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LEGISLATIVE ASSEMBLY**

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The Honourable **Samuel Gargan**, Speaker

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MEMBERS PRESENT

Mr. Antoine, Mr. Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Hon. Samuel Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mrs. Marie-Jewell, Ms. Mike, 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. Pudlat. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I wish to raise a point of privilege.

MR. SPEAKER:

Go ahead, Mr. Kakfwi.

Point Of Privilege

HON. STEPHEN KAKFWI:

Mr. Speaker, I rise on a matter of privilege regarding comments made in the Hay River Hub column "On the Ledge" by Ms. Devine on April 25, 1995. Ms. Devine says the following, and I quote: "According to CBC, Kakfwi said he simply won't enforce the new law if it goes through, as is."

Mr. Speaker, Ms. Devine is mischievous and wrong. I did not say I would not enforce the new law. Ms. Devine has not spoken to me and is using a CBC reporter's comments and attributing them to me. I believe this is a lazy, irresponsible, lumpy, deadline-form of scribbling for journalism and she did not check her facts. In fact, it is not up to this government or myself, as a Minister, to enforce Bill C-68, should it pass. The federal Minister of Justice is also the Attorney General for the Northwest Territories. He has the responsibility for prosecutions in the Northwest Territories, he will have to enforce this law should it come into force.

Should we assume responsibility for prosecutions, the Minister of Justice, whoever it is, would have no choice but to enforce the law. This is, in part, why

we're working so hard to seek amendments to this legislation before it is passed by Parliament. Thank you.

---Applause

MR. SPEAKER:

Thank you, Mr. Kakfwi. Good afternoon. Orders of the day. Item 2, Ministers' statements. Mr. Kakfwi.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 73-12(7): Firearms Legislation

HON. STEPHEN KAKFWI:

Mr. Speaker, on February 27th of this year, this Legislative Assembly expressed concern about the negative impact on northern residents of Bill C-68, An Act Respecting Firearms and Other Weapons, and unanimously supported a motion to present those concerns to the Standing Committee on Justice and Legal Affairs at its hearings in Ottawa. A subcommittee on gun control was formed for this purpose, consisting of the following honourable Members: Mr. Patterson, Mr. Antoine, Mr. Ningark, Mrs. Marie-Jewell, Mr. Arngna'naaq, Mr. Koe, and myself, as chairperson.

The Members of this subcommittee met on several occasions to develop our position and to settle upon an approach that would address the interests of all northerners who would be adversely affected if Bill C-68 is brought into force without amendments. Our approach to this issue focused on the concerns of northerners, in general, and aboriginal people in particular.

Our work, which was conducted in the true spirit of consensus government, resulted in the preparation of a brief on Bill C-68, which I propose to table later this afternoon. I will also table copies of the oral presentation I made on behalf of this Legislature. Mr. Antoine prepared his own submission and he plans to table this as well. As you will see, we endeavoured to put before the standing committee all of the concerns expressed by many of our constituents, as well as a review of the legal issues.

All Members of our subcommittee spoke and the position was well-received by the standing committee. While in Ottawa, committee Members met individually with several Members of Parliament, including our northern MPs, Mr. Anawak and the Honourable Ethel Blondin-Andrew, to discuss our concerns.

Mr. Speaker, it is important that we be candid among ourselves and with our constituents. The Government of Canada and the Minister of Justice have made it quite clear that they do not want to shelve this bill or entertain amendments of any consequence. In particular, they are committed to universal firearms registration. It is not going to be easy to change their minds.

While the presentation to the standing committee went well, it is only a beginning. It is going to take a lot of work from northerners and others who want changes, before significant amendments will be made to the proposed legislation. For the moment, however, we can take some comfort that we made an impact on the Members of the standing committee, which is an essential feature of any strategy to influence meaningful amendments to Bill C-68 and to minimize the negative impact of the proposed firearms legislation. Thank you.

---Applause

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MR. SPEAKER: Item 2, Ministers' statements. Item 3, Members' statements.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Construction Of New Recreation Complex In Inuvik

MR. KOE:

Mahsi, Mr. Speaker. Mr. Speaker, I rise today to inform Members of the developments relating to the construction of the new recreation complex in Inuvik. The recreation complex is a project that has been in the planning stages for many, many years and in the last few years, we've been able to move forward substantially, to the point where we're now starting to put nails in wood and get a building up.

Mr. Speaker, in spite of the substantial setbacks and demoralizing outcome of the recent Arctic Winter Games bid process, the people of Inuvik have taken new heart and new energy. They're confident that this government will take appropriate corrective action to ensure an effective and equitable selection criteria and process is developed so that all communities are able to bid on an equal basis for future Arctic Winter Games.

Inuvik has demonstrated that it is a community that possesses great initiative, complemented with a

capable, competent and active volunteer base. A community-wide effort is now being made to ensure that there is successful fund-raising and timely construction of a new recreation complex for Inuvik. Once again, residents from the community have pulled themselves together to act and have committed themselves to achieving success for this project.

A new, revitalized volunteer fund-raising committee has been formed to oversee and coordinate fund-raising operations for the new recreation complex. A strong, broad-based fund-raising strategy is currently being implemented. They have a target to raise \$1.4 million. The other \$3 million required for this \$4.4 million project has been identified and funds are currently being secured.

Mr. Speaker, I seek unanimous consent to conclude 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, Mr. Speaker. Virtually all community organizations are involved in the process and overwhelming support has been received to date. Schools are pitching in, the aboriginal organizations are involved, volunteer and community organizations are assisting, local businesses are rallying to provide support and services in kind, and large corporations are also coming on line as partners and contributors. I would like to thank the Government of the Northwest Territories for their full support and also all the other corporate and individual sponsors who have already contributed to this project.

Phase I of the construction is now under way. Last week, five truckloads of material rolled into town and the foundation work is now beginning. Tetlit'zheh Construction from Inuvik has been retained as the project manager. The shell of the complex will be erected over the summer and interior work will continue throughout the fall. Mr. Speaker, we anticipate having a skating party next Christmas to celebrate the grand opening.

Phase II is in the planning stages and, hopefully, will be under way fairly soon. Phase II is the construction of a multi-purpose community hall which would be an addition to the recreation complex. The town of Inuvik

has already committed substantial financing to this phase and is trying to pull together the additional funding resources. With the support of the Minister of MACA and this Assembly, we expect to begin construction of phase II concurrent with Phase I. It is anticipated that if this happens, it will result in substantial savings in construction costs.

The community of Inuvik supports this project and we trust that Members of this Assembly will recognize, applaud and endorse the commitment, enthusiasm, resources and energy that Inuvik is enlisting in this project. Mahsi cho.

--Applause

MR. SPEAKER:

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

Member's Statement On Presentation To Federal Government Re Bill C-68

MR. ANTOINE:

(Translation) Thank you, Mr. Speaker. I will speak in my language. Yesterday evening, we came back from our trip to Ottawa. Several Members of this government went to make a presentation to the committee working on Bill C-68. Several Members went to Ottawa and we talked to them on Monday. The Standing Committee on Justice and Legal Affairs consists of Members of Parliament working on the gun control legislation.

We had a conference with our Member of Parliament, Ethel Blondin-Andrew. She is not sitting on the committee, but we talked with her. The committee is gathering information about the bill. Monday was the first day that they sat and the Justice Minister, Allan Rock, spoke to the participants. We also had a conference with him. I feel that our presentation was good. Our Minister of Justice, Stephen Kakfwi, made a good presentation. I also gathered information from my constituents and made a presentation. I feel that the two hours we spent talking to them were good.

I feel that the federal government doesn't always think the same way as we do and so it will be hard to change their minds. Canada is a very big country. There are people living from Nova Scotia to BC and we don't all live the same way. Also, many people live in the cities. I am running out of time, Mr. Speaker. If it is okay, I would like to finish what I'm talking about.

MR. SPEAKER:

(Translation) The Member for Nahendeh is seeking unanimous consent. Are there any nays? There are no nays. Please proceed, Mr. Antoine.

MR. ANTOINE:

(Translation) Mahsi, Mr. Speaker. What I was saying is that Canada is a very big country and there are a lot of people. People who live up here are very different; the Inuit

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and Dene are people who live on the land. I feel that I made a fairly good presentation covering this. In the cities, there are a lot of crimes involving guns and this is why, I feel, they want to change the gun laws.

In this land, we will have to abide by this gun law as well. I feel that a lot of people who use guns in the north would suffer as a result of that. People who are using guns would have to take safety courses, only after they have taken safety courses will they be able to receive gun certificates. They will also have to register all guns. If we have to register our guns with the police, we will have to pay for it.

There are many people in the communities who own guns. I also possess about eight guns. Some people possess even more than that. Also, native people lend guns to each other. With this law, if we are going to continue living in our traditional ways, it would be hard for us. This is what I am talking about today. Thank you.

MR. SPEAKER:

(Translation) Thank you, Mr. Antoine. Item 3, Members' statements. Mr. Ballantyne.

Member's Statement On Congratulating Long-Term Civil Servants

MR. BALLANTYNE:

Thank you, Mr. Speaker. Mr. Speaker, today I would like to recognize those GNWT employees who were recently honoured at a long-service ceremony held here in the great hall. The ceremony was presided over by the Honourable John Pollard, the chairman of the Financial Management Board. It was attended by myself and my colleagues, Mr. Dent, Mr. Whitford, Mr. Lewis and Mr. Zoe.

Mr. Speaker, residents of the Northwest Territories owe a great deal to the dedication, hard work and loyalty those individuals who have served 15, 20 and 25 years and all the people that they represent. They've been part of profound change here in the Northwest Territories. We've evolved from the days when Commissioner Stu Hodgson called all the shots, to today, when we have a fully-elected Legislative Assembly where the Cabinet calls many of the shots.

---Applause

We now have strong aboriginal organizations, strong regions, many claims have been settled and more will be settled on the horizon. We're dealing with self-government issues, we're dealing with treaty rights, and Nunavut will be created in 1999. Those people who have been here for the last 25 years have been part of these tremendous changes, and I would like to name them for the record, Mr. Speaker. Barbara Mills, Bernie Straker, Jean Grimard, Carole Lane, Carolyn McCabe, Mary Beauchamp, Blair Dunbar, Phyllis Sartor, Roland Gosselin and Eric Smith.

Mr. Speaker, today and in the past, civil servants have been criticized by many people in our society. I think the criticism wasn't fair and every day continues to be less fair. We're asking these civil servants to do more and more with less and less. They are under increasing pressure to do the sorts of things we feel are important to serve the people of the Northwest Territories. And any of us who have worked in this

system know how important those dedicated, loyal civil servants are to us.

So, Mr. Speaker, we owe a large debt of gratitude to those professional civil servants who have served us so well. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

Member's Statement On Firearms Acquisition Certificates

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, I was privileged to be part of the Caucus Subcommittee on Bill C-68 which has been talked about in this House today. But I want to speak about a specific issue that

has come to my attention, as a Member of that committee.

In the course of researching in my constituency the possible impacts of this bill on my constituents, I checked out just how the present provisions of Bill C-17, which is now law, are actually working in my constituency. I've found out that there are very many concerns with the implementation of the presentation legislation, and particularly the more complex process that is now in place for acquiring a firearms acquisition certificate. The form is now four pages long, it has not been translated, it requires two passport-size photos. Now, Mr. Speaker, even in Iqaluit, which is one of the largest communities in Nunavut, it is difficult to get a passport photo and it's very difficult and a real barrier, I know, in smaller communities in Nunavut.

But the biggest concern I have is about the discretion being employed by the RCMP who are taking applications for these FACs when they consider whether they will waive payment of the \$50 fee. They are supposed to waive payment of the fee where an applicant is deemed to be hunting for subsistence. Now, Mr. Speaker, it has come to my attention that it is the practice of the RCMP in Nunavut communities in determining whether they will waive the fee that they will only waive the fee for people who are found to be on welfare.

Mr. Speaker, it was always our understanding that the criteria for deciding who is a subsistence hunter should be whether or not that person holds a general hunting licence. There are many GHL holders who are proud not to be on welfare. They are self-reliant, self-employed people, but they are not always rich and they cannot always afford the \$50 fee that is required for this firearms acquisition certification.

---Applause

MR. SPEAKER:

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

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Member's Statement On Agriculture Development In The NWT

MR. WHITFORD:

Thank you, Mr. Speaker. Mr. Speaker, today I want to talk about the sad decline in agriculture in the

north. You see the sun shining, the snow is melting, the soil is starting to warm up and it will soon be ready to do some planting if people are so inclined.

However, Mr. Speaker, with the exception of a few small private gardens and the Paradise Gardens of Hay River, the vast fields of vegetables and fruits that I remember seeing when I was growing up appear to be a thing of the past. People used to grow potatoes, cabbage, carrots, beets, turnips and lettuce; fruits included raspberries, saskatoons and rhubarb. All this produce flourished in and around the communities of Fort Smith, Fort Resolution, Fort Simpson, Hay River and as far down as Aklavik.

When I was growing up in Fort Smith, I used to help my grandfather plough the fields that he owned and those that he used. He planted and harvested all of these products that I previously mentioned. The Roman Catholic mission there established a farm on the flats of the Salt River about 20 miles west of Fort Smith. The St. Bruno farm flourished for a good many years producing milk, beef and grains, and were able to supply these goods to the parish at Fort Smith and to the St. Anne's Hospital there.

Today, we have the technology that has improved methods of planting. We also produce seeds that can withstand our coldest spring temperatures. In spite of our successful history in agriculture here in the north and the potentially productive soils, our fields remain unplanted and fallow. Where some of the most bountiful produce once grew, only weeds grow now. The meadows that once grew hay are now almost overgrown with willows.

The need for produce is still there. The soil is still there. What seems to be missing is the incentive and the encouragement that northerners might need to help them return to an agriculture success that our parents and grandparents once enjoyed. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

Member's Statement On Convocation Of Students From Aurora College

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I wanted to rise, Mr. Speaker, to acknowledge an event that for me and for

many others is important. That is the convocation of students from Arctic College, now Aurora College.

Mr. Speaker, with you in attendance at the Fort Smith convocation which included the Honourable Ethel Blondin-Andrew and the Member for Thebacha, Jeannie Marie-Jewell, we had an opportunity to see an event that we are all proud of whenever we see our students graduating from post-secondary institutions.

Mr. Speaker, I want to pay particular tribute to young people from my particular constituency and my region: Joyce Blake of Inuvik; Ruby Blake; Louisa Kaye; Abraham Stewart; and, Kimberly Vaneltsi from Fort McPherson. I also wanted to recognize the graduation of the Retias sisters. Mr. Speaker, I want to thank all the people who travelled from the Mackenzie Delta and the surrounding region who visited. I think without their support and involvement, the success of the students would not have been possible.

In concluding, Mr. Speaker, I would like to thank you for being in attendance along with the Member for Thebacha. I think it's an indication of the kind of support that this Assembly gives all our students. I want to pay tribute to your contribution and also the Hatlo Dene Drummers from Hay River for their contribution to the event.

I want to thank the staff, Ms. Gilles, Mr. Holtorf and all the students involved in the organization of the event. Again, congratulations to all of those graduates, wherever they may have come from, who were successful in completing their studies. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Nerysoo. Item 3, Members' statement. Item 4, returns to oral questions. Mr. Todd.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question 433-12(7): Federal Royalties From NWT Oil And Gas

HON. JOHN TODD:

Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Antoine on April 7th with respect to federal royalties from oil and gas. The federal government receives royalties from oil and gas production at the Norman Wells, Bent Horn and

Pointed Mountain fields. The first two are oilfields and the latter produces gas.

Norman Wells royalties are governed by the 1944 Norman Wells proven area agreement. Under this agreement, Imperial Oil owns two-thirds of the field production and pays the federal government a five per cent royalty on this production. The federal government owns the remaining one-third of the field and receives the net income from this production. The "Crown share" is a form of royalty. The combined income to the federal government from these royalties is about \$45 million a year.

Royalties from the Pointed Mountain gas field are calculated on the basis of 10 per cent on the first 76 per cent of production and 15 per cent on the balance. Royalties from this field average slightly over \$300,000 per year. Bent Horn pays royalties at a flat rate of 10 per cent. They amount to an average of \$16,000 per year.

I would note for all Members that, at present, all royalties collected from oil and gas activities in the Northwest Territories only flow to the federal government. Thank you.

MR. SPEAKER:

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

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Further Return To Question 448-12(7): Consultation With Legal Profession Re Cuts To Legal Interpreting Services

HON. STEPHEN KAKFWI:

Mr. Speaker, I have two returns to oral questions. First, in response to Mr. Patterson, a question he asked on April 19, 1995 about whether or not there had been any consultations with judges, the defence bar, Crown prosecutors and legal aid clinics on the cutbacks and changes proposed for the legal interpreting program.

Officials of the Department of Justice have had discussions about the proposed changes to the delivery of the legal interpreter training program with members of the judiciary of the Supreme and Territorial courts, both in the regions and in Yellowknife, and with the director of the Crown Attorney's office at the federal Department of Justice office in Yellowknife. Following these discussions, a

concern was expressed about adequate interpreter services being available for court.

During the 1994-95 fiscal year, the department spent in excess of \$100,000 for interpreting services provided in court. The department intends to maintain expenditures at the level necessary to ensure adequate interpreter services continue to be available. The department shares the concern that training must be continued in order to meet the needs of the court.

The training program will only change in terms of who delivers it. An interdepartmental committee has been formed to determine how best to deliver interpreter training. The department is represented on the committee in order to ensure that the standards developed by the current legal interpreter training program for interpreter training will be maintained under a new training model.

Comments received pursuant to discussions with the judiciary and the Crown about proposed changes were forwarded to Avery, Cooper & Co. These comments and the subsequent consultation undertaken by Avery, Cooper & Co. with judges, lawyers and others will be considered when looking at alternatives to the current training procedures.

The committee has received two drafts of the consultant's report and is currently reviewing the second draft. The recommendation in both drafts emphasizes maximizing the benefits of all interpreter programs by offering one complete program through Arctic College. The department's recent actions with regard to the legal interpreter training program are well-aligned with the recommendations of the report. The department anticipated the fiscal problems the program was facing as well as the probable solution, as recommended by the consultant.

Mr. Patterson also said that it was his understanding that there are four vacant Inuktitut interpreter terminologist positions. In fact, there is only one Inuktitut interpreter terminologist position and it is currently being staffed to fill a vacancy.

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

Mr. Speaker, I have a return to another oral question, this one asked by Ms. Mike, a question she asked on the 6th of April. Ms. Mike asked what the qualifications of the official languages coordinator were, in the context of a series of questions on the

effect of lay-off notices in the legal interpreter training program. Upon reviewing this series of questions and the responses to them, it would be useful to clarify that the official languages coordinator is an employee of the Department of Justice, while the official languages unit, with responsibilities for official languages policy throughout the government, is based in the Department of the Executive.

An interdepartmental committee has been formed to determine how best to deliver interpreter training, given the federal government cutbacks for French and aboriginal languages. The mandate of the committee is to eliminate possible duplication of the costs for interpreter training programs and to maximize the benefits of each program for all persons taking training.

Avery, Cooper & Co. has been contracted by the Department of Education, Culture and Employment to conduct a study and recommend how the government can best deliver interpreter training programs for all types of interpreters, given severely decreased funding. Interpreter training programs are currently offered through the Departments of Education, Culture and Employment, Health and Social Services, and Justice. Following the review, the program for training interpreters will be adjusted in order to eliminate possible duplication of services, while maintaining our ability to train qualified medical, legal and general-purpose interpreters.

The final report from the study will be submitted to the interdepartmental committee by the end of May. The committee will use the report as a basis to make recommendations to Cabinet about how best to deliver interpreter training. Thank you.

MR. SPEAKER:

Thank you, Mr. Kakfwi. Item 4, return to oral questions. Mr. Nerysoo.

Return To Question 427-12(7): Regulation Re Fire Retardant On Canvas Tents

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. This is a reply to a question asked by the honourable Member for Natilikmiot, Mr. Ningark, regarding the regulation for fire retardants on canvas tents. The Government of Canada regulates the manufacture of camping tents, play tents, ice fishing tents and personal use tents through the Hazardous Products Act of Canada, tent regulations.

The federal regulations require that all tents governed by the regulations be constructed of fire retardant materials, and that all tents sold in stores conform with the requirements set out in the regulations. I will provide full details about the federal

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regulatory structure to the Member, by letter, this week. 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:

Thank you, Mr. Speaker. I have not been in the House this week, I understand Mr. McDonald has been here. I was unable to recognize him because I was in Ottawa. So I would like to recognize him today -- Mr. Ben McDonald of the UNW -- and also note that he has been here on other days and was not recognized by any other honourable Members, unfortunately. Thank you.

---Applause

MR. SPEAKER:

Item 5, recognition of visitors in the gallery. I would like to recognize an individual who is dear to my heart, in the gallery, and that is my twin sister Margaret Rose Elleze.

---Applause

Margaret is 15 minutes my elder.

---Laughter

Item 6, oral questions. Mr. Koe.

ITEM 6: ORAL QUESTIONS

Question 471-12(7): Policy Re Outside Employment Of RCMP Officers

MR. KOE:

Mahsi, Mr. Speaker. Mr. Speaker, I heard on the radio and read in the papers about a recent plebiscite that was held proposing a liquor outlet in Coppermine.

I understand the plebiscite was defeated by the community so, basically, the issue is finished as far as a liquor outlet goes. What concerns me, Mr. Speaker, is the proponent of the proposal to open a liquor outlet in Coppermine, as I understand it, is a local RCMP officer who works in the community of Coppermine. I would like to ask the Minister of Justice what the policy is regarding RCMP officers and their abilities to seek private sector opportunities, especially related to liquor outlets in our communities.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I will take the question as notice and speak to the chief superintendent at the earliest opportunity. Thank you.

MR. SPEAKER:

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

Question 472-12(7): Status Of Air Medevac Standards

MR. DENT:

Thank you, Mr. Speaker. Mr. Speaker, I have a question for the Minister of Health and Social Services. Mr. Speaker, on April 5th when we were considering the budget of Health and Social Services in committee of the whole, I asked the Minister about air medevac standards. The Minister advised that the objective was to finalize standards for air medevacs by June 30, 1995. I understand, however, that recently a request for proposals was issued by the department asking for air medevac operators in the Mackenzie and Kitikmeot and western Arctic regions. Could the Minister advise whether or not the standards have already been finalized for air medevacs?

MR. SPEAKER:

Minister of Health and Social Services, Madam Premier.

Return To Question 472-12(7): Status Of Air Medevac Standards

HON. NELLIE COURNOYEA:

Mr. Speaker, I do not believe that the standards have been completed at this time. Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Dent, supplementary.

Supplementary To Question 472-12(7): Status Of Air Medevac Standards

MR. DENT:

Thank you, Mr. Speaker. Mr. Speaker, the Minister, also on that day, assured the House that she would distribute copies of the draft standards to Members of this Assembly at the same time they're being made available to operators. Since there is a request for proposals out there, the standards must have been distributed to some of the operators; yet, none of the Members I know have copies of the draft standards yet. Could the Minister please explain why that situation has developed?

MR. SPEAKER:

Ms. Cournoyea.

HON. NELLIE COURNOYEA:

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

MR. SPEAKER:

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

Question 473-12(7): Determination Of Sustenance Hunter

MR. PATTERSON:

Thank you, Mr. Speaker. To the Minister of Justice. I believe, Mr. Speaker, that in conjunction with our discussing the problems of implementing the present provisions of Bill C-17, the Minister is aware of my concern that some RCMP who are accepting these applications are determining whether to waive the fee for an FAC based on whether a person is on welfare. I would like to ask the Minister whether he believes whether a person is on welfare should be the criteria for determining whether a person is a sustenance hunter. Thank you.

MR. SPEAKER:

Minister of Justice, Mr. Kakfwi.

Return To Question 473-12(7): Determination Of Sustenance Hunter

HON. STEPHEN KAKFWI:

Mr. Speaker, I will be seeking a meeting with the chief superintendent of the RCMP in order to put the question to the chief superintendent. Under the present laws governing firearms and acquisition for firearms, how much of the present legislation is being enforced, how is

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it being enforced and where are the criteria used to make these judgements and, specifically in response to the Member, how are the RCMP deciding how fees are waived, if at all. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 473-12(7): Determination Of Sustenance Hunter

MR. PATTERSON:

Thank you, Mr. Speaker. I'm pleased that the Minister will use his good offices with the RCMP to discuss this important issue. I would like to ask the Minister whether he would recommend that the more appropriate criteria -- if policemen are going to be making a judgement about whether a person hunts for food -- would be to determine whether or not that person holds a general hunting licence. Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 473-12(7): Determination Of Sustenance Hunter

HON. STEPHEN KAKFWI:

Mr. Speaker, that may be the most common sense way to approach the issue. It may very well be the way to address that question and should be made clear. In any case, the right to hunt is seen by all people across this country as the most basic right, the most elementary right that we have as aboriginal people regardless of whether we are on welfare or we

make in excess of \$100,000 a year. That right should not be interfered with by any laws. That was basically what the Sparrow case had laid out in the Supreme Court. We will be looking seriously at that question when we're reviewing the present regimes of the firearms legislation and more specifically at the proposed new firearms legislation. Thank you.

MR. SPEAKER:

Item 6, oral questions. Mr. Koe.

Question 474-12(7): Increase In Child Welfare Apprehensions

MR. KOE:

Everybody must be tired here. Mr. Speaker, it's always nice to come back home to catch up on the news and the goings-on in the Northwest Territories. I read in the paper and heard on the news about an increase in the apprehensions of young children across the Northwest Territories. I would like to ask the Minister of Health and Social Services whether or not there has been a significant increase in the number of child welfare apprehensions across the Northwest Territories.

MR. SPEAKER:

The Minister of Health and Social Services, Ms. Cournoyea.

Return To Question 474-12(7): Increase In Child Welfare Apprehensions

HON. NELLIE COURNOYEA:

Mr. Speaker, the report shows that there has been a significant increase. Thank you, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question 474-12(7): Increase In Child Welfare Apprehensions

MR. KOE:

Mahsi. Can the Minister inform us as to reasons for the significant increases in apprehensions?

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question 474-12(7): Increase In Child Welfare Apprehensions

HON. NELLIE COURNOYEA:

Mr. Speaker, as the information has been relayed to me, there isn't anything that we can put at the top of the list as the reason there is such as increase in child apprehensions. We really can't say for one reason or another, except perhaps that there is more awareness and more people who are prepared to take these measures. However, I can't, with the information I have, provide any specific area where we could say the reason in this area more so than in others. Thank you, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question 474-12(7): Increase In Child Welfare Apprehensions

MR. KOE:

Mahsi, Mr. Speaker. I guess a lot of work can be done in our communities, preventative work that may or may not be getting done. I would like to ask the Minister about a proposal that an Inuvik interagency committee had submitted to this government, a proposal to look after the youth within the community using all the local resources. This would contribute to making the numbers... If the proposal that the committee has put forward works, it makes sense that the people in the community can look after their own children and the children that are in the care of this government. I would like to ask the Minister what is the status of that proposal?

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question 474-12(7): Increase In Child Welfare Apprehensions

HON. NELLIE COURNOYEA:

Mr. Speaker, in terms of the specific proposal that the Member is referring to that, along with a variety of others, is being looked at. Because the issue is not relative to one community or one area of the Northwest Territories, there has been significant discussion going on under the community wellness strategy whereby the communities would look at the resources that are presently within their community

and see if those resources are adequately deployed in the proper place. Is there a better way of utilizing those resources to look at the social problems or address the social problems in each community?

The proposal that is before us is one of many which we will be pursuing very actively as soon as we can get some time to make sure that we deal with the communities and the agencies in the communities so that we can have a more holistic approach to addressing the social concerns in each community. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Final supplementary, Mr. Koe.

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Supplementary To Question 474-12(7): Increase In Child Welfare Apprehensions

MR. KOE:

Mahsi. I appreciate the amount of work that's been generated from the community wellness strategy but each community, each individual community or groups within the communities, work at different speeds. Some are more aggressive and assertive and some are more advanced in the types of work they do. Here we have a community that is ready, willing and able to do this work. They've got a very well-thought-out proposal that makes sense. I would like to ask the Minister if she can expedite this specific one so that people in the community can help reduce the numbers of children that are apprehended. Mahsi.

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question 474-12(7): Increase In Child Welfare Apprehensions

HON. NELLIE COURNOYEA:

Mr. Speaker, I'm not proposing that every proposal has to be looked at in light of assessing how and when we're going to move with the proposals. That was not the intent of my reply to the honourable Member. I just made mention that there were several areas and several communities who want to deal with the overall social support that they can have within their community to address this issue and many others. The proposal is on the table. We've had

some meetings with all the agency groups, the care givers in Inuvik, a week ago. We are looking to follow up with that and see what can be done in trying to reorganize funding so that these people can take on these added responsibilities. We don't intend to hold it up because some other areas may not be as aggressively pursuing that goal. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 6, oral questions. Mr. Dent.

Question 475-12(7): Change In Graduation Certification

MR. DENT:

Thank you, Mr. Speaker. My question is for the Minister of Education, Culture and Employment. Mr. Speaker, in the past we had two graduation diplomas for those who completed high school: the advanced secondary school certificate and the general secondary school certificate. I understand that we've changed the system now and have only one. I was wondering if the Minister could advise the House the reasons for changing from two diplomas to one.

MR. SPEAKER:

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

Return To Question 475-12(7): Change In Graduation Certification

HON. RICHARD NERYSOO:

Very simply, Mr. Speaker, Alberta has changed the way in which they measure students.

MR. SPEAKER:

Supplementary, Mr. Dent.

Supplementary To Question 475-12(7): Change In Graduation Certification

MR. DENT:

Thank you, Mr. Speaker. Could the Minister advise if other jurisdictions besides Alberta have changed to the same sort of standard?

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 475-12(7): Change In Graduation Certification

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. Most jurisdictions are changing to one diploma or certificate. What is occurring is that the basis of the education that they receive is on the transcripts and the transcripts that are sent to post-secondary institutions, depending on which one they apply to, will determine whether or not they are eligible.

MR. SPEAKER:

Supplementary, Mr. Dent.

Supplementary To Question 475-12(7): Change In Graduation Certification

MR. DENT:

Supplementary, Mr. Speaker. Some people have expressed concern to me that we may be lowering the standards for graduation. I understand the Minister is saying that it's actually the transcripts that universities use for considering whether or not a student may be granted entrance. I was wondering if the Minister could advise whether or not his department has found any problems this year with our students being accepted on an equal footing, now that we've dropped requirements significantly for such things as social studies, mathematics and the sciences?

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 475-12(7): Change In Graduation Certification

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. Based on those students that are successful in their studies, there's been no reduction in their acceptance, with one exception. The honourable Member should be aware, and I think most Members are aware, that if you do not achieve a particular standard in any of the courses, even if you are to pass at 65 or 75 per cent in Math 30, Biology 30, Chem 30, there is no guarantee that you will be accepted in a post-secondary institution in this country. The lowest mark that is generally acceptable is about an 85 per cent average now. If you do not meet that standard, some institutions, such as Mount Royal College, require you to write an entrance exam

before you are accepted. That is generally what is occurring across the country.

The problem with that is that there is a limitation to the amount of students that are being allowed into those institutions. That's a bit of a problem for us and we're trying to address it. We're trying to address the issue of centres of learning with the consortium of western Ministers, however, it is still a problem because of the significant increase in student population across the country.

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MR. SPEAKER:

Item 6, oral questions. Final supplementary, Mr. Dent.

Supplementary To Question 475-12(7): Change In Graduation Certification

MR. DENT:

Thank you, Mr. Speaker. With this being the first year of operation of the current diploma system, will the Minister commit to have the department watch what happens to graduating students this year and ensure that they move to deal with any problems that might appear in other jurisdictions with portability?

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 475-12(7): Change In Graduation Certification

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. Just to indicate to the honourable Member, there are some problems with regard to portability, whether or not you go from Alberta to British Columbia or Alberta to Ontario or to the other provinces. That is one of the issues that Ministers across the country are trying to address at this particular time so that there is consistency of educational standards right across the country.

The other thing is that there are still inconsistencies and non-portability of post-secondary programs. In other words, an individual who might be in law in Dalhousie may not be accepted in law at UBC or another program, and that is of concern to us, including the technical programs, so we are working on that and I hope that despite the issue with regard

to the single diploma -- I mean, it's not the issue of whether or not a student gets into a post-secondary institution but rather the courses that they take and the marks that they receive. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 6, oral questions. Mr. Patterson.

Question 476-12(7): Additional Procedures Re Gun Control Legislation

MR. PATTERSON:

Thank you, Mr. Speaker. To the Minister of Justice, Mr. Speaker. I think that under his leadership, progress was made this week in making the federal Minister and federal MPs aware of the disastrous consequences of proceeding with Bill C-68 without major amendments, at least the disastrous consequences in the Northwest Territories.

I would like to ask the Minister if he could outline what further steps he will be taking to drive this point home in Ottawa and particularly whether the Minister will be making further representations to the House of Commons Standing Committee on Justice and Legal Affairs with other Justice Ministers to reinforce points we have already made as a Caucus subcommittee.

MR. SPEAKER:

The Minister of Justice, Mr. Kakfwi.

Return To Question 476-12(7): Additional Procedures Re Gun Control Legislation

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. There was an effort made to work in concert with other governments across this country, notably the governments of Alberta, Manitoba and Saskatchewan and other governments as well; to certainly let them know that we have concerns with this bill but we also have other provisions of this bill that we support. I think we are concerned that we may not be taken as seriously as we should. So we are working, and we will continue to work, with other Ministers.

We may very well be taking part in more meetings, strategizing, as I say, with other governments and possibly being involved in other initiatives if we decide to do that. There may be other meetings with Ministers that may need to be called as a result of the standing committee having hearings in Ottawa.

I have extended informally an invitation to the chairperson of the standing committee, Mr. Allmand, but also to individual Members of that standing committee. Since most of them have said they do not have any experience whatsoever in the lifestyle of northern people, the lifestyle of Inuit, the lifestyle of Dene and Metis people, they are very interested. There is very little time available to them but they may be interested in taking some personal time. A quick weekend trip, for instance, into a small aboriginal camp or community may be exactly what they need in order to fully appreciate the extent to which we need amendments in order to be able to live with the provisions of this bill.

We may be meeting and strategizing with aboriginal groups because of the possible infringement this legislation will have on the aboriginal right to hunt and the cultural impact it will have on the lifestyle of our people.

We may be thinking of having or requesting a meeting with the federal Minister depending on developments over the next few weeks regarding the hearings and the public attitude towards that piece of legislation.

So that, in summary, is where we are at. We may be asked, although I have not been confirmed, to have meetings with officials from the Department of Justice in Ottawa to discuss and make more clear and perhaps more specific the concerns we have, the provisions that we support and those provisions that we think will not work and have any relevance at this time in order to take a positive approach to possibly supporting the bill down the road. Thank you.

MR. SPEAKER:

Item 6, oral questions. Are there any further oral questions? Mr. Koe.

Question 477-12(7): Status Of Consultant For Study On Financing The NWT Government

MR. KOE:

Mahsi, Mr. Speaker. I have a question for the Minister of Finance. Last October, the Minister stated that this government was looking at sending out a call for proposals to study the financing of local governments and local education committees or boards or our total system in the Northwest Territories. I would like to ask the Minister of Finance whether or not the consultant has been hired to do this work yet.

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MR. SPEAKER:

Minister of Finance, Mr. Pollard.

Return To Question 477-12(7): Status Of Consultant For Study On Financing The NWT Government

HON. JOHN POLLARD:

Thank you, Mr. Speaker, and good afternoon. Yes, Mr. Speaker, a consultant has been hired, Enid Slack and Associates. I believe they have written to all MLAs and have sent some information out to the communities and advised them of the kind of information that they are seeking. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 6, oral questions. Supplementary, Mr. Koe.

Supplementary To Question 477-12(7): Status Of Consultant For Study On Financing The NWT Government

MR. KOE:

Can the Minister advise us as to where this Slack consulting company is located? Are they a northern consulting or a southern consulting company?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 477-12(7): Status Of Consultant For Study On Financing The NWT Government

HON. JOHN POLLARD:

Thank you, Mr. Speaker. They are a southern consulting company, Mr. Speaker. Thank you.

MR. SPEAKER:

Item 6, oral questions. Mr. Koe, supplementary.

Supplementary To Question 477-12(7): Status Of Consultant For Study On Financing The NWT Government

MR. KOE:

Mahsi. They are a southern consulting company, Mr. Speaker. I would like to ask the supplementary again. Were there no capable northern companies that could do this type of work?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question 477-12(7): Status Of Consultant For Study On Financing The NWT Government

HON. JOHN POLLARD:

Mr. Speaker, I am sure that there are northern companies who can do this kind of work but I don't believe that they submitted anything during the proposal call. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 6, oral questions. Mr. Patterson.

Question 478-12(7): Status Of Plans For Nunavut Human Resource Training Conference

MR. PATTERSON:

Thank you, Mr. Speaker. To the Minister of Education, Culture and Employment. Mr. Speaker, earlier in the session, I asked the Minister about his response to the Gjoa Haven education leaders' summit recommendations, particularly the recommendation that his department take the lead in organizing a Nunavut training and human resource planning session which the education leaders hoped could be held this spring in April or May. I know he said that he was awaiting the completion of his department's transition to Nunavut plan which, I believe, is due at the end of this month. I would like to ask the Minister, since the days of this session are coming to a close, if, after the House recesses, the Minister will be following up on the Gjoa Haven leaders' summit, contacting people involved in that summit and making a response to the recommendations, particularly about the planning conference. Thank you.

MR. SPEAKER:

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

Return To Question 478-12(7): Status Of Plans For Nunavut Human Resource Training Conference

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. We're certainly trying to work on addressing many issues, of which the leadership summit in Gjoa Haven is one. As soon as we can, we'll be able to resolve some of the issues.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 478-12(7): Status Of Plans For Nunavut Human Resource Training Conference

MR. PATTERSON:

Mr. Speaker, does the Minister agree that, in light of the imminence of April 1, 1999 and the need to have trained people in place well before that date, it would be timely if the next Nunavut education planning conference could be held within the next few months? Thank you.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 478-12(7): Status Of Plans For Nunavut Human Resource Training Conference

HON. RICHARD NERYSOO:

Mr. Speaker, I think it is not always whether or not meetings are held, but whether actions are taken. I think the efforts of my department to bring about an appropriate strategic plan, a new Education Act, and changes in the college reflect the direction the honourable Member is pointing to. We are still working with the leadership of those involved in education and training and it's my feeling that we've developed a very good working relationship with the educational leaders. We want to continue that relationship and whenever it is possible for us to agree on an appropriate time for a meeting, we'll work with them to address that particular issue. But, we will participate.

MR. SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Supplementary To Question 478-12(7): Status Of Plans For Nunavut Human Resource Training Conference

MR. PATTERSON:

Mr. Speaker, I did not mean to suggest that the Department of Education, Culture and Employment is not reorganizing itself and strategizing for the challenges ahead. I think the challenge thrown out by the education leaders was to ask the department to become the lead in developing a plan to bring together all the other various agencies and organizations which have training and human resource planning responsibilities in Nunavut -- the NTI, the NITC, the Nunavut Implementation Commission, the Nunavut Secretariat, federal agencies et cetera.

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The Minister indicated that it would be desirable to have a meeting. I would like to ask the Minister, is he also open to the idea of taking the lead in organizing and chairing such a meeting through one of his senior officials? Thank you.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 478-12(7): Status Of Plans For Nunavut Human Resource Training Conference

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I just want to say to the honourable Member that it's in my interests to work with the organizations the honourable Member has pointed out and we're prepared to do that. We're also prepared to determine whether or not it's appropriate for us to chair, or whether we will identify an individual who might chair a conference of this type who would be more acceptable to all participants.

We will be involved and, at the appropriate time, hopefully we will have resolved these particular issues and logistics. We'll certainly work with the organizations to address these issues.

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. Whitford.

ITEM 10: PETITIONS

MR. WHITFORD:

Thank you, Mr. Speaker. I would like to present Petition No. 8-12(7) dealing with the federal gun control legislation proposal. The petition consists of some 95 signatures on cards, complete with addresses of constituents. The petition reads:

"As an NWT resident and taxpayer, I respectfully request that you (referring to myself) lead the territorial government to quickly counter proposals by the federal Justice Department that would severely infringe upon the rights of NWT citizens and establish a mandate to:

1. Support laws that severely punish all violent criminals who use weapons in the commission of crimes;
2. Support only Criminal Code firearm control measures which recognize and protect the rights of law-abiding firearm owners; and,
3. Support or initiate legislation to remove or change existing laws which have not been proven as cost-effective in providing public safety and/or are so convoluted as to be ineffective and unenforceable."

Thank you.

MR. SPEAKER:

Item 10, petitions. Item 11, reports of standing and special committees. Mr. Antoine.

ITEM 11: REPORTS OF STANDING AND SPECIAL COMMITTEES

Committee Report 8-12(7): Standing Committee On Finance Report On Bill 30, Deficit Elimination Act

MR. ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, in accordance with its terms of reference, the Standing Committee on Finance is pleased to submit its report on the review of Bill 30, Deficit Elimination Act.

Between 1983 and 1993, the Northwest Territories was fortunate to be one of the few jurisdictions in Canada without accumulated debt, if not the only such jurisdiction. We recognize that over 80 per cent of the government's budget consists of grants from the federal government; still, the government is to be credited with having lived within its means throughout that decade.

However, in the last two years, the territorial government has slid into debt. The drastic cuts in federal funding for construction of new social housing, funding disputes with the federal government (especially regarding health billings), and two years of serious forest fires have forced the government to increase spending without having an increased pool of revenues to draw from.

Since the October 1993 federal election, it has become very clear that funding from the federal government will not continue at the levels we have come to expect. But we will still face dry summers, a continuing shortage of adequate housing, and other unforeseen circumstances which will cause demands for increased government spending.

Members of the Standing Committee on Finance are concerned that the Government of the Northwest Territories may soon find itself with a crushing burden of debt, as many provinces and the federal government are now facing. But committee Members do not want to see the upcoming division of the NWT affected by contention over the division of an accumulated government debt.

Moreover, the standing committee has made strong recommendations that a transition plan be prepared for the next Assembly. Standing committee Members are concerned that the 13th Assembly will face many difficult challenges, especially preparing for division and coping with financial cutbacks. We feel that this Deficit Elimination Act will be a key component of that transition plan.

The Standing Committee on Finance has made a number of recommendations which would address these concerns. The report, *Investing in Our Future*, was tabled by the standing committee on October 11, 1994. In that report, the committee recommended as follows:

"The Standing Committee on Finance recommends that the Financial Management Board, as part of its transition planning, seriously consider protecting the interests of the people of the Northwest Territories by introducing, during the life of the Legislative Assembly, legislation that requires the Government of the Northwest Territories, in preparation for division, to ensure that on March 31, 1998, no deficit has accumulated."

And in its Report on the Review of the 1995-96 Main Estimates, the committee repeated its concern:

"The committee recommends that the Minister of Finance introduce legislation in the current session which would require that the government ensure that on March 31, 1998, no deficit has accumulated; furthermore, that the legislation include sanctions which would encourage compliance with the legislation."

The government responded to these recommendations by introducing Bill 30, Deficit Elimination Act, on March 29th. This bill would provide for limits on government deficits in the 1996-97, 1997-98 and 1998-99 fiscal years.

However, the bill as originally introduced would not meet the requirements of the recommendations of the Standing Committee on Finance. Given the deficit incurred in 1994-95, the planned deficit in 1995-96, and the deficit limits allowed by the original bill, the Northwest Territories could have accumulated a total debt of up to \$100 million by April 1, 1999.

The intent behind the standing committee's previous recommendations was to ensure that there is no debt to divide between the new territories in 1999. The process of division is difficult enough; there is no point complicating it further by leaving a debt to be fought over and argued about by the new territories.

As a result, the Standing Committee on Finance has proposed a series of amendments. The effect of these amendments would be to ensure that the debt is not added to by the budgets of 1996-97 and following fiscal year. As well, the amendments provide a method of penalizing Cabinets which contravene the provisions of the bill. Violation of the provisions of the bill will provoke an automatic debate on whether the appointments of the Members of the Executive Council should be revoked by the Commissioner. Members of the standing committee feel that this measure will provide the right balance between prompting the government to be fiscally prudent, yet allowing for unforeseen circumstances beyond the government's control. If a deficit occurs which violates the provisions of the bill, but the Members of the Assembly at the time feel that circumstances were such that the government could not have controlled or foreseen them, the Assembly then has the option to recommend that Cabinet appointments not be revoked, which would allow the government to continue.

The sponsor of the bill, the Minister of Finance, has met with the standing committee to discuss these amendments, and has concurred with them in committee hearings. We would like to thank the Minister of Finance for his cooperation throughout this process. Standing Committee Members look forward to the consideration of this bill with our colleagues in committee of the whole.

Motion To Receive And Adopt Committee Report 8-12(7), Carried

Mr. Speaker, that concludes the report on Bill 30, Deficit Elimination Act. I move, seconded by the honourable Member for Iqaluit, Mr. Patterson, that the report of the Standing Committee on Finance on Bill 30, Deficit Elimination Act, be received by the Assembly and adopted. Mahsi, Mr. Speaker.

MR. SPEAKER:

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

SOME HON. MEMBERS:

Question.

MR. SPEAKER:

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

---Carried

The report of the Standing Committee on Finance is received and adopted.

Item 12, reports of committee on the review of bills. Item 13, tabling of documents. Mr. Todd.

ITEM 13: TABLING OF DOCUMENTS

HON. JOHN TODD:

Thank you, Mr. Speaker. I wish to table the following document: Tabled Document 97-12(7), Public Utilities Board of the Northwest Territories 1994 Annual Report. Thank you.

MR. SPEAKER:

Thank you. Mr. Kakfwi, tabling of documents.

HON. STEPHEN KAKFWI:

Mr. Speaker, I wish to table the following document: Tabled Document 98-12(7), Presentation by the Minister of Justice of the Northwest Territories Legislative Assembly to Hearings of the House of Commons Standing Committee on Justice and Legal Affairs on Bill C-68, An Act Respecting Firearms.

MR. SPEAKER:

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

MR. ANTOINE:

Thank you, Mr. Speaker. I would like to table Tabled Document 99-12(7), Submission to the House of Commons Standing Committee on Justice and Legal Affairs Regarding Bill C-68, by the MLA for Nahendeh, Legislative Assembly of the Northwest Territories. Mahsi.

MR. SPEAKER:

Thank you. Item 13, tabling of documents. Ms. Cournoyea.

HON. NELLIE COURNOYEA:

Mr. Speaker, I would like to table a document, Tabled Document 100-12(7), Renewed Partnerships: An Update. Thank you.

MR. SPEAKER:

Item 13, tabling of documents. Item 14, notices of motion. Item 15, notices of motions for first reading of bills. Item 16, motions; Motion 18-12(7). The motion will stay on the orders paper for tomorrow. Item 17, first reading of bills. Item 18, second reading of bills. Mr. Dent.

ITEM 18: SECOND READING OF BILLS

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

MR. DENT:

Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Sahtu, that Bill 32, An Act to Amend the Legislative Assembly and Executive Council Act, No. 2, be read for the second time. Mr. Speaker, this bill provides that a Member of the Legislative Assembly who is

convicted of an offence involving violence against another person may not continue to serve as a Member.

MR. SPEAKER:

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

MR. DENT:

Thank you, Mr. Speaker. Mr. Speaker, in February of 1994, this House adopted a declaration of zero tolerance for violence. This was an important motion, one we all supported as being a meaningful first step on the road to dealing with violence. It was unprecedented in Canada and won us a lot of praise. I hope Members will review that declaration and the principles set out in the motion adopting zero tolerance, because it is from there that the principle is Bill 32 comes.

Mr. Speaker, the reason I have brought forward this bill and ask for Members' support is that a declaration is not enough. People have told us over and over they expect to see action to back up our words. I know that Members have received a very large number of faxes from groups and individuals this past couple of weeks, since most groups have sent me copies. I know that we've all heard from many sources that family violence is a problem across the country; that we need to change society's attitudes so people start to realize that family violence is a crime. Too many in our society are still in denial; seeing family violence as a minor social problem.

The Minister of Justice has said in this House that declarations such as ours are but one element in the process of changing society's views about family violence, and that MLAs should be leaders in that process of change. The Standing Committee on Finance demanded to see some concrete action. Many Members have pointed out that it is only when leaders set a good example by themselves truly enforcing non-violence, that we will see society start to deal with the tolerance and denial that presently surrounds violence.

This bill provides some concrete action, and will help ensure that we, as political leaders, set a good example in the control of our own process and Members.

Mr. Speaker, in a free and democratic society, it is important that the public have confidence in their governing institutions and in their elected leaders.

How can the public have confidence in this Legislative Assembly and its Members if we only pay lip service to the principle of zero tolerance for violence? Having adopted the principle of zero tolerance for violence, the reputation and integrity of the entire Assembly would be called into question if we allow a Member to continue to sit after being convicted of a criminal offence involving violence against another person. In a free and democratic society, it is crucial that elected representatives do not ask or are not seen to ask more of their constituents than they ask of themselves.

One of the most basic principles of a democratic society is that no one is above the law. Members must, themselves, be subject to the principles and policies adopted by this House, and we must not be seen to ask more of our constituents than we ask of ourselves.

The final clause in our motion on zero tolerance said that we "invite all northern leaders, such as leaders of aboriginal organizations, municipal governments, trade unions, boards and agencies and societies, to make a similar commitment by adopting this declaration in spirit and in practice."

Mr. Speaker, how can we possibly ask others to practice zero tolerance unless we ensure that we do the same?

AN HON. MEMBER:

Agreed.

---Agreed

MR. DENT:

By adopting the principle of this bill, we demonstrate that we will practice zero tolerance for violence.

Further, in the preamble to our motion on zero tolerance, this House said "that violence has been tolerated for too long; the incidents of violence denied and its affects minimized. The practice of violence is transmitted from generation to generation. Children and youth are educated by experience and example to practice violence, and family violence will only be contained and reduced if northern society refuses to continue to tolerate its occurrence."

Mr. Speaker, we must set the example. We cannot just say that we refuse to tolerate violence, but through our actions demonstrate that we refuse to tolerate violence. By adopting the principle of this bill,

we would demonstrate our belief that actions do speak louder than words and that we are willing to stand by our words as those who have elected us have a right to expect that we will do.

Mr. Speaker, the Legislative Assembly has the inherent right to regulate its own affairs and to discipline Members. Already, a Member loses their seat if they are convicted of an offence and are sent to jail. Similarly, the amendment proposed by this bill simply codifies the intrinsic power already held by the Legislative Assembly and adds to the existing conditions which can cause a Member to lose their seat. It provides a mechanism to ensure we live up to the principles we have already adopted in our declaration on zero tolerance for violence.

It would be hard to disagree with the idea that we should have a process to remove a person from the Legislature who had been found guilty of assaults on family members, other serious assaults or any kind of sexual assault. We already have a section in the Legislative Assembly and Executive Council Act that removes a Member if they are convicted of any crime and jailed for at least one day. The goal of this bill is to tighten up that section of the act so the Legislature can address situations where someone is convicted of a crime involving violence and may not be sent to jail.

Having already adopted the principle of zero tolerance for violence in this Legislature, how could we ignore such a situation if it developed in the future? By approving the principle of Bill 32, we are confirming that in the future we will not let such a situation occur in our House.

Mr. Speaker, it is important to remember that we are talking about the principle of the bill today. Do we support the principle of zero tolerance for violence? If so, we must support the principle of Bill 32 which would ensure that Members have to live up to that principle by exercising the inherent power of

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the Legislative Assembly to control its own process and removing Members from the job if they do not abide by the principle of zero tolerance for violence.

Supporting the principle of Bill 32 does not mean that there is not room for improving it. Since introducing the bill, I have had a number of suggestions for amendments made to me and in some cases there are persuasive arguments for making changes. I have heard some suggest the bill be referred to the

Rules committee before we conclude second reading. Mr. Speaker, that approach would deny us the opportunity to demonstrate to the public that Members in this House support the principle of this bill and would effectively kill the bill during the life of this Assembly. A vote to refer is quite simply a vote against the principle of this bill.

In our Legislative Assembly there are two and only two occasions where a bill, such as Bill 32, may be amended after first reading; the first is while it is under consideration by the Standing Committee on Legislation, the second is during consideration in committee of the whole. Even if the bill is referred to the Rules committee, they cannot make changes. The bill will still have to come back to this House for second reading exactly as it reads right now. A motion to refer only puts off debate and slows the process down so much that we could not pass the bill before dissolution.

Every bill must have second reading before being referred to a standing committee to ensure that there is support for the principle of the bill. I hope Members will demonstrate their support for the principle and allow the process to continue as it should. Once the bill is sent to the Standing Committee on Legislation there will be occasion to talk about amendment, and another opportunity when the bill comes up for discussion in committee of the whole.

Some of the amendments which have been suggested to me would not only respect the principle expressed by Bill 32, but would make it more clear as to how the bill would apply and provide greater certainty in some situations. In fact, there are some amendments that I intend to propose to the bill when it is being considered by the Standing Committee on Legislation.

It has been pointed out that the bill as currently written might miss some offences that really do fall within the principle of the bill. While our motion adopting the principle of zero tolerance for violence, specifically mentions sexual abuse as a form of violence, Bill 32 as it is now written might not apply to someone convicted of an offence such as "invitation to sexual touching." Therefore, when this bill is being considered by the Standing Committee on Legislation, I will recommend that it be amended by adding the words "offences involving the sexual exploitation of children."

Mr. Speaker, I've also been convinced that amending the bill to ensure it is applied in a two-stage process

can be a method of making it more effective. I will further recommend amendment to the bill to ensure a Member is automatically removed for conviction on an indictable offence; but for summary conviction offences, requiring the Legislative Assembly to specifically address whether a Member, if found guilty, should be permitted to be or sit as a Member. In this manner we could also ensure that the Assembly could consider

those situations where a Member might receive an absolute or conditional discharge.

If the principle of this bill is zero tolerance for violence -- and I certainly see it as that -- we must find a way to ensure a Member who receives an absolute or conditional discharge still has to face his or her colleagues to find out if they will be permitted to continue as a Member.

Mr. Speaker, this two-stage process would also allow the flexibility necessary to ensure the facts in any given situation can be considered by the Members. In a case of modest culpability, it may be important for the Assembly to have the ability to look at extenuating circumstances.

Mr. Speaker, some concern has been expressed about whether we can support the principle of Bill 32 and still defend ourselves or come to the defence of another person, who is being assaulted. I have been assured that the use of reasonable force is legally allowed in self-defence or when protecting your family or another person and a conviction is unlikely in that situation. We have, however, all heard of situations where someone in good faith, intervenes in a domestic incident to prevent what appears to be certain injury, only to have the battling parties accuse the good Samaritan of interference upon reconciliation. Should such a situation result in an assault charge, the two-stage process I plan to suggest as an amendment would allow the Member a chance to present the facts in their defence.

As leaders and law-makers, we also need to have some confidence in our system of justice to weed out nuisance charges or instances of Members being targeted by people who are out to get them. Today, a Member could be charged by someone who has provoked an assault or charges could be laid maliciously by a person for political motives. Even if the charges are thrown out, there will always be some damage to the Member's reputation. This bill does not increase the likelihood of that happening.

Mr. Speaker, the public has a right to have confidence in the officials it elects. We must seek to honour this confidence and trust. We can do so in part by demonstrating our willingness to put ourselves out in front, showing that we do understand that actions speak louder than words. We have already adopted the policy of zero tolerance for violence in this House. By giving Bill 32 second reading today, we can demonstrate that we adopt the principle in action and that we really are serious about tackling the problem of violence in the north. Thank you, Mr. Speaker.

MR. SPEAKER:

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

HON. NELLIE COURNOYEA:

Mr. Speaker, Cabinet has considered whether it would take a collective position on Bill 32. Given that the bill will have fundamental implications for all of us as Members of this Legislative Assembly, and how this Legislative Assembly chooses to discipline its Members, Cabinet has decided that Ministers will not be bound by a common position. In other words, Mr. Speaker, Ministers will participate as Members of the Assembly in a free debate and a free vote on the principle of Bill 32.

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---Applause

MR. SPEAKER:

Mr. Ballantyne. To the principle of the bill.

MR. BALLANTYNE:

Thank you, Mr. Speaker. Mr. Speaker, violence is becoming an increasing concern to all of us and to society, generally. Unfortunately, a disproportionate amount of that violence is directed against women and children. During my time in government and my six years as Minister of Justice, I was very proud of the steps this Legislative Assembly has taken in promoting victims' programs; the steps this government has taken in identifying and dealing with the awful problem of child sexual abuse; and the steps that this Assembly and government have taken to identify the barriers to gender equality.

I'm proud of the beginning we've made but I think all of us recognize that we've just started down the road. There's still a long way to go. The spectre of violence

is something that really haunts us all, it threatens the stability of society as we know it.

Violent crime is a growing concern and I'm convinced that the fact that violent crime is highly publicized, especially in the United States, was one of the major impetuses for the gun control law. People are worried, people are scared, people aren't quite sure how to deal with a changing society. People are looking for answers and leadership from politicians. I, like most Members of this House, don't think that the gun control legislation is the right way to deal with the problem.

I think, as leaders, we have a responsibility to show leadership. I was one Member who voted against recall because I don't believe in the principle of recall as a mechanism. I really had and continue to have problems with that. But, as we go along the path of trying to deal with the effects of violence in our society, I think every Member here should consider the principles and the implication of the bill my colleague has brought forward.

We hear and see in our school playgrounds that there is increasing violence. In Canada, we now have metal detectors. There are kids that have to be disarmed, guns and knives taken away from them, in school yards in southern Canada.

Like everything else, what are problems in southern Canada now, we can expect to have here in 10 years. Again, more and more, people are looking for answers. When this government came forward, led by Mr. Kakfwi, with a very strong principle of zero tolerance for violence, I had some concerns about that kind of a statement: whether or not we would be raising expectations; whether or not we would actually, at the end of the day, be able to deliver on the philosophy of zero tolerance for violence. I was assured by Mr. Kakfwi and by the government that every effort would be made to try to achieve that very difficult and laudable goal so I wholeheartedly endorsed the approach taken by this government and by this Legislative Assembly.

That now leaves us, I think, with a responsibility. I think it's very difficult to go half-way. If we have made a very strong stand that we support the principle of zero tolerance for violence, I think we have a responsibility to provide the symbolic leadership to lead the crusade against violence. I know there are legitimate concerns of Members in this Legislative Assembly and I respect those concerns. I know that Mr. Dent has met with a number of Members and has

suggested that he will attempt to bring in amendments to this bill in order to try to deal with the concerns of Members.

I, for one, agree with the concept of having a two-tiered system where the more serious indictable offences would cause automatic expulsion and for lesser offences, summary convictions would be decided here in the Legislative Assembly. I, for one -- and I made this very clear to Mr. Dent -- think it's very important that, if we're going to deal with the whole issue of violence, we have to include the issue of child sexual abuse. I think that's the most serious social problem facing us here in the Northwest Territories and I think we, in the Legislative Assembly, have to strongly condemn it and demonstrate that in this kind of legislation.

The concerns that I've heard from Members regard the grey area in this particular bill. As we all know, we live in a world that is not as nice as sometimes we would like it to be. I think many Members here have had threats; I know I've had a number of threats. I remember during the Giant strike, I was involved in a number of situations where there were words back and forth. Situations like that happen and will continue to happen. I agree that Members are right to feel some concern about whether or not this bill goes beyond what we intended. I think every Member has a right to defend themselves. I don't pretend to be Gandhi. I don't pretend to say that I will turn the other cheek.

I think that we all should keep in mind, the public should keep in mind, that this bill is really symbolic. There are very few cases where MLAs have been or will be involved in these sorts of offences. I know some MLAs feel a little bit bad that, in a way, it is almost as though we're being prejudged, that the public feels that the people they elect, somehow or another, are more likely to commit these sort of offences than other people. That's not true. Generally, here and across the country, politicians are hard-working, substantial citizens who really try their best to serve their constituents. Most of them are good family members, good mothers and fathers, husbands and wives.

I know in my riding, no MLA has ever been charged or convicted of anything like this, and I can't imagine that happening. I also think that this particular bill doesn't take away the responsibility of the public to screen their MLAs. We don't live in Toronto, we're not one of three million. Here we know the people running for office. Here we should be able to do our homework,

and tell the people who have certain tendencies to do certain things. Violence doesn't just happen overnight. Normally, there are signs that it can happen. I think the public has and must maintain the primary responsibility for

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choosing their elected representatives. This bill does not take that responsibility away from the public.

Mr. Speaker, having said that and having looked at the pros and cons of this particular bill, I think in the area of violence we, as legislators and leaders, have the responsibility to take the lead and set an example. With those comments, Mr. Speaker, I wholeheartedly support the second reading of this bill. Thank you.

MR. SPEAKER:

Thank you. I would like to remind Members to speak to the bill. The bill regards the removal of a Member for committing violence against another person. If this bill goes past second reading, Members have an opportunity to make comments when it goes into committee of the whole for further debate. To the principle of the bill. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, when we talked about the violence in the NWT, less than a year ago we passed zero tolerance in this House. I supported the motion for zero tolerance in our jurisdiction. People in my community and people in my riding all unanimously support it. At that time, Members were saying that Mr. Dent's motion to remove Members from their seat will provide the teeth for that declaration.

We also talked about Members' conduct and behaviour. We've come up with a code of ethics in this House. There were other Members of the House who were saying this has no teeth. This particular motion will provide those teeth.

Mr. Speaker, I think we have to demonstrate to the public that we mean what we say. We have talked about it in the House for as long as I can remember, while we don't seem to have the guts to come up with the real thing.

Mr. Speaker, when the issue of recall came up in the House, we thought it was wide open to the people of this country, the people of this jurisdiction, to come up with any excuse whatsoever to remove a Member.

This particular motion moved by Mr. Dent and seconded by Mr. Stephen Kakfwi is something that I can support, something I can live with. I have received, Mr. Speaker, correspondence from the mayor of Taloyoak indicating to me that he wanted to support it. I have already indicated to the honourable Member for Yellowknife Frame Lake that I would support his motion, and I will support the motion. It's for the people of this country, of this particular jurisdiction.

Mr. Speaker, there is a public outcry from young people, from mothers, from elders. But, more importantly, Mr. Speaker, there are silenced public outcries that we don't know about because of the tolerance to violence in this particular jurisdiction. For that reason, I will support it. Thank you.

MR. SPEAKER:

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

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, when this Assembly passed the motion declaring zero tolerance for family violence, I thought it was a very significant step. During that debate -- which I think most Members participated in -- I suggested that if we were to pass the motion we should follow up with concrete steps. We should consider qualifications for public office, not just for people like ourselves, but for persons appointed by our government to boards and agencies, and given other public responsibilities. This bill, in principle, takes that next step for ourselves as MLAs.

Mr. Speaker, I'm well aware that there are real concerns and there have been legal opinions suggesting that the bill casts too broad a net, that MLAs could be victimized, could be provoked, that people who deal with real people in desperate situations -- and there are difficult situations in all of our communities and households that we enter in the course of representing all of our constituents -- that we are likely to be involved in violence, to be challenged or provoked to fight by people who may want to victimize us and take advantage of this legislation and its very stringent penalties for what could be a minor assault, that we may have to throw an intruder out of our house, we may feel called upon to defend loved ones or perhaps to defend one's honour.

I know that there's a real fear that this bill would, in effect, make many of us vulnerable to losing our seats for acts and situations which many of us have encountered in our communities in doing our jobs. I, myself, am no exception to that.

Mr. Speaker, I think if Members are saying this bill would threaten us, would be a real threat to many of us or future MLAs, they might lose their seats for things that occur in our work; we have a choice to make today. I think we could reject the bill and defeat it, or we could accept the principle and resolve that; even though it will have these implications and it will change the way we must conduct ourselves, change the standards expected of ourselves, we will on the eve of an election do something to set higher standards for ourselves than ever before.

Mr. Speaker, I am well aware that the form of the present bill might well be improved. I think Mr. Dent has made reference to that, Mr. Ballantyne has made some good suggestions, I know there is other work that has been done; that can be done if we give the bill second reading.

I know, also, that there is some concern that, in fact, if we approve the bill on principle today, amendments could not be introduced which would undermine the principle of the bill, and this would be limiting the kinds of changes that could be made. Mr. Speaker, I have trouble dealing with that argument because I believe that the principle we're debating here today is that a Member convicted of a criminal offence involving violence, actual or threatened, should suffer the severe penalty of losing their seat.

I think if we do really believe in zero tolerance and if we do believe in honouring the motion that we've already unanimously passed in this House, we have no choice but to accept this principle today. And I think that's what is at issue today. I think we have to decide whether we will honour the

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convictions that we expressed in adopting the motion for zero tolerance by taking a serious stand.

We are being watched today, Mr. Speaker. I was impressed that the mayor and council of the town of Iqaluit, who have adopted a declaration of zero tolerance, communicated with me their support for the principle of this bill. I was impressed that directors of the women's shelter have communicated their strong

support for the principle of this bill and are going to be watching what I do today.

So, Mr. Speaker, I think it's a major step. I think it may undoubtedly cause difficulties for future MLAs meeting a standard that is going to require probably restraint that may be beyond our ordinary human capacity to deal with at times. But I think we are being expected to set an example and to set a new tone for conduct and to honour the great statements that have been made in this House about not tolerating violence. So, in balance, and not without some trepidation, I have decided that I will support the second reading of this bill, knowing that it will be carefully scrutinized, all points of view will be considered in the Standing Committee on Legislation and then we will have the necessary information to make an informed judgement and consider the next step during the life of this Assembly. Thank you, Mr. Speaker.

MR. SPEAKER:

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

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I know that others will want to refute some of my arguments; however...I do want to say welcome to Lynn Brooks in the gallery. It is probably by invitation that she is here.

One has to recognize the principle by which this bill is being put forward. Mr. Speaker, I don't know how many people here have ever had the opportunity, the disappointment and the hurt of having someone being beaten in front of them. Those who are proposing a bill of this particular type should have felt that kind of pain before they proposed the kind of bill that is being brought before us.

It is one thing about having to stand up, Mr. Speaker, and talk about what other people feel; it's another to have experienced it. Long before I was in this Assembly, I saw my mother beaten. I saw my mother hurt. I saw my sister-in-law beaten. Now, some Members have had that experience before and some see it even today, but the fact is, Mr. Speaker, you cannot simply introduce legislation in this Legislature or any parliament without recognizing the consequences of that piece of legislation. It is our responsibility as legislators to pass laws in this House that reflect not only the conduct of this Assembly, but the conduct of people outside of this Assembly.

It is simply not good enough to rise in this House and say that we agree on zero tolerance as a principle and then pass laws that do not reflect the facts and circumstances of people who live in small communities and have to deal with these issues. I think it's the wrong way to do business. It's a disservice, whether or not the women of the Northwest Territories want a piece of legislation that addresses the concern of violence, to simply say to the people of the Northwest Territories that all violence and the methods by which we deal with these issues cannot be dealt with through proper legislation.

It is wrong to say that this House, Mr. Speaker, has not had the courage and responsibility inherent in the traditions of this Legislature to discipline and remove Members, to have no courage to use the rules as they are now and then say that judges should make those decisions. If we are incapable of making those decisions in this House then what are we doing here? Why did people elect us? It is to make decisions, and if those decisions mean that we have to throw out a Member of this House, then why don't we live up to that responsibility?

HON. JOHN TODD:

Hear! Hear!

HON. RICHARD NERYSOO:

To simply say that somebody else should make that judgement for us is irresponsible. I think, Mr. Speaker, it shows clearly where Members of this House stand. It shows that we're not prepared to stand up and carry out our responsibilities. The rules are clear, Mr. Speaker, the rules are very clear.

Everyone has said this quite clearly, Mr. Speaker, and I've listened to Mr. Dent, listened to Mr. Ballantyne and listened to Mr. Patterson.

AN HON. MEMBER:

(Microphone turned off)

HON. RICHARD NERYSOO:

And Mr. Ningark. I've listened to all of them but, more importantly, I point those three people out for this reason: they say that the amendments are the basis of addressing the principle. I say this, rather than trying to meet some challenge, some personal goal of trying to address zero tolerance, why shouldn't we have had a piece of legislation in here which would

receive the support of every Member of this Assembly, without having to rely on amendments as a basis of addressing this issue?

I think it's the wrong approach to take. Are we saying to the people of the Northwest Territories that when we're dealing with zero tolerance, somehow we're going to rush to address the issues through individual pieces of legislation which do no good to anybody, but just create more confusion? I have read the proposed amendments to the bill the honourable colleague is proposing, which aren't of consequence right now because we can't debate the amendments. I would have prepared to support that. But to suggest now that we're going to change the principle of the bill and have legal people -- people who know law -- come here and say we can change the principle through amendments is ludicrous.

It is totally ludicrous for us to go to the people and say we know how to pass laws in this Assembly and that we're prepared to pass a piece of legislation that addresses the principle of zero tolerance but, in my view, Mr. Speaker, does not improve the situation for anybody.

Mr. Speaker, for the second time this session, we're debating a private Member's bill on accountability and today I guess you can say we're debating a bill that deals with the principle of zero tolerance for violence, particularly as it relates to Members losing their seats after having been convicted of violent behaviour. I want to say, Mr. Speaker, that in my own deliberations and comments, I cannot and will not oppose the objectives of the honourable Member. I think, obviously, we're all defining and refining our relationships and the ways we

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conduct ourselves because of recent incidents in this Assembly.

Everyone has the right in the Northwest Territories to look upon us here in this Assembly and say that we should be responsible and should discipline ourselves in the kind of leadership we provide. The public has a right to demand from all of us a certain standard of conduct. I don't dispute that for a moment. I think the examples we set in this Assembly, the kind of leadership we provide and the kind of support we give to those who need our help is the basis on which those judgements will be made.

Mr. Speaker, I want to say that it is also incumbent upon us -- as I indicated earlier -- to ensure that whatever measures we take and whatever laws we pass reflect the things that are actually occurring in our communities. If we don't do that, then it's a disservice. We can all rise on one special occasion, one special circumstance, one event, one incident and introduce amendments but the fact is, we have to introduce laws that ensure the protection of all our citizens and residents. We have to ensure, as Mr. Ballantyne pointed out, that we protect our children from abuse. We have to protect women and even men who are being abused. The fact is no abusive situation or violence should be condoned.

But I'm going to say this, if we are going to strictly deal with the issue of physical violence at every stage...The fact is, there is just as much abuse here in this Assembly -- verbal abuse, criticism, personal or otherwise -- that are just as damaging in the long term as physical abuse. And it happens all the time in our families outside of this Assembly. I think you have to be careful, Mr. Speaker, about where it is we go with legislation.

We just passed conflict provisions under the Elections Act; conviction of corrupt practices is enough to have a Member's seat declared vacant. Under the conflict of interest provisions in the Legislative Assembly and Executive Council Act, this Assembly can recommend by resolution that the Commissioner declare a Member's seat vacant. We have also just passed legislation which will require that a Member's seat be declared vacant if they are convicted of any offence and are sentenced to serve more than one day in jail. This means a Member will lose their seat for a wide range of offences under federal and territorial laws. Let's consider what they might include: drunk driving; being intoxicated and causing a disturbance in a public place; illegal gambling; theft under and over \$2,000; weapons offences under Minister Rock's bill; and, Criminal Code convictions resulting in a jail sentence.

Mr. Speaker, I bring these examples to your attention because we must not leave the impression that this Assembly has not taken meaningful measures to discipline the conduct of its Members. Surely what we now have in place demonstrates to current and future Members that high standards of conduct and behaviour are demanded, otherwise there is a high price to pay.

Moving to the principle of Mr. Dent's bill, I will first briefly outline my understanding of the principle which

he is seeking to advance. Mr. Dent has argued that this Assembly must take meaningful steps to demonstrate a strong commitment to zero tolerance for violence. I make the case that we have already delivered on this commitment, given that a Member can lose their seat if they spend one day in jail on a Criminal Code offence. Mr. Speaker, it's interesting that our own Minister of Justice and Members of our Assembly, on a special committee that dealt with the bill regarding gun control and generally gun issues in this country, will note one of the requirements. If you were to spend one day in jail or be convicted, under the present rules of this House you would have to be removed from this Assembly. That is a fact. The fact is that all of us realize the importance of the issue that is before us.

Mr. Dent also wants to take this commitment further, to include a conviction for any offence where violence is used, attempted or threatened. The scope of the application of Mr. Dent's amendment is broad, and it is likely that the language used will include, in addition to homicide, most of the offences in part 8 of the Criminal Code relating to offences against persons. These offences range from uttering threats to unlawfully causing bodily harm to kidnapping. While it is not clear, the language could also cover certain sexual and other offences involving children, such as sexual exploitation, invitation to touching, abduction of persons under 14 and 16, and the duty of persons to provide necessities.

It should also be noted, Mr. Speaker, that such convictions as proposed by Mr. Dent are not confined to incidents which take place while the MLA is sitting as a Member. Incidents which took place in the past, provided they are not subject to a summary conviction limitation period, can be brought before the courts, and if the Member is convicted they will lose their seat.

Finally, I understand that according to Mr. Dent's bill, a Member would lose their seat if convicted of an offence involving violence and given a suspended sentence or probation by the courts.

Mr. Speaker, there are three issues which Members should seriously consider in debating the principle of this bill. The first two are based upon a legal opinion provided by our Department of Justice and provided to Mr. Dent. First, the Legislative Assembly clearly has the inherent right to govern itself and the conduct of its Members. In exercising this right, the Assembly has conceded some of its authority to the courts whose decisions will determine whether a Member

continues to sit in this House. This practice is not unusual in Canadian parliamentary tradition; however, Mr. Dent's bill may miss some of the offences which should result in removal of a Member upon condition by the courts.

On the other hand, the bill includes other offences that should result in a removal process which includes some element of discretion. In the former, I noted earlier in my remarks, that offences such as sexual exploitation and invitation to sexual touching may not fall within the scope of an offence in which violence is used and threatened or attempted. Assuming Members agree that these offences should be included and to avoid a situation where the Speaker may be asked to make a legal ruling, consideration should be given to amending Mr. Dent's bill.

On the other hand, in circumstances where an element of discretion is required, Members may want to consider whether they wish to totally abolish the discretion they now have to discipline or remove Members. For example, there could be

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circumstances which consist primarily of summary conviction offences where the Assembly may want to reserve the right to exercise its authority to discipline Members. Summary convictions are the less serious offences and usually carry sentences up to six months in jail, a fine of up to \$2,000 or both. Summary convictions offences involving violence could include things like assault involving violence or a threat of violence, spousal and sexual assaults, or attempts to commit any of these offences.

If these arguments seem reasonable to Members, they may want to consider a further amendment to Mr. Dent's bill. This amendment would establish that in a certain category of offences, the Assembly would be required to specifically address whether a Member, if convicted, should be permitted to be or sit as a Member.

Secondly, if the principle that supports the proposed amendment is rooted in the doctrine of zero tolerance, Members should consider a further amendment establishing that a Member should be found guilty rather than convicted of an offence where violence is used, threatened or attempted.

The reason for suggesting this amendment is that the Members who are found guilty but who are able to persuade the court to grant them an absolute

discharge, thereby avoiding conviction, will still have to face their colleagues to determine if they will be permitted to sit as a Member. This measure could also help to avoid the damage that will potentially be caused if courts having granted absolute discharges are seen as undermining the express intentions of the Legislative Assembly.

Third, while I respect Mr. Dent's right as a Member to propose amendments to legislation through a private bill, Members should consider giving this bill the kind of thorough review it deserves. I believe that, for reasons which I have outlined and will raise, Mr. Dent's bill clearly needs further work. I must say, Mr. Speaker, that was articulated.

In the final analysis, whether Mr. Dent's bill survives in this present form or is substantially amended, our objective should be to pass amendments which have a majority of support from all Members including the government and the public.

In conclusion, Mr. Speaker, I've tried to present a balanced argument that recognizes that we already have means to discipline Members while responding to Mr. Dent's proposal for amendments which reflect on this Assembly's commitment to zero tolerance. Mr. Speaker, in concluding, I have listened to the arguments that have been made and I know that I will probably hear rebuttals to my presentation, but I do say this: I've had a chance to read part of our own Bible. There is a quote from Proverbs 24, beginning at verse 28, it says: "Do not be a witness against your neighbour without cause and do not deceive with your lips. Do not say, thus I shall do to him as he has done to me. I will render to the man according to his work."

Mr. Speaker, that, in my view, is a reflection, I think, that should be the basis on which we make any judgement against any man or any woman. Not simply to say that there is some political gain for whatever it is that we do. There should be good in the things that we do. We should not be doing work in this Assembly simply because we think that there is a political advantage to it. There has to be good in our communities.

AN HON. MEMBER:

(Microphone turned off)

HON. RICHARD NERYSOO:

That's right. Judge ourselves before we judge others. So, Mr. Speaker, I want to say this clearly to Mr. Ningark. The problem sometimes is that when we are making judgements about ourselves, we fail to make the decisions that are necessary, and I think we have not accepted the responsibility and we need to do that. I know that Mr. Dent is proposing this bill but I still think, as I said before, there is need for improvement. My concern is that there may not be an opportunity for us to make the amendments if we adopt this principle as it is in the bill. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

MR. WHITFORD:

Thank you, Mr. Speaker. I won't be long in my comments because we have heard quite a number of comments from both sides now and it would only prolong the debate here at the stage where it is a bit premature.

I will be supporting the principle of the bill and the second reading. I have made this decision, after careful consideration and some consultation on the matter -- perhaps not as in-depth a consultation that one could on other subjects. But I believe that it doesn't effect the public as much as it does myself. I am the one that's here. I am the one that's most subject to the affects of this bill, whether they be positive or negative, and I think that I will stand on that principle.

I think that the principle of zero tolerance that we supported last year so wholeheartedly did lack and this may, with its flaws, be a building block onto which we can set an example to other legislatures of our commitment to what we espoused here when we passed the zero tolerance declaration.

If it is only the fear of repercussions of being a good Samaritan that some people are hesitating in supporting this bill, well, personally, I will take that chance because I think that whatever court convicts will also consider the rationale behind an act that I will take, and I will take that consideration as well. I speak more personally perhaps in support of this than I should.

If we go on and get caught up -- and maybe we should get caught up -- in the emotion of this topic, it will bring out points that the public have given us over the term that I have been in here about setting examples. I think Members have tried to set examples, and perhaps we may have a mechanism here already to deal with it, but we never do; we never use those mechanisms that we have. We never do, and this is one way of dealing with it, and it's not going to be something, I hope, that people out there will want to use to seek revenge on Members here. They will not be successful in their efforts.

I think the main thing is that we have to not only set examples for the public as to what our behaviour in the public's eyes is going to be but also set examples for ourselves as to what we

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expect. If we expect it of the public then we should ourselves be willing to be subjected to...

AN HON. MEMBER:

(Microphone turned off)

MR. WHITFORD:

Thanks. With that, Mr. Speaker, I don't want to go on with more points because they have been more eloquently said by other Members. This is just to point out that I will support the principle and the second reading of the bill.

MR. SPEAKER:

To the principle of the motion. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. During 1983-87, when I was president of the Dene Nation, and even before my time, there were entire assemblies of the Dene Nation that took sometimes two to three days, put all the business aside and spoke directly to an issue regarding the conduct of chiefs and executives of the Dene Nation, and specifically to the issue of drinking of alcohol. Delegate after delegate would walk up and demand that all the leaders, the chiefs, the executive of the Dene Nation be forced to declare whether or not they were willing to abstain from drinking.

Prior to 1986, I dreaded the day when those assemblies came because I knew, without a doubt, I

would be put on the spot, and I would lament the hours that this was taking up, saying there's business to take care of, we have financial statements to review and pass, and we have motions to deal with. I didn't want to deal with those particular issues. I was not ready to do that. There was absolutely no way in which I would be able to, with a straight face, say yes, okay, you asked me. I shall quit drinking. I shall abstain from drinking while in office.

When an issue like this comes up, it is an emotional issue. Some of us have difficulty with it because it is a personal issue. At the end of the day, it's a personal issue, and the way we address it can reflect perhaps, and be seen to reflect, on our colleagues, on each other.

So it becomes difficult but, in my view, whether or not this bill had wide circulation before it was thrown in front of us, we have to be ready to address it.

I believe that every chief, every Metis leader, every elected person, every person in a position of power, every person in a position of trust has to be able to say that, yes, they support that principle.

I think we have to set some very strong examples, some very clear examples and up front set some really high standards so that people who aspire to hold office, people who aspire to positions of power, trust and authority know up front what it is that they have to meet before they get in there. This is what I like about this initiative. It's fine to say we have the power to discipline each other, but I say that we should let people know long beforehand that if you aspire to be a chief, if you aspire to be an elected person, an MLA, then you should know up front that you have to commit to zero tolerance, no matter what.

You look at the kind of impact, the kind of leadership that people like Ghandi and Martin Luther King provided, not only to their own people but to people all over the world. When thousands of their followers, millions of them, advocated violence, they stuck to the principle of zero tolerance.

Look at the impact that these individuals had. You can imagine. I can imagine the kind of impact that collectively all of us would have. Once we have completed debate and we choose to take, collectively, a very strong stand because I believe not all of us will be back here. There's an election coming and if anything, we should set some very high standards for the next batch of people. I think that if we had done this 10, 15, 20 years ago, what a difference it would

have made, what a wonderful difference it would have made about the kind of people that would have passed through these halls and sat in this Legislature. I think it would have made a tremendous difference in the kind of people who got elected and in the conduct of those Members over the years. That's the significance for me of saying up front, here are the standards, here are the rules.

When I travel in my constituency -- whenever I travel, but particularly when I travel to my home town -- it has been a practice for me, since 1986, to let people know that I don't drink; that when I bring my children with me, I don't want anybody drinking. It's clear to my friends, to my relatives, that it's for my protection and it's for the protection of my children. I will not walk into a house where there is drinking, where there is partying, and I will not let my children be subjected to, to be present in the company of people who are drinking.

To this day, it's eight years now that I've been able to comply with that and have my family comply with that. It's had a good impact. I just don't have any tolerance for it and people accept that. I haven't been harmed. I've been yelled at, called a few things once in a while but basically there is an understanding. There's no less expectation of other elected people for that. There's a certain amount of respect that all of us want and expect and I think that once you tell people, once people know what is acceptable and not acceptable and you're willing to advocate it and speak to them about, people aspire to meet the standards you set.

Today I have no excuses. If I am convicted of violence in order to protect myself, I have to believe that if I am brought to court, that the courts will be fair. I have to believe that. In all the years I've been in office, in the Dene Nation and certainly as an MLA and as a Minister, I've never had a situation where I've had to do anything with regard to violence. When there were occasions that came... There is no hesitation on my part if I see someone attacking my mother for me to step in there. I would know, however, if I beat the person to a pulp and do extensive damage to the person that, yes, I will properly be severely punished in a court of law for using excessive force.

I have personally seen extreme cases of violence, violence inflicted on myself and my family, and it is difficult to say, yes, you will be reasonable about protecting them. It is difficult but I believe that we have to try and be reasonable about it and just simply say that at the end of the day we have to adhere to

the view that whatever the reasons are, whatever the situation is, we must adhere to the principle of zero tolerance but still protect ourselves and still protect our loved ones.

Again, I believe that there is room for amendments that will improve on this bill. I believe that whether it's a government bill or a private Member's bill, that there's always room for improvement, for clarification, for better definition, for amendments. I look forward to dealing with this bill and seeing

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some improvements made to it as all of us have heard some very good suggestions made over the last few weeks. Thank you very much.

MR. SPEAKER:

Thank you, Mr. Kakfwi. To the principle of the bill. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Speaker. I would like to speak on the principle of the bill. Every since this bill was introduced, I have thought about it. It's a very difficult bill because this is a law that we're making for ourselves as individual MLAs, so we're drawing the focus internally into ourselves and it's a difficult thing to do. I realize the principle behind the bill is that if any Member is convicted of a Criminal Code offence they automatically lose their seat. That is quite a strong bill. I have difficulty with it because the way the bill is written it deals with a specific process for an individual who commits an act of violence. Disciplinary action should be taken first, I think, before we implement this bill. If this bill passes, then we have a chance to debate it in committee of the whole and perhaps the committee could do some work on making amendments to it.

I did want to say, just looking at the figures, that in the act of violence... The majority of the people in our jails, 90 per cent of the people in our jails, are aboriginal people. The aboriginal population is about 64 or 65 per cent of the Northwest Territories. We have an extremely high rate of aboriginal people who are convicted under the Criminal Code in our jails today. The people who have been kicked out of the Legislative Assembly have always been aboriginal people. In this way, I see this bill aimed more towards aboriginal people than non-aboriginal people. We're going to have to deal with that.

The majority of the cases are alcohol-related anyway. We have been trying, in the Legislative Assembly, to make laws and legislation to try to deal with the violence in our society. As a Dene person, I have sometimes encountered a lot of violence and a lot of the time I've had to protect myself. That's the case with many people here. If I ever get into a situation like that again... I know that the honourable Member, Mr. Dent, is saying that if you're going to be protecting your family or yourself, then this bill would allow for that but I don't think so. It's going to be left up to the courts to decide that. The courts will decide whether you were protecting yourself or you were protecting your family. It's not this Chamber that's going to decide whether what you did is allowable or not.

In this way, I have difficulty with this bill because I've done things in the past. If somebody really wanted to, they could come after me and I could be convicted. I'm sure that aboriginal Members and maybe non-aboriginal Members know what I'm talking about. There I have difficulty because we're focusing in on ourselves again. I would like to say this for the record, that I have seen this bill, I've talked to people in the communities, and I have received a lot of form letters, as well, from different people who want me to support this bill. I'm going to support the principle of the bill so that we get it into the committee and hopefully we get it into committee of the whole, but I wanted to say these things for the record, that I have some real strong reservations about this bill. Everybody wants us to pass it. Sure we should set examples, but I think it's really up to individual Members to be accountable to the people who put you here. You have to conduct yourself in certain ways. The reason why you are here is to represent people in the communities and you have to watch how you do things.

Like my colleagues who were in Ottawa to talk about these new gun control laws, if you don't abide by the real strict regulations, if you don't have a firearm's license, if you don't register your rifles and continue to pursue traditional lifestyles of lending each other rifles and store them loaded by your tent when you go out spring hunting in case of black bears around your camp, it might take this law to the extreme case. As I said, it's not going to be up to this Assembly whether you're convicted or not, it's going to be up to the courts. Based on that, I think we're going to have to look at this bill when we debate it in the House.

(Translation) This is all I wanted to say. Thank you.

MR. SPEAKER:

To the principle of the bill. Mr. Pudluk.

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. I'll make my comments very brief on this subject. We know what the content is of the bill because we have seen it. I have been a Member for a long time and we've introduced a lot of bills and amendments to bills. First of all, I would like to say that amendments that we pass are for the people of the Northwest Territories, even though everybody might not agree with them. A lot of times we hurt our constituents when we pass or amend bills. For example, there was a wildlife amendment that said people who own dogteams were not allowed to feed their dogs within 12 miles. This was a big burden on some communities.

We pass bills that are not agreeable to our constituents. It would be us who would have to be blamed because we pass bills even though our constituents might not agree with them. I would like to deal with the bill. I also support the second reading of the bill. I'm not saying that on the third reading I will vote on it. We have to understand the intent of the bill; how it should be written so we can make amendments to it when we're dealing with it before third reading. Maybe we might even agree with the intent of the bill after it's amended.

We have a lot of bills in front of us and we all know that they're not all beneficial to our constituents. I support the second reading of the bill so we will fully understand the intent. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. To the principle. The chair would like to recognize a former Member of the Legislative Assembly, Mr. Bill Lyall. Welcome to the House.

---Applause

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

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. Mr. Speaker, I'll be very brief in my remarks. First of all, in looking at this bill, Mr. Speaker, I did have some concerns on some of the details of the bill. I certainly support the intent of the bill, however, I do want to state for the record that I don't believe this bill should only reflect on criminal offences that are done by MLAs, with respect to violent acts that are committed by MLAs. I believe

that it should pertain to criminal offences, period. Whether it's impaired driving or other types of criminal

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offences they are charged with, if we're going to get right into disciplining MLAs I don't think we should be specific. That's why I have concerns with the bill as it is. I think it's only piecemealing the intent of what the mover of this bill is attempting to do.

I did have a couple of concerns because I think of some of the circumstances that could happen in small communities. I think back, for an example, if you did - - and I know that if I did -- see any type of violent act being performed, such as a woman getting beaten up or whatever, particularly a woman, I probably would, being a woman, attempt to help her. I sort of wonder, if this bill is passed, if you're going to sort of institute southern attitudes and try to walk by and ignore it. I think that's wrong.

I'm concerned about the bill as is because if you attempted to help someone in a fight, the person could counter-charge you and charge you with a criminal offence even though your intentions were good. I'm concerned about some of the details of that particular bill.

Mr. Speaker, I believe that the principle should be passed to allow for public consultation because I believe the public are the ones who should let us know whether they think this bill is good, whether it's a piecemeal bill, whether it should be expanded, or whether or not these types of things should be determined by another process.

However, I do know that we do have rules in our Legislature to be able to discipline Members accordingly, and I believe that sometimes Members certainly are reluctant to impose the rules accordingly. Just for the record, I do want to state that I certainly support the principle of it, but I have concerns with the details. I will deliberate those when we go into third reading of the bill. Thank you.

MR. SPEAKER:

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

MR. DENT:

Thank you, Mr. Speaker. Mr. Speaker, I would like to respond to some of the concerns that have been expressed by other Members; in particular, Mr. Nerysoo.

Mr. Speaker, I've witnessed far too much violence; I suspect we all have in this House. I don't think this is the time to get into a debate about who has witnessed or experienced more. We're talking about the principle of a bill that would help all of us to get past tolerating violence, which is something that we have to admit is a problem all across the north.

Regarding the consequences of the legislation and its effect on small communities, I disagree that the bill fails to recognize the reality of life in small communities. I think we've heard a number of Members from small communities speak in favour of the principle of this bill today. I know that certainly in travels with the Special Committee on Health and Social Services, in every single community I went to, people told us, we expect you, the leaders, to set the example. Don't just talk about it, set the example. Prove to us that you really are going to be non-violent. I think that perhaps the people of the north do expect us, even in the smaller communities, to change the way we have tolerated violence in the past.

I also think, Mr. Speaker, that having spoken about the amendments I see as necessary to the bill, that we have representatives from the smaller communities who sit on the Standing Committee on Legislation and the concerns they have in the smaller communities can be adequately discussed in that forum. That's the proper way for our bills to proceed.

I'm not bringing this bill forward for personal goals. SCOF, itself, asked for action on violence. I kept asking the Minister for action on violence and I only brought forward this bill when the Minister made a statement which said that Cabinet would not be proposing such legislation. I agree, it should have been a government bill, it shouldn't have been a private Member's bill. The government should have brought this kind of legislation forward.

The Legislature does have an inherent right to discipline and dismiss its Members, as Mr. Nerysoo says, but it doesn't have a strong tradition of doing so. This bill simply expands on the provisions that we have already codified. We have enacted provisions for disciplining and dismissing Members so it's not unusual that we would expand on those, once they're in existence. What this bill does is ensure a mechanism to make Members address a situation if it arises.

Mr. Speaker, there is nothing in this bill that changes the current situation for a Member getting involved when they see a violent action taking place or if they

are, themselves, assaulted. I know that I, for one, would certainly still not hesitate to get involved, as I see necessary, in an incident involving violence.

Mr. Speaker, Mr. Nerysoo also at one point commented that amendments might change the principle of the bill. I would like to point out that amendments are not uncommon at the committee stage in our process, and the committee report presented today by the Standing Committee on Finance indicates a situation where a bill, Bill 30, was substantially changed in committee, while respecting the principle. I would submit that we will be able to take a look at maintaining the principle of this bill, while moving to deal with concerns that Members have expressed.

As Mr. Nerysoo said, I received a copy of the legal opinion that Mr. Nerysoo was quoting from. In fact, I spent a lot of time with Mr. Avison, who is the deputy minister of Justice and Ms. MacPherson, the Law Clerk of the Assembly, looking for ways to deal with concerns that Mr. Avison had originally expressed in his memo to Cabinet. I think that all of us have agreed that the principle of the bill can be maintained, and the bill actually improved through amendments at the committee stage.

Mr. Speaker, the Member for Thebacha has raised a point about the need to address other offenses and dealing, perhaps, with codifying a response to Members who break other laws. I must say that I can't disagree that we need to consider broadening the net but, Mr. Speaker, the purpose of this bill was to respond specifically to one policy which has been adopted by this House, and that is the policy on zero tolerance for violence. That policy is, so far, the only one that is extremely explicit which we have adopted in this House. Therefore, I didn't feel comfortable proposing a bill that went beyond that principle which we, as Members of this House, have already adopted. I would welcome a broader look, but I

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think it has to happen in a different act. Until such time as we adopt more principles in this House, I don't think we can codify a response to breaking them.

Mr. Speaker, I agree that the goal shouldn't be one of straight politics. People have said to us, as leaders, we expect you to prove that you are, in fact, now ready to set the example. Mr. Speaker, I would like to ask Members to set that example this afternoon. Mr. Speaker, I would like to request a recorded vote.

MR. SPEAKER:

The comments on the principle of Bill 32 are concluded. All those in favour of the motion, please stand.

Recorded Vote

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Dent, Mr. Ballantyne, Mrs. Marie-Jewell, Mr. Zoe, Mr. Koe, Mr. Antoine, Ms. Mike, Mr. Pudluk, Mr. Kakwi, Mr. Whitford, Mr. Ningark, Mr. Patterson.

MR. SPEAKER:

All those opposed, please stand. All those abstaining, please stand.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Ng, Mr. Pollard, Ms. Cournoyea, Mr. Todd, Mr. Nerysoo.

MR. SPEAKER:

The vote on the motion of the second reading of Bill 32 is 12 for; zero against; and, five abstentions. The motion is carried.

---Carried

---Applause

Bill 32 has had second reading and, accordingly, the bill stands referred to a committee.

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 26, An Act to Amend the Jury 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; 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; Committee Report 6-12(7), Report on the Review of the Legislative Discussion Paper on the Draft of the New Education Act; and, Committee Report 7-12(7),

Report on the Second Annual Report, 1993-94, of the Languages Commissioner of the NWT, with Mr. Ningark in the chair.

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

CHAIRMAN (Mr. Ningark):

Thank you. The committee will come to order. What is the wish of the committee? Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. Mr. Chairman, I would like to recommend that the committee resume consideration of Bill 1 and Committee Report 4-12(7), specifically to deal with the budget of the Workers' Compensation Board, followed by the Department of Justice and then, depending on the time, bills 16, 26 or 27.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Dent. Do we have the concurrence of the committee that we will consider WCB, Justice, and then perhaps bills 16, 26 or 27?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 1: Appropriation Act, No. 2, 1995-96

Committee Report 4-12(7): Report On The Review Of The 1995-96 Main Estimates

Workers' Compensation Board

CHAIRMAN (Mr. Ningark):

After the break. We'll take 15 minutes, okay?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you.

---SHORT RECESS

CHAIRMAN (Mr. Ningark):

We are dealing with the Workers' Compensation Board. Minister responsible, Mr. Todd, do you have any opening remarks for the committee?

SOME HON. MEMBERS:

Agreed.

Minister's Introductory Remarks

HON. JOHN TODD:

Yes, Mr. Chairman, I do. Thank you, Mr. Chairman. It's my pleasure to provide the 1995 operating budget for the programs and administration of the Workers' Compensation Board of the Northwest Territories.

The board's operating budget for 1995 will be just over \$33 million. For this insurance, a no-fault, collective liability scheme is provided to protect both workers and employers. This includes all medical costs resulting from an accident. It should be noted that the territorial health insurance scheme does not pay any of these costs. In addition, the WCB provides safety courses to stakeholders at no charge. This year, a claims management program will also be provided to help employers minimize the cost of accidents.

An increase in forecasted revenues for 1995 reflects increased economic activity in the Northwest Territories. It is anticipated that claims expenditures will also rise. However, the average assessment rate has actually been reduced.

Although medical aid and claims costs are expected to rise in 1995, it is anticipated that continued emphasis on "training on

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the job" programs and the implementation of the early intervention model will balance these increases.

The board does not expect to increase personnel in 1995. In fact, attention to overall efficiency has allowed the WCB to reduce its internal operating budget slightly.

Some of our counterparts at Workers' Compensation Boards across Canada have been forced recently to reduce statutory benefits offered to claimants and/or increase assessment rates to reduce their unfunded liability positions. I would like to emphasize to my colleagues -- those that are here this afternoon -- that this will not be the case in the NWT for 1995.

In 1994, the NWT Workers' Compensation Board implemented initiatives which will maintain and provide efficient and cost-effective services to employers and workers for several years. Mr. Chairman, three major initiatives were developed:

1. The industrial classification system was reviewed and several changes were made. Effective January 1, 1995, multiple-industry classification has been offered to employers that meet the criteria and several subclasses were amalgamated to increase their economic viability.
2. The safety incentive and rate reduction program was approved. Beginning in 1996, additional assessments will be collected from employers with poor safety records. This revenue will offset rates and enhance safety education programs for all employers.
3. An early intervention model was developed to manage claims more effectively and to promote the early and safe return of injured workers to their work sites.

Do you wish me to continue?

The Workers' Compensation Board is aware of its fiduciary responsibility to maintain a fully-funded accident fund. It is the board's intention to strive for better ways to serve their stakeholders, while remaining within this budget.

To that end, a number of objectives have been outlined in the corporate plan for 1995 to 1997:

1. Policies, procedures and training will be completed and provided to doctors, staff, employers and workers relating to the early intervention model, Mr. Chairman.
2. The communication of rights and obligations to complainants -- pardon me, I am so excited -- to claimants will be improved. A long-term strategy will be developed for information processing and a survey compiled to test whether the board is meeting the needs of all of its stakeholders.
3. The board will develop a medical aid cost containment strategy.
4. A comprehensive policy manual will be completed by December 1995.
5. The investment policy will be revised this year.

6. YMIR alternatives will be researched in the interest of stakeholders.

7. Finally, Mr. Chairman, the economic climate of the north has dictated the need for the Workers' Compensation Board to develop effective strategies for Nunavut and anticipated major non-renewable resource projects. These two issues will be addressed in 1995 and in the future.

AN HON. MEMBER:

Hear! Hear!

HON. JOHN TODD:

Mr. Chairman, this is a comprehensive list but it reflects the dedication of the Workers' Compensation Board to maintain a high standard of service. This will be accomplished while delivering cost effective programs and remaining within a responsible and balanced budget.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Todd. Do we have any comments from the representative of the Standing Committee on Finance? The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

Standing Committee On Finance Comments

MR. DENT:

Mr. Chairman, thank you. It gives me great pleasure to respond to those stirring and moving words of the Minister responsible. Mr. Chairman, on behalf of the Standing Committee on Finance, our response to the Minister's opening comments goes as follows.

Rehabilitation Services

In 1993, the board spent about \$1.3 million in medical aid expenses related to rehabilitation. Much of that money is still spend sending northerners to southern facilities and specialists. Last year, the committee was informed that the Minister of Health was giving consideration to moving much of this rehabilitation work north, and had commenced negotiations with the Workers' Compensation Board.

The committee now understands that the WCB has issued a call for proposals for rehabilitation service providers and is considering proposals from Yellowknife, Hay River and Fort Smith.

If northern facilities can provide these services in a cost-effective way to the WCB, there is strong interest in ensuring northerners can access rehabilitation services as close to home as possible. Increasing the demand for services at territorial hospitals will benefit not only WCB clients requiring rehabilitation services, but all territorial residents. This increased demand will allow an increase in the number of specialists and treatments which can be offered in a cost-effective way in the north rather than being purchased from the south.

Mr. Chairman, that leads to me a motion that the standing committee would like to present, but it would appear that we are maybe a couple of Members short of a quorum.

CHAIRMAN (Mr. Whitford):

Mr. Dent, we don't have a motion yet. When we have the motion, then we will deal with the quorum. Your motion, please.

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MR. DENT:

Mr. Chairman, my motion. I was hoping that in the interim someone might come in.

---Laughter

Committee Motion 42-12(7): To Adopt Recommendation 15, Carried

Mr. Chairman, I move that this committee recommends that the Department of Health immediately resume negotiations with the Workers' Compensation Board to determine the extent of rehabilitation services which could be delivered in the north through health facilities.

SOME HON. MEMBERS:

Hear! Hear!

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Your motion is in order. I notice that we do not have a quorum. I shall sound the bells here in just a moment.

Breathe a sigh of relief, we have a quorum. We have a motion on the floor. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

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

---Carried

Does the Minister wish to bring in his witnesses to assist him with this matter?

HON. JOHN TODD:

Yes, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Sergeant-at-Arms, please escort the witnesses.

Thank you. Welcome, Mr. Minister, to the witness table. Would you be so kind as to introduce your witnesses to the committee?

HON. JOHN TODD:

Thank you, Mr. Chairman. On my immediate left is Ms. Kathy Bentley, director of administration and finance and, on my right, is Gerry Meier, general manager of the Workers' Compensation Board.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Welcome Ms. Bentley and Mr. Meier. General comments. There is no detail. Does the committee agree that we're concluded with the Workers' Compensation Board, the operating budget, the summary, the presentations and the motion?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

We have agreement. I apologize for keeping the witnesses for so long in front of the committee.

---Laughter

I'm sure the Minister will be kind enough to let you have the rest of the day off. Thank you again.

Department Of Justice

The next matter we're dealing with is the Department of Justice. On April 4th, according to my Hansard, the department was deferred so the Minister could look at the different concerns of the Members of the committee and to meet with his colleagues in the envelope committee. We're back to deal with the department. I understand that the Minister of Finance, Mr. Pollard, would like to address the committee. Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, the last time this department was being discussed, there was some feeling that the department required some extra funds and the amount was \$300,000. I'm here to confirm today that that amount has been included in Mr. Kakfwi's Department of Justice budget.

The motion to amend the budget and to increase it by \$300,000 will be made by myself as we're dealing with the Appropriation Act. Mr. Kakfwi will be dealing with other issues in this regard. I've met with the Standing Committee on Finance and I believe that they're in agreement, Mr. Chairman. I've sent correspondence to the Standing Committee on Finance confirming those numbers and the increase in the budget. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Pollard. The chair now recognizes the Member for Nahendeh, the chairman of the Standing Committee on Finance.

Standing Committee On Finance Comments

MR. ANTOINE:

Thank you, Mr. Chairman. Recommendation five of the Standing Committee on Finance's Report on the Review of the 1995-96 Main Estimates was considered and carried in this House on Tuesday, April 4, 1995. The committee recommended that the Department of Justice reallocate \$300,000 in expenditures from correctional centres, the young offenders' facilities to the victims' assistance task and, further, that the funding for victims' assistance be integrated into community wellness strategy.

Members of the standing committee have legitimate concerns that government efforts in the areas of corrections and assistance for victims of crimes have been focused unfairly towards the offenders and not

towards victims. The recommendation reflects a desire to tip the scale a little more in the victims' favour, as it were. The standing committee recognizes that it is not always as simple as it seems to reallocate funds in the manner described in our recommendation. We acknowledge the efforts made by the Minister of Justice to meet the spirit of the recommendation, and we are confident that these efforts will ensure that government spending better reflects the true needs and desires of the residents of the Northwest Territories. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Minister Kakfwi, do you wish to bring your witnesses in to assist you? Thank you. Does the committee agree?

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SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Sergeant-at-Arms.

Good afternoon, Mr. Minister. Would you be so kind as to introduce your witnesses to the committee?

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. On my right, the deputy minister of Justice, Mr. Don Avison. On my left, the director of finance and administration, the Department of Justice, Ms. Louise Dundas-Matthews.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Welcome, Ms. Dundas-Matthews and Mr. Avison. We are dealing with the Department of Justice in your blue books, section 06-7. We left off on general comments. General comments to this department. General comments. Does the committee agree, then, that we proceed to detail?

SOME HON. MEMBERS:

Agreed.

---Agreed

Line By Line

Directorate

CHAIRMAN (Mr. Whitford):

Thank you. The directorate, total O and M, \$2.515 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

Law Enforcement

CHAIRMAN (Mr. Whitford):

Thank you. Law enforcement, total O and M. The chair recognizes the Member for Yellowknife North, Mr. Ballantyne.

MR. BALLANTYNE:

Thank you. First of all, because the firearms task is in here, I would like to congratulate the Minister and Mr. Avison for the work they've done in support of the Legislation committee who have just come back from Ottawa. Mr. Avison did an excellent job in support of that committee.

My second point, Mr. Chairman, is that I've been working with the mayor's office about getting a meeting set up. The mayor has been in Rankin Inlet and will be in Iqaluit, but after he's back from Iqaluit we'll definitely set up that meeting that the Minister had kindly committed to attend. I have just one question on this task and it has to do with coroners. I wonder if the Minister could tell me what is in the works for training for coroners, if anything?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Avison will take the question.

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Avison, please.

MR. AVISON:

Thank you, Mr. Chairman. Mr. Chairman, that's one area, like a lot of others, where we're beginning to feel the pressures of the declining resources. I'm pleased

to tell you that there have been some training initiatives in the course of recent months and we're hoping that we'll be able to continue some efforts towards the training of coroners in the upcoming months. One of the training initiatives that took place recently brought people together from across the Northwest Territories to have the benefit of assistance from people that work in forensic pathology: one of the leading coroners from the province of British Columbia together with one of the lead forensic pathologists who does much of our work, Dr. Graeme Dowling out of Edmonton. Also, a behavioural psychologist who did some work in the area of attempting to assist people who deal with crisis situations which coroners certainly have to come to terms with regularly.

I think that was an excellent training program and we're hopeful that we'll be able to continue with that in the future. In order to do that we have to look at some of the options to make sure that we've rationalized the coroners' system as effectively as we can to make sure that all of the objectives are met. One of the things on the immediate horizon is to meet with the coroner who assists from British Columbia to seek his advice on how we can best deal with that to make sure that continues to meet our training needs. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Avison. Mr. Ballantyne.

MR. BALLANTYNE:

I would like to ask the Minister or the deputy about the workload and the complexity of the work of coroners. Is the workload increasing and is the work becoming more complex?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the statistics that we have indicate that the workload is increasing, the number of cases that are being met, the number of autopsies that need to be done, inquests. There does seem to be an increase.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Ballantyne.

MR. BALLANTYNE:

I do understand the pressure that this Minister and other Ministers are feeling because of finances. I notice that there's not an increase in this task. Historically, the department has brought forward supps. I just want to make sure that there's enough money here, or enough money will be committed if it's necessary, so that the coroners will be able to carry out the work that they do. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, in this area there is difficulty to budget since this is sort of an uncontrollable area; that is, the number of inquests that are called. We do have difficulty in budgeting, and there is often a need for supplementary funding to meet the number of inquests and to

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make sure that they're dealt with in a reasonable period of time. It is a problem area that we have.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Ballantyne.

MR. BALLANTYNE:

I understand that and I'm not overly concerned with that as long as there is a commitment from the department to make sure that the coroner's office gets the resources they need to do their job. Also, I think the Minister will agree, the job of a coroner is a difficult one, at times quite unpleasant. I think we have an obligation to do everything we can to support the coroners, especially the coroners who are in the smaller communities. I'm just looking for that commitment from the Minister that if the money is not adequate and funding is not here in the budget, that the department will ensure that the coroner's office will be able to carry out their functions.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Mr. Minister.

HON. STEPHEN KAKFWI:

There will be no change from the Department of Justice. The work that is required by coroners to do investigations, to have inquests, is essential, and we will do everything we can to make sure that the coroner's office is supported to carry out those duties in a timely way.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Law enforcement, total O and M. The chair recognizes the Member for Nahendeh, Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. Under law enforcement, there is a task which deals with First Nations community policing. There are pilot projects under way in Coral Harbour and Fort Good Hope and they've been going on for more than a year. These projects are very interesting and I think this kind of program should be introduced into other communities as well. People in the communities are being trained in Coral Harbour and Fort Good Hope by the RCMP so they can assist in the work in the communities. I agree this is good.

I'm aware of a program in the provinces where on reserves, the Indian people have their own police force, I believe through the Solicitor General of Canada. I know a few of them, myself, and they do the police work right on the reserves, themselves. I think that's a direction we should go in some areas, since we're having difficulty getting more RCMP into the communities. I think this is a way to go. I've spoken about this in the past in the House, about the First Nations community policing program.

Maybe the Minister could explain to us how these two programs are coming along. Are they coming along as expected, what is the success rate in this program, and does the Minister and his department have the intention of expanding this program so that other communities can benefit? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the First Nations policing program is one that has been used by the federal government in the south as a framework to providing policing to First Nations, particularly on reserves. In the Northwest Territories, it hasn't been used yet but we have been

negotiating with the federal government to determine if the general conditions under which they support such arrangements in the south could be applied here, with some changes.

Mr. Avison is going to add some comments to it, since they've been directly involved in the negotiations, trying to reach agreement with the feds on how that can be applied up here. It does benefit us because we get cost sharing arrangements and there is local management of the policing by agreement. The communities have a say in the policing they receive.

I want to address the community constable pilot projects. They are, in fact, just pilot projects and they are not done anywhere else. They are in Coral Harbour and Fort Good Hope. We're coming up to the first year of the pilot project. The project, as far as I know and have been told, is going very well. The one in Coral Harbour was put on hold in October, I believe, because the constable there left the community, but it was expected to start again just recently. Again, Mr. Avison can add comments to that.

It is a pilot project, we provide all the money and the RCMP does all the work to get it off the ground. I will ask Mr. Avison to add comments, particularly with regard to the First Nations policing policy.

CHAIRMAN (Mr. Ningark):

Mr. Avison.

MR. AVISON:

Thank you, Mr. Chairman. Perhaps I'll deal just briefly with both, first with the community constable program. There is an evaluation being done to assess the effectiveness of those initiatives and the possibility of the transfer into other communities. They are really designed along the lines of the community police auxiliary, to increase the level of community involvement and assisting the RCMP in carrying out their responsibilities.

The First Nations policing policy is quite different. It actually contemplates the placement of an aboriginal police force within communities, and in a number of communities across the south now, those police forces are beginning to develop. There are some in Alberta, some in the province of Quebec, and in Ontario. The nature of them vary. For example, the funding that is received in Akwasasne supports a somewhat different model than what exists in

Littlewood in British Columbia where a similar mechanism has been put in place as well.

There is some real financial incentive for us to be pursuing the negotiations that we've been involved with. As you know, the usual contract for police services with the RCMP is based on a financial formula of 70 per cent for the territories and 30 per cent for the federal government. The arrangement under the First Nations policing policy is a 52 per cent/48 per cent arrangement, so if we can successfully implement some of those strategies in the NWT, it has the potential of giving us better value for our policing dollar.

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CHAIRMAN (Mr. Ningark):

Thank you. We're dealing with the Department of Justice. Law enforcement, Mr. Antoine.

MR. ANTOINE:

Thank you. Regarding the First Nations community policing program from the Solicitor General of Canada, I know the territorial government is using this program in the two pilot projects in Coral Harbour and Fort Good Hope. What would be the position of this government if, let's say, one of the First Nations in the north took it upon themselves to pursue the First Nations community policing program with the Solicitor General of Canada, like the First Nations in the south are doing? Would this government support that initiative? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, we know there are a number of communities interested in looking at what the First Nations policing agreements would provide. Once we reach agreement with the federal government, we would be prepared to move into discussions with certain communities to make sure that between ourselves, the community, and the federal government, we can reach some agreement on how policing would be provided in those communities.

I think that's what the Member is asking. That's what we're trying to accomplish, first reaching agreement with the federal government on what we think would be acceptable terms and conditions.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Antoine.

MR. ANTOINE:

Just for clarification, is the Minister saying that the government, through the department, would negotiate an arrangement with the federal government and then the First Nations would approach this department to get into this program?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. The policy itself right now is designed for the south, and what we are trying to do is get the federal government to agree that it should be also available for communities in the north and that the nature of the agreement should be a tripartite agreement. That is, the communities specifically should be involved in the discussions. That's where we are trying to move. So at this time it is just between ourselves and the federal government. Once they are amenable to the general terms that we think are required, then we will involve the communities.

CHAIRMAN (Mr. Ningark):

Thank you. The page we are dealing with is 06-9 of the activity, main estimates of the Justice department, law enforcement. Mr. Antoine.

MR. ANTOINE:

Thank you, once again, Mr. Chairman. Another area of this activity has to do with firearms, and the firearms task administers the national firearms program in the Northwest Territories on behalf of the federal government. I would like to ask the Minister if he could maybe give us a little bit of a background and the current situation with this particular task, the national firearms program? What is the status of it. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

The bill that we are asked to provide administrative services for is Bill C-17, and we are currently negotiating with the federal government to ensure that our costs that we incur are covered. That is the basis on which we do the work. An example for the Members is the firearms acquisition certificates. These forms are filled out and the administration of it is done by our department.

CHAIRMAN (Mr. Ningark):

Thank you. Law enforcement, total O and M. Mr. Antoine.

MR. ANTOINE:

Just one further question on the firearms thing there. We are doing this on behalf of the federal government, this firearms task. Is any of it recoverable from the federal government? Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, Bill C-17 is a federal piece of legislation, and the implementation and the administration of it is a wholly federal responsibility. So we do the work and then they pay us for it to cover the costs.

CHAIRMAN (Mr. Ningark):

Qujannamiik. Law enforcement, total O and M. Mr. Ballantyne.

MR. BALLANTYNE:

I have a question about the justices of the peace program. Has the Minister made a decision as to who is going to replace Sam Stevens? There was some talk at one point of having a judge being responsible for the JPs. I know Chief Judge Halifax has sort of looked after the program for many years, but what are the present plans of the department?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, we haven't made a decision on who should fill that position or how it should be filled.

CHAIRMAN (Mr. Ningark):

Mahsi. Law enforcement. Mr. Ballantyne.

MR. BALLANTYNE:

Could the Minister maybe give us some idea of when a decision will be made?

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, I believe that we are going to spend some time on it tomorrow and that within the

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next week I will be in a position to advise the Member. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. Law enforcement, total O and M, \$28.714 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

Legal Services Board

CHAIRMAN (Mr. Ningark):

Thank you. Next page, Legal Services Board, total O and M, \$5.265 million. Do we have agreement?

SOME HON. MEMBERS:

Agreed.

---Agreed

Lawyer Support Services

CHAIRMAN (Mr. Ningark):

Thank you. Lawyer support services, total O and M, \$2.293 million. Mr. Antoine.

MR. ANTOINE:

Mr. Chairman, this lawyer support services is the one that deals with the aboriginal languages, I believe. It

used to provide training supervision and coordination of aboriginal language-speaking legal interpreters, including legal terminology development in aboriginal languages. There is no funding left in this one. I know that this type of responsibility would be moved to another department, we were told. I would like to ask the Minister again, just for the record, what is going to happen to this particular task that used to be in here. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Antoine. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the deputy minister will respond to the question. Thank you.

CHAIRMAN (Mr. Ningark):

Mr. Avison.

MR. AVISON:

A portion of the support service that exists within the legislative division of the Department of Justice is still there, but it's vote 4 dollars, it's not vote 1 money and, as a result, it doesn't see itself reflected in this document. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Lawyer support services. I have Mr. Whitford. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. Mr. Chairman, I would like to ask the Minister a question concerning the legislation division's responsibility for drafting all bills, regulations and orders in French and English. The translation of these documents is fairly technical. Is this done internally? Do we have legal interpreters who are lawyers? Is this done internally, or is this done through contracts?

CHAIRMAN (Mr. Ningark):

Thank you. Honourable Minister of Justice.

HON. STEPHEN KAKFWI:

Mr. Chairman, most of it is done internally within the department by staff. Some is contracted out.

CHAIRMAN (Mr. Ningark):

Thank you. Honourable Member for Yellowknife South.

MR. WHITFORD:

Thank you, Mr. Chairman. So we do some of each, then. I know, and I'm sure the Minister is aware, that there are firms and people in the Northwest Territories who can do this work. Are the majority of the contracts that are being contracted out for this work done through a territorial supplier, or is this done through suppliers outside of the territories?

CHAIRMAN (Mr. Ningark):

Thank you. Honourable Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the people who we contract are usually from the south because of the type of work that is required, which is a legal, extremely precise type of drafting. Even now, as Members know, we often take some time to do corrections of the French text of legislation, because as we go along there is continuous review and ways of improving the text of French legislation. So it does require some expertise, expertise you need to cultivate and build and there is only a number of people across the country who devote their resources and careers to it.

CHAIRMAN (Mr. Ningark):

Thank you. Lawyer support services. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. The next question I'm going to ask is one that's not able to be answered in its entirety here and I don't expect it to be. But I wonder if the Minister would be kind enough to provide me with a list of the contracts and who got the contracts to do this type of work. He could do this at his convenience, but certainly before the next session. This is just dealing with the translation.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Yes, Mr. Chairman, we'll be happy to provide that to the Member.

CHAIRMAN (Mr. Ningark):

Thank you. Lawyer support services, total O and M, \$2.293 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

Registries And Court Services

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Patterson, any time I don't hear you, just give me a shout, okay? Registries and court services, total O and M, \$8.894 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Mr. Whitford.

MR. WHITFORD:

Mr. Chairman, this is the section that deals with the justice of the peace program. I'm sure that it takes

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into consideration the amount of work that the justices of the peace do. Going along with the question that my colleague, Mr. Ballantyne, asked about the coroners, training is always important to justices of the peace. Having been one for a number of years, I recognize how important it is to get training and be in contact with people who can help. Currently, we don't have a trainer, as I understand it. There was some discussion on it a little while ago, but nothing ever came about, as far as I know. Is the justice of the peace program still without a trainer?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. That is true. We haven't filled the position that was vacated last year.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Whitford.

MR. WHITFORD:

Thank you. Are there plans to fill that in the near future? I recognize that I asked the question before and I think the answer was there was going to be somebody, but a significant amount of time has passed since that question was asked and I would like to ask it again because we're dealing with the budget, it's important to the justices of the peace out there. I've had a number of enquiries by them and I would like to know if we can expect this before too long.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. Just to confirm what I said earlier, we're going to be deciding in the next few days with a firm decision, perhaps by late next week, on how we're going to fill that position, how we're going to fulfil that function and who will be filling that position.

CHAIRMAN (Mr. Ningark):

Thank you. Nice try, Mr. Whitford. Registries and court services, total O and M, \$8.894 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

Community Justice And Corrections

CHAIRMAN (Mr. Ningark):

Thank you. Next page, community justice and correction, total O and M, \$21.512 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Qujannamiik. Over the page, details of grants and contributions, grants, \$46,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Contributions on page 06-15, \$3.322 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Grants and contributions, \$3.368 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

We have detail of work performed on behalf of third parties. On the next page is the same thing. On page 06-18, total O and M, \$766,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

We will move back to program summary. We're dealing with the Justice department. Total O and M, \$69.193 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Do we agree then that we have concluded this particular department?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

On behalf of the committee, I would like to thank the honourable Minister and his witnesses for appearing before the committee. Thank you.

Thank you. That concludes the details of the Department of Justice. Turn to your green book. We are dealing with legislation, Bill 1, Appropriation Act, No. 2, 1995-96. Do we agree, then?

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Ningark):

Bill 1, Appropriation Act, No. 2, 1995-96. Clause 1. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Antoine.

MR. ANTOINE:

Go ahead. Sorry.

CHAIRMAN (Mr. Ningark):

Thank you. Clause 2 of Bill 1. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

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CHAIRMAN (Mr. Ningark):

Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Mr. Pollard.

Committee Motion 43-12(7): To Amend Clause 3 Of Bill 1, Carried

HON. JOHN POLLARD:

Mr. Chairman, I move that Clause 3(2) of Bill 1 be amended by striking out \$1.022,285 billion and by substituting \$1.025,485 billion. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. The motion is being distributed to the Members of the committee. Thank you. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Ningark):

Question has been called. All those in favour of the motion, please signify in the usual manner. Do we have a quorum?

---SHORT RECESS

CHAIRMAN (Mr. Ningark):

Thank you. The motion to amend Bill 1 under clause 3 is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Ningark):

Question has been called. All those in favour of the motion, please signify. All those opposed? Motion is carried.

---Carried

CHAIRMAN (Mr. Ningark):

Clause 2 as amended.

AN HON. MEMBER:

Clause 3.

CHAIRMAN (Mr. Ningark):

Clause 3. Pardon me. May I correct myself? Clause 3. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 4.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Clause 5. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

We'll move to the schedule, vote 1, operations and maintenance. Mr. Pollard.

Committee Motion 44-12(7): To Amend Schedule Of Bill 1, Carried

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, I move that the schedule to Bill 1 be amended by:

(a) decreasing the amount set out opposite vote 1, item 2, by \$73,000 from \$56,251 million to \$56,178 million;

(b) decreasing the amount set out opposite vote 1, item 5, by \$1,000 from \$4.137 million to \$4.136 million;

(c) increasing the amount set out opposite vote 1, item 6, by \$300,000 from \$69.193 million to \$69.493 million;

(d) decreasing the amount set out opposite vote 1, item 8, by \$500,000 from \$120.795 million to \$120.295 million;

(e) increasing the amount set out opposite vote 1, item 11, by \$1.105 million from \$67.993 million to \$69.098 million;

(f) increasing the amount set out opposite vote 1, item 12, by \$2.461 million from \$262.237 million to \$264.698 million;

(g) decreasing the amount set out opposite vote 1, item 14, by \$92,000 from \$34.258 million to \$34.166 million; and,

(h) increasing the amount set out as the total appropriation by \$3.2 million from \$1.022,285 billion to \$1.025,485 billion.

Mr. Chairman, I believe in item (e), I may have said "item 2" and I should have said "item 11." So, for clarification, could I repeat (e)?

(e) increasing the amount set out opposite vote 1, item 11, by \$1.105 million from \$67.993 million to \$69.098 million.

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister, your correction is duly noted. Motion to amend schedule, vote 1, operations and maintenance, is in order. To the motion.

SOME HON. MEMBERS:

Question.

CHAIRMAN (Mr. Ningark):

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

---Carried

The schedule, vote 1, operations and maintenance total will now read: total appropriation, \$1,025,485,000. Is that agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. The bill as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Does the committee agree that Bill 1, Appropriation Act, No. 2, 1995-96, is ready for third reading, as amended?

SOME HON. MEMBERS:

Agreed.

---Agreed

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CHAIRMAN (Mr. Ningark):

Bill 1 is now ready for third reading, as amended. Do we agree that Committee Report 4-12(7) is concluded?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

On behalf of the committee, I would like to recognize Mr. Floyd Roland, deputy minister, town of Inuvik.

---Applause

Deputy mayor, pardon me.

---Laughter

You were promoted for about two seconds.

---Laughter

And also the mayor, I'm told, Tom Zubko.

---Applause

I will now recognize the clock and report progress to the Speaker on your behalf.

MR. SPEAKER:

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

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Speaker, good afternoon. Your committee has been considering Bill 1 and Committee Report 4-12(7) and would like to report progress with three motions being adopted. Committee Report 4-12(7) is concluded and Bill 1 is ready for third reading, as amended. Mr. Speaker, I move that the report of committee of the whole be concurred with. Thank you.

MR. SPEAKER:

Seconded by Mr. Koe. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

MR. SPEAKER:

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

ITEM 21: THIRD READING OF BILLS

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Mr. Speaker, I seek consent of the House to move third reading of Bill 1, Appropriation Act, No. 2, 1995-96, as amended.

MR. SPEAKER:

Thank you. The Member for Hay River is seeking consent to deal with Bill 1. Are there any nays? There are no nays. Please proceed, Mr. Pollard.

Bill 1: Appropriation Act, No. 2, 1995-96

HON. JOHN POLLARD:

Thank you, Mr. Speaker, and I thank the Members of the House. Mr. Speaker, I move, seconded by the honourable Member for Nunakput, that Bill 1, Appropriation Act, No. 2, 1995-96, as amended, 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 1 has had third reading. Item 21, third reading of bills. Item 22, orders of the day. Mr. Clerk.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, there will be a meeting of the Nunavut Caucus immediately after adjournment this evening. There are meetings tomorrow at 9:00 am of the Standing Committee on Rules, Procedures and Privileges, at 10:30 am of the Ordinary Members' Caucus, at 11:00 am of the Western Caucus and at 12:00 noon of the Caucus Subcommittee on Bill C-68.

Orders of the day for Thursday, April 27, 1995:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions

11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills

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16. Motions
 - Motion 18, Government Use of Airline Travel Points
17. First Reading of Bills
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and
 - Other Matters
 - Bill 13, An Act to Amend the Fair Practices Act
 - Bill 16, An Act to Amend the Retirement Plan Beneficiaries Act
 - Bill 26, An Act to Amend the Jury Act
 - Bill 27, An Act to Amend the Land Titles Act
 - Bill 28, An Act to Amend the Legislative Assembly and Executive Council Act
 - Bill 30, Deficit Elimination 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 5-12(7), Report on the Review of Rewriting the Liquor Laws of the Northwest Territories: A Legislative Action Paper
 - Committee Report 6-12(7), Report on the Review of the Legislative Discussion Paper on the Draft of the New Education Act
 - Committee Report 7-12(7), Report on the Second Annual Report, 1993-94, of the Languages Commissioner of the NWT
- 20. Report of Committee of the Whole
- 21. Third Reading of Bills
- 22. Orders of the Day

MR. SPEAKER:

Thank you, Mr. Clerk. This House stands adjourned until Thursday, April 27, 1995, at 1:30 pm.

---ADJOURNMENT