



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

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HANSARD

FRIDAY, MARCH 10, 1995

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Speaker: The Hon. Samuel Gargan

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MEMBERS PRESENT

Mr. Antoine, Hon. Silas Arngna'naaq, Hon. Nellie Cournoyea, Mr. Dent, Hon. Samuel Gargan, Hon. Stephen Kakfwi, Mr. Koe, Ms. Mike, Hon. Don Morin, Hon. Richard Nerysoo, Hon. Kelvin Ng, Mr. Ningark, Mr. Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Hon. John Todd, Mr. Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Samuel Gargan):

Thank you, Mr. Pudluk. Good morning. I have been informed that Her Honour, the Commissioner of the Northwest Territories, is prepared to assent to bills. Mr. Clerk, would you ascertain if the Commissioner is prepared to enter the Chamber and assent to bills.

Assent To Bill 17

COMMISSIONER MAKSAGAK:

Please be seated. As Commissioner of the Northwest Territories, it gives me pleasure to assent to the following bill: Bill 17, An Act to Amend the Nursing Profession Act. Thank you.

---Applause

MR. SPEAKER:

Item 2, Ministers' statements. Mr. Morin, your point of order.

Point Of Order

HON. DON MORIN:

Thank you, Mr. Speaker. Yesterday, during a Member's statement, Mr. Pudluk requested an apology from myself to the unilingual Inuit-speaking elders in the communities who did not understand the translation because it was backwards. So, on behalf of the NWT Housing Corporation, I would like to apologize to those elders and unilingual speakers. Thank you.

---Applause

MR. SPEAKER:

Thank you. Item 2, Ministers' statements. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Sorry, Mr. Speaker. On a point of order, please.

MR. SPEAKER:

Point of order, Mr. Nerysoo.

Point Of Order

HON. RICHARD NERYSOO:

Mr. Speaker, I would like to raise a point of order concerning our practices for tabling documents.

Mr. Speaker, as you are aware, having read the unedited Hansard for March 8, 1995, it is clearly stated by the honourable Member for Thebacha that there are no rules for letters being tabled. I'm not certain, Mr. Speaker, if there is a necessity for rules, but I believe we have to establish practices in this House for the tabling of documents.

The honourable Member for Thebacha raised the issue of letters being tabled unsigned, during question period on Tuesday, March 7th, and her comments are contained on pages 1228 and 1229 of unedited Hansard. Mr. Speaker, at that time, it was indicated that letters do not have to be signed.

Mr. Speaker, I question whether this has been established as a practice or procedure of this House. Mr. Speaker, I also note that an unsigned letter was tabled on March 8th and again the issue was identified by the Member for Thebacha, that we have no rules on unsigned documents being tabled.

Mr. Speaker, I agree we have no rules or practice, but I feel that there should be. My point of order is to request you review the matter and provide a ruling on the practice of permitting unsigned letters to be tabled in the House. Mr. Speaker, in addition, you may wish to consider giving direction to the House on the types of documents and items that should or should not be tabled in the House. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you, Mr. Nerysoo. With regard to the tabling of documents, I still remember Members of this House tabling fish heads and sewage pipes, unsigned.

Those types of things were tabled in this House. We don't really have a rule for the tabling of documents and I wish to hear from other Members their feelings with regard to the tabling of documents and unsigned documents. Until I hear from Members, I will reserve a ruling, and I would like to hear from Members on their feelings as this is important.

To the point of order, Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. To the point of order that I have raised. Mr. Speaker, it is my belief that we have a long history in parliamentary democracy about respecting the rights and privileges of Members and that is an important factor in our Assembly. But, I also believe there is a certain need for us to protect each other, not only from what general comments may be made, but also the way we conduct ourselves and how people see us in terms of protecting people outside this Assembly.

It is my belief, Mr. Speaker, that there is a certain amount of integrity that we have to uphold and part of that integrity is the way we treat each other and the citizens who we represent. I think a rule on a practice in this House so that can clearly

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articulate how we will protect each other and protect the citizens of our communities is important for us to adopt. I think, Mr. Speaker, your good judgement and advice is being sought in this particular situation, and I know you will consider this matter seriously and provide us with the appropriate leadership. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Nerysoo. To the point of order. Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Speaker. Prior to becoming a Member of the Legislative Assembly, I was a band counsellor and a counsellor with the Dene Community Council of Fort Resolution. So, I have some political experience at the local level. Even at the municipal and local political level of our communities, when people get letters from constituents or people they are elected to represent that are unsigned, they don't deal with them. They put them to the side because anybody can write anything about anybody or say

anything about a citizen of the Northwest Territories, but if they don't have the responsibility to sign their name to a letter it shouldn't be dealt with.

I know that, as Members of this Assembly, we have a responsibility to work on behalf of all people of the Northwest Territories. When people raise an issue with me in my constituency, I take the concern down and try to work on it. But, I always look at the other side of the story, and you cannot do that if a person makes a complaint and you don't know who it is. So, it is better not to deal with it.

I don't think, in the Legislative Assembly of the Northwest Territories, we should be dealing with hearsay or rumours if people don't have the respect to sign letters. There's no way that at any time in this House we should be able to table unsigned documents, especially if they are character assassinations. We shouldn't table those documents, out of respect. We all have to do our job and do it with respect to the public, and I don't think by tabling letters that are unsigned that we are showing respect for the public. Thank you.

MR. SPEAKER:

To the point of order, Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Speaker. I would like to thank Mr. Nerysoo for raising this point of order today, and I would like to thank you for allowing us to speak to it. Mr. Speaker, I have been troubled, since written allegations were tabled in this Assembly earlier this week and reported in the media. Those written allegations clearly pointed to an individual in a small community. I have learned that this individual, since the tabling of the unsigned document and since the press reports, has been subjected to questions from the press and personal anguish -- the individual and his family.

It seems apparent, worse, that some of the allegations tabled in this Assembly were not true. Mr. Speaker, that individual has no right of reply whatsoever and no way of dealing with this. Mr. Speaker, a Member's privilege to be free from prosecution for defamation or slander for what is said in this House is a very sacred and a very special privilege given to MLAs speaking in this House alone. It is aimed at the full and free discussion of issues and it is aimed at the pursuit of truth. But, Mr. Speaker, in my view, if Members are allowed to act irresponsibly

and table unsigned documents which may be furnished to Members for malicious or political purposes, then this is, in fact, an abuse of the privileges we enjoy as Members. And, it will diminish the reputation of this Assembly.

So, Mr. Speaker, unless we wish this Assembly to be a place where Members can undertake a character assassination without accountability for the source of the information, then I would respectfully recommend that this House should adopt a practice or procedure to not allow this kind of reckless practice to take place in the future. I think it is unfair to the innocent who have no opportunity to reply, and I think it goes against the purpose of Members' privileges, which I think is aimed at a full and free disclosure of issues in pursuit of the truth. It may, indeed, have the opposite effect if there aren't some reasonable restrictions placed on this practice. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. To the point of order. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Speaker. Mr. Speaker, since I became a Member some six years ago I have rarely used the tabling of letters practice, but I've used the tabling of documents portion of our orders for printed items and things like that. Mr. Speaker, ever since I've been here, I have always believed -- and I don't know where I heard it, but I think I was getting instructions from Members when I first became a Member, about tabled documents -- that any letters that were tabled had to be signed or initialled. I've never, ever tabled anything without a signature for the same reasons that my colleagues have put forward.

As a Member, I receive a number of letters weekly that are unsigned and I treat them exactly that way. I file them in the garbage can because I have a policy -- and the public knows this -- that if they don't want their name used, all they have to do is let me know. But, if they want to bring information through a letter, I accept that and I respect the confidentiality. I think the same thing must apply here in the House. I've seen a number of very defamatory items which have come across my desk dealing with businesses and people, unsubstantiated, and I would be derelict in my duty if I were to publicize these things as factual.

The other day the issue that was raised, I discussed briefly with my colleague when I first heard it. I thought it was part of a report. When it came to

further tabling of unsigned letters and just tabling an envelope, it goes beyond what I felt the protocol of this House is. I have checked with my colleague, who is better informed on this than I am. It is true, we don't have a written policy, but I have always believed we have unwritten guidelines and that anything that would be tabled would carry the identification of the author, either through an initial or signature. If there was some special case, we may have had to block out the signature for some reason, we would do that, but the public would know that that was what we were doing. I have always felt that and upheld that. If we haven't got that protocol now, it is time we established that, so it is very clear to all Members, now and later on, of the policy of unsigned documents being tabled. Thank you.

---Applause

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MR. SPEAKER: Thank you, Mr. Whitford. To the point of order, Mr. Dent.

MR. DENT:

Thank you, Mr. Speaker. Mr. Speaker, I find this a troublesome debate. The decision you are going to have to make on this one is very difficult. In this House, we must be able to have free and full discussion as other Members have noted. I am troubled by unsigned letters which make allegations being tabled in this House. In our system, justice is only seen to be done when the accused is able to be confronted by the accuser. There is a chance for the people to answer back to accusations. A letter making allegations and casting aspersions on the character of someone being tabled in this House puts the whole issue of privilege in question and I would submit is probably not in the same category as a fish head or sewer pipe, which does not make any allegation to a person's character.

I think you face a difficult challenge, but I would urge you to consider putting some restriction on letters being tabled which do make allegations about people's character in this House. I think we have to find some way to differentiate between pieces of evidence and something that is meant to destroy somebody's character. Thank you, Mr. Speaker.

AN HON. MEMBER:

Hear, hear.

---Applause

MR. SPEAKER:

To the point of order, Mr. Pudluk.

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. I have been concerned about this matter for quite some time because I have heard of unsigned documents being tabled. They point out the concerns that they have, but they don't bother to put their signature on it. It is very difficult to support that individual if they refuse to sign their name. You are probably aware that in newspapers, there is a section where people can write letters and if they don't wish to put their name down, then it is withheld. When their names are not written down, how can we support that person if we want to respond by letter with regard to the concern we have or what kind of remedies that we might be able to offer? In this House, it is exactly the same when tabled documents are not signed. We can't really do anything else, when they aren't signed. Maybe in the future, if a letter that is not signed is tabled, perhaps it won't have any use even if it was tabled. Many times we get worried about the content. Even if we want to support that person, we can't really get in touch with them. So I personally feel that from now on, all tabled documents should be signed. Otherwise, they can't be tabled. Thank you.

--Applause

MR. SPEAKER:

Thank you, Mr. Pudluk. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I have some concerns about this as well and have for a number of years. I also know the rules, if any, are not clear to me. I remember as a Minister, some years ago, trying to discourage certain Members from naming particular individuals from the public against whom they were making statements and allegations, having no one to turn to but my own personal objection towards that practice. This business of tabling letters is not a practice that should be discouraged. However, where there is possible damage being done to individuals where the letters may contain allegations or particular names of people who, by being named in this Legislature, are being tried and by implication, accused and found guilty, it is not acceptable to me and I don't think it should be acceptable or condoned by Members of this Legislature. It goes beyond what

are normal bounds of decency to which we all try to adhere. I am not sure I would suggest that we need written rules to guide us in that. If we do, then perhaps rules should be made.

The issue of tabling unsigned letters gives rise to that particular issue, which is the point that I want to make on this issue. I don't think the chair should allow Members to name specific individuals in making allegations or accusations in this House which should be dealt with promptly by the chair when those occasions arise. It seems to be a growing practice recently and it causes great concern to me. The Member for Iqaluit has argued that we have a privilege, we can say what we want in this House and we are given immunity to do good for the public; but where we do damage, it is a severe abuse of that privilege and it isn't the intention of the privilege that was given in the first place.

The particular letter we're referring to is just one of many instances where the abuse is occurring, and we need to have that addressed up front and very quickly by the chair when Members give rise to it. Thank you.

MR. SPEAKER:

Thank you. To the point of order, Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. I rarely table documents in this House, and when I do, I prefer to table documents that are signed. I'm sure this will be a great task for you, Mr. Speaker, to make a ruling on this. As my colleague, Ludy Pudluk, said, it's very difficult to support the people when they request support if they don't have their names on the document.

We have to represent our constituents the best we can because we were elected by them. Even though I've been here only a little over three years, many times we don't pinpoint one particular person. This, we rarely see in this House when we table documents. I think we have to set up a policy for what kind of documents we should be tabling, whether they'll be signed or not. Just as my colleague said, in the newspapers there are a lot of unsigned letters that are published.

Maybe we should be reminded that we think the letters tabled in this House should be signed in this House. From listening to the comments that are being made by my colleagues, I think that would be

the appropriate procedure. I think we'll have to set up a policy as to what kinds of documents, whether they be signed or unsigned, we should table. We have to be careful that it's not aimed at one particular person in the public. I think we'll have to give this more consideration so we won't encounter so many problems. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you, Mr. Pudlat. To the point of order, Mr. Pollard.

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HON. JOHN POLLARD:

Mr. Speaker, thank you very much. Good morning. Mr. Speaker, over the course of time that I've been in this Legislative Assembly, we have all, at one time or another, received letters that are unsigned and it has usually been that this issue has been discussed amongst Members or with the government, but I don't believe that I've seen one of those anonymous letters tabled in this House.

Mr. Speaker, the person writing that letter is not known to us or to the general public, or even to the person who they may be maligning, and I don't think that that practice should be allowed in this House.

Mr. Speaker, in the past, we've governed ourselves and we've done things as we see they should be done in a decent fashion. Unfortunately, an occurrence has happened, a document has been tabled that has caused an employee of the Department of Public Works, of which I'm Minister, some great discomfort.

Mr. Speaker, I'm also the Minister responsible for the public service, through the FMBS, and there are fears amongst our employees that this kind of thing, if it becomes a practice, could hit on anybody. Anybody could send in a letter that's unsigned, and if you can get a Member to table it, you could experience darts thrown at not only the public service of the Government of the Northwest Territories but anybody else who lives up here who may have annoyed somebody in the Northwest Territories. So I think, Mr. Speaker, that that practice should be stopped.

And I think, Mr. Speaker, taking a little bit of latitude on the point of order that you have before you right now, you should examine the points that Mr. Kakfwi made about whether or not we should be allowed to

say damaging things about people in this House, whether it be a signed document or whether it be verbally. I think there needs to be some guidance given to Members in that particular regard.

Again, I'll repeat what other Members have said and that is that we could malign somebody in here, safe and secure, knowing that nobody could get back at us, and yet we can cause people in the Northwest Territories and their families much pain and suffering. We could cause them business losses, we could cause them to lose face in communities. There's no end to the damage that we could do to people if we don't rein ourselves in to be given some direction so that we conduct ourselves in what I would call a decent fashion, where we respect the views of other people, and we deal with these issues that cause frustration and may cause embarrassment in some other way. It can be done by meeting one on one with Ministers, or it can be done by meeting with the Premier, it can be done in Caucus if it has to be done. But, Mr. Speaker, it should not be done on the floor of this House.

Mr. Speaker, with regard to unsigned letters as opposed to anonymous letters, the government did table a document that had a number of unsigned letters in it last week, but those letters did have the names of the people on the bottom who had composed those letters and were responsible for them.

AN HON. MEMBER:

Hear, hear.

HON. JOHN POLLARD:

So you should also look at that particular aspect, Mr. Speaker, because when we table a document that has a name on it, the government is accepting full responsibility even though it may not be signed.

So, Mr. Speaker, your wise judgement is required, and your counsel and your guidance. Thank you very much.

---Applause

MR. SPEAKER:

Thank you. To the point of order, Mr. Todd.

HON. JOHN TODD:

Thank you very much, Mr. Speaker. I just merely want to add my voice to what has already been said by colleagues around the table, that this kind of behaviour is inappropriate and some guidance should be given to us post-haste. Thank you.

AN HON. MEMBER:

Hear, hear.

MR. SPEAKER:

Thank you, Mr. Todd. To the point of order, Mr. Patterson.

MR. PATTERSON:

Just one very small additional point, if I may, to assist you, Mr. Speaker. I know that several Members have referred to the practice of a newspaper printing unsigned letters, and I think they may be referring to the practice of Nunatsiaq News which is published in my constituency. I would just like to clarify for Members that Nunatsiaq News' policy is that a person may write a letter to the editor, sign it and identify themselves, but request that their name not be published. So the newspaper does have a policy of publishing those kinds of letters. But I would like to emphasize that they only publish letters where an individual signs the letter and makes their name known to the editor, for reasons of exposure to the employer or in another sensitive situation, request their name not be published. So I don't think they're actually publishing unsigned letters. They're publishing signed letters where people request that their names not be publicized. I would just like to make that point to assist you further, Mr. Speaker. Thank you.

MR. SPEAKER:

Thank you. To the point of order, Ms. Mike.

MS. MIKE:

(Translation) Thank you, Mr. Speaker. I would like to make a comment to the point of order. I feel, too, that the letters that are tabled in this House that are not signed should not be tabled, whether they come from the government or anybody else.

I feel that letters from government departments, if they're not signed by individuals, don't follow the law. If we're going to have a rule in this House that we only accept tabled documents that are signed, it would be appropriate. Thank you.

MR. SPEAKER:

Thank you. To the point of order. Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I don't want to take up too much more time, but I want to reiterate two points that have been raised already. On the matter of naming individuals, we have a long history in parliamentary democracy of protecting people from criticism or, at least, a situation where

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their character could be called into question. It's interesting, Mr. Speaker, I know that Members don't want me to mention this, but the simple fact is, this issue is not simply an issue of one particular letter. In fact, the honourable Member for Thebacha was the one who, in fact, indicated that there are rules in this House that should have been followed. The fact is, she was under the impression -- after a number of responses -- that there were no rules. So, in my view, she was indicating there was a need to have rules.

The one other comment I want to make, Mr. Speaker, is simply this. We also have to be very careful about how and what we say about charges to personal characters. It is very important that we are careful, as Members of this House who represent the general public, what we say and how we affect the character of those who do not have -- as Mr. Patterson and Mr. Dent indicated -- the ability to defend themselves. The unfortunate situation, Mr. Speaker, is that oftentimes maybe we forget that our responsibility is to the public good; and in doing our job, we have to make certain statements and make significant decisions that affect the lives of people.

So, Mr. Speaker, I want to ask one other thing. Upon your judgement on this issue, it is my belief that, at some time, the Rules, Privileges and Procedures Committee should establish guidelines, not necessarily rules, but guidelines on how we deal with the tabling of documents in this House. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you. Are there any further comments on the point of order? I, first of all, would like to thank Mr. Nerysoo for bringing up the issue. When the issue of the tabling of unsigned documents came up I had

concerns about it, but it had to be brought up by Members themselves. They have to raise a point of order. I would like you to remember that if you have questions about a Member bringing up an issue, your responsibility is to raise that right away. It should be dealt with at that time. I'm glad that this has been brought up. We are a consensus government and perhaps we have to look at this and what other jurisdictions do with regard to the tabling of documents. I appreciate the Members' comments and will reserve my ruling on it to a later date. Thank you very much.

---Applause

Item 2, Ministers' statements. Mr. Ng.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 40-12(7): Settlement Operating Assistance Policy (SOAP) And Settlement Capital Assistance Policy (SCAP)

HON. KELVIN NG:

Thank you, Mr. Speaker. Mr. Speaker, I have the pleasure of advising Members that new policies for operating and capital assistance for settlements and other small communities have been approved for implementation April 1, 1995.

The capital and operating assistance provided by the department to settlement corporations, settlements and unincorporated communities has evolved over the last 20 years, without a framework to ensure the necessary level of funding and the consistent and equitable distribution of this funding.

The settlement operating assistance policy and the settlement capital assistance policy, known commonly as SOAP and SCAP, will ensure fair and equitable distribution of funding to smaller settlements and communities. With the introduction of SOAP, operations funding to eligible communities will be based on a formula that accounts for the basic services and programs which a community government is expected to provide. The formula is similar to that used to distribute funds to hamlets, with appropriate modifications to fit the generally smaller communities.

Mr. Speaker, SOAP and SCAP will not only eliminate any real or apparent discrepancies between communities eligible for assistance, but it will harmonize the funding approach for settlements with that of hamlets. These discrepancies have long been

a concern for MLAs with small communities and, in particular, in the Fort Smith region where the majority of settlement corporations, settlements and unincorporated communities are located.

It is generally acknowledged that the communities eligible under the new policies, that are generally characterized as small and relatively undeveloped, have previously lacked the resources to fully maximize their potential. It is with pleasure therefore, Mr. Speaker, that I can confirm SOAP will result in just over \$700,000 in extra funds to these communities, allowing them to provide the essential levels of municipal services and good government that residents expect. These funds have been reallocated from within the department's budget, reflecting the commitment we have to this priority need.

Capital assistance under SCAP, Mr. Speaker, will harmonize the department's approach to the communities under SCAP with our approach to hamlets, charter communities and tax-based municipalities under the municipal capital assistance policy. The standards and criteria for capital are now generally based on the size and ability of communities to contribute, rather than the incorporated status of communities.

In the next few weeks, department staff will be contacting each of the eligible communities to explain the policy provisions, review the funding details and work with the community on an agreement for funding and accountability. This preparation work will be completed prior to implementation of the policies on April 1, 1995.

I am particularly pleased that, even with the difficult financial conditions we face, we have been able to address one of the priorities identified by many Members of this House. That is, we have established policies aimed at providing adequate funding to our settlements and small communities. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Ng. Item 2, Ministers' statements. Mr. Kakfwi

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Minister's Statement 41-12(7): Maintenance Enforcement Program

HON. STEPHEN KAKFWI:

Mr. Speaker, I wish to report on the progress of a program in the Department of Justice, first introduced in 1989. I am happy to report that it is a success story.

The maintenance enforcement program was introduced to ensure that persons who had been ordered by the courts to support their spouse and children lived up to their obligations. Maintenance orders, or support orders, as they are often called, are ordered in circumstances when a family has broken down, but the financial obligation to support one's spouse or children continues.

In the past, the person or persons entitled to support, usually the children of the marriage represented by the mother, often had difficulties in realizing the support they were entitled to, because the person ordered to pay -- the "debtor" -- refused to live up to his or her obligations. In the more difficult cases, the debtor was often in a different jurisdiction.

Since 1989, it is possible for the creditor to register the maintenance order with the administrator of the maintenance enforcement program, who will pursue the enforcement of the order on behalf of the creditor. As I said earlier, the creditor is usually seeking to enforce the order on behalf of the children.

The administrator of the program has power under the legislation to attach any money owing to the debtor by third parties, such as employers or governments. In this way, children dependent on the support of their parents are now receiving support which previously was evaded all too often by debtors.

A related process is the reciprocal enforcement of maintenance orders, whereby a debtor who has moved to another jurisdiction can be compelled to provide maintenance to a family residing in another part of the country. Reciprocal enforcement of these orders can even be enforced in other countries, if both countries are reciprocating jurisdictions.

New measures are constantly being introduced to ensure that orders are enforced. Recently, the maintenance enforcement administrator was given access to a computer database of all registered vehicles across the country. An absconding debtor's location can now be determined at electronic speeds.

The effectiveness of the program has grown dramatically. The number of cases affecting NWT

creditors has grown from zero in 1989 to 411 in the fiscal year ending January 31, 1995. The enforcement of orders from other jurisdictions has grown from 105 to 458 in the same period.

Interestingly, there were 13 cases in the past year when debtors voluntarily registered with the program, which is an indication that debtors increasingly are becoming aware of the effectiveness of the program, and see an advantage to themselves in living within the discipline that it imposes.

Mr. Speaker, it gives me great pleasure to inform the House that we have programs which are working to ensure that children are receiving the support they are entitled to.

---Applause

MR. SPEAKER:

Item 2, Ministers' statements. Ms. Cournoyea.

Minister's Statement 42-12(7): Languages Agreement

HON. NELLIE COURNOYEA:

March is Aboriginal Languages Month in Canada, and I want to take this opportunity to announce that the government will be signing a new language agreement on Tuesday.

The agreement with Heritage Canada will provide about \$18 million in federal funding over a three-year period to support and strengthen aboriginal and French languages in the Northwest Territories. In conjunction with the agreement, a further \$2 million is being made available by Parks Canada for initiatives, such as oral histories that support aboriginal culture.

Mr. Speaker, I also want to announce the creation of a community language leader awards program.

The purpose of the program is to recognize individuals and organizations, at the community level, who promote the use of official languages. Nominations for the first awards will be sought in the next few months, after details on the selection criteria have been finalized.

The first recipients of the award will be announced at the beginning of the aboriginal languages month next March.

Mr. Speaker, the government recognizes that use of official languages is fundamental to the operation of good government in the Northwest Territories, by making it possible for the public to understand and benefit from government activities, programs and services.

The establishment of this award program is one way of recognizing the value we place on use of languages in the territories. And the recognition of individuals and organizations is an indication of our belief that language development and revitalization must begin at the community level.

Mr. Speaker, I would like Members to join me in acknowledging the individuals and organizations who have worked hard to promote the use of languages in the Northwest Territories, as well as our interpreters who make it possible to conduct the business of the House. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you. Item 2, Ministers' statements. Mr. Nerysoo.

Minister's Statement 43-12(7): A New Education Act

HON. RICHARD NERYSOO:

Mr. Speaker, I am very pleased to announce that I will be introducing a new Education Act in this House later today.

---Applause

It is an accomplishment in which the public, school boards, and Members of the Legislative Assembly have participated.

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This proposed new law for education gives authority to communities for the delivery of schooling. It provides the flexibility we need for future constitutional development. It focuses on students, promotes parental and community decision-making, and enables communities to develop a vision for their schools and for their children's learning.

The Education Act which now governs the system was approved in 1977. The organization of local education authorities in this act provided for a progression from advisory committee, to society, and

finally to a decision-making board. Although some committees did become societies, societies did not evolve into boards. The system the 1977 act put in place recognized the importance of local control and culture, but it retained most of the authority for program delivery with the Minister and the department.

In 1982, the Special Committee on Education reviewed the system and introduced a new structure to give more local control to communities -- divisional boards of education. The Education Act was amended to provide for divisional boards in 1983 and, since then, has been amended many times. Eight divisional boards were established across the north, from 1985 with the Baffin Divisional Board of Education, to 1990 with the South Slave Divisional Board of Education. These changes were significant. Communities, through divisional boards, began to make more decisions about schooling.

Now communities want to make decisions about schooling not envisaged in 1977 or 1982. They want to be able to make broad decisions about learning and have more authority and flexibility than they have through the current law. They want real authority to provide direction in education in their schools and in their communities. They want high standards of excellence in education and they want the Minister and department to ensure that these standards are consistent across the territories.

Immense changes have occurred in our country and in the Northwest Territories in the last 15 years. We have seen the Charter of Rights and Freedoms of Canada; new technology; changes in the age, values and skills of the population; and, increasing fiscal restraints, to name a few. In consultation with the people across the north, we have developed a strategy for Education, Culture and Employment programs to take us 15 years into the future, but we need a new Education Act to support and enable the kind of change envisaged for education.

People have been asked and have provided direction for the legislative change they think is necessary in education. In 1990, they provided general directions through a consultation process and in 1994, they gave us more specific direction about each section of the proposed act. Last November, we tabled a legislative discussion paper on the draft of the new Education Act. We presented and discussed it in detail with the Standing Committee on Legislation and with boards and divisional boards of education. Concerns about specific proposals have been raised

and debated and, where possible, changes made in the legislation.

Education is a subject which is important to everyone and everyone has opinions on what they would like to see change or what they think is most important. Although we cannot hope to have consensus on every issue, the consultation so far has resulted in changes in the act which I believe address most concerns and respond to the directions we have received.

The new Education Act begins with students and ends with the administration of the system. It emphasizes partnership and enables students to be real partners in their learning. It continues to recognize language and culture as the foundation of the system and increases the responsibilities of educators, as well as students, parents and community authorities. Above all, it enables communities to make decisions together, in those areas where they can pool their resources and separately, when they are providing direction for the schools in their communities. It enables change and development in the education system.

This government has recognized the inherent right of aboriginal peoples to self-government. The changes proposed in this act will facilitate the development of a unique Inuit system of education in Nunavut and will facilitate change in the western territory to enable people to set their own education goals.

Mr. Speaker, this Assembly has stated that education is a priority, and I believe that introducing and considering the new Education Act now demonstrates that priority. This act is the result of considerable investment and consultation over the years. It will be seen as an accomplishment of the 12th Assembly. Thank you.

---Applause

MR. SPEAKER:

Thank you. Item 2, Ministers' statements. Item 3, Members' statements. Mr. Whitford.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Federal Flight Investigation

MR. WHITFORD:

Thank you, Mr. Speaker. Good morning. Mr. Speaker, a newspaper article published last Monday,

March 6th, reported that a federal flight investigation is taking place regarding an incident reported from a northern community. This report claims that two airplanes passed within minimum distance safety standards earlier this year. The findings of this federal investigation will not be made public. The article states that a federal Transportation spokesman also said that no one's job is in jeopardy as a result of the investigation. The article concludes by saying that this investigation is being conducted in an effort to prevent future incidents.

It seems to me, Mr. Speaker, that if this incident has been correctly reported, the federal government is acting in a very patronizing manner by not making their findings of this investigation available to the public. In this case, the public represents the residents of the Northwest Territories and they are certainly the ones most likely to be impacted by this investigation's findings.

Regardless of what conclusion this investigation reaches, Mr. Speaker, surely the public has the right to know about the safety standards concerning aircraft flying within our borders. I believe, Mr. Speaker, that this could prove to be an unwise decision on the federal government's part. If the findings clear

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everyone concerned and it becomes evident that no safety standards were broken, would it not be fairer to the company and to the employees to make that publicly known?

On the other hand, Mr. Speaker, if safety regulations were broken, how can the federal government take it upon itself to keep those findings hidden from public knowledge? Either way, I think the people of the Northwest Territories deserve some kind of explanation as to why such an important investigation would be kept from public knowledge.

---Applause

MR. SPEAKER:

Thank you. Item 3, Members' statements. Mr. Koe.

Member's Statement On Stiffer Penalties For Drug Offences

MR. KOE:

Mahsi, Mr. Speaker. Mr. Speaker, I've been very concerned over the past week about the recent news reports on CBC and recent headlines in our newspapers about the heavy use of cocaine. The use of cocaine and any other drug has very, very serious impacts on our society and on our youth. We now find that there are gangs in the area of Yellowknife and there is a lot of drug trafficking which is leading to violence. There has been a rash of thefts and break-ins and all of this impacts on our justice system.

I think it is incumbent upon our formal justice system to start getting tough. The police and our court system led by judges have to start putting a heavy hand down. Our judges, in many cases are appointed by the Minister of Justice, and if they are a Supreme Court judge, I believe they are appointed by the federal government. I'm sure pressure from this Assembly, by people of the Northwest Territories, and from the Minister can give some direction to help deter and reduce the problem. Judges should get tough. They should start giving stiffer sentences to lawbreakers and not continually slap them on the wrist and give them negligible fines. Thank you, very much.

---Applause

MR. SPEAKER:

Thank you. Item 3, Members' statements. Ms. Mike.

Member's Statement On Plans For Constituency Travel

MS. MIKE:

(Translation) Thank you, Mr. Speaker. I would like to take this opportunity to inform my constituents that during the recess of this House, from March 11th to March 26th, I will not be able to travel home. The Nunavut Caucus, NIC and NTI will be meeting on March 16th to deal with the Price Waterhouse report, which is an important component in designing the Nunavut government. However, I assure them that on the 18th, I will be going to Pangnirtung. I regret that I won't be able to go to Broughton Island and Clyde River during our break. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 3, Members' statements. Mr. Patterson.

Member's Statement On New Perception Of The Value Of Rankin Inlet As Capital Of Nunavut

MR. PATTERSON:

Thank you, Mr. Speaker. I have to screw up my courage, here. Mr. Speaker, I have served in this House for 15 years, including many years as a Cabinet Minister. Members of this House know that I have always been a major supporter of division and have long awaited the creation of the new Nunavut territory. I hope that Members of this House view me as a man who will speak his mind honestly and to the point. However, Mr. Speaker, I have to confess that I have been living a lie for the past few years.

Mr. Speaker, over the past few months, there have been a number of reports in the media and in other venues that I am a committed supporter of the "Iqaluit for capital" campaign. However, Mr. Speaker, today I must confess to all Members that I have now come to recognize Rankin Inlet as the best and only logical choice to become the capital of the new Nunavut territory.

SOME HON. MEMBERS:

Shame.

---Applause

MR. PATTERSON:

And I'm not running for re-election.

---Laughter

No, sorry, I wasn't supposed to say that. Mr. Speaker, I must tell Members that I came to this realization after Mr. Todd outbid all others, to the tune of \$580, to purchase me at the auction during the Nunavut Trade Show.

---Applause

Mr. Speaker, I'm pleased to say that this auction raised over \$27,000 to benefit the Baffin Regional Chamber of Commerce and the Iqaluit Child Care Society.

---Applause

Mr. Speaker, Mr. Todd's purpose in purchasing me was to educate me about Keewatin political correctness.

---Laughter

I will require consent, Mr. Speaker, to complete this important statement.

---Laughter

MR. SPEAKER:

The Member for Iqaluit is seeking unanimous consent. Are there any nays? There are no nays. Please proceed, Mr. Patterson.

MR. PATTERSON:

Mr. Todd has provided me with audio cassettes that repeat the following phrase when I sleep: "Rankin Inlet and the Keewatin are wonderful. Rankin Inlet and the Keewatin are wonderful. Rankin Inlet and the Keewatin are wonderful. Rankin Inlet and the Keewatin are wonderful."

---Laughter

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Is that enough, John?

---Laughter

---Applause

Mr. Speaker, Members will note that these cassettes allow me to utilize my time in an efficient manner as they play while I sleep and re-educate me about the Keewatin. I would recommend their use for all Members. Thank you, Mr. Speaker.

---Laughter

---Applause

MR. SPEAKER:

Thank you, Mr. Patterson. Item 3, Members' statements. Mr. Zoe.

Member's Statement On Economic Security In The Dogrib/North Slave Region

MR. ZOE:

Thank you. Good morning, Mr. Speaker. Mr. Speaker, for the Dogrib people of the North Slave region, one of the biggest challenges we face is developing strategies for achieving fiscal security in the region. However, Mr. Speaker, achieving fiscal security in the Dogrib North Slave region is only achievable with the help of partnerships with industry

and government. With mutually beneficial partnerships we can, as the Premier put it, put the land to work for us to create jobs, business opportunities and revenues.

Mr. Speaker, earlier this week I attended with my other colleagues the Prospectors' and Developers' Conference in Toronto, and I also was joined with representatives of the Dogrib Treaty 11 Council members. I listened to and spoke with a number of industry representatives attending the conference. I was, for the most part, encouraged and pleased with the level of understanding of the industry representatives respecting the Northwest Territories. I was also pleased to hear that industry is very keen to involve local people in businesses and employment opportunities.

Mr. Speaker, I and the representatives of the Dogrib Treaty 11 Council took the message to the conference that the Dogrib region is open for business. However, Mr. Speaker, the message also said that the Dogrib people living in the region want to be respected and want to protect the integrity of the environment first and foremost. Mahsi.

---Applause

MR. SPEAKER:

Thank you. Item 3, Members' statements, Mr. Pudlat.

Member's Statement On Constituency Visits During The Recess

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. Good Friday morning. I can't speak as eloquently as the other Members in this House but, Mr. Speaker, I would also like to inform my constituents, even though we represent the whole Northwest Territories, that I won't be able to go home right

away next week, but I'll be able to go home during the weekend next week.

I would like to inform my constituents that I will be behind, but I will still be open to them if they have any issues or concerns that they would like to bring to me. I would just like to inform my constituents that I will be able to go to my community some time, not next week but the week after that. I am not leaving them behind and I am not just shutting out their concerns or their issues that they would like to discuss with me. I will

still be open to them. I just wanted to inform my constituents of this issue. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Item 3, Members' statements. Item 4, returns to oral questions. Ms. Cournoyea.

ITEM 4: RETURNS TO ORAL QUESTIONS

Further Return To Question 238-12(7): Disabled Adults Living Outside Of Institutions

HON. NELLIE COURNOYEA:

Mr. Speaker, I have a return to an oral question asked by Mrs. Marie-Jewell on March 3rd regarding assistance for disabled adults living outside institutions.

Mr. Speaker, the Department of Health and Social Services has a number of programs in place that can assist disabled adults who choose to live in their own homes. There are coordinated home care programs in six communities across the NWT, and our budget for 1995-96 has proposed to enhance these services by the addition of community-based respite and home care programs in four more communities.

Mr. Speaker, disabled adults can also take advantage of medical and hospital care, medical travel, non-insured health benefits for First Nations and Inuit people and social assistance special needs benefits. The social assistance program also provides \$125 per month to any disabled adult who is eligible for social assistance and unable to pursue employment.

There is no specific program that provides a disability pension to disabled residents; however, my colleague, the Honourable Richard Nerysoo, is consulting with people across the Northwest Territories through the Minister's forum on income support reform. These consultations will include discussions about the income needs of the disabled. As you know, Mr. Speaker, it will be very important for us to redesign our income support system over the next year, in preparation for the block funding of social assistance by the federal government starting in 1996 and 1997, and, as part of this reform, the income support needs of all residents will be considered.

Further Return To Question 139-12(7): Status Of Staff Housing Available For Purchase

Mr. Speaker, I have a further return to a question asked on February 22, 1995, also by Mrs. Marie-Jewell regarding the status of staff housing available for purchase.

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Mr. Speaker, the initiative to eliminate staff housing entirely applies to level I communities and Inuvik only. In Yellowknife, two houses remain to be sold to the tenants who have offered to purchase them. The sales have been delayed while a problem with retaining walls on the properties has been remedied. Until the repair is complete, the title cannot be transferred.

The Government of the Northwest Territories has three single-family units which are not currently offered for sale. One has been retained for the Commissioner as part of an agreement with the federal government. Two have been retained for Ministers who have moved to Yellowknife to undertake their Cabinet duties, and they can remain in staff housing for the life of this government; after which, the houses will be sold on the open market.

The sale of one vacant duplex is waiting for a legal survey. It will be sold on the open market.

Dorset apartments have been on the market since October 1994. Sales of Burwash and Matonabee apartments are in progress as purchasers are arranging financing. The buildings will be sold with the remaining tenants in place, as required by the Residential Tenancies Act.

Two multi-family properties remain which may not yet have been listed for sale. Lanky Court row housing will be sold in conjunction with an adjoining federal property, when an arrangement is concluded for the joint sale. Rockhill apartments will become the property of the GNWT on April 1, 1995, under a lease-purchase agreement. It is currently occupied by Arctic College students. A decision as to whether it will be sold will be made when the college completes its housing plan.

In Fort Smith, one single-family house remains to be sold to the tenant who is in the process of arranging financing.

There is one duplex which remains unsold. The tenant has been trying to purchase it and has a short time left to arrange financing. The duplex will be listed with a local realtor if the tenant is unsuccessful.

Three trailers and a house have been listed for public sale since September. There is a tenant in the house. The trailers are vacant. The tenant remains in the house, in accordance with the Residential Tenancies Act.

All other staff housing has been exchanged with units leased for the Arctic College for student housing. This has allowed the GNWT to meet college requirements at a lower cost. Leased units have been offered for sale by the owner at the government's request, which has allowed the GNWT to terminate leases.

In Hay River, all staff housing has been sold except for two duplexes. These sales are delayed while the legal plan is registered. One is vacant and the other will be sold to the tenants who expressed interest in purchasing some time ago. The other will be sold through the local realtor.

In Inuvik, all single-family housing has been sold. Row housing has either been sold or has offers pending after a recent public tender. Tenants remain in the row housing units after the sale, in accordance with the Residential Tenancies Act. Other row housing has been turned over to Arctic College for student housing, or to the Housing Corporation.

The GNWT has leases on two apartment buildings which will be allowed to expire at their termination dates; Mountain View in May 1995 and Boot Lake in December 1997. Tenants remain in these units.

Further Return To Question 165-12(7): Authorization For 90-Day Time Frame Re Fire Suppression Negotiations

HON. NELLIE COURNOYEA:

I have a further reply to another question that was asked by Mrs. Jeannie Marie-Jewell on February 24, 1995 regarding authorization for a 90-day time frame for fire suppression negotiations.

Mr. Speaker, in the submission to Cabinet, it was recommended by the sponsoring departments, Public Works and Services and Renewable Resources, that negotiations with Dene Metis Holdings Limited should start immediately and be concluded within 90 days in order to allow for the approval of the contract by the end of 1994 and for construction of a hangar to start in the summer of 1995. The objective of the 90-day time frame was not to establish a rigid schedule, but to ensure significant progress so that arrangements

could be completed in time to have plans in place for the 1995 fire season. Thank you.

MR. SPEAKER:

Thank you. Item 4, returns to oral questions. Mr. Todd.

Further Return To Question 206-12(6): Development Of Policy For Film Industry

HON. JOHN TODD:

Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Patterson on March 1, 1995 with respect to the development of policy for film industry.

As indicated in my initial response, a person-year has not been dedicated to assisting the industry. During this time of restraint, it isn't possible for the department to dedicate one person to work solely on film development. Existing staff will be utilized to meet industry needs, at least in the short term.

The department has provided support to the industry by utilizing the business development fund and will continue to do so. The fund can provide up to \$150,000 per project, based on employment and other economic benefits. Typically, the department will provide \$25,000 for every \$200,000 in expenditures made in the north by film companies. The guidelines for the Canada/NWT economic development agreement also allow for assistance to film companies who are developing film or video projects. Other assistance is also available through a network of federal programming through Telefilm Canada, the National Film Board and the Canadian independent film and video fund. Thank you, Mr. Speaker.

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---Applause

MR. SPEAKER:

Item 4, returns to oral questions. Mr. Kakfwi.

Return To Question 261-12(7): Reason For NWTHC's Exemption From Notice Of Rent Increases

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. Mrs. Marie-Jewell asked a question on March 7, 1995 as to why the Housing

Corporation is being exempt from the normal three-month notice law that was passed in the Legislative Assembly under the Residential Tenancies Act.

Under section 47(6) of the Residential Tenancies Act, the normal three months' notice of a rent increase does not apply to subsidized public housing. Subsidized public housing is defined in section one of the Residential Tenancies Act.

"...rental premises rented to an individual or family of low or modest income at a reduced rent determined by the income of the tenant and funded by the Government of Canada, the Government of the Northwest Territories or a municipality or an agency of the Government of Canada, the Government of the Northwest Territories or a municipality pursuant to the National Housing Act (Canada) or the Northwest Territories Housing Corporation Act;"

The Housing Corporation is an agency of the Government of the Northwest Territories pursuant to section 1 of the Financial Administration Act.

Consequently, the three-month notice law does not apply to subsidized public housing rented by the Housing Corporation. Thank you.

MR. SPEAKER:

Thank you. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Item 6, oral questions. Mr. Koe.

ITEM 6: ORAL QUESTIONS

Question 301-12(7): Possibility Of Further Budget Cuts For 1995-96

MR. KOE:

Mahsi, Mr. Speaker. I have a question for the Minister of Finance. In the Finance Minister's Budget Address, delivered on February 20th, the honourable Minister detailed some of the restraint measures to be undertaken by this government. At the end of the section on restraint measures, in his speech the Minister stated: "In addition to these reductions, Mr. Speaker, there is a very real possibility that further cost cutting may be necessary over the coming fiscal year. We must await the outcome of the federal budget to know precisely where we stand." I would like to ask the Minister, now that the federal Budget Address has been delivered and the Minister and his staff have spent some time analysing the details of the speech, is there a real possibility that further cost

cutting may be necessary over the coming fiscal year?

MR. SPEAKER:

Minister of Finance, Mr. Pollard.

Return To Question 301-12(7): Possibility Of Further Budget Cuts For 1995-96

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, the budget that you see before you remains the same. There will be some minor adjustments. There may be some write-down required with the settlement of the health billings dispute. I am not sure on that. I haven't got all the numbers yet. The budget that you have before you right now for this fiscal year, 1995-96, will remain the same.

The problem, Mr. Speaker, is going to occur in 1996-97. That is where we lose \$58 million again from the amount that we would have normally received in that particular year in the grant from Canada. That will put the next government, in putting and O and M and capital budget together for 1996-97, in the bad position of having to look at a \$100 million shortfall in that fiscal year.

So, Mr. Speaker, Cabinet has been wrestling with the approach to take with the next government. If we don't start to look at some measures now, we may just be bringing that government up against a really hard wall. Cabinet has requested and received documents that spell out to them all the programs and revenue in some detail at the task level. Cabinet is reviewing those Ministers individually. We will be meeting shortly to look at those particular things to see if there is something we should be doing between now and the end of our term, in order to prepare the next government for at least having a shot at balancing the budget. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 301-12(7): Possibility Of Further Budget Cuts For 1995-96

MR. KOE:

I would like to thank the Minister for that response. As he mentioned, the impact may not hit us in this current budget that we are reviewing, but will in the

following year. If the number the Minister used, \$100 million, is correct, that will be a big whack in one year. Is the Minister taking any steps now to start the process? Are you making any cuts that will impact what we do next year?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 301-12(7): Possibility Of Further Budget Cuts For 1995-96

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, we are going to lose that \$58 million and there is usually \$30 million to \$40 million in forced growth and the price of things go up. So I shouldn't say that \$100 million is a hard number. We can say to departments that you are going to have to eat these inflationary increases. That would bring that number down. Nevertheless, it does require us to start working right now. At the present time, FMBS is putting together some outlines of rules and regulations for this government to be able to come forward with supplementary appropriations. I think Mrs. Marie-Jewell has asked to see a copy of those rules and regulations when they are laid down, and I said I would provide them. I think SCOF wants a copy as well, and I said I would provide it to them. So, that's the first thing that we're doing as

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a government, and that's to make sure that our spending doesn't run away this year.

The second thing that I'm extremely worried about is if we have a bad firefighting year again. We should make some decisions very, very early on, whether or not we're going to give Renewable Resources the kind of policy they have right now, which is virtually a blank cheque and to report back to us about how many fires they fought and how much it cost. That's another cost containment measure that I think will do us well to get under control. We're getting full cooperation from Renewable Resources and they will be providing us with an update on a policy very shortly.

Individually, as I said, Ministers are beginning to look at their programs and become more familiar with other ministerial programs. What will happen very shortly is that this government will look at the list and reprioritize, if we have to, what our goals and objectives are and what the reflection of this

Legislative Assembly is with regard to priorities in the Northwest Territories. From that, Mr. Speaker, we will make some decisions on if there are impacts we can make on our budget this year that will put the next government on better footing.

I would anticipate that by June, we will be on our way to making decisions in that particular area. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 301-12(7): Possibility Of Further Budget Cuts For 1995-96

MR. KOE:

Mahsi, Mr. Speaker. Mr. Speaker, one of the recommendations from the Standing Committee on Finance was for this government to begin preparing a transition plan to do some of the things that the Minister just stated. We have now set the election date in this House and I would like to know what the Minister is currently doing in developing a transition plan.

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 301-12(7): Possibility Of Further Budget Cuts For 1995-96

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, the responsibility for the transition plan rests with the Premier and her office. Finance and FMBS are part of the document that deals with the fiscal issues and we will be making recommendations to the Premier who will eventually take that plan to Cabinet. I also have a commitment to meet, I believe in the third week of August or some time late in August, for the last time with the Standing Committee on Finance to bring them up to date on where we are, fiscally, before going into the election. Thank you, Mr. Speaker.

MR. SPEAKER:

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

Question 302-12(7): Proposal To Lease Office Space To GNWT In Iqaluit

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, yesterday I asked some general questions of the Minister of Public Works about negotiated contracts, and he said he would be pleased to respond if I had a more detailed proposal. I would now like to ask the Minister, Mr. Speaker, if he's aware of an offer from Qikiqtaaluk Corporation and the Kakivak Association to provide leased premises for the planned new area office of Renewable Resources in Iqaluit, in the building they're proposing to construct on prime land in the downtown of Iqaluit this summer.

MR. SPEAKER:

Minister of Finance, Mr. Pollard.

Return To Question 302-12(7): Proposal To Lease Office Space To GNWT In Iqaluit

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I'm aware of the offer from these companies and there has been discussion between myself and the Minister of Renewable Resources with regard to this project. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 302-12(7): Proposal To Lease Office Space To GNWT In Iqaluit

MR. PATTERSON:

Thank you, Mr. Speaker. I would like to ask the Minister if he's aware that the Qikiqtaaluk Corporation and the Kakivak Association would be very pleased to negotiate a lease with the Department of Public Works and Services and that, to encourage this new corporation to get a start in real estate and to develop this prime land, the Iqaluit Chamber of Commerce has indicated it's not opposed to a negotiated lease. Thank you.

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 302-12(7): Proposal To Lease Office Space To GNWT In Iqaluit

HON. JOHN POLLARD:

Yes, I'm aware of those facts, Mr. Speaker. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 302-12(7): Proposal To Lease Office Space To GNWT In Iqaluit

MR. PATTERSON:

Thank you, Mr. Speaker. I would like to ask the Minister if he's aware that, with the help of Nunasi Corporation and a northern architect and a northern construction firm, it is hoped that phase I of this building will be put up this summer and, therefore, Cabinet approval -- if there is to be a negotiated contract -- must be expedited in order to meet sealift deadlines for this year? Thank you.

MR. SPEAKER:

Mr. Pollard.

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Further Return To Question 302-12(7): Proposal To Lease Office Space To GNWT In Iqaluit

HON. JOHN POLLARD:

Mr. Speaker, if the Department of Renewable Resources decides this is the way they want to go and they come to DPW to get us to negotiate, if Cabinet approves, we will recognize those time and supply constraints that this project would be affected by and would do our utmost to conclude negotiations in order to meet the sealift deadlines. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Final supplementary, Mr. Patterson.

Supplementary To Question 302-12(7): Proposal To Lease Office Space To GNWT In Iqaluit

MR. PATTERSON:

Thank you, Mr. Speaker. I'm very encouraged by all that the Minister has said. I guess I would now like to gird my loins and ask him...

---Laughter

Screw up my courage -- whatever is the appropriate expression -- and ask him, in light of all the above and the support that is there, is the Minister prepared to recommend -- provided there is a fair and reasonable price -- that a contract be negotiated with the Qikiqtaaluk Corporation and the Kakivak Association to provide for the area office requirements of Renewable Resources in Iqaluit? Thank you.

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 302-12(7): Proposal To Lease Office Space To GNWT In Iqaluit

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, Renewable Resources has advised me that they are aware of this project. They are checking with two other corporations in Iqaluit. When Renewable Resources comes back and tells me that they've done their investigation or polling, as it were, and this is the corporation they recommend to me that they negotiate with, I will put it to Cabinet, receive their instructions and, if I'm given the green light, I will go and negotiate -- and hard, I will tell you -- this contract immediately. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Item 6, oral questions. Mr. Koe.

Question 303-12(7): Community Selected For EDO Teams

MR. KOE:

Mahsi, Mr. Speaker. In the Finance Minister's Budget Address, the Minister announced that the Department of Economic Development and Tourism has allocated \$650,000 for two three-person economic development officer teams to serve smaller communities where no economic development officers are present. I believe the Minister of Economic Development and Tourism calls this "an itinerant EDO service."

Mr. Speaker, this is a very good initiative and should help the people in smaller communities, but I would like to get some clarification on how this program is going to work. I would like to ask the Minister of Economic Development and Tourism,

from which community will these two three-person teams be working out of?

MR. SPEAKER:

Minister of Economic Development and Tourism, Mr. Todd.

Return To Question 303-12(7): Community Selected For EDO Teams

HON. JOHN TODD:

Thank you, Mr. Speaker. These positions will operate out of Economic Development regional offices. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 303-12(7): Community Selected For EDO Teams

MR. KOE:

I understand there are regional offices in the Baffin, Keewatin, Kitikmeot, Inuvik, Fort Smith and also in Yellowknife. There are only two teams of three people, so I would like to know, specifically, where they're going to be stationed from.

MR. SPEAKER:

Mr. Todd.

HON. JOHN TODD:

Mr. Speaker, I seem to be having a terrible time this session taking all of these questions as notice, but I'll have to take this question as notice. Thank you.

---Applause

MR. SPEAKER:

The question has been taken as notice. Item 6, oral questions. Mr. Patterson.

Question 304-12(7): Status Of Assuming Responsibility For Prosecutions

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, I would like to ask the Minister of Justice if he could describe the status of his negotiations with the federal government to take over prosecutions in the Northwest Territories. Thank you.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 304-12(7): Status Of Assuming Responsibility For Prosecutions

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. In quick summary; shortly after the new government came into office in Ottawa, I asked the new Minister of Justice, Allan Rock, a very short question: would he take seriously a proposal from us to resume discussions about the devolution of prosecutions, with a commitment to complete it, if he had clear terms and conditions that he wanted met to do so. He responded yes, he would seriously enter into such a process.

I then directed officials to begin the discussion. At this time, it's still unclear to me if the Minister is entering into discussions with the intended purpose of concluding devolution, provided his terms and conditions are met. Previous governments have realized governments had entered into discussions without a clear commitment to conclude the process. As I understand it, the last government, at the last moment, decided -- without any

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substantial decisions -- to turn down the suggestion after months of discussion.

So the first question we're asking the federal government to answer is being done through appointment of an official: Stien Lal a former deputy minister of Justice to this government. Mr. Stien Lal has taken the question of deciding how this process should be conducted by both governments and will be making recommendations to the federal Minister of Justice in the next month or so. We have argued that the first question that should be answered is should the federal government enter into these discussions with the intended purpose of concluding the negotiations or the discussions clearly, if their terms and conditions are met. That first question should be answered within the next month or so.

Again, I don't know if I'm making myself clear, but I'm trying to avoid a situation where I negotiate in good faith for months with the government only to be told at the end that even if we meet all their conditions, they will still not honour the intent of the negotiations. So I'm trying to get the federal government to commit, as we are, that if they have their terms and conditions

met and if we have our terms and conditions met, we should conclude the negotiations. That first question is being addressed up front. Hopefully, we should have a response by the federal government in the next couple of months and, hopefully, we will have some definitive response to give to Members by June. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 304-12(7): Status Of Assuming Responsibility For Prosecutions

MR. PATTERSON:

Thank you, Mr. Speaker. I, certainly, for one, hope that the answer will be yes.

I would like to ask the Minister, Mr. Speaker; I'm aware that in previous negotiations which had gone on for many years, one of the concerns of the federal government was that the office of the director of public prosecutions, or the office of the Attorney General for the Northwest Territories in charge of prosecutions, would be independent and free from political interference. I would like to ask the Minister, has he and his officials developed a model for how the Northwest Territories would handle this important responsibility which will demonstrate that the office of the director of public prosecutions will be independent, impartial and free from political interference? Has that model been developed?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 304-12(7): Status Of Assuming Responsibility For Prosecutions

HON. STEPHEN KAKFWI:

Mr. Speaker, this is one of the issues that will be addressed in the course of discussions. That is to ensure the impartiality of that function, the office of prosecutors. We have developed some models for the federal government to consider and we will be advancing it to them officially, once we have established that we have a credible negotiation process to both adhere to. We recognize that as a critical, fundamental issue that we can address and we

believe we have developed some models which can address that issue directly. Thank you.

MR. SPEAKER:

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

Supplementary To Question 304-12(7): Status Of Assuming Responsibility For Prosecutions

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, the other concern in devolution negotiations is financial resources and the adequacy of resources. I understand that the resources spent by the federal Department of Justice on Crown prosecutors in the Northwest Territories have increased in recent years. I would like to ask the Minister, is he generally satisfied -- assuming we take over the whole prosecution function and all the PYs and budget -- that there would be sufficient resources in the base of the prosecution's activity in the Northwest Territories to do the job properly, should we succeed in getting the federal government to agree to devolve this authority? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 304-12(7): Status Of Assuming Responsibility For Prosecutions

HON. STEPHEN KAKFWI:

Mr. Speaker, there are presently over 17 person years allocated to the regional office in the Northwest Territories, and a budget of \$2.75 million. We believe, at this time, that it is sufficient to help us carry out the function that is being carried out by this particular office under the federal government. Thank you.

MR. SPEAKER:

Thank you. Item 6, oral questions. Mr. Patterson, your final supplementary.

Supplementary To Question 304-12(7): Status Of Assuming Responsibility For Prosecutions

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, I, personally, am very much in favour of this devolution. I would like

to ask the Minister if he could outline for Members of this Assembly what some of the advantages would be to the people of the Northwest Territories if prosecutions were transferred to the Northwest Territories. For example, would it give the Northwest Territories an advantage in pursuing community justice programs in the communities? Would it give the Northwest Territories an advantage in dealing with sensitive issues like prosecutions under possible new federal gun control legislation? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 304-12(7): Status Of Assuming Responsibility For Prosecutions

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. One of the most obvious benefits to this government assuming responsibility for prosecutions will be in the ability we will have to give policy direction to that office. For instance, at the present time, there is a limitation in ability of federal officials who carry out the functions of the office of prosecutors. They get their direction from Ottawa. So when we are pursuing

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more community control, more community direction in the area of Justice, there is an anomaly with the people who are players in that forum.

We cannot give any direction to that part of the Justice system that, for instance, lays charges and decides on the way in which justice can be performed because they work and get direction from the federal government. So we are trying to move towards more localized decision-making by communities, certainly by the people of the Northwest Territories. Unless we bring that function closer to home, we believe there will continue to be a serious limitation on the flexibility and the sensitivity that is needed to be brought into that element.

There is also an example that we have given in recent days, should the proposed Firearms Act, brought in by Allan Rock, be passed into law, that while as a Legislature we should continue to push for less punitive and severe penalties to be placed on those people who break the law as set out in legislation, we will also benefit from having this government assume the powers of prosecution by giving us the flexibility to decide where the law should be severely imposed

and where there should be some flexibility imposed. Again, there is an example where that could not be done from an office in Ottawa. Thank you.

AN HON. MEMBER:

Hear, hear.

MR. SPEAKER:

Thank you. Item 6, oral questions. Mr. Antoine.

Question 305-12(7): Category Of Communities Under SOAP And SCAP

MR. ANTOINE:

Thank you, Mr. Speaker. My question is for the Minister for Municipal and Community Affairs.

---Applause

MR. SPEAKER:

Minister of Municipal and Community Affairs, Mr. Ng.

Return To Question 305-12(7): Category Of Communities Under SOAP And SCAP

HON. KELVIN NG:

Thank you, Mr. Speaker. All of the smaller communities will be receiving additional funding. With respect to the Member's riding, Jeannie Marie River will be going from \$120,000...

---Laughter

AN HON. MEMBER:

Jean Marie River.

HON. KELVIN NG:

Sorry, excuse me, Mr. Speaker.

SOME HON. MEMBERS:

(Microphones turned off)

---Laughter

HON. KELVIN NG:

Jean Marie River will be going from \$120,000 to approximately \$160,000. Trout Lake will be going from \$94,000 to approximately \$146,000. Wrigley will be going from \$95,000 to approximately \$160,000. If

the Member wishes, I can give him a copy of this list outlining all communities. I will hand it out to all Members. Thank you.

MR. SPEAKER:

Supplementary, Mr. Antoine.

Supplementary To Question 305-12(7): Category Of Communities Under SOAP And SCAP

MR. ANTOINE:

Thank you, Mr. Speaker. I would like to thank the Minister for his reply. If the Minister could provide that information to all the Members, we would appreciate that. The other program is called the settlement capital assistance policy. Can the Minister tell the House what this program is going to be and what communities will benefit from this program? Thank you.

MR. SPEAKER:

Mr. Ng.

Further Return To Question 305-12(7): Category Of Communities Under SOAP And SCAP

HON. KELVIN NG:

First of all, I would gladly provide a copy to all Members of the House for the settlement operating assistance policy.

As far as the settlement capital assistance policy, it is my understanding that it will make the smaller communities eligible under the existing capital funding that the GNWT currently carries out. With respect to the specific details of how it will make it more equitable for these communities, I don't have that information available now, but I will provide it at the same time to the Members. Thank you.

MR. SPEAKER:

Thank you. Item 6, oral questions. Mr. Dent.

Question 306-12(7): Revision Of Negotiated Contract Guidelines

MR. DENT:

Thank you, Mr. Speaker. My question is for the Minister of Public Works and Services. Mr. Speaker, there was a set of guidelines for negotiated contracts approved by the government in 1993. Could the

Minister advise if these guidelines have been revised since that time?

MR. SPEAKER:

Minister for Public Works and Services, Mr. Pollard.

Return To Question 306-12(7): Revision Of Negotiated Contract Guidelines

HON. JOHN POLLARD:

Not to my knowledge, Mr. Speaker. Thank you.

MR. SPEAKER:

Item 6, oral questions. Mr. Patterson.

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Question 307-12(7): Minister Match Or Exceed Todd's Charitable Contribution

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, for the mere sum of \$580, I sang the praises of Rankin Inlet for the capital of Nunavut, in this Assembly earlier today. This being Friday, I would like to ask the Minister of Municipal and Community Affairs, who I believe represents a community that is a contender for the capital of Nunavut, and who has been elevated to the rank of Cabinet Minister and has a larger income than he had before, is he willing to match or exceed the donation to charity made by Mr. Todd, in order that I might consider singing the praises of Cambridge Bay for capital on another Friday in this Assembly? Thank you.

---Laughter

MR. SPEAKER:

Minister of Municipal and Community Affairs, Mr. Ng.

Return To Question 307-12(7): Minister Match Or Exceed Todd's Charitable Contribution

HON. KELVIN NG:

Thank you, Mr. Speaker. I don't know if it is within my realm of responsibility as the Minister of Municipal and Community Affairs, but as a Member representing one of the communities vying for the capital, I would feel that it would be inappropriate for me to consider paying for a Member to solicit on behalf of my community.

SOME HON. MEMBERS:

Hear, hear.

---Applause

MR. SPEAKER:

Item 6, oral questions. Mr. Koe.

Question 308-12(7): Progress On Responsibility For Police Service

MR. KOE:

Mahsi, Mr. Speaker. In the Finance Minister's Budget Address, he stated that there has been progress made on a series of issues. He said progress has been made on the issue of responsibility for policing services. I would like to ask the Minister of Justice, what progress has been made with regard to responsibility for police services?

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 308-12(7): Progress On Responsibility For Police Service

HON. STEPHEN KAKFWI:

Mr. Speaker, the intent of the comments were to convey to Members, with regard to the dispute of RCMP costs that were incurred during the course of the strike, that we believe we are nearing a favourable agreement with the federal government to resolve those outstanding costs. That was the intent of the statement by the Minister of Finance. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 308-12(7): Progress On Responsibility For Police Service

MR. KOE:

Mahsi, Mr. Speaker. If that is the case, what is the status of the dispute on the outstanding costs related to the mine strike?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 308-12(7): Progress On Responsibility For Police Service

HON. STEPHEN KAKFWI:

Mr. Speaker, neither ourselves or the federal government were willing to accept the costs for the additional RCMP who were called in during the course of the strike. This bill has been outstanding, to the detriment of the RCMP. Recently, we have taken the initiative to suggest to the Solicitor General of Canada that we will advance a cheque for 50 per cent of the costs and leave it to him to decide when to pay his 50 per cent. That is the best way to resolve that outstanding dispute, keeping in mind the interests of the RCMP who are unfortunately caught in the middle and left holding a huge outstanding bill. That's the nature of the discussions to date. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 308-12(7): Progress On Responsibility For Police Service

MR. KOE:

Mahsi. This government is going to advance a 50 per cent payment and I'm not sure what that is. But, we seem to be taking some responsibility for this labour dispute. I'd like to ask, just for clarification, what does 50 per cent mean? What is the outstanding cost?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 308-12(7): Progress On Responsibility For Police Service

HON. STEPHEN KAKFWI:

Mr. Speaker, that is not available to me at this time, since we had looked at a method of calculating the amount and were preparing to forward that to the Solicitor General. So, I will make that information available to the Member. Thank you.

MR. SPEAKER:

Thank you. Final supplementary, Mr. Koe.

Supplementary To Question 308-12(7): Progress On Responsibility For Police Service

MR. KOE:

It is interesting, because from what I understood, you were going to send a cheque and you don't know what the amount of the cheque is. Maybe you could send it to me. I'll take a blank cheque. It would be interesting to get that information.

Earlier today, I talked about the crime related to the use of cocaine and other drugs; and it's not only prevalent in Yellowknife, it's a territorial-wide problem. What is the department, in conjunction with police services, doing to combat crimes in the territories?

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MR. SPEAKER: Mr. Kakfwi.

Further Return To Question 308-12(7): Progress On Responsibility For Police Service

HON. STEPHEN KAKFWI:

Mr. Speaker, I didn't get the last part of the Member's question. But, the amount outstanding with this particular dispute is a little over \$2 million. I thought the Member, being close to being a professional accountant, would want it down to the last cent and I cannot provide that to him.

---Laughter

So, it's in deference to his high level of professionalism that I chose not to give him an exact figure. But, as I said, it is about \$2.1 million. That's about as approximate a figure as I can give him. Thank you.

MR. SPEAKER:

Thank you. Item 6, oral questions. Mr. Dent.

Question 309-12(7): Status Of Family Law Review Legislation

MR. DENT:

Thank you, Mr. Speaker. I have a question for the Minister of Justice. In October, I asked the Minister of Justice about a recommendation of the Family Law Review and one the Special Committee on Health and Social Services made which would allow courts to make orders of exclusive possession to the family home, for victims of violence. The Minister responded to that question by advising that specific recommendation would be incorporated as part of the section of the proposed Family Law Act which was, at that time, currently being drafted. He also said that

he expected to be able to table such a bill, the Family Law Act, for consultation purposes during the life of this government.

Mr. Speaker, I notice that the bills tabled earlier this week don't include the Family Law Act. So, I would like to ask the Minister if we can, in fact, still expect to see such an act during the life of this government?

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 309-12(7): Status Of Family Law Review Legislation

HON. STEPHEN KAKFWI:

Mr. Speaker, unfortunately, I cannot give that commitment. We've had some difficulties in drafting legislation on schedule. We've had a huge volume of work to be done by a limited number of people and have had difficulties with accidents and problems with making sure people who are able to draft legislation were available for the amount of work that needed to be done. So, at this time, it doesn't look like, and I think it's fair to say we will not be able, to table anything in the life of this government. Thank you.

MR. SPEAKER:

Supplementary, Mr. Dent.

Supplementary To Question 309-12(7): Status Of Family Law Review Legislation

MR. DENT:

Thank you, Mr. Speaker. Supplementary to the same Minister. Since a fair bit of effort has been put into moving this legislation along to the point it's at now, can the Minister advise whether or not he has some process in mind to ensure that what progress has been made to date isn't lost?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 309-12(7): Status Of Family Law Review Legislation

HON. STEPHEN KAKFWI:

Mr. Speaker, this piece of legislation has been generally anticipated by all Members because it results from a commitment made by all Members of

this House to address family law where there's a lot of work to be done, particularly to do with children and families. It's unfortunate that we have not had the capacity to meet the schedule that was demanded by this House. We had difficulty in finding people who specialize in legislation to do the full volume of work that was required.

At this time, at best, we may be able to table or make available a discussion paper in June for Members to review. We will probably recommend, as a department, to have this as part of a transition document that will compel the next Legislature to treat seriously the need to fulfil the work we set out for ourselves some years ago. Thank you.

MR. SPEAKER:

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

Question 310-12(7): Renaming Of College East And College West

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, earlier in this session, the Minister of Education, Culture and Employment indicated that we would be soon relieved of the ignominious designations "Arctic College East" and "Arctic College West." He was going to take the recommendations of Cabinet to change the names of these two new colleges. I would like to ask the Minister, when will the new Arctic Colleges be named? They've been established since January 1st. When are these new orphans going to get names?

MR. SPEAKER:

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

Return To Question 310-12(7): Renaming Of College East And College West

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I would like to advise the honourable Member that the documents have been brought forward. I can advise and commit to the honourable Member to make the names known immediately, or soon after we return after the break.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 310-12(7): Renaming Of College East And College West

MR. PATTERSON:

Thank you, Mr. Speaker. I guess I can wait another couple of weeks, but I would like to ask the Minister, what's the problem? Why is this taking so long? The colleges have been established since January 1st and the Minister planned this change at least a year in advance. Why

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is it taking so long to give these new creatures the dignity of a name? Thank you.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 310-12(7): Renaming Of College East And College West

HON. RICHARD NERYSOO:

Mr. Speaker, I don't want to get in to a debate with the honourable Member. I just want to say to the honourable Member again, I'll have the names ready when we come back after the break.

MR. SPEAKER:

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

Supplementary To Question 310-12(7): Renaming Of College East And College West

MR. PATTERSON:

Mr. Speaker, I am not proposing to debate. I just asked what I think is an innocent question. Why has it taken so long for the Minister to generate names for the two new colleges which were created by legislation passed last fall and established by a regulation, I believe, January 1, 1995? Why have we had to wait so long for the two new colleges to get names? Thank you.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 310-12(7): Renaming Of College East And College West

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. The honourable Member should recall that there was a request that was put out to the general public to give us advice on the matter, including the recommendations of the Members of this Assembly. What has occurred is that there have been a number of names proposed. We have narrowed it down to three specific names. My recommendation, in light of the names that have been brought forward, is to recommend two names; one for the Nunavut College and one for the western Arctic College. The matter, I can advise, will come up, hopefully, on the Cabinet agenda, but it's been there and we are just waiting for the final decisions. I have moved it as far as I can. The fact is that it needs to come back on the agenda, and it's not for me to decide the agenda. Thank you.

MR. SPEAKER:

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

Supplementary To Question 310-12(7): Renaming Of College East And College West

MR. PATTERSON:

Thank you, Mr. Speaker. Recognizing that the majority of the Nunavut residents' first language is Inuktitut, I would like to ask the Minister if it is his intention, in recommending a name to Cabinet for the Nunavut College, that an English name and an appropriate Inuktitut name also be officially designated for the campuses in Nunavut? Thank you.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 310-12(7): Renaming Of College East And College West

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. The designation, obviously, will be able to be translated in the Inuktitut language, or for that matter hopefully in the Dene language for the west. The fact is that we have to deal with the question of naming the college in English and appropriately designating that in the legal documents. It is not just simply a matter of naming them, but we have to make the appropriate legal name changes.

MR. SPEAKER:

Item 6, oral questions. Ms. Mike.

Question 311-12(7): Completion Of Energy Accord Agreement

MS. MIKE:

Thank you, Mr. Speaker. My question is to the Minister of Energy, Mines and Petroleum Resources. I know Mr. Todd is a very capable Minister and this is not to undermine him; however, during a debate on the amendment to the motions concerning election dates, some Members felt that this government had very important initiatives close to completion with the federal government -- one of them being the energy accord -- and, recognizing the fact that previous governments have not been successful in bringing the energy accord home, my question is how close are we in completing the energy accord agreement?

MR. SPEAKER:

Minister of Energy, Mines and Petroleum Resources, Mr. Todd.

Return To Question 311-12(7): Completion Of Energy Accord Agreement

HON. JOHN TODD:

Thank you, Mr. Speaker. The energy accord agreement is a sensitive issue at this time, and we're currently in negotiations with the different aboriginal groups in trying to reach a consensus as to our collective approach to the federal government. There is a self-imposed deadline, if you want, by the groups themselves; they were hopeful their positions would be clear by May 31st of this year. Now, whether, in fact, that would put us in a position then to move forward on negotiations, I am not sure. What we did ask and they've agreed to do is to bring forward all their positions on what they would want to see in the accord by May 31st. We would then have to determine if there was enough consensus to then move it forward to the federal government. Thank you.

MR. SPEAKER:

Thank you. Item 6, oral questions. Supplementary, Ms. Mike.

Supplementary To Question 311-12(7): Completion Of Energy Accord Agreement

MS. MIKE:

Thank you, Mr. Speaker. I have served only one term; however, I spent a good 15 years behind the political arena, and I am aware of how difficult this energy accord has been to bring home. It is not to raise high hopes, as it was alluded to during the debate on the amendment to the election date, Mr. Speaker. With due respect to the Minister, his response really does not tell me a whole lot other than just to say he is dealing with the aboriginal groups. I am aware of

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that, but for his counterparts in the federal government, what is the status? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 311-12(7): Completion Of Energy Accord Agreement

HON. JOHN TODD:

Thank you, Mr. Speaker. In my discussions with Mr. Irwin earlier on in the year, he indicated to me that I should seek or attempt to seek consensus amongst those directly affected once an accord would come into place, so there are no current discussions under way in terms of the transfer of an accord between our government and the federal government until such time as we try to reach an accommodation with each other as to the approach and the content that we want within the accord.

I am not trying to be evasive. That is just where we are at right now. It is an attempt to reach a common position amongst all aboriginal and public government institutions, and then, if that consensus could be reached -- and I stress "if" -- we would move forward in an orderly way with our federal counterparts to try to make an arrangement for the expeditious transfer of this responsibility. Thank you.

MR. SPEAKER:

Thank you. Item 6, oral questions. Supplementary, Ms. Mike.

Supplementary To Question 311-12(7): Completion Of Energy Accord Agreement

MS. MIKE:

Thank you, Mr. Speaker. Is it my understanding then that the GNWT success really depends on the outcome of your negotiations with aboriginal groups in the NWT?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 311-12(7): Completion Of Energy Accord Agreement

HON. JOHN TODD:

Thank you, Mr. Speaker. I think it is fundamental to any accord that whatever compromise or solution we reach has to be reflective of those who live, own and protect the land. So I would suggest my response would be that we are trying to reach an arrangement with all northerners, aboriginal claimant groups, First Nation groups and this public government, a consensus as to what the content and the design of the accord should be so that we can then move it forward in our negotiations with the federal government.

The negotiations are currently under way and, as a matter of fact, they were under way in Calgary just the day before yesterday and there are ongoing meetings over the next two or three weeks in an effort to try and reach an arrangement. I can't say at this time whether or not a satisfactory arrangement will be reached, but I can tell you that every effort is being made by the department and Mr. Bailey, who is leading the negotiations on our behalf, and my optimistic side tells me that hopefully, given, to some extent, the urgency of this matter, we will be able to reach an arrangement. However, it is premature at this time to be able to say that definitively. Thank you.

MR. SPEAKER:

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

Supplementary To Question 311-12(7): Completion Of Energy Accord Agreement

MS. MIKE:

Thank you, Mr. Speaker. Would the Minister agree to keep the Members informed about the progress of energy accord negotiations during the sitting of the Assembly, or by correspondence when the Assembly is not sitting? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 311-12(7): Completion Of Energy Accord Agreement

HON. JOHN TODD:

Mr. Speaker, the process of negotiations are currently under way. It is a kind of fluid document we're trying to make an arrangement on. If an arrangement can be reached, I then have to present that arrangement to my colleagues in Cabinet to seek their approval. If we can come to a conclusion, then I would be prepared and able to provide Members with as up-to-date a position on the accord as I can. But, the negotiations are under way and things change by the day, so it's difficult to keep on top of it. But, if there are any significant breakthroughs, I would be only too happy to keep the Members advised of them. Thank you.

MR. SPEAKER:

Item 6, oral questions. Mr. Whitford.

Question 312-12(7): Responsibility For Aviation Safety After Transfer

MR. WHITFORD:

Thank you, Mr. Speaker. Mr. Speaker, I have a question I would like to direct to the Minister of Transportation. In my Member's statement this morning, I brought to the attention of the House an incident that occurred in the Northwest Territories involving some aircraft and the reluctance, if I can put it that way, of the federal government to release any information that came out of this report, whether there was a problem or not.

I would like to ask the Minister, given the fact that soon we are going to be assuming responsibility for all of the airports in the Northwest Territories, will we also be assuming some of the responsibility for aeronautics?

MR. SPEAKER:

Minister of Transportation, Mr. Todd.

Return To Question 312-12(7): Responsibility For Aviation Safety After Transfer

HON. JOHN TODD:

Thank you, Mr. Speaker. I appreciate the Member's statement made earlier this morning, bringing this important aviation safety issue to the House. In the transfer of the nine Arctic A airports that we are currently negotiating and what is currently going on in southern Canada in terms of transfers to municipalities, the flight safety component will still be within the federal jurisdiction of Transport Canada, Mr. Speaker. Thank you.

MR. SPEAKER:

Supplementary, Mr. Whitford.

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Supplementary To Question 312-12(7):
Responsibility For Aviation Safety After Transfer

MR. WHITFORD:

Thank you, Mr. Speaker. Given the fact that we probably don't have that much control over that part of aviation, that aviation is important to the Northwest Territories and safety is important -- we all know how much we travel and how many little airplanes are in the air at any given time -- the public must know how safe the air space is. I would like to ask the Minister if he would use his good offices to insist that the federal government release reports of this nature, whether there are issues of safety or not. It would be reassuring to the public if there is a problem, or if there isn't a problem. Would he use his good offices to seek release of such important reports?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 312-12(7): Responsibility For Aviation Safety After Transfer

HON. JOHN TODD:

Thank you, Mr. Speaker. I think air transportation and safety is important to everybody. However, in the Arctic in some of our remote communities, it is even more important because it is the primary mode of transportation. I think we all recognize that air safety is of primary importance across Canada and, in the eastern Arctic, it's even more important, because it's the only way we can commute back and forth. I will ask the department to see what position we can take with respect to the federal government's position of not divulging the information as it relates to the

incident Mr. Whitford alluded to earlier today in his Member's statement. Thank you.

---Applause

MR. SPEAKER:

Time for oral questions has lapsed. Item 7, written questions. Mr. Patterson.

ITEM 7: WRITTEN QUESTIONS

Written Question 17-12(7): Status Of Reform Of Medical Profession Act

MR. PATTERSON:

Thank you, Mr. Speaker. I have two written questions, one to the Minister of Health and Social Services.

Could the Minister of Health and Social Services please outline the status of efforts to reform the Medical Profession Act.

Written Question 18-12(7): Future Of The Federal Fishing Vessel Insurance Program

And, to the Minister of Economic Development and Tourism, could the Minister provide information about the future of the federal fishing vessel insurance program after April 1, 1995. Thank you.

MR. SPEAKER:

Item 7, written questions. Item 8, returns to written questions. Mr. Clerk.

ITEM 8: RETURNS TO WRITTEN QUESTIONS

Return To Written Question 9-12(7): Accountability Of Cabinet Ministers When Negotiating Contracts

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, Return to Written Question 9-12(7), asked by Mrs. Marie-Jewell to the Premier concerning the accountability of Cabinet Ministers when negotiating contracts.

Cabinet direction, including decisions to negotiate government contracts, is provided to applicable Ministers in the form of a record of decision which provides authority and direction to a Minister to implement a particular course of action. Ministers are guided in the implementation process by Cabinet's intent and the availability of funding. Appropriate

legislation, regulations, policies and procedures provide further guidance.

On any particular contract, approval of the submission and the record of decision provides specific written direction as to the financial limits and requirements for northern and local content.

Return To Written Question 10-12(7): Dene Metis Holdings Request To Extend Negotiations

Also, Return To Written Question 10-12(7), asked by Mrs. Marie-Jewell to the Premier concerning Dene Metis Holdings' request to extend negotiations.

On October 26, 1994, the Minister of Public Works and Services responded by letter to Dene Metis Holdings Limited and indicated that he was prepared to return to Cabinet to seek approval to continue negotiating with Dene Metis Holdings, on the condition that the company provide a proposal that was responsive to the statement of requirement.

The letter further stated that the proposal from Dene Metis Holdings must allow for full participation by northern investors and contractors, if Dene Metis Holdings was unable to provide components of the services required. The Minister of Public Works and Services then asked for confirmation in writing if Dene Metis Holdings Limited was interested in proceeding.

MR. SPEAKER:

Thank you. Item 8, returns to written questions. Item 9, replies to opening address. Item 10, petitions. Item 11, reports of standing and special committees. Mr. Whitford.

ITEM 11: REPORTS OF STANDING AND SPECIAL COMMITTEES

Report On Bill 25, Education Act

MR. WHITFORD:

Thank you, Mr. Speaker. Mr. Speaker, I would like to inform the Members that if Bill 25, Education Act, receives second reading and is referred to the Standing Committee on Legislation for review, the committee is prepared to distribute the bill immediately to an extensive list of previously-identified stakeholders.

In addition, Members of this Assembly will be provided with copies of the bill to take home to their constituents. Members will also be provided with the

committee's consultation schedule that is currently being developed. This schedule

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would include consultation in all regional centres and will enable input to be provided from smaller communities as well. It is important that the dates and locations of public hearings be well known in advance, given the time restrictions facing the committee in this review.

Members can be assured that the committee will be advertising the bill and the review schedule extensively, to ensure maximum response from the public. I can tell you now that the public hearings will be held from May 8th to May 24th, following which the committee will prepare its report for this Assembly. This report will be presented to the Legislative Assembly immediately after the Seventh Session resumes on June 5th. The remainder of the Seventh Session will be dedicated to consideration of the Education Act.

Mr. Speaker, through hard work and cooperation between all parties, the committee is confident that a successful and productive review will be accomplished, to the benefit of all northerners. Thank you.

---Applause

MR. SPEAKER:

Thank you, Mr. Whitford. The chair doesn't consider the comments that you made as a report, but will view it as a statement by the committee. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Mr. Pollard.

ITEM 13: TABLING OF DOCUMENTS

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I had made a commitment to table a document today which was an update of the Fort Smith aircraft facility, history of GNWT decisions and communications with Fort Smith, revised.

Mr. Speaker, in light of the point of order by Mr. Nerysoo today and in light of the fact that you're going to give us a ruling and because there are still some documents that are unsigned in this particular document I was going to put before the House, I will

not do it today but await your ruling. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Item 13, tabling of documents. Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Speaker. I would like to table Tabled Document 61-12(7), NWT Housing Corporation staffing information. Thank you.

---Applause

MR. SPEAKER:

Item 13, tabling of documents. Item 14, notices of motion. Item 15, notices of motions for first reading of bills. We will take a 10-minute break.

---SHORT RECESS

MR. SPEAKER:

The House will come back to order. We're on item 16, motions. Mr. Patterson.

ITEM 16: MOTIONS

Motion 15-12(7): Invitation To Department Of Canadian Heritage Officials To Appear Before The Legislative Assembly Of The NWT To Respond To Concerns

MR. PATTERSON:

Thank you, Mr. Speaker.

WHEREAS there are two existing national parks in the western Arctic, namely: Nahanni National Park Reserve, which is still subject to aboriginal right, title and interest, and Wood Buffalo National Park;

AND WHEREAS new national parks are also operational or being planned for the western Arctic, namely: Ivvavik, which is located in the Inuvialuit settlement area in the Yukon territory, but is administered out of Inuvik, Aulavik and Tuktot Nogait, also part of Bluenose Park;

AND WHEREAS two park reserves have been formally established in Nunavut: Auyuittuq, Ellesmere Island;

AND WHEREAS Canadian Heritage has announced plans for four more national parks which are either in

Nunavut or partly in Nunavut, namely: north Baffin, Bathurst Island, Wager Bay and Bluenose, along with national historic sites, Piqqiq and Arviaq;

AND WHEREAS the new and planned national parks were established with the consent and support of adjacent communities and Inuit organizations as a means of protecting the land while preserving aboriginal rights, including traditional hunting rights, as well as providing economic and employment benefits;

AND WHEREAS the land claim settlement of the Inuit of Nunavut was predicated on existing parks and new parks being established in the Nunavut land claims settlement area and notes a commitment to complete the representation of national park regions in Nunavut;

AND WHEREAS during the land selection process of the Inuit land claim negotiations, Inuit land selections were made in good faith and in contemplation of and reliance upon Canadian Heritage's ongoing commitment to supporting and maintaining existing and future national parks in Nunavut;

AND WHEREAS existing national park reserves and proposed national parks will require the negotiation of Inuit impact and benefit agreements under the Inuit impact and benefits provisions of the Nunavut land claims agreement;

AND WHEREAS Canadian Heritage has recently worked in close cooperation with the Government of the NWT in joint ventures, such as establishing territorial parks in conjunction with heritage rivers, national historic sites, collaboration on visitors' and nature centres and exhibitory;

AND WHEREAS Canadian Heritage proposes to reorganize its management structure in Nunavut and the Northwest Territories;

AND WHEREAS Canadian Heritage may be facing budget reductions in Nunavut and the western Northwest Territories as

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a result of the recent federal budget which cut the department's budget by approximately 20 per cent in future years;

AND WHEREAS there is strong concern on the part of Nunavut Tunngavik Incorporated and Nunavut Members of the Legislative Assembly of the

Northwest Territories, that there should be continued close planning and financial cooperation between the GNWT and Canadian Heritage and that financial and human resources should not be withdrawn from Nunavut in light of the previous commitments made to support existing and future national parks in Nunavut and on the eve of Inuit impact and benefit agreement negotiations under the Inuit land claim;

AND WHEREAS there is strong concern on the part of some western aboriginal leaders and some MLAs in the western Arctic about the shifting of resources and erosion of resources within the western Arctic, which changes appear to have been implemented without significant consultation with affected communities;

NOW THEREFORE I MOVE, seconded by the Member for Baffin Central, that Mr. Bill Balan, regional executive director for the Department of Canadian Heritage (Prairies and NWT region) or his designate, be invited by this Assembly to appear at his or her expense to outline current organizational and fiscal changes and respond to the concerns of this Assembly. Thank you, Mr. Speaker.

MR. SPEAKER:

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

SOME HON. MEMBERS:

Question.

MR. SPEAKER:

Mr. Patterson, do you wish to speak to your motion?

MR. PATTERSON:

Mr. Speaker, I hear question being called and I know the whereases are lengthy enough that they outline the concerns, but I would like to make two points. I won't go over the reasons for this motion in detail.

I thought of inviting the Minister of Canadian Heritage to account for the changes that many of my constituents are so concerned about, and was told by officials in Canadian Heritage that it would be very unlikely that the Minister would come here, burdened as he is with CBC cuts and aboriginal language agreement funding issues, as well as other priorities in Ottawa. Everyone I spoke to said the individual I have named in the motion is the one who has been initiating the changes that have caused such concern.

So, Mr. Speaker, although I know it is not preferred that an official be asked to be accountable, I think in this case it is appropriate because this official is making decisions that are affecting this important area of activity in the Northwest Territories. So far, without any or significant consultation with communities and MLAs. So this is the appropriate way of ensuring that that consultation takes places.

Secondly, Mr. Speaker, I would like to inform Members of the House that I have endeavoured, through the good offices of Mr. Todd, the Minister of Economic Development and Tourism, to find out more about the organizational changes and to find out more details about the financial impacts, which I have outlined in general terms in my motion. His senior officials have told me in so many words that getting this information is like trying to pin down jello. There is a constantly changing scenario and an evasion of direct answers on what is going to happen with parks in the Northwest Territories and with Canadian Heritage as it reorganizes itself in the Northwest Territories. We do know changes are underfoot. This is not just rumours or apprehensions. For example, in my riding, I have been told that the Nunavut park superintendent position recently created and now vacant, will not be refilled. We have been told that the Nunavut land claims coordinator position was to be moved out of Nunavut, although that decision has recently been reversed. I am told by other MLAs that resources have been shifted in Nahanni Butte and in Fort Smith. So these are real changes and they have a significant impact on the Northwest Territories. I am hoping, therefore, that Members will support me in this move to find out what is going on and ensure a measure of consultation and accountability that has not been followed to date by the officials making these significant changes. Thank you.

MR. SPEAKER:

Thank you. Secunder to the motion, Ms. Mike. To the motion.

SOME HON. MEMBERS:

Question.

MR. SPEAKER:

Question has been called. All those in favour? Mr. Koe.

MR. KOE:

Mahsi, Mr. Speaker. When this notice of motion was first given several days ago, I had many concerns because there were a lot of references to western MLAs and the concern of western aboriginal leaders. At the time, I really didn't hear many western concerns. I have since talked to the Member proposing the bill and I am still not totally convinced that the western leaders are very concerned.

There are parks in the western Northwest Territories. There are parks in the Beaufort area. I assume -- and again I am assuming this because I don't have any information...It is hard to vote on a motion when there is a real lack of information. I don't know what the impacts are. I assume the gist of this motion is to try to get information. I really have some difficulty in supporting this motion. We are asking the regional executive director to appear in this Assembly. Over the short time I have been here, every time we ask for witnesses, we always get into a debate as to who should appear. The last one I recall was whether or not the Minister of Indian Affairs should appear before us in this Assembly or appear before us in Caucus.

So I am really not clear what this motion is saying; "that this individual be invited to this Assembly to appear to outline organizational and fiscal changes." It doesn't say where to appear or when.

The other thing I am aware of is one of the issues related in this motion has a lot of impact on Nunavut. I know, in most cases, in the northwest part of our territories, the Beaufort and Delta areas, that a lot of parks were created through the claims that were negotiated and then the direction has been given jointly with the Inuvialuit, Gwich'in and the Government of Canada in establishing these parks. So the direction should

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come from them, and to this date, I have not received any from them.

So I won't be voting against the motion, but I won't be supporting the motion. It is something that I think government should be encouraging. We have a Minister of Intergovernmental Affairs. He should be finding out more information for us. I can't support the intent to have this director come in before the House. I can't support that. Thank you.

MR. SPEAKER:

To the motion. Mr. Zoe.

MR. ZOE:

Thank you, Mr. Speaker. I am having some difficulty with the motion itself. We are asking individuals to appear before us, Mr. Speaker. I think the intent of the motion is to get somebody who has authority who can respond to concerns of this Assembly, and the individual named or his designate, I do not feel would be able to do that. I think it would have been more appropriate if you were to ask the Minister responsible if he would have been able to appear. I would then have been more comfortable with this type of motion coming forward, but I don't think we are going to achieve our goal by passing this motion. I feel uncomfortable with this particular motion, Mr. Speaker. Thank you.

MR. SPEAKER:

To the motion. Closing remarks, Mr. Patterson.

MR. PATTERSON:

Mr. Chairman, just to respond to some of the concerns. Number one, I hesitate to speak for western aboriginal leaders or western MLAs but I was encouraged to broaden the motion to recognize the fact that there are, which I know, concerns outside my constituency and outside Nunavut. I know I have spoken to some western MLAs who do have concerns.

I just want to make one comment about aboriginal leaders; that is, the president of Nunavut Tunngavik Incorporated, Mr. Jose Kusugak, with whom I have spoken about this issue, is concerned and has expressed his concern about this issue and about the possible erosion of support for parks in Nunavut even though their land claim was negotiated contemplating continuing and future establishment of parks in Nunavut.

Secondly, as to the point about the appropriate forum for receiving this briefing, I would like to confess that, in fact, the motion leaves it open as to where this individual will appear, so I think this is something we can discuss in Caucus, Mr. Speaker, and if it is agreed by members of Caucus that it may be more appropriate to arrange for a briefing privately rather than within the ropes, then I would have no problem with agreeing to the consensus that we may reach in Caucus, as we ordinarily do when it comes to inviting witnesses.

So I would urge you, if you have concerns about where this person might appear and concerns about having a bureaucrat appear within this Chamber, I will respect your concerns when the time comes and we discuss it in Caucus, but please don't reject the motion, because the reality is, Mr. Speaker -- I think Mr. Zoe might be the first to admit this -- if we invite the Minister of Canadian Heritage to come up here and talk about reorganization of the administration of Canadian Heritage in the Northwest Territories and redeployment of resources and financial cutbacks, the chances of that Minister coming up here to brief us on that issue, however important it is to us, are minimal.

So what I have tried to do is pinpoint the official who is responsible for making these decisions and hold that person accountable, and we can find an appropriate means of getting the information from this individual when the time comes. I am led to believe by speaking with Canadian Heritage and Mr. Balan's office that they are willing to take this invitation seriously, that somebody senior will come. So please don't prevent us from being able to get information that, so far, we haven't been able to get, simply because you are concerned about having a bureaucrat invited to come to Yellowknife to account for his decisions by this Assembly. We will find the appropriate forum, Mr. Speaker, but let's get the individual up here and let's get his report, and we will find the appropriate place and time to do that once this motion is passed. Thank you.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

AN HON. MEMBER:

(Microphone turned off)

MR. SPEAKER:

Mr. Patterson has already made his closing remarks to the motion, Ms. Mike.

AN HON. MEMBER:

Question.

MR. SPEAKER:

Question has been called. All those in favour? All those opposed? This motion is defeated.

---Defeated

AN HON. MEMBER:

(Microphone turned off)

MR. SPEAKER:

Item 16, motions. Item 17, first reading of bills. Mr. Kakfwi.

ITEM 17: FIRST READING OF BILLS

Bill 27: An Act To Amend The Land Titles Act

HON. STEPHEN KAKFWI:

Mr. Speaker, I move, seconded by the honourable Member for Tu Nedhe, that Bill 27, An Act to Amend the Land Titles Act, be read for the first time.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 27, An Act to Amend the Land Titles Act, has had first reading. Item 17, first reading of bills. Mr. Kakfwi.

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Bill 26: An Act To Amend The Jury Act

HON. STEPHEN KAKFWI:

Mr. Speaker, I move, seconded by the honourable Member for Mackenzie Delta, that Bill 26, An Act to Amend the Jury Act, be read for the first time.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 26, An Act to Amend the Jury Act, has had first reading. Item 17, first reading of bills. Mr. Nerysoo.

Bill 25: Education Act

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nunakput, that Bill 25, Education Act, be read for the first time.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 25, Education Act, has had first reading. Item 17, first reading of bills. Mr. Ng.

Bill 24: Community Employees' Benefits Act

HON. KELVIN NG:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Hay River, that Bill 24, Community Employees' Benefits Act, be read for the first time. Thank you.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 24, Community Employees' Benefits Act, has had first reading. Item 17, first reading of bills. Mr. Pollard.

Bill 20: Loan Authorization Act, 1995-96

HON. JOHN POLLARD:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nunakput, that Bill 20, Loan Authorization Act, 1995-96, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 20 has had first reading. Item 17, first reading of bills. Mr. Pollard.

Bill 21: Supplementary Appropriation Act, No. 2, 1994-95

HON. JOHN POLLARD:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Kitikmeot, that Bill 21, Supplementary Appropriation Act, No. 2, 1994-95, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 21 has had first reading. Item 17, first reading of bills. Mr. Pollard.

Bill 22: Forgiveness Of Debts Act, 1994-95

HON. JOHN POLLARD:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nunakput, that Bill 22, Forgiveness of Debts Act, 1994-95, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 22 has had first reading. Item 17, first reading of bills. Mr. Pollard.

Bill 23: Write-off Of Debts Act, 1994-95

HON. JOHN POLLARD:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Kitikmeot, that Bill 23, Write-off of Debts Act, 1994-95, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

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MR. SPEAKER:

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

---Carried

Bill 23 has had first reading. Item 17, first reading of bills. Item 18, second reading of bills. Mr. Pollard.

ITEM 18: SECOND READING OF BILLS

Bill 21: Supplementary Appropriation Act, No. 2, 1994-95

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Nunakput, that Bill 21, Supplementary Appropriation Act, No. 2, 1994-95, be read for the second time. Mr. Speaker, this bill makes supplementary appropriations for the Government of the Northwest Territories' fiscal year ending March 31, 1995. Thank you.

MR. SPEAKER:

Thank you, Mr. Pollard. The motion is in order. To the principle of the bill.

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 21 has had second reading. Item 18, second reading of bills. Minister Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I would like to seek consent of the House to proceed with second reading of Bill 25, Education Act.

MR. SPEAKER:

The Minister is seeking consent to give second reading to Bill 25. Are there any nays? There are no nays. Please proceed, Mr. Nerysoo.

Bill 25: Education Act

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nunakput, that Bill 25, Education Act, be read for the second time. Mr. Speaker, the purpose of this bill is to create a new Education Act and to repeal the existing Education Act.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 25 has had second reading. Item 18, second reading of bills. Mr. Pollard.

Bill 19: An Act To Amend The Elections Act, No. 2

HON. JOHN POLLARD:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nunakput, that Bill 19, An Act to Amend the Elections Act, No. 2, be read for the second time. Mr. Speaker, this bill amends the Elections Act to provide that inmates are not eligible to be candidates in an election. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Pollard. The motion is in order. To the principle of the bill.

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 19 has had second reading. Item 18, second reading of bills. Mr. Ng.

HON. KELVIN NG:

Mr. Speaker, I seek consent to give second reading to Bill 24.

MR. SPEAKER:

The Minister is seeking consent to give second reading to Bill 24. Are there any nays? There are no nays. Please proceed, Mr. Ng.

Bill 24: Community Employees' Benefits Act

HON. KELVIN NG:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Hay River, that Bill 24, Community Employees' Benefits Act, be read for the second time. Mr. Speaker, this bill repeals and replaces the Municipal Employees' Benefits Act and continues the municipal employees benefits program board as the community employees benefits program board under the new act.

The board is a corporation charged with the responsibility for administering pension and other benefit plans on behalf of the employees of employers that participate in the plans. A range of employers that perform public government functions are eligible to apply to participate in benefit plans administered by the board, including municipal and settlement corporations, public agencies, housing associations and authorities, treaty and land claim organizations, and Indian bands and organizations established to implement the division of the territories.

The board must establish trust funds for the benefit of employees participating in benefit plans and must deposit contributions from employers and employees in the trust funds. In the event of the failure of an employer to pay contributions or to fulfil its obligations under the act and the regulations, the board can suspend or terminate the employer's participation in a benefit plan.

The board is required to prepare an annual report each year, which includes financial statements and an auditor's report and, every three years, the board must have an actuarial evaluation to determine if the trust funds are fully funded. If the trust funds are not fully funded, the board must prepare a financial plan outlining how it proposed to return the trust funds

to a position where they are fully funded. Thank you, Mr. Speaker.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 24 has had second reading. Item 18, second reading of bills. Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Mr. Speaker. I seek consent of the House to go to second reading of Bill 20, Loan Authorization Act, 1995-96.

MR. SPEAKER:

The Minister is seeking consent to give second reading to Bill 20. Are there any nays? There are no nays. Please proceed, Mr. Pollard.

Bill 20: Loan Authorization Act, 1995-96

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Thank you, Members of the House. Mr. Speaker, I move, seconded by the honourable Member for Tu Nedhe, that Bill 20, Loan Authorization Act, 1995-96, be read for the second time. Mr. Speaker, this bill authorizes the Commissioner or the Minister acting on behalf of the Commissioner to make loans to municipalities during the 1995-96 fiscal year. Thank you, Mr. Speaker.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 20 has had second reading. Item 18, second reading of bills.

Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I seek consent to deal with second reading of Bill 22, Forgiveness of Debts Act, 1994-95. Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister is seeking consent to deal with Bill 22. Are there any nays? There are no nays. Please proceed, Mr. Pollard.

Bill 22: Forgiveness Of Debts Act, 1994-95

HON. JOHN POLLARD:

Thank you, Mr. Speaker, and I thank Members of the House. Mr. Speaker, I move, seconded by the honourable Member for Kitikmeot, that Bill 22, Forgiveness of Debts Act, 1994-95, be read for the second time. Mr. Speaker, this bill authorizes the forgiveness of debts under the Financial Administration Act. Thank you, Mr. Speaker.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 22 has had second reading. Item 18, second reading of bills.

Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I seek consent to deal with second reading of Bill 23, Write-off of Debts Act, 1994-95. Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister is seeking consent to give second reading to Bill 23. Are there any nays? There are no nays. Please proceed, Mr. Pollard.

Bill 23: Write-off Of Debts Act, 1994-95

HON. JOHN POLLARD:

Thank you, Mr. Speaker, and I thank Members of the House. Mr. Speaker, I move, seconded by the honourable Member for Nunakput, that Bill 23, Write-off of Debts Act, 1994-95, be read for the second time. Mr. Speaker, this bill authorizes the write-off of debts under section 24 of the Financial Administration Act. Thank you, Mr. Speaker.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 23 has had second reading. Item 18, second reading of bills. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. Mr. Speaker, I seek consent to proceed with second reading of Bill 26.

MR. SPEAKER:

The Minister is requesting consent to deal with Bill 26. Are there any nays? There are no nays. Proceed, Mr. Kakfwi.

Bill 26: An Act To Amend The Jury Act

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Mackenzie Delta, that Bill 26, An Act to Amend the Jury Act, be read for the second time. This bill amends the Jury Act to lower the age at which a person is qualified to serve on a jury from 19 to 18, and

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exempts territorial and federal Department of Justice employees from sitting on the jury.

The bill also removes a requirement for service by certified mail and allows service by regular mail. The bill removes procedural details concerning the selection of jury panellists and jurors and provides that the sheriff can establish such procedures in accordance with the regulations. The bill increases the maximum penalty for failure to obey a jury summons from \$200 to \$500.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 26 has had second reading. Item 18, second reading of bills. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I seek consent to proceed with second reading of Bill 27, An Act to Amend the Land Titles Act.

MR. SPEAKER:

The Minister has requested consent to give second reading to Bill 27. Are there any nays? There are no nays. Proceed, Mr. Kakfwi.

Bill 27: An Act To Amend The Land Titles Act

HON. STEPHEN KAKFWI:

Mr. Speaker, I move, seconded by the honourable Member for Tu Nedhe, that Bill 27, An Act to Amend the Land Titles Act, be read for the second time. This bill makes a number of additions to the Land Titles Act to facilitate the transfer of leases and third-party interests, which are recorded on the records for the Minister administering territorial lands into the land titles system, in particular in respect of lands which must be conveyed to the municipalities under the Nunavut land claims agreement. Certain documents will be exempted from the usual rules applying to the execution of documents, the registrar may accept certain leases, together with amendments and assignments of the lease, which do not comply with the act at present and the Minister administering the lands will be authorized to submit other documents as caveats.

The bill also amend the act to:

- update the provisions pertaining to the registrar's record-keeping obligations to take into account technological advances;
- make it clear that a transferee of any interest shown on a certificate of title is entitled to rely upon the memorandum of the interest of the transferor on the title;
- provide a mechanism to give effect for the vesting of ownership by statute;
- permit the registration of transfers of caveats
- permit an owner to surrender a duplicate certificate of a title for cancellation, or request that one be issued where previously it had been requested that one not be issued;
- provide that an owner may transfer an easement to himself or herself and that an easement is not extinguished where a person becomes the owner of an easement and the land over which the easement runs;
- provide for the replacement of metes and bounds descriptions by a survey and for authority to give effect to plans of survey registered under the former federal act. Thank you.

MR. SPEAKER:

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

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Bill 27 has had second reading. Item 18, second reading of bills. Accordingly, bills 19, 20, 22, 23, 24, 25 26 and 27 have had second reading and, accordingly, the bills stand referred to a committee. Bill 21 has had second reading and accordingly the bill stands referred to committee of the whole.

Item 19, consideration in committee of the whole of bills and other matters: Bill 1, Appropriation Act, No. 2, 1995-96; Bill 21, Supplementary Appropriation Act, No. 2, 1994-95; Committee Report 2-12(7), Report on the Legislative Action Paper on the Office of Ombudsman for the Northwest Territories; Committee Report 3-12(7), Report on the Review of the Legislative Action Paper Proposing New Heritage Legislation for the Northwest Territories; Committee Report 4-12(7), Report on the Review of the 1995-96 Main Estimates, with Mr. Ningark in the chair.

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

CHAIRMAN (Mr. Ningark):

Good afternoon. The committee will come to order. What is the wish of the committee? Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. I move we report progress.

CHAIRMAN (Mr. Ningark):

There is a motion to report progress and the motion is not debatable. All those in favour of the motion? All those opposed? The motion is carried.

---Carried

I will rise and report to the Speaker. Thank you.

MR. SPEAKER:

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

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Speaker. Mr. Speaker, your committee would like to report progress. Mr. Speaker, I move that the report of committee of the whole be concurred with. Thank you.

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MR. SPEAKER:

Thank you. Is there a seconder? Mr. Koe. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

Item 21, third reading of bills. Item 22, orders of the day. Mr. Clerk.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, there will be a meeting of the Caucus Subcommittee on Bill C-68 at 2:00 pm this afternoon. Meetings for Monday, March 27th: at 9:00 am of the Standing Committee on Finance; at 9:00 am also of the Standing Committee on Legislation; and, at 10:30 of the Ordinary Members' Caucus.

Orders of the day for Monday, March 27, 1995:

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

8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills
16. Motions
17. First Reading of Bills
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
 - Bill 1, Appropriation Act, No. 2, 1995-96
 - Bill 21, Supplementary Appropriation Act, No. 2, 1994-95
 - Committee Report 2-12(7), Report on the Legislative Action Paper on the Office of Ombudsman for the Northwest Territories
 - Committee Report 3-12(7), Report on the Review of the Legislative Action Paper Proposing New Heritage Legislation for the Northwest Territories
 - Committee Report 4-12(7), Report on the Review of the 1995-96 Main Estimates
20. Report of Committee of the Whole
21. Third Reading of Bills
 - Bill 15, An Act to Amend the Elections Act

22. Orders of the Day

MR. SPEAKER:

Thank you, Mr. Clerk. By the authority provided by Motion 14-12(7), this House stands adjourned until 1:30 pm, Monday, March 27, 1995.

---ADJOURNMENT