. Madam Speaker, thank you.

MADAM SPEAKER:

You may be seated. Mr. Clerk, item 21, orders of the day.

ITEM 21: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Madam Speaker, there will be a Caucus meeting with the deputy commissioner of the RCMP immediately after adjournment this evening. Meetings for tomorrow morning, at 9:00 am of the Ordinary Members' Caucus. Orders of the day for Friday, March 18, 1994.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions

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6. Written Questions
7. Returns to Written Questions

8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Reports of Committees on the Review of Bills
12. Tabling of Documents
13. Notices of Motion
14. Notices of Motions for First Reading of Bills
15. Motions
16. First Reading of Bills
17. Second Reading of Bills
18. Consideration in Committee of the Whole of Bills and Other Matters
 - Bill 1, Appropriation Act, No. 2, 1994-95
 - Committee Report 2-12(5), Report of the 1994-95 Main Estimates
 - Minister's Statement 5-12(5), Session Business
 - Tabled Document 1-12(5), Towards an NWT Mineral Strategy
 - Tabled Document 2-12(5), Building and Learning Strategy
 - Tabled Document 34-12(5), Tradition and Change, A Strategy for Renewable Resource Development in the NWT, February 1994
19. Report of Committee of the Whole
20. Third Reading of Bills
21. Orders of the Day

MADAM SPEAKER:

Thank you. This House stands adjourned until Friday, March 18, 1994, at 10:00 am.

---ADJOURNMENT