



NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY

7th Session

Day 3\$

12th Assembly

HANSARD

H/I FG85M, APRIL *, 1995

Pagination reflects print edition

The Honourable **Samuel Gargan**, Speaker

THURSDAY, APRIL 6, 1995

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MEMBERS PRESENT

Mr. Antoine, Hon. Silas Arngna'naaq, Mr. Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Hon. Samuel Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, 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. Patterson. Good afternoon. Orders of the day. Item 2, Ministers' statements. Ms. Cournoyea.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 60-12(7): Tribute To The Norris Family

HON. NELLIE COURNOYEA:

Mr. Speaker, I wish to inform the Members of this House of the contribution to the administration of justice being made by a remarkable northern family.

On December 4, 1994, Constable Adolphus Norris became a member of the RCMP and joined his two brothers, Wayne and Fred, who became members in 1986 and 1988 respectively.

Constable Wayne Norris and Constable Fred Norris are currently serving here in Yellowknife, while Constable Adolphus Norris has been posted to Fort McPherson.

Mr. Speaker, the Norris brothers are the children of Eunice Norris, who currently lives in Inuvik. Their father, Fred Norris Sr., who moved to Inuvik from Fort McMurray in 1930, passed away in 1981.

In addition to the contributions of the three brothers to the RCMP, the Norris family is also represented in the Department of Justice by their sister, Vina Norris, who is the executive secretary to the assistant deputy minister responsible for the Solicitor General branch.

Mr. Speaker, the Norris family has been, and still are, strong role models for northern families and young people in particular, in demonstrating that they should be looking to the justice system in their search for careers. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Proposed Recall Legislation

MR. LEWIS:

Thank you, Mr. Speaker. I hear many muted mutterings about the dangers of the Recall Act. Some people are talking as though it is an outlandish idea, even though it has been considered seriously as a contribution to the accountability of politicians.

I find it especially unusual that some of the mutterings are coming from Cabinet Ministers, not ordinary Members. I find this very unusual. The only people who are not subject to recall in this House, at the moment, are ordinary Members. I found general support among ordinary Members for the principle of the bill.

Every day when we are sitting in this Chamber, Mr. Speaker, Cabinet Ministers are subject to recall. On any one day, a Member of Cabinet could be removed by a simple majority of Members in this Chamber. That is a form of recall. And I don't think it is unconstitutional, but maybe the government wants to look at that too. It is very simple, very transparent, all Members in the House can vote, there is no secret ballot. If the majority of Members want a Cabinet Minister to join the ranks of the ordinary Members, all Members have to do is to stick up their hands in support of the motion to remove a Minister and that Minister is history -- at least for the moment.

No one seems to question this practice. It seems to be accepted as an entrenched part of our system. Even in the various proposals to legislate more powers for the Premier, recall, unfortunately, would still exist. Even if she wanted to keep a Minister, there is nothing planned in the legislation to remove the power of the Members to still recall if they wanted to. We already have recall, at least the principle of it,

Mr. Speaker, so I wonder why we're muttering about it.

Even in the legislation to give powers to the Premier to remove a Member, the House would still have to be brought together to choose a new Member and there would be nothing stopping Members from putting the same Member back into the Cabinet that the Premier just removed.

The only real power in this House is the will of the majority of the Members and that's the basic principle behind recall. Whoever gives you power has the right to take it away. The only way to be accountable in this Assembly would be to...

MR. SPEAKER:

Mr. Lewis, your time is up. Mr. Lewis.

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MR. LEWIS:

Mr. Speaker, it is very unusual that I ask for the indulgence of Members but I would like to have permission to finish my statement.

MR. SPEAKER:

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

MR. LEWIS:

Thank you, Mr. Speaker. We've been talking about accountability for a long time, Mr. Speaker, and the only way of improving accountability in this Assembly is to give the Premier power to choose Members of Cabinet and to fire Members of Cabinet. The principle would remain the same then because whoever gives the power would then have the right to take it away. You would still have the principle but at least you would know exactly what the principle is. Thank you very much, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you. Item 3, Members' statements.

Member's Statement On Success Of First
Constitutional Conference For The New Western
Territory

MR. KOE:

Mahsi, Mr. Speaker. Mr. Speaker, later today, I will be tabling the report of the first constitutional conference for the new western territory. The conference, which took place from the 18th to the 22nd of January was an enormous success. It generated a spirit of mutual respect and willingness to work together among people from all 34 communities of the western Northwest Territories, men and women, aboriginal and non-aboriginal people, young and old.

It was a big step closer to creating a new constitution and system of government for the western territories. It also sent a strong message to the federal and territorial governments that the people in the west are united in our purpose. The Constitutional Development Steering Committee received a clear mandate to continue to guide the western constitutional process to a second constitutional conference.

As chair of the Constitutional Development Steering Committee, I would like to advise this House that we are now in the process of negotiating our funding for this fiscal year with the federal and territorial governments. Despite economic realities, and we know money is very tight for both the federal and territorial governments, I am confident we can reach a funding agreement that will allow the CDSC to effectively continue the constitutional process.

In the meantime, the federal government has agreed to provide interim funding for the months of April and May while we continue negotiating. I take this as a very positive sign that there is federal support for our process. In the first six to nine months of this year, the CDSC will be coordinating the constitutional research that was identified at the conference. From this research, a constitutional options paper will be produced. It will be the main focus of discussion at the second constitutional conference.

We are planning to involve public advisory groups in the research process to ensure that the research reflects northern realities and includes northern input.

Mr. Speaker, I seek unanimous consent to continue my statement.

MR. SPEAKER:

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

MR. KOE:

Mahsi. The constitutional options paper will be available well in advance of the conference so regions, communities and individuals can become familiar with it and have a chance to discuss it. Throughout the coming year, there will be regular public information as research information becomes available. CDSC member groups will also be involved in helping to keep people in the western Northwest Territories informed.

I would like to thank the western Members of this House for their active involvement in the first conference and their contribution to its success. I would also like to thank the Nunavut Members for their continuing support. Mahsi cho.

---Applause

MR. SPEAKER:

Item 3, Members' statements. Mr. Patterson.

Member's Statement On 795 Iqaluit Royal Canadian Air Cadet Squadron

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, 1995 marks a major milestone in the history of the 795 Iqaluit Royal Canadian Air Cadet Squadron. For 25 years, hundreds of Iqaluit youths have received valuable lessons in aviation and good citizenship while wearing the air cadet uniform. The Iqaluit squadron was formed in 1970 to develop in youth the attributes of good citizenship and leadership, to promote physical fitness, to stimulate the interest of youth in the air element of the Canadian armed forces, to promote and encourage among young people a practical interest in aeronautics and to assist those intending to pursue a career in the field of aviation.

Under the guidance of expert instructors, the 795 Iqaluit squadron trains up to four or five times a week. The aim of the training is to build better Canadian citizens by encouraging the young people of Iqaluit to invest their spare time in activities that would be of future benefit, both to themselves and their community. Although the cadets are part of a well-controlled and disciplined group, it should be clearly

understood that the training is completely voluntary and involves absolutely no military commitments.

The training program is based on the study of aviation and associated subjects which are not only of great interest to youth but, in these times, are of considerable importance to Canada. In the air cadets, young people are given a chance to develop valuable qualities of leadership and for those who attend regularly and display the proper cadet spirit, the program offers a host of interesting and worthwhile training opportunities. In short, air cadet training provides young people with a rewarding outlet for their best efforts.

The 25th annual inspection to be held in Iqaluit on May 27th will mark the completion of what has been another excellent year for the squadron, a year that started last September with

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the squadron being presented with the following awards: the Air Cadet League of Canada trophy for best squadron in the NWT and Yukon; the Stuart M. Hodgson trophy for best cadet unit in the Northwest Territories; and, the Canadian Forces northern area trophy for best cadet unit in the NWT and Yukon.

The squadron has been under the command of Lieutenant Pat Murphy since November of 1993. Pat was training officer with the unit for one year prior to his appointment as commanding officer.

I would like to request unanimous consent to conclude my statement, Mr. Speaker. Thank you.

MR. SPEAKER:

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

MR. PATTERSON:

Thank you, Mr. Speaker. The training officer of the squadron is Captain John Graham, who has been with the Iqaluit unit since 1985. Graham was administration officer for one year until his appointment as commanding officer in 1986. Graham was commanding officer until November 1993 when he turned over command to Pat Murphy. Mr. Graham continues his service with the unit in the capacity of training officer.

The administration officer of the squadron is Civilian Instructor Pat Patrick, who is in his third year of service with the unit. The supply officer is Second Lieutenant Frank Bumstead who has served in the position for four years. The range safety officer is Civilian Instructor Sean MacIntosh who is serving in his first year with the squadron. The senior cadets are: Warrant Officer, First Class, Tim Cucheran; Warrant Officer, Second Class, Michael Salomonie; Flight Sergeants Leo Twerdin and Aron Hirschman; and, Sergeant Ooloo Geetah.

The backbone of the 795 Iqaluit squadron is their sponsor, Royal Canadian Legion, Frobisher Bay Branch No. 4. Legion support of the 795 squadron has been unparalleled throughout the past 25 years. This support confirms the commitment of the branch to the community and, in particular, the air cadet program. This commitment was certainly demonstrated with the construction three years ago of the new \$1.2 million air cadet training facility. Congratulations are due to President Dwayne MacIntosh and his executive for their ongoing commitment to the squadron.

It took vision, wisdom and energy to form the 795 Iqaluit Squadron 25 years ago. It has required an enormous voluntary effort and the support of many public-spirited citizens, including the former commanding officers Captain Gerry Morgan, the first CO, 1970-76; Captain Hubert Janszen, 1976-77; Captain Ken Watchorn, 1977-81; Lieutenant Ezio Del-Deggan, 1982-83; Lieutenant Mike Parsons, 1983-85; Lieutenant Shawn Meehan, 1985-86; Capital John Graham, 1986-93; and, long-time sponsor, committee chairman Andy Theriault. Qujannamiik, Mr. Speaker.

---Applause

MR. SPEAKER:

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

Member's Statement On Reductions To Legal Interpreting Program

MR. PUDLAT:

(Translation) Mr. Speaker, I'll be speaking with regard to the legal interpreting program being quashed. This is a very useful program for having interpreters in the courts. There are many people with a first language other than English. This course was going to be very useful to the justice system in the Northwest

Territories, but we have learned that this program is going to be eliminated. We use interpreters quite often, and the legal interpreting program is going to be eliminated. In the justice system, we require interpreters at all times. I have quite a few problems if this program is going to be eliminated, and I will be asking questions with regard to this program to the Minister of Justice.

MR. SPEAKER:

Item 3, Members' statements. Mr. Whitford.

Member's Statement On GNWT Assistance To Elders

MR. WHITFORD:

Thank you, Mr. Speaker. Mr. Speaker, I think that governments in most developed countries view the treatment and care of their elderly as an issue of top priority. The Government of the Northwest Territories is no exception. They do a good job.

There is absolutely no doubt that we, here in the north, owe a huge debt of gratitude to our elders. They have made this country what it is. They have made sure that we were provided for on a daily basis as we grew up, that we grew up to be healthy in body and spirit, and that we had the opportunity to receive a good life and a good education. Our elders now provide wise role models and are living examples of their courage, strength and wisdom that we can all be proud of. Some of those elders fought in two world wars to ensure that we have the very freedom that we now exercise at this moment when we deal with our and their affairs.

I believe our territorial government has done an excellent job in the area of elder care. Since 1988, the Government of the Northwest Territories programs for seniors have provided many benefits to residents over the age of 60 that are not normally covered by hospitals or medical insurance in other provinces. Those include pharmacare, medical/surgical appliances, supplies and prosthesis, hearing aids, eye glasses, dental care, transportation to and from medical facilities, fuel subsidies, and in addition to those benefits, Mr. Speaker, our elders are not expected to pay property taxes if they live in their own homes. Our government hopes to provide to as many elders as many seniors' homes as we can financially support.

I note that more and more elders are now choosing to remain in the north rather than move to the south to

retire after they reach the end of their working years. Generally speaking, I believe the government must be commended for their assistance to our elder population. Thank you.

---Applause

MR. SPEAKER:

Thank you, Mr. Whitford. Item 3, Members' statements. Mr. Ballantyne.

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Member's Statement On Financing Of Two New Territories

MR. BALLANTYNE:

Thank you, Mr. Speaker. Mr. Speaker, yesterday I talked about the need in this government and Legislative Assembly to provide energetic and innovative leadership, a team NWT approach to get our economy on the move.

Today I want to talk about a very serious issue that reinforces my belief that we really have to do something and that's the whole issue of financing of division. I've been involved in this process as have many people in this House for many, many years. I remember Mr. Patterson, Mr. Kakfwi and myself in many, many meetings over the years always had a very fundamental understanding -- as did groups, aboriginal leaders in the east and in the west, the federal government, and our Cabinet and MLAs -- that there would be adequate funding to maintain the same level of programs after division so that the two new territories would have a very good chance to be successful. But I'm getting progressively more concerned as to whether or not that commitment is still there with the federal government.

I am one who has been on the record since 1982 as supporting the aspirations of the people of Nunavut for division, and I certainly don't want to see division sidetracked because there's not enough money. I'm also one who thinks it's very, very important that after division and in the years leading up to division, we maintain harmonious and cooperative relationships between the people of Nunavut and the people of the west. I really don't want to see a civil war erupt over diminishing revenues to support and sustain Nunavut and a western territory.

So I think it's very, very important that aboriginal leaders in the west and in the east, our Legislative

Assembly and our Cabinet work very closely together in this particular issue and make it very clear to the federal government that unless there is adequate funding for division, there are going to be some serious problems in our constitutional development here in the Northwest Territories. I would like our government to take leadership in this area, and see what we can do to ensure there's unanimity of approach towards the federal government to make sure we can afford two new territories. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

ITEM 4: RETURNS TO ORAL QUESTIONS

Further Return To Question 356-12(7): Policy Re Funding Personal Care Facilities In NWT

HON. NELLIE COURNOYEA:

Mr. Speaker, I have a return to an oral question asked by Mrs. Marie-Jewell on March 30th concerning policy regarding funding for personal care facilities in the Northwest Territories.

Mr. Speaker, on March 30, 1995, the honourable Member for Thebacha asked about how fees for seniors living in personal care facilities are determined. It is important to note, Mr. Speaker, that residents of personal care facilities are charged only for room and board. Residents of personal care facilities do not pay for the services or care they receive. However, the room and board fees are currently based on the level of care required. The room and board fees charged to residents receiving level 1 and 2 care, or "personal care," is \$380 a month. People requiring level 1 care are fairly independent, but may require some guidance or supervision with activities of daily living. At level 2, people are able to get around safely with or without aides, are able to assist in dressing and feeding, and are usually continent. The rate for people requiring personal care is indexed to the consumer price index and increases annually.

The room and board charges for persons receiving level 3 and 4 care, or "nursing home" care, in either a facility or extended care unit in a hospital is determined by the Territorial Hospital Insurance

Services Act. A person requiring level 3 care requires more than assistance and supervision, and is usually not continent. At level 4, a person requires regular and continuous medical attention on a 24 hour basis.

Residents requiring level 3 and 4 care are required to pay the total amount received through monthly pensions received under the Old Age Security Act, and a monthly allowance paid under the Northwest Territories Senior Citizens Benefits Act. This would be less \$75 which residents retain for personal comforts. This results in a maximum room and board charge of \$895. This amount is adjusted with the quarterly rate changes in old-age security and guaranteed income supplement payments.

Facilities cannot charge more than these rates for room and board to residents.

Mr. Speaker, the former Department of Social Services was responsible for people requiring personal care, and the former Department of Health was responsible for people requiring nursing home care. That is why we currently have these two different methods of determining room and board charges. This is confusing for both families and residents, and unfair, since residents can pay different amounts for the same room and board. In 1995-96, the Department of Health and Social Services plans to implement a single fee for residents of personal care facilities, multi-level care facilities, and long term care.

Mr. Speaker, I have another return, if I may proceed.

MR. SPEAKER:

Proceed, Ms. Cournoyea.

Further Return To Question 327-12(7): Funding For Official Languages Directives

HON. NELLIE COURNOYEA:

It is a return to a question asked by Mr. Titus Allooooloo on March 28th, regarding lapses under the languages agreement.

Mr. Allooooloo asked about money lapsed under the 1993-94 budget for the Canada-NWT cooperation agreement for French and aboriginal languages and why this money was not used to contract consulting services.

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Contract dollars were available under the 1993-94 French language budget, however, these contract dollars were to be used specifically for research on delivery models for French language services.

Due to difficulties in finding a qualified candidate, the project start date was delayed, resulting in a budget lapse of \$63,671.

Though the lapse was forecast in advance of the end of the fiscal year, the terms of the past languages agreement were such that there was little flexibility to transfer funding.

The current languages agreement allows much more flexibility to transfer funds as needs arise. Thank you.

MR. SPEAKER:

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

Further Return To Question 378-12(7): Review Of Pay Scales For Dental Therapists And Public Health Nurses

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Good afternoon. Mr. Speaker, I have a return to a question asked by Mr. Koe on April 3, 1995, concerning the status of collective bargaining with the UNW in the Northwest Territories.

Mr. Speaker, the Government of the Northwest Territories and the UNW have been unable to negotiate a collective agreement. In January 1995, the parties met, with Mr. Vince Ready acting as a facilitator. The Government of the Northwest Territories and the UNW were unable to agree on the major salary, benefits and hours of work issues. Mr. Ready suggested that both parties proceed to arbitration.

Agreement has now been reached with the GNWT to appoint Mr. Vince Ready and Mr. Duncan Stewart as co-arbitrators, pursuant to section 41.5 of the Public Service Act. The arbitrators will have all the powers and authority of arbitrators under the Arbitration Act.

Pre-hearing briefs will be exchanged between the parties on April 28, 1995 with copies submitted to the arbitrators. Rebuttal briefs will be exchanged on May 5, 1995. The arbitration hearing will occur on May 9 and 10, 1995. The arbitrators will have up to three months to make an award that will set the terms for

the new collective agreement. Thank you, Mr. Speaker.

MR. SPEAKER:

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

Return To Question 411-12(7): Authority For Housing Authorities To Collect Damage Deposits

HON. DON MORIN:

Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Koe on authority for collecting damage deposits by local housing authorities.

The authority to collect damage or security deposits is provided by section 14 of the Residential Tenancies Act. The handling of security deposits is regulated by sections 15 to 18 of this act. Thank you, Mr. Speaker.

MR. SPEAKER:

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

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

MR. PATTERSON:

I am happy to see that Ben McDonald is back, Mr. Speaker. Ben McDonald with the Union of Northern Workers.

---Applause

MR. SPEAKER:

Item 5, recognition of visitors in the gallery. Item 6, oral questions. Mr. Antoine.

ITEM 6: ORAL QUESTIONS

Question 413-12(7): Reason For Funding Reductions To Legal Interpreting Program

MR. ANTOINE:

Thank you, Mr. Speaker. My question is for the Minister of Justice with regard to the legal interpreting program funds that were cut. Mr. Speaker, most Members are aware that there is a study now being done with the firm of Avery Cooper & Co., which was hired to conduct a review of all interpreter/translator programs in the government.

Currently there are three government departments that deal with interpreters and translators. Arctic College is one, under Education, Culture and Employment; Health; and, Justice. But this particular question is for the Minister of Justice. Obviously, this report would contain recommendations regarding the legal interpreting program in the Department of Justice; however, a decision has been made to cut the legal interpreting program when this report is not yet complete. So I would like to ask the Minister why was this decision to cut this legal interpreting program made in isolation of the global picture this report would have provided? Thank you.

MR. SPEAKER:

Thank you. Minister of Justice, Mr. Kakfwi.

Return To Question 413-12(7): Reason For Funding Reductions To Legal Interpreting Program

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. It has been anticipated for months now that the federal government will be cutting substantial amounts of money from the budget of this government and that certain programs would also be targeted for reductions by the federal government. It was in anticipation of that that the Department of Justice decided to look at reductions of positions that it funds itself. We felt, at that time, that we could rationalize eliminating these two positions without doing any damage to the statutory obligations we have under legislation to deliver language services. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 413-12(7): Reason For Funding Reductions To Legal Interpreting Program

MR. ANTOINE:

Thank you, Mr. Speaker. For months we have been waiting for a language handbook promised by the Premier. We still haven't seen it, but we have been promised it...(inaudible)...done by the government to take a cut, but not

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as big a cut as was first anticipated, we realize that. But, why have decisions been made with the Department of Justice before this study with Avery

Cooper & Co. is completed? This study would have perhaps made recommendations and given direction to the government on how to deal with this budget, which is not as big as it used to be. Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 413-12(7): Reason For Funding Reductions To Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, it is the intention of this government to look at ways in which we can better deliver the training component required within language services. We are looking at having the training component that is decentralized, delivered by one of the departments; probably the Department of Education, Culture and Employment. We are keeping in mind that we have to deliver basic language services under our legislation. It is true, as all Members are aware, that there are substantial cuts being made to our funding by the federal government, not only to the annual amount given to us as a government, but also specific programs. The one most recently illustrated is the massive reduction in funding that the federal government is willing to give us for French and aboriginal languages. Thank you.

MR. SPEAKER:

Supplementary, Mr. Antoine.

Supplementary To Question 413-12(7): Reason For Funding Reductions To Legal Interpreting Program

MR. ANTOINE:

Thank you, Mr. Speaker. The Minister mentioned that there were two positions that were cut within the Department of Justice. I know there was a interpreter/translator position out of Fort Smith and a manager position. These are both positions in the Dene language terminology development positions. My understanding of these two position is they are key positions in trying to develop terminology within the legal system for Dene interpreters. The Minister said these were areas where his government could justify cutting these programs. I don't think so. I think these are two key areas. The Dene language interpreters were lagging way behind the Inuktitut language legal interpreters. These resources are now skewed from the east to the west. When he says that he can justify it, can he explain how cutting these two

key positions could be justified and help the interpreters in trying to develop the terminology for legal interpreting? It is key in the west that we need more interpreters in the court system to help people in the west. Mahsi.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 413-12(7): Reason For Funding Reductions To Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, there is only a certain number of places within the Department of Justice that we have some flexibility in being able to make reductions to the budget. Every one of those areas, I expect, will meet with opposition from the ordinary Members. I can't think of any area where I can propose reductions without some strong opposition from ordinary Members. It poses a dilemma for this type of government that works on a consensus. We have to come to the realization that the amount of money we have been operating on is no longer there. We have to make some very critical choices. Choices mean that you have to hold your nose, so to speak, with things that you find objectionable because there is simply not the means to deliver the same level of service any longer. It is with this in mind, that we made the cuts that we have. It is because the amount of funding that is available is no longer there that we have to make the kind of reductions that we do. It is unfortunate that this is happening and it is unfortunate that we come to look at areas like aboriginal languages, which all of us wish we could support and even allocate additional resources to but, at this time, that is not possible. So we try to protect those things that are essential, which are the actual interpreter positions. We have eliminated one manager's position. We have reduced the number of training sessions that we do on an annual basis and we have eliminated one position; a person who works on terminology for the western part of the territory. We think these are the least damaging of the reductions that had to be made to the scope of the program at this time. Thank you.

MR. SPEAKER:

Final supplementary, Mr. Antoine.

Supplementary To Question 413-12(7): Reason For Funding Reductions To Legal Interpreting Program

MR. ANTOINE:

Thank you, Mr. Speaker. This department has already made decisions with regard to the legal interpreter/translator programs. For example, the Minister mentioned two positions that were cut. I know there are positions that have not been filled yet and are left vacant. So there are decisions already made in how they are going to deal with these cuts. What is the purpose of the firm Avery Cooper conducting a review of all interpreter/translator programs in the government? I know the government has put aside \$45,000 to do this work. Before the review is done or any recommendations are put forward by this review group, the government departments have already made decisions to make cuts in some key areas. What is the purpose of this review? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 413-12(7): Reason For Funding Reductions To Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, that firm was contracted to carry out this work under the direction of the Minister of Education, Culture and Employment. Thank you.

MR. SPEAKER:

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

Question 414-12(7): Vote 4 Funding Reductions To Legal Interpreting Program

MR. ZOE:

Mahsi, Mr. Speaker. Mr. Speaker, I would like to question the same Minister with regard to the legal interpreting program also. Mr. Speaker, I am appalled at the manner in which the Minister has cut this particular program. As you know, this program has been doing a good job, in my view, in trying to catch up with the other linguistic groups. For instance, Mr. Speaker, this particular program produces a number of manuals, workshop materials, et cetera, to enhance

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the legal interpreting program. Mr. Speaker, I have one entitled, "Dogrib Legal Terminology." It is a small

book and this was one of the first series of terminology booklets that this program has produced. It only has a small number of legal words that have been translated. I know there is much more work to be done. As my colleague from Nahendeh indicated, the western languages are further behind than the Nunavut languages. That is why I am concerned.

Mr. Speaker, when discussing the reduction to the legal interpreting office yesterday, the Minister of Justice suggested that only one-quarter PY and some O and M funding has been cut. However, this was only the vote 1 funding. The program has traditionally been funded by vote 4 money; money which is less, due to cuts to the languages agreement. We are concerned, Mr. Speaker, that the government has chosen to cut a program which ensures people's rights to defend themselves in a court of law and be clearly understood. In answering Mr. Pudlat's question, why did the Minister refer only to vote 1 funding and not reveal that he had authorized cuts to half of vote 4 funding for this particular program? Mahsi.

MR. SPEAKER:

Thank you. Minister of Justice, Mr. Kakfwi.

Return To Question 414-12(7): Vote 4 Funding Reductions To Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, the Member should properly be more appalled, if he is at all, at the action taken by the federal government in reducing the commitments they had made in the previous languages agreement. It is a substantial reduction that the federal government has made in the new languages agreement now before us. The federal government is also moving to reduce funding to this government in a number of other areas and programs, so vote 4 money and vote 1 money are both being reduced.

As a government, we have also overspent, again this year. It is anticipated that there will be a substantial deficit. From somewhere, we have to recover fiscally. I don't purport to speak for the Minister of Finance but we are under instructions to find ways in which we can live within our means. As a Minister, I'm simply responding to questions, I'm not withholding information. I do know that when I go on at great length trying to give great detail to Members, I'm sometimes admonished for going on too long.

Over the last couple of years, anyway, I have tried to make my answers focused, simple and to the point. There is no intention to withhold information from Members. I was very happy to be in committee of the whole the other day to finally present my budget for the coming year as the Minister of Justice. But, I've been stood down. Perhaps during the next few days or early next week, I'll have the opportunity to answer in great detail all the questions Members may have in this regard. Thank you.

MR. SPEAKER:

Thank you. I would like to recognize the president of the Metis Nation, Gary Bohnet and Mike Paulette also.

---Applause

And I would also like to recognize three mayors: Mayor Dave Lovell, Mayor Joe Kunuk and Mayor Dennis Bevington from Yellowknife, Iqaluit and Fort Smith.

---Applause

Item 6, oral questions. Mr. Patterson.

Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

MR. PATTERSON:

Thank you, Mr. Speaker. I have a question also for the Minister of Justice. Mr. Speaker, I know the Minister is aware of how critical language is to our court system and how crucial it is that every person in court has the opportunity to be heard and clearly understood. That was confirmed in the Tran case in the Supreme Court of Canada recently, where the right of the accused to have a qualified and competent interpreter under section 14 of the Charter was clearly spelled out by the Supreme Court.

The legal interpreting program no longer has a manager. I would like to ask the Minister, without the support of a properly functioning legal interpreting program, who will ensure a consistent, competent legal translation service within the courts? Thank you.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, it is my understanding that the functions performed by the manager will now be taken over, in large part, by the official languages coordinator and that will eliminate, in large part, the requirements of that particular position which were to coordinate the training for interpreters, JPs and other people in the courts. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

MR. PATTERSON:

Mr. Speaker, I have a report dated January 1995 from the legal interpreting program that shows the staggering number of hours and communities that interpreters have, through this program, have offered in various levels of courts in the Northwest Territories. This is a major undertaking that has been entrusted to the legal interpreting program by the courts. It has the confidence of not only judges but prosecutors and the lawyers. I would like to ask the Minister how this service can possibly continue to be provided on a part-time basis by the official languages unit which has a myriad of other duties. Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. We are facing the reality that we have to try to do as much as we have

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in the past with less money. It means that there is going to be a reduction in the number of people we employ to carry out the work we have. One of the ways we're trying to face that is through an interdepartmental committee which is tasked with looking at how we can provide training with less money and still provide good, basic, quality training to

all sectors of this government. That is what the fund that Mr. Antoine referred to is for. This is headed by the Minister of Education, Culture and Employment.

The way in which we manage the services within the Department of Justice...As I said my managers are satisfied that the reductions we've introduced are manageable and that we can still deliver. The people we're asking to take over these functions with a reduced scope will be able to do the job adequately. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

MR. PATTERSON:

Mr. Speaker, this government is unique in Canada in that we allow unilingual people to sit on juries in the Northwest Territories, but this requires great care in the provision of competent interpreting services. Since the legal interpreting program will soon be without a full-time manager and is deprived of the position to coordinate Dene language services, I would like to ask the Minister, in light of the fact that this program has been severely reduced, whether he is now contemplating introducing amendments to the Jury Act to repeal the provision allowing for unilingual juries because we just won't be able to offer the service any longer. Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, there is no intention to request amendments to any legislation at this time, as a result of the reductions, by the federal government and this government, to the resources allocated to language services. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

MR. PATTERSON:

Thank you, Mr. Chairman. Mr. Speaker, the Minister tells us that we have less money for these services, which we all know, and tells us that an interdepartmental committee has been established of all affected departments, which is going to help government set priorities. I understand this interdepartmental committee exists and I understand that it is overseeing the study being done by Avery Cooper to decide how best to reallocate and reorganize the money devoted to legal interpreting within various activities of the government.

I would like to ask the Minister again -- and I know this question has been asked -- since the government is spending a precious \$45,000 on the Avery Cooper study, wouldn't the logical thing be, if we want to get value out of this study and we want to get everyone involved in setting priorities, to hold off any decisions on arbitrary and selective cuts in the various programs until after the study is complete so the government can get the considered advice and set priorities, considering the range of activities that are now being done. Isn't that the logical way to do it; to hold off decisions until you get considered, independent advice from the consultant and the interdepartmental committee? Isn't that how it should be done? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, the firm was retained to look at how we can continue to deliver training within the reduced scope of funding that is being forced upon us. The training right now is done, for instance, by the Department of Justice for its own legal interpreting staff. The Department of Education, Culture and Employment also does its own and so does the Department of Health, I believe. What we have tasked this group to do is simply see how we can centralize the training and make better use of existing dollars.

The way in which we manage our staff is still left to the individual departments. It is my initiative as the Minister of Justice and, as I said earlier, there are many efforts which I can reduce that don't fly in the

face of statutory obligations. This area seems to be one that my department is satisfied we can reduce without severely hampering the integrity of the service and without acting contrary to the statutory obligations we have under legislation. Thank you.

MR. SPEAKER:

Thank you. Final supplementary, Mr. Patterson.

Supplementary To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

MR. PATTERSON:

Thank you, Mr. Speaker. Well, I don't think the Minister has the horses to do the job but I would like to turn to another issue, Mr. Speaker. Mr. Speaker, the Minister assures us that the provision of competent interpreters that was formerly done by the legal interpreting program in the Department of Justice will now be handled part-time by the official languages unit and everything will be okay.

I would like to ask the Minister about the ongoing work that is required in identifying terminology and developing terminology to communicate legal concepts, particularly in the aboriginal languages. I would like to ask the Minister, since he has carefully thought through the implications of these cuts, who now will be responsible for continuing this ongoing work in developing and refining legal terminology in the aboriginal languages? Who is going to do it now? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

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Further Return To Question 415-12(7): Impact Of Staff Cuts On Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, that task is being looked at through the committee. Since it is a component of training, it will fall under the responsibility of the Minister of Education, Culture and Employment. Thank you.

MR. SPEAKER:

Thank you. I'd like to, again, recognize some visitors in the gallery. We have with us from Cambridge Bay

Larry Aknavigak, Kane Tologanak is a former Member, and Elizabeth Copeland from Whale Cove.

---Applause

Item 6, oral questions. Mrs. Marie-Jewell.

Question 416-12(7): Impact Of Manager's Position On Legal Interpreting Program

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I'd like to follow up on my colleague's questions to the Minister of Justice. Mr. Speaker, with regard to the legal interpreting program, it appears that an important concern in legal interpreting is consistency in language use, whether it's maintaining a high standard of interpreting or supporting and monitoring legal interpreters. The responsibility for addressing these concerns lies with the manager of the program.

I'd like to ask the Minister, can he explain why he indicated yesterday that, in deciding which position should be cut, it was decided that the manager's position was less important in maintaining the quality and consistency of the program than the administrative position. Thank you.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 416-12(7): Impact Of Manager's Position On Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, it is the view of my department that, all things considered, the best way to proceed was to eliminate that position and simply give the bulk of the responsibility to the official languages coordinator who is responsible for making recommendations leading to the implementation of the official languages legislation within the Department of Justice. We feel we can do a good job, an adequate job. It was a management decision that that is the best way for us to proceed at this time and that's what we are doing.

MR. SPEAKER:

Thank you. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 416-12(7): Impact Of Manager's Position On Legal Interpreting Program

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. The Minister had indicated that responsibility would be transferred to the official languages coordinator. Mr. Speaker, at present, there are two legal interpreter/terminologist positions, one for Inuktitut and one for the Dene languages. Not knowing whether the official languages coordinator is aware and fully knowledgeable of the Dene languages, can the Minister explain why he chose to cut the Dene languages position in the interpreting area? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 416-12(7): Impact Of Manager's Position On Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, we take responsibility for managing these positions and the people who occupy the positions. We believe at this time that the position here in the west is one that can be filled by realigning it with the work done by the committee; and, because of the distance to Iqaluit and the volume of work they do in the Inuktitut language, we felt that we should not disrupt that work at this time. The Member should keep in mind the reductions the government is making is just a beginning, and that is part of the reason that I made the comments earlier that I did, that we are having difficulty suggesting even small reductions at this time within the Department of Justice.

The federal government is just beginning -- in my view -- to make reductions. They have already made some very strong suggestions to us, there are some actual reductions being made to a number of programs. We are having difficulty in finalizing figures for programs which have been put back on the drawing board. It is very possible, over the course of the next six months - perhaps very early after the next election -- that we will be facing additional cuts to vital services, such as the language services that we presently deliver, simply because there will not be enough money to continue operating the way we have.

So, we have done this because we think that we can manage without these positions at this time. We know that we are going to continually have to, as managers, realign and reorganize because of the uncertainty of funding levels by the federal government overall, and in specific programs as well.

This is just the beginning, in my opinion, so it is very important for Members to keep that in mind. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 416-12(7): Impact Of Manager's Position On Legal Interpreting Program

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I am sure that we are all aware that we have to look for funding cuts over the next year and the following years to come. Mr. Speaker, this Minister is responsible for Justice, and justice must not only be done but must be seen to be done. I would like to ask the Minister, what has he done as a Minister to persuade the federal government to maintain the funding level needed for the legal interpreting program? Thank you.

AN HON. MEMBER:

Agreed.

MR. SPEAKER:

Mr. Kakfwi.

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Further Return To Question 416-12(7): Impact Of Manager's Position On Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, the original languages agreement that was signed by this government was done a long time ago. The new one was done by this government, and I accept responsibility as a Member of Cabinet, for the way it came down.

If she is asking me if I have specifically phoned the Minister of Justice and pleaded with him to use his good offices to pressure Paul Martin's office not to reduce the funding levels for this government, I have not done that specifically.

All federal Ministers are aware that we have great concerns with the funding level that we are being asked to accept. We have indicated to the Premier's office, the Minister's office, the Prime Minister is aware, so is the federal Minister of Finance, that much of the cuts that are expected of us, now and

over the next year or so, are going to be very, very difficult for us. And if there is any way possible, we would like to be spared the pain, but that is not possible. So, we have to at least go through the exercise of trying to reduce.

Again, I say that Members have to be aware that reductions are coming. And they have to help in telling us where they think we can afford to reduce and not just object to every suggestion that we make. At some time or another, we have to form a partnership; a partnership where the ordinary Members tell us the areas where they would support reductions and not just tell us the areas that they refuse to consider reductions. Because as I say, it is going to be an increasingly difficult problem for all of us. Thank you.

MR. SPEAKER:

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

Question 417-12(7): Minister's Receipt Of Recommendation Re Legal Interpreting Program

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. I, too, have a question to the same Minister, the Minister of Justice. I understand that recently an independent committee reviewed the legal interpreting program and wrote to the Minister of Justice strongly advising that this program not be cut. Did the Minister receive these recommendations that the program should not be cut? Thank you, Mr. Speaker.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 417-12(7): Minister's Receipt Of Recommendation Re Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, I must say that I am not certain which specific study the Member is speaking about and which specific recommendations. But I can tell the Member that I had no intentions of reducing this program. I had no intentions of reducing the funding levels to this program. It all started when the federal government ran into fiscal difficulties and they negotiated lower levels of funding to us. Once the federal government started cutting, we were all appalled but unable to do anything about it, except

look where we made expenditures with the view that we have to reduce.

This is where I am, the same as every other Minister across this country. Thank you.

MR. SPEAKER:

Supplementary, Mr. Pudlat.

Supplementary To Question 417-12(7): Minister's Receipt Of Recommendation Re Legal Interpreting Program

MR. PUDLAT:

(Translation) Supplementary to my question, Mr. Speaker, to the same Minister. Why were the recommendations not followed by the Minister?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 417-12(7): Minister's Receipt Of Recommendation Re Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, as I have said, I am not certain which set of recommendations the Member is speaking about. As I said, everything that I have done in the languages section is directly as a result of reductions being imposed on us by the federal government. I am not happy to do it, but it is a job that I am obliged to do so, and do it in a way that my senior management feel we can proceed with minimal disruption, and minimal damage to the integrity of the service we deliver. And this is the way we are proceeding. Thank you.

MR. SPEAKER:

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

Question 418-12(7): Reason For Fee Increase For Seniors' Vehicle Registration

MR. WHITFORD:

Thank you, Mr. Speaker. Mr. Speaker, yesterday I was informed by a spokesperson for the NWT Seniors' Association that the annual renewal of the registration for vehicles had gone up from a nominal fee of \$1 to \$30 for elders. I realize that an increase of \$29 may not be a large amount in the grand

scheme of things, but for a senior it may become quite a burden given the fixed income they have. I would like to direct a question to the Minister responsible for Transportation. Given the value that we place on our elders and seniors, I would like to ask the Minister, what was the rationale for reassessing the nominal fee and raising it to \$30?

MR. SPEAKER:

Minister of Transportation, Mr. Todd.

Return To Question 418-12(7): Reason For Fee Increase For Seniors' Vehicle Registration

HON. JOHN TODD:

Thank you, Mr. Speaker. The rationale was a general strategy on the part of Transportation to raise revenues when we were looking at our OPPLAN and O and M reductions. It was a very small part of trying to increase revenues to meet and maintain the current level of services that Mr. Kakfwi was alluding to earlier and that I've alluded to on a number of occasions. Thank you.

MR. SPEAKER:

Supplementary, Mr. Whitford.

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Supplementary To Question 418-12(7): Reason For Fee Increase For Seniors' Vehicle Registration

MR. WHITFORD:

Given the situation that we find ourselves in, I can appreciate the government's desires to generate revenue. On the other hand, there are certain benefits and privileges that are attained on becoming a senior and they are clawing some of these back. I would like to ask the Minister if he would direct his department to review and reconsider the increase with the objective of returning this to the nominal fee it was and even making it a much lower amount, given the small amount seniors take home with them and the small amount of revenues that would be generated. Would his department reconsider this?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 418-12(7): Reason For Fee Increase For Seniors' Vehicle Registration

HON. JOHN TODD:

Yes, Mr. Speaker, we'll initiate something to review this important issue. We'll take a look at the fiscal impact on our elders and the total revenues we anticipated receiving from this. I'll commit to reviewing this important issue for our elders.

MR. SPEAKER:

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

Question 419-12(7): Qualifications Of Official Languages Coordinator

MS. MIKE:

Thank you, Mr. Speaker. I also would like to ask the Minister of Justice some questions, after listening to questions posed by my colleagues concerning the PY cuts in the legal interpreting program. In one of his responses, Mr. Speaker, the Minister said the legal interpreter manager's responsibilities would be taken over by the official languages coordinator. I would like to know if this official languages coordinator has a background in linguistics.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I would have to take the question as notice. Thank you.

MR. SPEAKER:

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

Question 420-12(7): Expansion Of Services At Stanton Hospital

MR. DENT:

Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Health and Social Services. Mr. Speaker, last fall during the capital budget review, I asked the Minister about expanding services at Stanton hospital to reduce the amount of medical travel to the south, and she advised that a number of services were being looked at to see if they could be provided closer to home in a cost-effective manner. Mr. Speaker, we heard earlier that kidney dialysis is now planned for Stanton. Could the Minister advise if

other services that were being looked at have also been approved for provision by Stanton hospital?

MR. SPEAKER:

Minister of Health and Social Services, Ms. Cournoyea.

Return To Question 420-12(7): Expansion Of Services At Stanton Hospital

HON. NELLIE COURNOYEA:

Mr. Speaker, I'm pleased to have had the opportunity to work with the new chairman of the new Stanton hospital board who has worked along with the rest of the members of the hospital to see how much can be provided and how we could meet some of the long outstanding repatriation initiatives. It was recommended that the new or enhanced services of phase II of the repatriation initiative -- which will meet the needs that are currently not met -- be brought closer to home.

Phase I of the development began in July 1991 when Stanton Hospital was given approval for several enhanced new programs and these services were expected to repatriate the Northwest Territories residents from the south and to increase the number of services provided in the north. In March 1995, the Financial Management Board approved the following enhancements to the Stanton Hospital: new EFTs for a second general surgeon; ear/nose and throat specialist and paediatrician; expanded services for visiting neurology and urology; general support services for obstetrics and gynaecology; new patient care programs in metabolic education; kidney dialysis; and, electroconvulsive therapy.

Mr. Speaker, as well, because of the concern about the issue of speech pathologists, there has been an increase in the number of speech pathologists on staff by 1.5 person years, due to the fact that by increasing the ear/nose and throat team, they would save a significant amount of money currently being spent to refer children to the south.

In addition, Stanton is in the process of implementing a reorganization which is expected to free up enough resources to allow them to add an additional 1.5 person years on a temporary basis to clear up the backlog and complete assessments of the need for the services in Yellowknife. I believe this is in place.

Mr. Speaker, those are the main initiatives that have been discussed in terms of repatriation initiatives to

extend the development of the Stanton Hospital. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Supplementary, Mr. Dent.

Supplementary To Question 420-12(7): Expansion Of Services At Stanton Hospital

MR. DENT:

Thank you, Mr. Speaker. Supplementary to the same Minister. Can the Minister advise whether or not all of these services are intended to be added during this current fiscal year?

Further Return To Question 420-12(7): Expansion Of Services At Stanton Hospital

HON. NELLIE COURNOYEA:

All of these services, Mr. Speaker, are intended to be added almost immediately, or as soon as recruitment is effective. Thank you.

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MR. SPEAKER:

Thank you. Supplementary, Mr. Dent.

Supplementary To Question 420-12(7): Expansion Of Services At Stanton Hospital

MR. DENT:

Thank you, Mr. Speaker, supplementary. Regarding the speech therapist, the Minister advised that 1.5 PYs were temporary, to clear up the backlog. For what term will these PYs be included in the personnel make-up of Stanton?

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question 420-12(7): Expansion Of Services At Stanton Hospital

HON. NELLIE COURNOYEA:

Mr. Speaker, the number of speech pathologists on staff will be increased by 1.5 and this is an ongoing position. The second 1.5 PYs will be on a temporary basis to clear up the backlog and complete an assessment of the need for services in the

Yellowknife area. This, I assume, will be a temporary position until that backlog is caught up and the assessments have been done. At this point in time, I have no way of knowing how long those assessments will take. Thank you.

MR. SPEAKER:

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

Question 421-12(7): Status Of Bill C-68 In House Of Commons

MR. LEWIS:

Thank you, Mr. Speaker. My question is for the Minister of Justice. Mr. Speaker, over the last month, Members have really been lobbied by people interested in the gun control legislation, in front of the House of Commons. It's the best organized lobby I can remember since becoming a Member of this House, so it's obviously a major issue for all people of the territories.

I would like to ask the Minister, could he indicate to the House at what stage this legislation is at right now in the House of Commons, because I know he's keeping a very close watch on what's going on with this legislation.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 421-12(7): Status Of Bill C-68 In House Of Commons

HON. STEPHEN KAKFWI:

Mr. Speaker, Bill C-68 in the House of Commons received second reading yesterday. From there, I think procedurally it goes to the Standing Committee on Justice and Legal Affairs, chaired by Mr. Warren Allmand. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Lewis.

Supplementary To Question 421-12(7): Status Of Bill C-68 In House Of Commons

MR. LEWIS:

Thank you. I thought I heard, Mr. Speaker, that there are only three Liberal Members who broke party ranks and decided to support this particular bill, so I

appreciate the confirmation. I would like to ask the Minister, what opportunities will the public, who have been lobbying us, have to make presentations to whatever committee is established to deal with it?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 421-12(7): Status Of Bill C-68 In House Of Commons

HON. STEPHEN KAKFWI:

Mr. Speaker, it's my impression that the committee is expected to report very quickly back to the House of Commons so that Members are not allowed to stray too far from the political fold over the course of the summer recess. The government in Ottawa wants to deal with this with some haste. They already have three dissenting voters within their ranks. It's expected that if there's a delay, the lobby being mounted by Canadians across this country could result in a serious fragmentation of the Liberal Party on this particular issue.

The standing committee chaired by Mr. Allmand, I understand, is expected to report very quickly to hold hearings over the course of perhaps a month or a month and a half at the most, so that the parliamentary procedure can be completed without too much delay. This means, at least it implies, that not everyone across this country will be allowed to be heard. They will perhaps be selective of the amount of time and number of presentations they allow to be made to them.

MR. SPEAKER:

Thank you. Supplementary, Mr. Lewis.

Supplementary To Question 421-12(7): Status Of Bill C-68 In House Of Commons

MR. LEWIS:

What form, Mr. Speaker -- since we have been lobbied so heavily by people in the Northwest Territories -- will the government intervention take in trying to make sure that the views of northern people will be heard by this committee?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 421-12(7): Status Of Bill C-68 In House Of Commons

HON. STEPHEN KAKFWI:

There is a letter that was sent to the chairman, Mr. Allmand, requesting that they visit the Northwest Territories, and that the committee of this Legislature which I am chairing be allowed some time to make a presentation, and that time also be allocated for those groups from the Northwest Territories that wish to make presentations on their own behalf. I've also requested a meeting with the federal Minister of Justice for the week after Easter, in mid-April, to again impress upon him the nature of our concerns, but also to remind him that we support elements of his legislation. There are just certain elements of it which we find are too severe, such as the sentencing components contained within the Criminal Code part, and the administrative nightmare that would result from the imposition of a national registration system. Thank you.

MR. SPEAKER:

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

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Supplementary To Question 421-12(7): Status Of Bill C-68 In House Of Commons

MR. LEWIS:

Thank you, Mr. Speaker. My final supplementary is this, Mr. Speaker. Now that this bill has been given second reading, will there still be the possibility to address some of the changes that people in the Northwest Territories would like to see in that bill now that it has been referred to committee?

MR. SPEAKER:

Mr. Kakfwi. Mr. Lewis.

MR. LEWIS:

I would like to seek unanimous consent to extend question period.

MR. SPEAKER:

The Member for Yellowknife Centre is seeking unanimous consent to extend question period. Are

there any nays? There are no nays. The question has already been asked, Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I can't remember the question. I was kind of befuddled with the Member's request. Perhaps he could rephrase it again.

MR. SPEAKER:

Mr. Lewis, you did use up your four questions, but I will allow you to ask the last question if you ask exactly what the question was.

---Laughter

MR. LEWIS:

Thank you, Mr. Speaker. I would like to ask the Minister since the gun control legislation has received second reading, therefore whatever the principle was in that bill has been established and accepted, could the concerns of Northwest Territories residents about the legislation now be dealt with in these hearings that are being proposed?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 421-12(7): Status Of Bill C-68 In House Of Commons

HON. STEPHEN KAKFWI:

Mr. Speaker, it is possible that the committee chaired by Mr. Allmand could come forward with some recommendations which could make substantial changes to the measures contemplated in the bill. We still have opportunity to meet with the federal Minister, ourselves. Our two Members of Parliament within the federal party also have access to the Minister, and I'm sure are doing what they can to listen to the political will of the people across this country.

It is my view that allies come from different places. For instance, the entire gathering of Ministers in Victoria in January when we met as respective governments with the federal Minister, we asked him if there was some way to make changes. Some of them were to the severity of the sentences contemplated in his proposal. We couldn't get the Minister to budge at all. But you will have noticed that in the news, when the police association made that

comment and suggested that perhaps he may want to look at being more flexible in the sentencing for first and second-time offenders, law-abiding citizens who inadvertently run into conflicts with these registration laws. He seemed very willing and seemed to suggest that yes he would work in concert to appease the request made by the police association. So there is some movement still at this late stage and we are happy for it, we

continue to work on it. Thank you.

MR. SPEAKER:

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

Question 422-12(7): Discussions With Federal Minister Re Funding For Division

MR. BALLANTYNE:

Thank you, Mr. Speaker. It took a while and I actually forgot my question, but I had enough time to remember it again, so I can proceed. My question, Mr. Speaker, is to the Minister of Finance; it has to do with funding for the two new territories proposed for 1999. I, as well as other Members, have always had some concern that when the day comes, there won't be enough money in the pot to sustain two new territories, but I know the Minister of Finance just met with the federal Minister of Finance. I wonder if the Minister of Finance can tell us if the subject of funding for division came up in the conversation. And if it did, when can we expect some concrete responses from the federal Minister of Finance on the funding for division?

MR. SPEAKER:

That was two questions, Mr. Ballantyne. Minister of Finance, Mr. Pollard.

Return To Question 422-12(7): Discussions With Federal Minister Re Funding For Division

HON. JOHN POLLARD:

Mr. Speaker, we were not there to specifically discuss the incremental funding required for the division of the Northwest Territories, although it did come up by way of the next formula funding agreement expiring in time for it to divide and become two and fund both territories. So it only came up in that respect, but the last time I asked this question on incremental funding they said they had not done their projections out that far.

MR. SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 422-12(7): Discussions With Federal Minister Re Funding For Division

MR. BALLANTYNE:

Thank you, Mr. Speaker. Mr. Speaker, as a Member of the Legislative Assembly Special Joint Committee on Division, I have seen some correspondence from the federal government on the whole area of costing. From the very beginning when we started this process with the federal government, it was quite firm that they would maintain the same level of programming.

The correspondence coming from the federal government now has qualifiers, such as "depending on financial realities," et cetera, et cetera. So I see the commitment softening and I think it is very important that we jump in now and jump in hard,

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because it seems to me that nobody in Ottawa is really paying a lot of attention to some of the fiscal realities of division. Could I ask, from the Minister of Finance, for a commitment that he will consider this a very important issue and will push this issue very firmly that we need some full commitments on funding for the two new territories post 1999. Thank you.

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 422-12(7): Discussions With Federal Minister Re Funding For Division

HON. JOHN POLLARD:

I will make that commitment, Mr. Speaker, yes. Thank you.

MR. SPEAKER:

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

Question 423-12(7): Responsibility For Collection Of Damage Deposits

MR. KOE:

Mahsi, Mr. Speaker. I have a question for the Minister of the Housing Corporation. Earlier today, the Minister indicated that the authority for collecting

damage deposits is under the Residential Tenancies Act. I would like to get some clarification. My first question is when damage deposits are collected from tenants in social housing, whose responsibility is it to collect and account for those deposits?

MR. SPEAKER:

Minister responsible for the Housing Corporation, Mr. Morin.

Return To Question 423-12(7): Responsibility For Collection Of Damage Deposits

HON. DON MORIN:

Thank you, Mr. Speaker. The landlord is responsible for collecting tenant damage deposits. Thank you.

MR. SPEAKER:

Mr. Koe, supplementary.

Supplementary To Question 423-12(7):
Responsibility For Collection Of Damage Deposits

MR. KOE:

In cases of the houses owned by the Northwest Territories Housing Corporation, who is the landlord? Is it the Housing Corporation or the local housing authorities?

MR. SPEAKER:

Mr. Morin.

Further Return To Question 423-12(7): Responsibility For Collection Of Damage Deposits

HON. DON MORIN:

Thank you, Mr. Speaker. The NWT Housing Corporation is the owner of the building; and the housing authority, through agreements with the NWT Housing Corporation, has the authority to operate and maintain those buildings. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 423-12(7):
Responsibility For Collection Of Damage Deposits

MR. KOE:

I didn't quite hear the Minister. My question was I wanted to know who was the landlord, because the act is very specific that the landlord collects and receives these deposits and they have to accrue interest. So, I am trying to pin down exactly who the legal landlord is of the social housing units under the responsibility of the Northwest Territories Housing Corporation. Is it the individual community housing authorities or is it the Northwest Territories Housing Corporation?

MR. SPEAKER:

Mr. Morin.

Further Return To Question 423-12(7): Responsibility For Collection Of Damage Deposits

HON. DON MORIN:

Thank you, Mr. Speaker. I believe that the landlord is the NWT Housing Corporation. And that the NWT Housing Corporation enters into agreement with housing authorities and housing organizations to do business on their behalf. I will get more information on this and give it to the Member. Thank you.

MR. SPEAKER:

Thank you. Final supplementary, Mr. Koe.

Supplementary To Question 423-12(7):
Responsibility For Collection Of Damage Deposits

MR. KOE:

Mahsi, Mr. Speaker. Currently the damage deposits are collected and, in some cases, once a tenant leaves, there has to be repainting or repairs. The damage deposits that are collected are very inadequate to cover the cost of repairs. I would like to know whose responsibility it is to pay for the repairs to damaged units if the tenant cannot pay or a cost cannot be recovered from a tenant. Whose responsibility is it to pay for the amount of the damages to the unit?

MR. SPEAKER:

Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Speaker. I will take that as notice and get back to the Member. Thank you.

MR. SPEAKER:

The question is taken as notice. Item 6, oral questions. Mr. Whitford.

Question 424-12(7): Preparation For Student Summer Employment

MR. WHITFORD:

Thank you, Mr. Speaker. Mr. Speaker, as we all know, very shortly the students from the Northwest Territories who are at universities, colleges and other institutions in the south, will be returning home looking for jobs in their communities. Yellowknife is no exception, there are going to be quite a number coming here. I would like to ask the Minister -- because I do get calls from students asking how and where to go to find employment and what kind of services are available for that -- if he can advise me and the Members of this House, what initiatives has he undertaken to provide services to students in Yellowknife to deal with summer employment?

MR. SPEAKER:

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

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Return To Question 424-12(7): Preparation For Student Summer Employment

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker, and I thank the honourable Member. Mr. Speaker, maybe this is a matter following up on Mr. Dent's former questions. Mr. Speaker, to the honourable Members and the Member of the House, I can advise that the Department of Education, Culture and Employment in cooperation with Human Resources Development Canada and the Yellowknife Chamber of Commerce are currently organizing a student placement service. This service will be opened and will continue through August. Three students will be hired by the chamber of commerce to provide the service using funding provided by Human Resources Development Canada and the service will serve all employers, public and private sectors in addition to direct employment services of Education, Culture and Employment. The staff at the North Slave Career Centre will provide weekly seminars in various career development areas, whether or not they are interview techniques or job search, this cooperative approach will provide

general services and students will be referred to specific employers where opportunities for employment exists, both private and the public sector.

MR. SPEAKER:

Supplementary, Mr. Whitford.

Supplementary To Question 424-12(7): Preparation For Student Summer Employment

MR. WHITFORD:

Thank you, Mr. Speaker. I thank the Minister for that response. It is, again, in connection with what my colleague had been asking earlier on as well. A few years ago, I was in the same situation; looking for employment. It was always a burden trying to find out where the jobs were before you got back to the north. There used to be ways of letting the students know. Has the department undertaken to notify the students about this initiative? If they have, when did they contact the students regarding summer employment?

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 424-12(7): Preparation For Student Summer Employment

HON. RICHARD NERYSOO:

Mr. Speaker, generally the responsibility of contacting falls within the responsibility of my colleague, the Premier, Ms. Cournoyea. I can advise the honourable Member that letters were sent out on February 9, 1995 of this year. They were sent to all students. The Premier will be providing more information on this particular matter during her introduction to the Department of Personnel.

MR. SPEAKER:

Thank you. Item 6, oral questions. Mrs. Marie-Jewell.

Question 425-12(7): Date Of Eligibility For Metis Health Benefits

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have a question for the Minister of Health. Mr. Speaker, in the Finance Minister's budget, an indication of approval for Metis health benefits was announced. This program was to

be available to the Metis people as of April 1st. Are Metis people in the Northwest Territories eligible for health benefits as of April 1, 1995? Thank you.

MR. SPEAKER:

Minister of Health and Social Services, Ms. Cournoyea.

Return To Question 425-12(7): Date Of Eligibility For Metis Health Benefits

HON. NELLIE COURNOYEA:

Mr. Speaker, no, because we have not passed the supps. Thank you.

MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 425-12(7): Date Of Eligibility For Metis Health Benefits

MRS. MARIE-JEWELL:

I was under the impression that we had. The supp was from April 1st to June 30th and we passed that last week. What was the request in the supplementary budget for the Department of Health for? Thank you.

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question 425-12(7): Date Of Eligibility For Metis Health Benefits

HON. NELLIE COURNOYEA:

Mr. Speaker, in the supp, there was an interim appropriation that was passed. My understanding is until the main estimates, which outline the money for the Metis health benefits, clear the House, we won't see it. Thank you.

MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 425-12(7): Date Of Eligibility For Metis Health Benefits

MRS. MARIE-JEWELL:

Just to clarify, Mr. Speaker, it was my understanding that the supplementary estimates was a portion of the funding allotment for the Department of Health. I don't have a supplementary estimates book in front of me, therefore, it is difficult to determine. It was my understanding that a certain percentage of the Department of Health main estimate budget was formulated in the supp budget to approve expenditures of this government from April 1st until the end of June. Within that percentage, I had presumed that the Metis health benefits were available to the Metis people of the Northwest Territories. Can the Minister advise the House as to when these benefits will be available for the Metis people to take advantage of? Thank you.

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question 425-12(7): Date Of Eligibility For Metis Health Benefits

HON. NELLIE COURNOYEA:

Mr. Speaker, once the main estimates clear the House and I have had an opportunity to sit down with the Metis Association to see how these benefits are going to be applied and we can agree on how far we can go on the allocation, then they will be instituted. Thank you, Mr. Chairman.

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MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 425-12(7): Date Of Eligibility For Metis Health Benefits

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. It is unfortunate that as of today, if they have a prescription, they can't go to a pharmacy like status people can to get either a free prescription or whatever their benefits may include. In the event that Metis people have such an expenditure with regard to health, is this expenditure reimbursed retroactively to Metis people of the Northwest Territories? Thank you, Mr. Speaker.

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question 425-12(7): Date Of Eligibility For Metis Health Benefits

HON. NELLIE COURNOYEA:

Mr. Speaker, I can't make that statement because when and if the Legislative Assembly is going to pass this allocation, I will have to sit down with the Metis Association and determine what areas this allocation can cover and where they want to put their priorities. It would be presumptuous of me to say if someone made a purchase, that that specific item would be on the agreed-upon list, Mr. Speaker.

MR. SPEAKER:

Item 6, oral questions. Mr. Patterson. No? Ms. Mike.

Question 426-12(7): Assessment Of Impact Of Cuts To Legal Interpreting Program

MS. MIKE:

Thank you, Mr. Speaker. My question is to the Minister of Justice regarding the legal interpreting program cuts. Mr. Speaker, I am one of the fortunate ones to have taken that program when I was an employee of the language bureau. Before I took the program, whenever I had to interpret in court, it used to be very intimidating not really knowing the procedures of the courts and not only that, but interpreting for someone whose life might be at stake. Mr. Speaker, my question to the Minister is have there been any assessments made if drastic cutbacks are going to proceed? Thank you.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 426-12(7): Assessment Of Impact Of Cuts To Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, there is no study such as what the Member is making reference to. It is our view that we have to continue to do the best we can to retain the basic services that we are obliged by legislation to provide. We take the optimistic view that whatever cuts are being delivered and contemplated would not be of such a degree that it would completely cripple the ability of this government to meet its obligations under legislation. If it should come to such an occasion, I suppose all Members of this House would have to contemplate making revisions to legislation to

ease the demands that we place on ourselves at this time. Thank you.

MR. SPEAKER:

Supplementary, Ms. Mike.

Supplementary To Question 426-12(7): Assessment Of Impact Of Cuts To Legal Interpreting Program

MS. MIKE:

Thank you, Mr. Speaker. Mr. Speaker, I don't agree with the Minister. I understand the manager of the legal interpreting program had a linguistic background. Inuktitut language grammar is very similar to the Dene languages, which all of us found during legal interpreting courses that we took. As you know, Mr. Speaker, sometimes one little word in English can have other possibilities in our native languages and that is one of the things that this program offers, that legal interpreters be very careful how they interpret when a witness is being questioned or cross-examined.

I'll give you an example. In a sexual abuse case, the defence lawyer was asking a question along the lines of this: "Were you laying down?" I was about to interpret that into Inuktitut when all of a sudden I realized what this program taught me. In our language, we have more than four different ways of laying down. This program is very beneficial in recognizing such things like that. If you're not interpreting properly, the outcome of the court...

MR. SPEAKER:

Ms. Mike...

MS. MIKE:

Mr. Speaker, my question to the Minister is, will he at least consider making an assessment of what impact the cutbacks he is proposing will have on the legal interpreting program?

MR. SPEAKER:

I will remind the Members that when you first ask a question, you have time for a preamble and when you make supplementaries, you should try to limit yourself because you've already explained what your question is all about. Can I ask Members, when you go to your second and third questions, that you keep your preambles short. Mr. Kakfwi.

Further Return To Question 426-12(7): Assessment Of Impact Of Cuts To Legal Interpreting Program

HON. STEPHEN KAKFWI:

Mr. Speaker, we don't contemplate at this time any specific review of what the impact reductions will have on legal interpreting but we are organizing to ensure that we streamline the management of the program within the department division. We're going to take the training component out of there and centralize it in concert with the other departments. We will continue to do what we can to ensure that whatever reductions are made are internal to the department and do not affect positions that directly serve the communities. Thank you.

MR. SPEAKER:

Item 6, oral questions. Mr. Ningark.

Question 427-12(7): Regulation Re Fire Retardant On Canvass Tents

MR. NINGARK:

Thank you, Mr. Speaker. My question is directed to the honourable Minister of Safety and Public Services. Earlier this morning, I received a phone call from one of my communities regarding the wall tents that are sold in the regional stores in my area. According to the gentleman, Mr. Speaker, wall tents that are sold now have to be fire retardant. Also, according to the same gentleman, when you move around your personal effects from camp to camp, these tents

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can be very heavy and cumbersome. People in the eastern Arctic go camping in the early spring and late fall when they use Coleman lamps and stoves.

When you have your Coleman lamps and stoves on in an airtight tent, there is a danger of a build up of poisonous gas. My question to the honourable Minister, Mr. Speaker, is, is there a regulation that wall tents sold in regional stores now have to be treated with a fire retardant coating? Thank you.

MR. SPEAKER:

Minister of Safety and Public Services, Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I'm not certain, Mr. Speaker, if there is a regulation with regard to this particular matter. I believe it's potentially part of the fire code. So that I'm absolutely clear on the matter, Mr. Speaker, I'll take the question as notice and respond appropriately to the honourable Member.

MR. SPEAKER:

Thank you. The question has been taken as notice. Item 6, oral questions.

Question 428-12(7): Inclusion Of Metis Health Benefits Funding In Interim Supply Bill

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I'd like to ask the Minister of Finance a question with regard to the interim appropriation bill that was passed last week. Mr. Speaker, the interim appropriation bill asked for funding from this government for \$368 million to operate from April 1st to June 30th. The act was required to defray the operation and maintenance expenses of the Government of the Northwest Territories. Mr. Speaker, within this amount, \$83.817 million was approved for the Department of Health and Social Services and the health and services development area had \$21.121 million approved.

I'd like to ask the Minister of Finance, why aren't Metis health benefits a part of that amount, particularly when it is in the main estimates? A total of \$75 million was presented to this House to be approved in the main estimates. Thank you.

MR. SPEAKER:

Minister of Finance, Mr. Pollard.

Return To Question 428-12(7): Inclusion Of Metis Health Benefits Funding In Interim Supply Bill

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, normally when we ask for a supply bill, an interim appropriation, until we get the main estimates through the House, we ask departments to come forward with enough money to operate for the period of time specified; in this case it's three months. We also say to departments that they must have in that particular bill, the money required to pay for any contractual agreements that they have, and that is what the Financial Administration Act states. So, it is not normal to put new initiatives. It is not normal to put into an interim

appropriation things that have not yet been discussed by the House, or as I say, are new initiatives in a particular department.

It merely is enough money to make the government operate while consideration is being given to the main estimates. So that is why the Premier answered the way she did; it is not normal to have those other things in an interim appropriation. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 428-12(7): Inclusion Of Metis Health Benefits Funding In Interim Supply Bill

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I wasn't aware that new initiatives are not included in the Interim Appropriation Act once we pass and ask for the supp. I was under the impression that a percentage of the main estimates is included in the overall Interim Appropriation Act. So, I would like to ask the Minister of Finance, will Metis people of the Northwest Territories be eligible -- since he announced in the budget that the Metis benefits come into effect April 1st -- for reimbursement in the event that they expend funding for medical services? Thank you.

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 428-12(7): Inclusion Of Metis Health Benefits Funding In Interim Supply Bill

HON. JOHN POLLARD:

Mr. Speaker, when I made that statement, I was going on the assumption that we would have had the main estimates passed through this House right now so that we could begin doing those things that we said we would do in the budget, on April 1st this year. So, I didn't realize that we were going to have this problem and that we were going to be past the deadline. I was probably being a little eager in saying that this would be in place by April 1st.

Mr. Speaker, there has yet to be an arrangement worked out with the Metis Nation with regards to how this is going to be handled. The Minister of Health has some very good ideas on how this can be handled. I would venture to suggest that, until such

time as we get this issue passed through this House, there will not be retroactive payments to Metis people. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Supplementary, Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. What a disappointment to Metis people of the NWT. Mr. Speaker, I would like to ask the Minister of Finance -- once the main estimates are passed with the \$1 million proposal they are placing forth for Metis health benefits -- will he consider retroactive payments for Metis benefits, for expenses, that have been incurred by Metis people of the Northwest Territories? Will he consider reimbursement? Thank you.

MR. SPEAKER:

Can I ask, Mrs. Marie-Jewell, if you could rephrase the question? I believe the question is hypothetical. Perhaps the question should be if the budget is approved. Can you rephrase your question.

MRS. MARIE-JEWELL:

I don't believe that it is hypothetical. But, Mr. Speaker, I know I shouldn't question your ruling. I would like to ask the Minister of Finance whether or not he will

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consider giving Metis people reimbursement of funds for the expenses they incurred as of April 1st. Thank you.

MR. SPEAKER:

Mrs. Marie-Jewell, I am not quite clear on the question you have asked because you are asking if it could be retroactive. I guess I will have to ask the Minister in addition...That the question should be that it becomes retroactive if the budget is approved. I didn't hear that, I am not too clear on the question. Could you clarify yourself.

Supplementary To Question 428-12(7): Inclusion Of Metis Health Benefits Funding In Interim Supply Bill

MRS. MARIE-JEWELL:

Mr. Speaker, will the Minister of Finance consider reimbursement for Metis people who have expended funds on health expenses, will he consider reimbursement to be as of April 1, 1995? Will he consider reimbursement for these expenses incurred?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 428-12(7): Inclusion Of Metis Health Benefits Funding In Interim Supply Bill

HON. JOHN POLLARD:

No, Mr. Speaker. Thank you.

MR. SPEAKER:

Mrs. Marie-Jewell, final supplementary.

Supplementary To Question 428-12(7): Inclusion Of Metis Health Benefits Funding In Interim Supply Bill

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. Can I ask the Minister of Finance why?

Further Return To Question 428-12(7): Inclusion Of Metis Health Benefits Funding In Interim Supply Bill

HON. JOHN POLLARD:

Mr. Speaker, as I said, somewhat naively, I thought this would all be done by April 1st, it isn't. Until such time as this House approves that particular budget, and until such time as this House approves the bill -- that is, the main appropriations for the Government of the Northwest Territories -- we won't be able to start doing some of those things. The Minister of Health has yet to do some work with regard to how the program is going to be administered, et cetera, et cetera. So, I think rather than just making wild commitments saying that we will go retroactively, I think the realistic way to do it is to say no, until such time as the program is in place and it is up and running; then we will deal with those Metis people and give them those benefits from that day forth. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Item 6, oral questions. Item 7, written questions. Item 8, returns to written questions. Item

9, replies to opening address. Item 10, petitions. Mr. Todd.

ITEM 10: PETITIONS

HON. JOHN TODD:

Thank you, Mr. Speaker. I have a petition I would like to table. Petition No. 5-12(7) is signed by 421 residents of Rankin Inlet requesting that the Government of the Northwest Territories provide funding for an additional 2.5 nursing staff at the Rankin health centre to ensure a full complement of staff at the facility. Thank you.

AN HON. MEMBER:

Hear! Hear!

MR. SPEAKER:

Thank you. Item 10, petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Mr. Kakfwi.

ITEM 13: TABLING OF DOCUMENTS

HON. STEPHEN KAKFWI:

Mr. Speaker, I wish to table Tabled Document 84-12(7), correspondence between the Minister of Justice, the Attorney General of Canada, and the Northwest Territories Minister of Justice with regard to the agreement respecting legal aid in civil and criminal law matters and in matters leading to the Young Offenders Act. Thank you.

MR. SPEAKER:

Thank you. Item 13, tabling of documents. In accordance with clause 30(2) of the Northwest Territories Act, I wish to table Tabled Document 85-12(7), Report of the Auditor General of Canada on Other Matters arising from his examination of the accounts and financial statements of the Government of the Northwest Territories for the year ending March 31, 1994.

Item 13, tabling of documents. Item 14, notices of motion. Item 15, notices of motions for first reading of bills. Mr. Dent.

ITEM 15: NOTICES OF MOTIONS

FOR FIRST READING OF BILLS

Bill 32: An Act To Amend The Legislative Assembly And Executive Council Act, No. 2

MR. DENT:

Mr. Speaker, I give notice that on Monday, April 10th, I shall move that Bill 32, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2, be read for the first time.

---Applause

MR. SPEAKER:

Thank you. Item 15, notices of motions for first reading of bills. Item 16, motions. Item 17, first reading of bills. We will take a 10-minute break.

---SHORT RECESS

MR. SPEAKER:

I call the House back to order. Item 18, second reading of bills. Mr. Lewis.

ITEM 18: SECOND READING OF BILLS

Bill 31: Recall Act

MR. LEWIS:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Yellowknife South, that Bill 31, Recall Act, be read for the second time. Mr. Speaker, this allows voters from an electoral district of a Member of the Legislative Assembly to apply to the chief electoral officer for the issuance of a petition for the recall of the Member. Where a recall petition is issued and is signed by the required number of voters, the chief electoral officer shall declare that the seat of the Member is vacant and direct that a by-election be held to fill the seat. Thank you, Mr. Speaker.

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MR. SPEAKER:

Thank you. To the principle of the bill. Mr. Lewis.

MR. LEWIS:

Thank you very much, Mr. Speaker. Mr. Speaker, Members know that I've raised the issue of accountability many times in this Assembly over the past seven years. Members will recall I worked on a system for electing the Premier-at-large so that

people would know, in fact, who is in charge of the government and was going to be providing it direction and so on. I've also worked on various ways in which party politics could emerge in the Northwest Territories if there were legislation in place in order to support it. In fact, Mr. Speaker, accountability was a major issue when I first ran for election in 1987. I've worked on things that I've promised to work on and since accountability was the major issue, this is the one on which I spent quite a bit of my time.

During the past seven years many changes have taken place across the country. The effect of the debate over the Meech Lake Accord and the referendum over the Charlottetown Accord showed us how out of touch politicians are with the electorate. The rise of the Reform Party with its dedication to direct democracy is a very clear indication that the public wants to be more involved in the political process. The extensive national debate on the Constitution has focused public attention on other ways of making the country, the government and Parliament work better. There's a clear message that the government should connect with the public in a far better manner.

Three years ago, Mr. Speaker, I began working on recall legislation as one of the ways to reinforce that an elected Member in our system be directly accountable to the electorate. In the absence of political parties, all Members of the Legislature are elected as independents. No one gets elected as part of a territorial team that raises money and develops a platform to obtain a majority of party Members in this Assembly. Despite the apparent accountability to the public in the Northwest Territories, however, Mr. Speaker, the public has no disciplinary powers over its Members in the way that a political party does in the provincial Assemblies or in the House of Commons, although there is a gradual movement to allow people free votes in some jurisdictions.

Recall, Mr. Speaker, is one of the ways to establish the linkage of accountability in our system of government. I know that Members have wrestled with the problem in the past but nobody has brought forward a solution. Read Mr. Braden's letter to me which I tabled yesterday, and Members will know how much has gone into this bill and how long the delay has been, how many times this has been referred to different places. So I should like to point out to Members and to the public that this is not a last-gasp initiative. It's taken years.

I would like to remind Members that at second reading we're dealing only with a very simple question. Do you believe that the electorate should have the power to remove its Members before his or her term of office has expired? Do you believe in accountability to the public in the absence of party politics? Do you trust the people who elected you well enough to give them the power to remove its Member?

At this stage, we're not discussing the details of recall, Mr. Speaker, we are discussing only the principle of recall itself. There have been two lengthy debates on recall over the past year: one in the House of Commons in June 1994, and one in the British Columbia Legislature in July 1994. These debates provided a full range of arguments over the advantages and disadvantages of recall. It's interesting to note, Mr. Speaker, that the main argument used in the House of Commons against recall was that no nation state had ever adopted it yet. I would like to point out, Mr. Speaker, that below the level of the nation state, it does exist in the cantons of Switzerland and in the state legislatures of the United States and there's widespread use of the mechanism at municipal and regional levels. The principle of recall exists in aboriginal governments and it exists in the way we operate in this House with regard to the recall of Cabinet Ministers.

In British Columbia, there was little question about the principle of recall. The major criticism of the NDP government-sponsored bill was that it didn't go far enough. The main fault found was that 60 days was too short a time to organize a petition and there were too many regulations governing the recall campaign. Social Credit Members who originally supported a private Member's bill on recall introduced by Jack Weisgerber from Peace River, claimed the bill gave the public no real chance of recalling a Member. Others argued that the 60-day period was more than twice as long as the election campaign which lasts 28 days and therefore provided ample time. The debate showed all Members to be appreciated about the introduction of the legislation. Each Member who introduced this particular bill was treated with tremendous courtesy, they were thanked very much for the opportunity to debate perhaps the most important change in parliamentary democracy in over 700 years. In fact, everybody seemed delighted that this issue was on the floor for debate.

During the two debates on recall which I am referring to, several references were made to a conference called "Reinventing Parliament" which was held in

Lethbridge on February 25 and 26, 1994 and organized by the Canada West Foundation under the direction of Dr. Elton who was referred to in Mr. Braden's letter to me yesterday. Over 100 people from across Canada were invited to attend and to speak on innovative approaches to public participation in their Legislature, on the basis of unusual approaches to decision-making. What makes the NWT government unique, of course, is our consensus style of government and how we achieve accountability in it. Now, out of the blue, although I was aware of this conference and really wanted to go, I suddenly got an invitation. I attended this conference with Mr. Zoe, chairman of our Rules, Procedures and Privileges Committee. We participated at that very important conference in Lethbridge on the dates I referred to. At that very important meeting where leaders from across this country were in attendance, there was a vote on recall in the conference working groups and there was a majority support for it. The conference report...

MR. ZOE:

They were all Reform.

MR. LEWIS:

I'm a Liberal and you're a Liberal, Mr. Zoe.

---Laughter

---Applause

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Every workshop recommended to the conference that governments in Canada allow for recall of elected Members. On no item of direct democracy did a more clear consensus emerge. I've heard it said by Members that the direct democracy bandwagon is just a fad, just a passing whim; people are promoting it because it is a politically correct thing to do. Nothing could be further from the truth. In the NWT, the principle of removing elected people is already a well-established practice in many of our communities. Mr. Bill Erasmus, who was contacted in connection with this issue, says that he serves at the pleasure of his members and he can be removed at any time. The chiefs in our communities as well as band councillors can be removed from office before their terms have expired. The process may vary from band to band but the result is the same and elected members can be removed from office. As I've pointed out, Members even in this Assembly are not safe if the majority

decide that they no longer want to have them serve as Cabinet Ministers.

I've heard many times that our system of government should more closely reflect the values of the people it serves. It's clear to me that accountability is one major value that all northerners share. Outside of our Legislature, throughout the territories accountability is widely practised. Since the principle of recall exists and flourishes in other institutions of the people we serve, we should surely, if we want to have any credibility at all, embrace that same principle here. Recall is the means to do it, at least one of several that have been looked at and we've never advanced much beyond talking about it. How can this Legislature achieve credibility if it won't adopt the fundamental values of the people that it's supposed to serve?

Mr. Speaker, two years ago Members treated the issue of recall as some wild, eccentric idea; interesting, but not really worth spending too much time on. It was something that could never happen in Canada. Well, Mr. Speaker, it has happened. Our close neighbour, British Columbia, now has a process which allows the public not only to recall its Members but also to initiate its own legislation, legislation that is meaningful to the people that governments are set up to serve.

In Alberta, and I'd like to point this out, Mr. Gary Dickson, a Liberal MLA, tried and will try once again to introduce a recall bill which failed in 1993, if he's given the chance to do so. Mr. Zoe has pointed out, and perhaps it was not recorded, that this is a Reform Party idea. It would be a mistake to associate the idea of recall with any particular party or ideology, Mr. Speaker. Perhaps the most influential supporter of direct democracy and recall is Patrick Boyle, a Tory Member of Parliament who wrote the definitive book on direct democracy and has written a whole chapter on the issue of recall. Initiatives on recall have been sponsored by a New Democratic Party government in British Columbia, not a Reform Party government. Social Credit has attempted to introduce legislation when Weisgerber, before British Columbia's Mr. Harcourt, tried to introduce legislation on behalf of the Social Credit Party in British Columbia. I've also pointed out that Dickson in Alberta who was a Liberal also tried to introduce this piece of legislation. So, it has nothing to do with the Reform Party, it just happens that it is an idea they're associated with.

I've read everything I can get my hands on about the growing movement towards involving people more in

the ongoing struggle for good government. The argument that recall is unworkable was used only once or twice in the debates on recall which I referred to. The argument that it is unworkable, Mr. Speaker, is no argument at all. It has operated in three Swiss cantons -- or provinces, if you like -- since 1848. In the United States, 16 states have recall provisions for state-elected Members and 36 states have provisions for recall of elected Members below the state level.

Experience with recall shows that in the US, it has not been used very often and very, very seldom with success. Professor McCormick, a Political Science professor at the University of Lethbridge has written: "The power is not used very often. Recall in the United States has claimed one state Governor, along with an Attorney General and a Secretary of Agriculture, seven state representatives and one state Senator."

Out of the total number of years that recall has been in place -- and in the 16 states where recall is in effect, if you add up all the years that those state Legislatures have had recall, you get about 1,000 years that recall has been in place in those states -- only 10 successful attempts have been made to use recall and those were on matters that were so grievous, so serious, that you did get people out in numbers to support recall. McCormick goes on to state that this low level of success is an effective reply to most of the objections made to the idea of recall.

The arguments are very well-known: it would be used for narrow, partisan purposes; to harass office holders; punish legislators for innovative or controversial measures; or, help organized and well-funded organizations to achieve their goals. Mr. McCormick agrees that all of these things are true about the idea of the initiative of recall. Unfortunately for the promoter of recall, almost all petitions fail to get the required threshold of signatures.

What recall does is make elected officials accountable through a transparent process. People have to come out into the open and be counted, and our current system of elected officials are subject to incredible political pressures that many members of the public are not even aware of. Some Members, I'm sure, have felt the impact of subtle and indirect attacks which are difficult to defend against. Recall brings these things right out into the open. The wisdom of the act would strengthen rather than weaken the standing and stature of the Member if he is, in fact, the target of malicious and self-serving office seekers.

That's been the experience in the United States and elsewhere.

If recall were in place, we would have a mechanism that would make sense in our system because we have no form of accountability. What must be understood in the debate on the principle of this bill, Mr. Speaker, is that we are servants of the electorate. They've put their trust in us and, unfortunately, whether you like it or not, we have to put our trust in them. It's a two-way street.

At the appropriate time, I shall ask for a recorded vote on the principle of this bill. I'm sure the public will be interested in who will be present at that time.

MR. SPEAKER:

Thank you. To the principle of the bill. Mr. Whitford.

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MR. WHITFORD:

Merci, M. Presidente. Mr. Speaker, I seconded the motion to introduce Bill 31, Recall Act, because I believe in political accountability. Since I've been a Member, I've heard much criticism about our system of government from both aboriginal and non-aboriginal people alike, yet I still defend and support the consensus model. I seconded this motion since I've heard many speeches on the issues of ethics, conduct, behaviour and trust, but I've seen little initiative to make them meaningful.

It is important that we re-establish any lost trust between ourselves and the electorate. The public can see very clearly how reluctant we are to impose discipline on ourselves or our colleagues. Mr. Speaker, I believe the public is frustrated because our system provides no mechanism for them to impose discipline on us. We've discussed the issue of recall in Caucus and in our two planning workshops held in Fort Smith and Cambridge Bay. In none of those meetings have Members advanced arguments against the principle of recall.

What is at stake in this bill is a simple principle. Should the electorate have a mechanism at their disposal to recall a Member from office prior to the expiration of his or her term of office? That is the only principle at stake here. Is accountability to the electorate ongoing or does it exist only at election time? Mr. Speaker, it is my position that accountability should be ongoing. Recall would accomplish this.

It would also encourage the public to take a deeper interest in political issues and political life. People would no longer have to shrug their shoulders or shake their heads in frustration because they are powerless. Recall would give meaning to the high standards we have set for public office in our ethics and conduct guidelines. Recall would help to restore the public trust in our elected officials.

I know that although Members have not expressed themselves publicly on the issue of recall, there has been some uncertainty. It seems to me the uncertainty has not been about whether the public should have the right to recall a Member. The uncertainty is about the process, itself. At this second reading stage, it's the principle of recall that's at stake. It is no longer a strange or novel idea. In fact, as my colleague, Mr. Lewis, pointed out, British Columbia's NDP government made an election promise to introduce recall and delivered on its promise by passing Bill 36, Recall And Initiative Act, on July 7, 1994. A 1991 referendum indicated that 80 per cent of the people in British Columbia favoured recall.

In the Northwest Territories, the Canadian Federation of Independent Business conducted a poll on recall. The results of this poll, which were released in February, showed that 63 per cent supported recall, so there should be no doubt about support for this principle. It seems to me no longer a question of whether we need recall or not, the public has indicated support for it.

If Members decide they're unsure what safeguards there are to advance good government, to protect Members and to balance those with that of the public interest, I urge them not to defeat this bill at second reading. The public will find it difficult to understand opposition to involving them more in the life of the government that is there now to serve them.

Defeat on the principle of this bill would send out a very onerous signal. It will signal that we don't trust the residents of the electorate. It will signal that we have no confidence in ourselves. It will signal that we don't want to hear from the electorate, except every four years. We have talked about accountability, and we have talked about it long enough, Mr. Speaker.

We have a unique system of government here in the Northwest Territories, where the accountability seems only to be to ourselves. We have struggled with the various ways of changing that over the years. Perhaps through discussion in this House we can force ourselves to come to grips with it publicly. I will

be disappointed, and others will be disappointed, and the public will be further disillusioned if we don't come up with something concrete at this juncture. The public expects us to do something.

The bill before you is as complicated as the set of proposals contained in the legislative action paper that was widely distributed. In response to concerns raised by the Native Women's Association, for example, the process has been simplified. Despite this, the recall procedure still places a considerable burden of work on those promoting recall. It will be just as difficult to recall as it is to elect. Anyone deciding to promote recall would not do so lightly. I have faith in the wisdom of the public to judge wisely if a recall position is begun; a petition is begun. It is because I believe in the wisdom of the electorate and the need to make more use of it that I am pleased to support this bill. Thank you colleagues. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Whitford. To the principle of the bill. Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, I think that it is very appropriate that there be a mechanism to hold Members accountable on the rare occasion when it is required. I have been a Member now for over 15 years, and I have seen instances in almost every one of the four Assemblies I have served where this issue has come up. Where mayors, and municipal councils, if not entire communities, have asked us whether there is any mechanism for dealing with these rare circumstances where they have lost confidence in their elected representatives for good reason.

We have some mechanisms in place to discipline Members in this House. They have rarely been employed. In my experience, we have been very reluctant to employ these methods in a consensus style of government, we are kind and gentle with one another. And we are too courteous to really take the strong action that sometimes and, I would say, rarely has been required.

Mr. Speaker, I believe that it is a concern in our constituencies. It is a concern among the people of the Northwest Territories. So I would like to see this bill taken to the next stage. That is all that we are discussing today; taking it to the next stage so that it can be considered and have input by the public

through the Standing Committee on Legislation. I think this would be the best way to see what our constituents think.

If we do not support giving this bill second reading and forwarding it to the Standing Committee on Legislation, we will,

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in fact, be depriving the people of the Northwest Territories of the opportunity to have the timely input into this bill that is required on the eve of another election in the Northwest Territories.

I have consulted some of my respected constituents on this, they acknowledge that there are both pros and cons about this kind of legislation. I would say to Mr. Lewis, who I know has worked very hard on this bill and produced several drafts, that I think perhaps the bill before us may be improved. Perhaps, for example, there should be a higher majority required. Perhaps a mechanism should be developed to ensure that, in constituencies where there is more than one community, there is an insurance against one community, the electors of one community being pitted against another by perhaps requiring at least 50 per cent or more of the electorate in each community in a constituency before recall is implemented. Perhaps more names should be required on the petition. But these are details which I think we should leave to our constituents and the people of the Northwest Territories to have input on.

Perhaps a majority of our constituents may even speak against the bill. And I am willing to respect the judgement of the people and give them the opportunity to be heard. So lets at least have the courage to take the next step to let the people of the Northwest Territories have input into this bill. I fear that if we don't take this step, the public may conclude that we are afraid of this mechanism or that we are acting out of self-interest. That may be the conclusion.

I would also like to say that the time to act is now. I know the government has recently communicated to Mr. Lewis their intention to put together a legislative action paper which might be ready for the June session, which might be discussed in the dying months of this Assembly, but really would not realistically result in any new legislation in place for the next Legislature. An election is slated for the fall. Lets put the bill forward and see what our constituents have to say.

I would like to say that I have every confidence in the Members of the Standing Committee on Legislation, that they will be able to handle this responsibility, they are already planning extensive hearings on the new Education Act. They will be able to discharge this responsibility and give us good advice by June about just how this very important issue should be handled.

If we defeat the bill at second reading, Mr. Speaker, especially without saying why -- and I have heard rumours that Cabinet has already decided they are going to vote against the bill en masse, then I suspect that our constituents will assume that we are afraid and I don't think that is democracy. I, for one, have confidence in the people of the Northwest Territories, I think they will give us good advice. I also don't think they will act capriciously or use the bill against a Member for their views, or even against the government for making a tough decision.

But in any event, Mr. Speaker, if we trust the wisdom of our constituents who put us here, then we certainly will not vote today to deprive them of the chance to give comments on the bill. That is why we should vote "yes" today; to put the issue before the public, allow members of the public to have input through the Standing Committee on Legislation.

I would like to commend Mr. Lewis for his hard work on this issue. I would like to challenge Members who are going to vote against this motion to stand up and say why. Let this bill be considered by the people of the Northwest Territories in a timely fashion, before another Assembly is elected. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. To the principle of the bill. Ms. Cournoyea.

HON. NELLIE COURNOYEA:

Mr. Speaker, Cabinet acknowledges the role of Mr. Lewis and the other Members who support recall; for advancing the recall accountability issue on this Assembly agenda in recent months. As directed by the Standing Committee on Rules, Privileges and Procedures last October, the government is preparing a legislative action paper on recall which will be tabled during the June session.

The terms of reference for the legislative action paper contain all of the issues and questions which the

standing committee recommended for consideration in the action paper.

Mr. Speaker, Mr. Lewis's bill and other proposals which he prepared for consideration at the April 1994 Fort Smith strategic planning workshop provide recall models to assess in the legislative action paper. However, Cabinet is concerned that Mr. Lewis's bill does not contain some of the standing committee's important recommendations; for example, identifying the grounds for initiating recall.

On the other hand, a preliminary assessment of Mr. Lewis's bill suggests that it may be difficult to initiate a recall petition, at least in some territorial constituencies. Cabinet also believes that it would be important to consider a number of legal and constitutional issues which we understand could still be factors in determining if British Columbia's recent recall legislation, for example, will be challenged before the courts.

Finally, Cabinet believes in order for there to be an informed debate, a legislative action paper is required to present all of the issues and the pros and cons of recall to the territorial electorate. Therefore, Cabinet has decided that it will not...

AN HON. MEMBER:

Shame.

HON. NELLIE COURNOYEA:

Therefore, Cabinet has decided that it will oppose Mr. Lewis's recall bill, primarily because...

SOME HON. MEMBERS:

Shame.

HON. NELLIE COURNOYEA:

...it is premature and would preclude consideration of the legislative action paper during the June session and the upcoming territorial election. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you. To the principle of the bill.

SOME HON. MEMBERS:

Question.

MR. SPEAKER:

Mr. Koe.

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MR. KOE:

Mahsi, Mr. Speaker. Mr. Lewis, in proposing this bill, has been very clear on the principle that he is advocating; that is, whether or not voters can remove a Member from office before their term of office has been completed. For many of us, and me especially, it is a real political dilemma because it is very hard to disagree with the principle that is being advocated by Mr. Lewis. In this day and age, it is politically correct to vote for such a principle.

However, the problem I have is I don't agree with many of the details that are proposed in the bill. I know the debate today is on the principle of the bill, but I would like to state some of the issues that I have with the current bill before us.

The number of voters in a recall petition has been advocated at 50 per cent. Reviewing the number of electors in certain constituencies, there are a very small number of voters in some of the constituencies; the smallest being 580 to 600. So the number of people required to recall are very small and could cause a lot of frivolous recall petitions.

The other area is the application fee for filing is very low. The main issue is what are appropriate grounds for detail. They aren't detailed in the bill. This bill, I believe, has been created to address the code and conduct of MLAs, not only on our conduct in this House, but our conduct outside of this House. I don't feel that this bill is, as it is formatted, addresses that issue.

Currently, I am accountable to the electorate in Inuvik. I will and have followed the directions of the majority of people who have advised me and who I talked to over the past three years. So I do agree, as I mentioned, with the principle of the bill and if it advances to the next stage, I am going to work very hard to make or try to get appropriate amendments to the bill to address the issues that aren't raised. Mahsi.

MR. SPEAKER:

Thank you. To the principle of the bill.

SOME HON. MEMBERS:

Question.

MR. SPEAKER:

Mr. Ballantyne.

MR. BALLANTYNE:

Thank you, Mr. Speaker. First of all, I want to commend Mr. Lewis for the work he has done on this bill. I don't think anyone can argue with the basic philosophy; that the voters have the right to set any procedure into place that they want to, to hold their politicians accountable. I know Mr. Lewis has worked long and hard on this bill.

So the philosophy is not one I can disagree with. But the mechanics of this bill cause me considerable concern because I am not convinced this bill is accomplishing exactly what Mr. Lewis intends it to accomplish. It seems to me that over the last few years, we have brought in, or are in the process of bringing in, mechanisms to deal with errant MLAs. We have conflict of interest provisions which could, theoretically, cause an MLA to lose their seat. Mr. Dent is bringing forward a bill which means that any MLA who is convicted of acts of violence will automatically lose their seat. So much of the public demand for new mechanisms really has been dealt with. The fact is we now have, and we will have, mechanisms to ensure that MLAs who transgress against acceptable standards will no

longer be MLAs. So the problem is not the same as it was when Mr. Lewis started his hard work on this particular bill.

Another area of this bill that people should think about and discuss, and that our constituents should consider, is what does it mean that an MLA can be recalled. Right away, what comes to people's minds is someone who has committed some offence against someone else or some MLA who has behaved in an absolutely inappropriate way will be recalled. But I see nothing in this bill which limits the reasons for which someone can be recalled. Mr. Lewis has talked about consensus government and has used the fact that we have consensus government as a reason for this mechanism. Just for the sake of an argument, I will put across an opposite reason.

Right off the top of my head, I can think of issues that could bring that sort of an emotional reaction from constituents. One is the abortion issue. The abortion issue, however an MLA with their conscience vote,

could have a very strong emotional reaction against that particular vote.

The area of gun control is another area which brings out very strong emotions in every constituency and with these types of controversial issues, it's impossible to gain a consensus in your constituency. I want to remind Members, as well as members of the public who are looking at this, that the next four years are going to be very, very difficult years for this Legislative Assembly and for MLAs in this Legislative Assembly. MLAs in this Assembly are going to have to make very tough, very unpopular decisions in order to save the very viability of the Northwest Territories. I am sure that there will have to be decisions made in this Assembly over the next four years which could severely cut back programs which might impact on the number of civil servants we're able to sustain here in the Northwest Territories. All of those decisions will be very tough. All of them will be very unpopular, but I think everybody in the Northwest Territories must understand that those decisions will have to be made or there won't be any Northwest Territories.

The danger I see with the legislation, as Mr. Lewis has drafted it, is that MLAs are going to be very vulnerable in making tough decisions. Mr. Lewis himself has stated eloquently many times in this Legislative Assembly that one of the flaws of the consensus system is that it is impossible to make tough decisions. Well, I put it to Mr. Lewis with this particular bill in place, if it's tough now, it will be impossible then. No MLA will dare to make the tough decisions that will have to be made.

Mr. Lewis has said again that in other jurisdictions this hasn't been the case. He's stated the case that abortion hasn't been the issue. He's stated that issues such as gun control or budget reductions haven't been an issue. I put to Mr. Lewis and I put to everybody in this House that it's too early to say that. We don't know how this particular bill will play here in the

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Northwest Territories. I worry very much about that. I worry very much about the very public who would support the concept of recall. If they had an idea of some of the possible negative results of recall, they too may look at it again. I know the public gets very, very upset with politicians who stray from the straight and narrow, who aren't good examples to our children.

On the other hand, we have real work to do here in the Northwest Territories. We have difficult work to do here in the Northwest Territories. We have to have, I think, enough confidence as MLAs that we can make tough decisions without fear of punitive action and I fundamentally believe in the basic principle of participatory democracy. That is, I'm elected by my constituents to use my judgement and hard work to investigate issues, to be privy to information which because of their busy lives they are not privy to and in consultation with them but also on behalf of them, to make decisions. Every MLA in this room, if they really have any kind of strength of character or beliefs, have made decisions from time to time which a good percentage of their constituents may not agree with.

The beauty of a general election every four years is by the nature of it, the people of the Northwest Territories are engaged in a real debate on a whole range of issues. They get to see in every campaign a range of options; a range of alternatives on all these issues. It's very difficult in a normal general election for one issue to totally dominate the agenda at the expense of all other issues. What we have here is a possibility of a campaign dominated by one issue. We have a campaign with no rules that I see, no rules whatsoever. We have a situation where that MLA will be functionally useless to their constituents for the duration of that particular campaign and maybe afterwards because once you're in the paper long enough people start to believe there must be something wrong or somebody wouldn't have brought a complaint against you.

Mr. Lewis, though I respect very much the work you've done, I respect very much the philosophy that you espouse, I, in good conscience, cannot support this bill and I will vote against. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

To the principle of the bill. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. First of all, I would like to thank the Member for Yellowknife Centre for formulating the bill and the amount of time spent on the bill. I've reviewed the bill. I support the principle of the bill, however, Mr. Speaker, I am concerned with some of the details of the bill. In the event that this

bill passes, I certainly would, like my colleague, Mr. Koe, try to work at changing some of the details.

Mr. Speaker, I think the intent and the principle of this bill is something that is what the public was asking for. However, if this bill passes, the public process would be in place to allow the public to speak to the bill. Because of this, I certainly support the idea of whether it's what the public wants. The public will no doubt let us know. If it passes, it allows it then to go to public hearings and we'll find out, as Members, what the public wants. I believe we're here to serve the public and their requests. I think if we deny the public the opportunity to make any type of comments on this bill, I don't think in good conscience we're doing the work that's expected of us by the public.

Mr. Speaker, I certainly wish that Members support the idea by at least allowing it to go to public hearings and then Members can address their concerns on the bill also and then vote to either allow the bill to be passed or denied in this House after the public hearings. With that, Mr. Speaker, I just want to advise the House that I support the principle of the bill. Thank you.

MR. SPEAKER:

Thank you. To the principle of the bill. Mr. Lewis, do you wish to conclude?

MR. LEWIS:

Thank you very much, Mr. Speaker. I believe under our rules, I do have a chance to conclude debate before we go to a vote. Mr. Speaker, there's been a suggestion that this could have been referred to SCOL and I'm glad that the debate is, in fact, taking place here on the principle, so the onus was not placed on SCOL or committee of the whole to delay the issue further. It's important, I believe, that we deal with this in a very responsible fashion at second reading and the public would be very upset if further ways were found to delay something that has been in the works for so long.

I note that some Members have given reasons why they cannot support the principle. For example, our Premier vows she cannot support the bill because there are no reasons in the bill. Well, Mr. Speaker, the reason why I didn't put a whole bunch of reasons in the bill is because I got the very best legal advice

that's available not only in this government but other governments and also other legal people in town. They told me that if I had said, for being drunk and disorderly, then people would attack the principle of the bill and would say they don't agree it's a big issue in the territories and there are other issues far more important than that.

And, if I had gone with a list of reasons, I would never have the list in such a way that everybody would agree that that is a principle they could support. So, I left it very simple, on the advice of the best legal brains I could get hold of to keep it simple because if I didn't do that, people would attack the principle of the bill on the grounds that it didn't go far enough or went too far, and so on. The principle is a simple one because of the advice I was given. That was the only argument that I can hear from the government for not supporting the bill, because we don't have reasons in it. That was the main point made for the Cabinet, presumably, on whose behalf the Premier spoke, on why the Cabinet can't support the bill. It is because of the advice of the people who also advise them.

Mr. Koe has raised the point that this can be dealt with now, he supposes, but he has concerns about the details. Many people will have concerns about the details, Mr. Speaker, but the problem is, if we defeat this bill now, we will again be the privileged ones. We are the only ones who can talk about this bill, nobody else can, just the privileged people in this House. It will never get to the public and it is to serve that purpose that I wanted to get it to where it could be thoroughly debated, because at last we will be dealing at least with something that has to do with accountability.

I appreciate Mr. Koe's comments and I agree with him that there are things that perhaps could be made better in this bill. Because, like everybody else, I'm an imperfect human being and I've tried many times to improve it by sending it around and changing it, accommodating, trying to find ways of solving this person's problem and that person's problem. I've done the best that I can. I can't do any more work on it. I need the wisdom of the public now. It is only in that way that we can make the bill better than it is.

Now, I come to the most unusual comments that I've heard and they came from my bearded friend from Yellowknife North, Mr. Ballantyne.

MR. BALLANTYNE:

(Microphone turned off)

MR. LEWIS:

I'm not going to go into great detail but this is what has happened. If you read Hansard tomorrow, I hear Mr. Ballantyne saying that he has no problem with the principle of the bill. Those were his opening comments. The opening comment was, I've got no problem, the public agrees with this, accountability is a fine thing. He went on at great length then, to explain all the problems with the detail. That's what we're talking about, getting the bill out there so the people can deal with the detail. If he has no problem with the principle of the bill then, obviously, he's not going to vote against the principle.

MR. BALLANTYNE:

(Microphone turned off)

MR. LEWIS:

That was the point he made in his opening comment. If you read Hansard tomorrow, and I'll quote him, he said he would be voting against this bill. Well, you're not going to be voting against this bill at the second reading...

---Applause

You're going to be voting against the principle of the bill and he's already said in his opening comment that he agrees with the principle. If you read Hansard tomorrow, the philosophy of this bill, the basis of this bill, he agrees with. We're not going to have a chance to vote on this bill today because it will never get to be a bill on which that would make a difference at all to what happens to this thing. We're talking about ideas, the basic foundation of it. If we ever get there, well fine, if it's not good enough despite all the work that's done, he can vote against it.

But at this time, we're only talking about one thing, do you believe that the public should have the opportunity to recall a Member before that person's term is up. I've heard very, very few people who have given me one good reason why the public shouldn't have that power.

I'm a democrat, I believe in the democratic process so, therefore, I'm quite happy to sit down now and I will ask for a recorded vote on this particular motion, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you. A recorded vote has been called. All those in favour, please stand. Mr. Clerk.

Recorded Vote

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Lewis, Mr. Patterson, Mr. Pudlat, Mr. Dent, Mrs. Marie-Jewell, Mr. Koe, Mr. Antoine, Ms. Mike, Mr. Whitford.

MR. SPEAKER:

All those opposed, please stand.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Ballantyne, Mr. Arngna'naaq, Mr. Ng, Mr. Pollard, Ms. Cournoyea, Mr. Kakfwi, Mr. Morin, Mr. Todd, Mr. Nerysoo, Mr. Ningark.

MR. SPEAKER:

All those abstaining, please stand.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Zoe.

MR. SPEAKER:

The Members who voted yes are nine, the Members who voted no are 10, with one abstention. This motion is defeated.

---Defeated

---Applause

Item 19, consideration in committee of the whole...Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, yesterday, the Standing Committee on Finance reported a number of bills ready for committee of the whole. I'm aware, Mr. Speaker, that according to our rules, these bills will not appear on the order paper in committee of the whole until tomorrow.

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Mr. Speaker, I would like to seek unanimous consent to waive Rule 70(5) and have Bill 18, Northwest Territories Energy Corporation Limited Loan

Guarantee Act, moved into committee of the whole for today. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Mr. Antoine is seeking unanimous consent to waive rule 70(5) to have Bill 18 moved into committee of the whole today. Are there any nays? There are no nays. Thank you.

Item 19, consideration in committee of the whole of bills and other matters: Bill 1, Appropriation Act, No. 2, 1995-96; Bill 13, An Act to Amend the Fair Practices Act; Bill 16, An Act to Amend the Retirement Plan Beneficiaries Act; Bill 19, An Act to Amend the Elections Act, No. 2; Bill 24, Community Employees' Benefits Act; Bill 27, An Act to Amend the Land Titles Act; Bill 18, Northwest Territories Energy Corporation Limited Loan Guarantee Act; 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; Committee Report 5-12(7), Report on the Review of Rewriting the Liquor Laws of the Northwest Territories: A Legislative Action Paper; and, Committee Report 6-12(7), Report on the Review of the Legislative Discussion Paper on the Draft of the New Education Act with Mr. Ningark in the chair.

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

CHAIRMAN (Mr. Ningark):

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

MR. DENT:

Mr. Chairman, I would like to recommend the committee consider Bill 18 and, depending on how quickly we get through that, perhaps resume consideration of Bill 1 and Committee Report 4 and the budget of the Department of Health and Social Services.

CHAIRMAN (Mr. Ningark):

Thank you. Do we have the agreement of the committee that we will deal with Bill 18 and then the Department of Health and Social Services?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 18: Northwest Territories Energy Corporation Limited Loan Guarantee Act

CHAIRMAN (Mr. Ningark):

Thank you. I believe we are dealing with Bill 18, Northwest Territories Energy Corporation Limited Loan Guarantee Act. The appropriate Minister to deal with this bill is Mr. Pollard.

Minister's Introductory Remarks

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, the purpose of the NWT Energy Corporation Limited Loan Guarantee Act is to guarantee loans to the NWT Energy Corporation Limited. There is a requirement, Mr. Chairman, of the Financial Administration Act, that no person shall make a guarantee or indemnity for or on behalf of the government unless authorized by an enactment to do so.

The total borrowings contemplated by the NWT Energy Corporation Limited is \$25 million and the funds are to be used to lend to the Dogrib Power Corporation for construction of the Snare Cascades project. The principal amount of loan guarantees under this act must not exceed \$25 million, Mr. Chairman. I would be glad to try to answer anyone's questions. Thank you.

CHAIRMAN (Mr. Ningark):

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

Standing Committee On Finance Comments

MR. ANTOINE:

Thank you, Mr. Chairman. The Standing Committee on Finance reviewed Bill 18. This is straightforward and we didn't have any real concerns with this bill. Thank you.

CHAIRMAN (Mr. Ningark):

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

HON. JOHN POLLARD:

With the permission of the committee, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Do we have the concurrence of the committee that the Minister can bring in witnesses?

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Proceed, Mr. Minister. Mr. Minister, are you ready for general comments?

HON. JOHN POLLARD:

Yes, Mr. Chairman. I will deal with the bill until my witnesses get here. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

The floor is now open for general comments.

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Mr. Koe.

General Comments

MR. KOE:

Mahsi, Mr. Chairman. The summary of the bill is here and it is to borrow \$25 million to enable the Power Corporation to guarantee loans of the Government of the Northwest Territories. I would like to know why this bill is coming forward at this time.

MR. SPEAKER:

Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, the Financial Administration Act says that nobody can borrow money on

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behalf of the government unless authorized by this House. It is the wish of the government, through the Power Corporation that it owns, to borrow money by a wholly-owned subsidiary of the Power Corporation in order to advance those funds to the Dogrib Power Corporation in order that the Dogrib Power Corporation can go ahead with the construction of a hydro plant. Mr. Chairman, the reason that we are using an arm of the government, as it were, to borrow these funds is because the Power Corporation has a proven track record, with the ability to not only borrow but raise capital and to repay that capital. It has a track record, therefore, if it were to borrow through the Energy Corporation, its track record would be reflected in the Energy Corporation, that Energy Corporation could raise the money and probably at a much lower rate than a new company such as Dogrib Power Corporation who is just getting on its feet and has no track record with money or loans of this size, Mr. Chairman.

So recognizing that costs incurred by the Dogrib Power Corporation ultimately get passed through to the Government of the Northwest Territories through its Power Corporation, we felt that it would be better for us to borrow the money at a lower rate with a proven track record and assist this company with which we have a contract to buy their power. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Mr. Koe.

MR. KOE:

I appreciate the responses from the Minister and also support very much the initiatives the Dogrib are working on. It is going to provide a big economic boost, not only for the Dogrib, but for the territories and Canada. What guarantees are there of this government getting back the \$25 million if there is ever a default? What guarantees are there in place that the Dogrib would be able to recover \$25 million?

CHAIRMAN (Mr. Ningark):

Thank you. Before I ask the honourable Minister to respond, I would like you to introduce your witnesses for the record.

HON. JOHN POLLARD:

Thank you, Mr. Chairman. I have on my right Mr. Mark Aitken, legislative counsel from the Department of Justice and on my left, I have with me a man whose name I have just forgotten.

--Laughter

Tony Dawson from the Department of Finance, revenue and asset management. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. It has been a long day, Mr. Minister. We tend to forget things. Now you can respond to the honourable Member. Mr. Minister.

HON. JOHN POLLARD:

Thank you, Mr. Chairman. There is an assignment whereby the Power Corporation, when it is buying the power from the Dogrib Power Corporation, first of all subtracts from it the principal and interest owed to it by way of the loan that is made from the Energy Corporation, a subsidiary to Dogrib Power. In the event that this thing were to fail, Mr. Chairman, in all probability the Power Corporation would take over the project. We don't believe that it's going to fail. We believe that all the work has been done and that this is a very viable project so we believe the risk of failure is very, very minimal but as I say, in the event, we may have to take it over. Certainly with regard to getting our money to pay back the \$25 million from whom we borrow it, that will come from the Dogrib Power Corporation right at the beginning. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. General comments. The honourable Member for Inuvik.

MR. KOE:

These are not general comments I'm making. I'm asking questions to get at the detail. I'm trying to get clarification on the principle and the reason for the bill.

This government is guaranteeing this loan and so I assume the Power Corporation is a partner within the project. Can the Minister advise as to who the players are, who the partners are in this new venture that we're lending the money to. Is the Power

Corporation a partner in it or is the Government of the Northwest Territories a partner in the project?

CHAIRMAN (Mr. Ningark):

Thank you. The honourable Minister.

HON. JOHN POLLARD:

Mr. Chairman, we're not a partner in the project. This project is wholly-owned by the Dogrib Power Corporation. The Dogrib Power Corporation has a contract to sell power that it would generate to the Power Corporation of the Northwest Territories, the NWTPC, which is owned by the Government of the Northwest Territories. That's the relationship between the two, although I think it's fairly common knowledge that the Dogrib Power Corporation and the Power Corporation have been working very, very closely together. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Qujannamiik. The honourable Member for Inuvik.

MR. KOE:

Have any contracts been signed or other types of agreements been made for this government or our agent, the Power Corporation, to purchase future megawatts of power from the Dogrib Power Corporation?

CHAIRMAN (Mr. Ningark):

Thank you. The honourable Minister of Finance.

HON. JOHN POLLARD:

Yes, there are agreements between the Power Corporation and Dogrib Power Corporation, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. The honourable Member for Inuvik.

MR. KOE:

Will the Minister disclose the value of those agreements?

CHAIRMAN (Mr. Ningark):

The honourable Minister.

HON. JOHN POLLARD:

Sorry about that, Mr. Chairman. Mr. Chairman, I don't have the details of that contractual arrangement between the Power Corporation and Dogrib Power with me. Certainly I could provide that to the Member and let him know what the term is and what the conditions are of the contract between Dogrib Power and our corporation. Thank you, Mr. Chairman.

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CHAIRMAN (Mr. Ningark):

Thank you. Mr. Koe.

MR. KOE:

Yes, I would appreciate that information not only for myself but for the public as well because the reason for my question is that an issue was raised by my colleague, Mr. Ballantyne, on the costs of division. The project is under way and I assume within five or six years or however long, it's going to start generating power and any contracts, agreements, liabilities or, in some cases, an asset to one but a liability to this government, has to be considered when we're discussing costs, assets and liabilities of division. That's the reason for my question. I'm just trying to get an idea of the magnitude that's involved and the amount of potential liability to the government.

CHAIRMAN (Mr. Ningark):

Qujannamiik. The honourable Minister.

HON. JOHN POLLARD:

I understand Mr. Koe's concern and I think he's correct. In this particular instance, Mr. Chairman, this is clearly almost a sort of Yellowknife issue whereby the power centre that is going to buy that power is going to be Yellowknife. We can clearly define that this \$25 million is going to be directed at that particular project, it's project-specific. I agree that as a government now governing all of the Northwest Territories, we're taking on a liability and signing a contract so that we've got contractual arrangements but I think it can be clearly defined as a western project and that it can be pointed to a particular cost centre. While I share the concern, I think it's specific enough that it will be very clear where the liability lies and where the asset will be billed. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Koe.

MR. KOE:

I would like to thank the Minister and again just state that I wish the Dogrib Nation and all their partners and players in this venture all the best. It's a good initiative and I appreciate this government supporting it.

CHAIRMAN (Mr. Ningark):

Thank you. Do we have any further general comments? Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, the Standing Committee on Finance had asked that we provide two pieces of information today to committee of the whole. If I might do that right now, Mr. Chairman, I would appreciate it.

The first one is the Standing Committee on Finance wanted to know who the executives were of the Energy Corporation. The president is Mr. Jim Guthrie, the vice president of finance is Leon Courneya, the secretary is Matt Noble and the chairman is Jim Robertson. Those people are familiar to us because they are also with the Power Corporation. Because of that, the second question was are we going to be activating this Energy Corporation, are we going to cause ourselves a whole lot of overhead? I think the answer to that is no, Mr. Chairman, because these people are sort of in mirror jobs in the Power Corporation.

Thirdly, there was a question with regard to interest rates. The corporation has a commitment at the present time to borrow at an interest rate about 130 basis points over benchmark Canada long-term loans, June 1, 2023. While I can't say what the interest rate specifically would be, I can tell you what the margin would be as over the benchmark Canada long-term loans. They have an agreement to pay 130 basis points. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. General comments. Mr. Antoine.

MR. ANTOINE:

Mr. Chairman, we recognize the importance of this bill in establishing financing for the Dogrib Power Corporation, the hydro electric project that is going to be developed on the Snare Cascade. This is an

important mechanism that has been activated in Bill 18. The maximum for the loan is \$25 million. We have covered some of this area already in the committee but, for the record, I would like to ask the Minister if he could describe for us the process for which the NWT Energy Corporation will provide the loan guarantee to the Dogrib Corporation. Thank you.

CHAIRMAN (Mr. Ningark):

The honourable Minister of Finance.

HON. JOHN POLLARD:

Mr. Chairman, we are actually -- through the Power Corporation, through its wholly owned subsidiary, the NWT Energy Corporation -- going to borrow \$25 million, as I said before, at a 130 basis point over Canada Loans, whatever they are on that particular day, and then we are going to turn around and loan those funds to the Dogrib Power Corporation. One of the guarantees is that they will allow us to take off the money that we will be paying them for power, the principle and interest payments, so it gets paid directly to the Energy Corporation. That is the way the financing will work, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Antoine.

MR. ANTOINE:

Mr. Chairman, this loan guarantee is a specific arrangement and it was chosen to go this route. I am sure that it took a lot of negotiations between the Dogrib Power Corporation and the NWT Power Corporation to come up with this scheme. I would like to ask the Minister, why was this specific way of setting up the guarantees chosen?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, what this bill is going to do is it is going to guarantee the loan that is going to be made by the NWT Energy Corporation. We are unable to go out and make a guarantee or an indemnity on behalf of the government unless we are authorized by this House. So, what this House is going to do is it is going to pass a bill that guarantees the government will stand behind the loan that the Energy Corporation will give and then the Energy Corporation will, in turn,

have a further agreement with Dogrib Power to advance those same funds to Dogrib Power. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. The honourable Member for Nahendeh.

MR. ANTOINE:

This is a substantial guarantee, it is not done very often. I would like to ask the Minister if this is the only time that this mechanism, this NWT Energy Corporation Limited Loan Guarantee Act has been put into place. Has it been done before? And if this is the only time that it has been done, is

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this guarantee specifically for this project, or could it be used for other projects as well? Thank you.

CHAIRMAN (Mr. Ningark):

Qujannamiik. Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, the funds being requested to be guaranteed by this Legislative Assembly are being requested to use specifically for the purposes of Dogrib Power and it is for construction of the Snare Cascades project.

Has this been done before? Yes, there have been two acts that have gone through this House. One was a fairly large act, the NWTPC Act, whereby we took over the NWT Power Corporation. In that act there was an ability for the NWTPC to go out and borrow money.

The second time it was done -- and I can't remember the order, but I believe this might have been the first one -- was the Neptune Resources Corporation Loan Guarantee Act, which was given assent on November 8, 1988, Mr. Chairman. The purpose of that act was to allow the government to guarantee a loan to Colomac Mines and that amount was \$3 million. It was made specific that it would be to Neptune Resources Corporation. That act was never used, that loan guarantee was taken up or advanced by the government and the act has been repealed, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Antoine.

MR. ANTOINE:

My final question is what is the current status of financing of this project? Thank you.

CHAIRMAN (Mr. Ningark):

Qujannamiik. Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, there has been some advancement in kind by the Power Corporation in the way of work being done by the Power Corporation for Dogrib Power. That is the way this thing started out. I think the Premier mentioned yesterday the great involvement she had with Mr. Zoe in this particular regard. Money was required to be advanced against the project and to get it this far, it has been using short-term financing, Mr. Chairman, which is somewhat more expensive than the long-term financing. That is the way that it is being funded at the present time.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

Mr. Chairman, obviously, I will be supporting Bill 18.

---Laughter

Mr. Chairman, I know that the Power Corporation and the new subsidiary that they incorporated has been working very closely with the DPC to try to figure out a way they should acquire their funding. It has been a long process. It has been difficult because what DPC wanted to do at the beginning was to go to the private market to try to see if they could raise \$26 million. But through contacts with NWTPC and other people that were involved, they came to an agreement that this would be the best solution for them. That is why they created the NWT Energy Corporation.

As the Minister indicated, it won't be that costly, because the rates that are going to be obtained by this group are going to be lower because they have a track record. I think that this is the first time, although the Minister indicated that there were two other bills similar to this, but this is -- in my view -- the first time that this type of bill has gone through, because the other one was more specific. It was directly to the

company, but this one is sort of in between the NWTPC, it is one of their subsidiaries that we are using.

I feel that both groups have to be commended for coming up with an innovative way of dealing with raising this type of money. I think that it is urgently required that this bill get through. My understanding is, Mr. Chairman, the longer we delay, the interest rates change from day to day, so the sooner we deal with this particular bill, we may be saving money in the long run. I would encourage all Members to support this bill. Mr. Chairman, I would just like to make another comment. My colleagues, Mr. Antoine and Mr. Koe, asked questions about contracts being signed to purchase future power. I think the Minister indicated that yes, there is an agreement in place but the method of acquiring future money would depend on DPC to determine. The method they are going to use hasn't been determined yet for the second phase. There is the possibility they want to go the route they are going now or they may want to go a different route. It still has to be determined but there is an actual agreement between DPC and the NWTPC to purchase future power.

Mr. Chairman, those are my comments pertaining to this particular bill and I encourage Members to support this bill.

CHAIRMAN (Mr. Ningark):

Thank you. At the same time, I would like to remind Members that we wanted to eliminate the government deficit by 1999. Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, this is a straight arrangement where we borrow money and loan it to someone else and they pay the cost so, hopefully, it won't be adding to our deficit. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Further general comments from the floor? Mr. Antoine.

MR. ANTOINE:

One last question, how many years will it take to pay this back? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, the repayment schedule and length of time will be decided between the Energy Corporation and the Dogrib Power Corporation. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Any further general comments?

AN HON. MEMBER:

Clause by clause.

CHAIRMAN (Mr. Ningark):

Clause by clause, do you agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

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Clause By Clause

CHAIRMAN (Mr. Ningark):

Thank you. We are reviewing Bill 18, Northwest Territories Energy Corporation Limited Loan Guarantee Act. Clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Qujannamiik. Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Clause 4.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 5 of Bill 18.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

The bill as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Does the committee agree that Bill 18 is ready for third reading?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Bill 18 is now ready for third reading. Mr. Minister, I'd like to thank you for appearing before the committee, as well as the witnesses. What is the wish of the committee? Shall we proceed with the Department of Health and Social Services? Mr. Zoe.

MR. ZOE:

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

CHAIRMAN (Mr. Ningark):

There is a motion on the floor to report progress and the motion is not debatable. We have a quorum here. All those in favour? All those opposed? Motion is carried.

---Carried

I will rise and report progress. Thank you.

MR. SPEAKER:

The House will come back to order. Item 20, report of committee of the whole. Mr. Ningark.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Ningark):

Thank you kindly, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 18 and would like to report progress, that Bill 18 is ready for third reading and, Mr. Speaker, I move that the report of committee of the whole be concurred with. Thank you.

MR. SPEAKER:

It is seconded by Mr. Dent. 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

Item 21, third reading of bills. Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I would like to seek consent to deal with Bill 18, Northwest Territories Energy Corporation Limited Loan Guarantee Act. Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister is seeking consent to deal with Bill 18. Are there any nays? Proceed, Mr. Pollard.

ITEM 21: THIRD READING OF BILLS

Bill 18: Northwest Territories Energy Corporation Limited Loan Guarantee Act

HON. JOHN POLLARD:

Mr. Speaker, sorry for that delay. Mr. Speaker, I move, seconded by the honourable Member for North Slave, that Bill 18, Northwest Territories Energy Corporation Limited Loan Guarantee Act, be read for the third 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 18 has had third reading.

---Applause

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 Ordinary Members' Caucus at 9:00 am tomorrow.

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Orders of the day for Friday, April 7, 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 | - Committee Report 3-12(7), Report on the Review of the |
| 10. | Petitions | Legislative Action Paper Proposing New |
| 11. | Reports of Standing and Special Committees | Heritage |
| 12. | Reports of Committees on the Review of Bills | Legislation for the Northwest Territories |
| 13. | Tabling of Documents | - Committee Report 4-12(7), Report on the Review of the |
| 14. | Notices of Motion | 1995-96 Main Estimates |
| 15. | Notices of Motions for First Reading of Bills | - Committee Report 5-12(7), Report on the Review of |
| 16. | Motions | Rewriting the Liquor Laws of the Northwest Territories: |
| 17. | First Reading of Bills | A Legislative Action Paper |
| 18. | Second Reading of Bills | - Committee Report 6-12(7), Report on the Review of the |
| 19. | Consideration in Committee of the Whole of Bills and | Legislative Discussion Paper on the Draft of the New |
| | Other Matters | Education Act |
| | - Bill 1, Appropriation Act, No. 2, 1995-96 | - Committee Report 7-12(7), Report on the Second Annual |
| Act | - Bill 13, An Act to Amend the Fair Practices | Report, 1993-94, of the Languages Commissioner of the |
| | - Bill 16, An Act to Amend the Retirement | NWT |
| Plan | Beneficiaries Act | 20. Report of Committee of the Whole |
| | - Bill 19, An Act to Amend the Elections Act, | 21. Third Reading of Bills |
| No. 2 | - Bill 20, Loan Authorization Act, 1995-96 | - Bill 15, An Act to Amend the Elections Act |
| | - Bill 22, Forgiveness of Debts Act, 1994-95 | 22. Orders of the Day |
| | - Bill 23, Write-off of Debts Act, 1994-95 | |
| | - Bill 24, Community Employees' Benefits Act | |
| | - Bill 27, An Act to Amend the Land Titles Act | |
| | - Committee Report 2-12(7), Report on the Legislative | |
| | Action Paper on the Office of Ombudsman for the | |
| | Northwest Territories | |

Thank you. This House stands adjourned until Friday, April 7, 1995 at 10:00 am.

---ADJOURNMENT