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LEGISLATIVE ASSEMBLY**

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Speaker: The Hon. Samuel Gargon

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MEMBERS PRESENT

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Mr. Allooloo, Mr. Antoine, Hon. Silas Arngna'naaq, Mr. Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Hon. Samuel Gargan, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, Hon. Don Morin, Hon. Richard Nerysoo, Hon. Kelvin Ng, Mr. Ningark, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mrs. Thompson, Hon. John Todd, Mr. Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Samuel Gargan):

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

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 106-12(7): 1950s North Baffin Bombing Incident Investigations

HON. NELLIE COURNOYEA:

Mr. Speaker, I wish to update Members on the government's investigations into concerns raised by Mr. Pudluk and Mr. Allooloo about alleged bombing incidents that occurred in the High Arctic during the 1950s. This update will outline the nature of the incidents and address Members' concerns about the relationship between these incidents and illnesses among North Baffin Inuit during this period.

During the past year, the government has conducted extensive investigations, including written and oral communications, including senior federal government officials involved with the issue during the 1950s and Inuit, or the relatives of Inuit, who witnessed or experienced the alleged bombings.

Mr. Speaker, individuals from the federal Department of National Defence and the Department of Indian Affairs and Northern Development have confirmed that military exercises, involving low-level "thunderflash bombing runs" were conducted by the United States Air Force near the Admiralty Inlet region of Baffin Island. These exercises only occurred in this area during the winter of 1955-56.

According to federal officials, these low-level exercises involved dropping magnesium flares by parachute to light up the earth for purposes of photographing targets. Military sources say that the exercises involved no explosions, concussions or shocks. Inuit who witnessed and experienced the exercises said the opposite.

Prior to the thunderflash testing over the Baffin, the United States Armed Forces received the necessary approval from Canadian authorities to conduct exercises in the Admiralty Inlet area.

From the evidence gathered by the government, it is apparent that neither Canada nor the United States were aware of Inuit camping in this area. It is also apparent from the government's interviews with Inuit hunters and/or their relatives that neither the families camped in the Admiralty Inlet area, nor Hudson Bay officials at Arctic Bay, were given any advance notice that the tests would be conducted. As a consequence, Inuit camped in the Admiralty Inlet area were naturally terrified by the thunderflash bomb tests.

After being advised that Inuit were camping in the Admiralty Inlet area, military authorities relocated the testing to an unoccupied region of the High Arctic.

Mr. Speaker, the government's investigation, including a review of relevant medical records, has provided no evidence of injury or illness that could be directly linked to the thunderflash tests.

I should also note that during the course of the GNWT's investigation, evidence concerning unrelated biological warfare tests in different regions of the United States, including Minnesota and Alaska, as well as Canadian tests in Manitoba, were examined.

Although the United States Armed Forces has admitted to biological testing in these areas, there is no evidence indicating that the thunderflash exercises in the North Baffin region involved biological agents.

Mr. Speaker, I noted earlier in my remarks that Inuit who witnessed or experienced the thunderflash exercises have different memories of their impact, which may mean that other types of testing took place in the Admiralty Inlet area. The government will continue its investigations to determine if there is any proof to this statement.

In conclusion, the nature and conduct of this type of military activity is as unacceptable now as it was at the time the tests were conducted.

In the 1990s, while we still have to encourage the Department of National Defence to provide NWT residents with plans for military activities, procedures are now in place to ensure that these activities are no longer conducted without proper consultation with the government and communities.

Finally, the government has made representations to federal committees on national defence and foreign affairs to ensure that the views of NWT residents are part of the public record in establishing new federal defence policies.

Our success in having cruise missile testing stopped is a case in point. Thank you.

---Applause

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

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On National Aboriginal Solidarity Day

MR. KOE:

Mahsi, giikhii. Today is June 21st, the longest day of the day of the year, and the day celebrated since 1982 as National Aboriginal Solidarity Day. Solidarity means unity based on a common interest.

Mr. Speaker, I'm pleased to see a growing solidarity among aboriginal leaders in the western Northwest Territories. The leaders of nine aboriginal political organizations met as an aboriginal summit two weeks ago in Yellowknife. The groups involved were the Inuvialuit Regional Corporation, Gwich'in Tribal Council, Sahtu Secretariat Incorporated, Deh Cho First Nations, Dogrib Treaty 11 Tribal Council, Treaty 8 Tribal Council, the South Slave Metis Tribal Council, Dene Nation and the Metis Nation of the Northwest Territories.

They had hoped to appear before us in committee of the whole to discuss their positions. Some of them even hoped such a meeting might lead to a real partnership with the Assembly. That will not happen within the life of this Assembly. The leaders of the nine organizations have asked me to state on their behalf, their common positions.

1. an inherent right of self-government. To reach an agreement on the implementation of the inherent right must be a priority for all governments.

Mr. Speaker, the leaders have a legitimate demand that progress on public government in the western Northwest Territories must be matched by progress in a separate process leading to the implementation of the inherent right. We have come a long way in recognizing the inherent right. The leaders are asking us to help them keep self-government near the top of the federal agenda.

2. impact on the implementation of division of the Northwest Territories.

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

MR. SPEAKER:

The Member for Inuvik is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Conclude your statement, Mr. Koe.

MR. KOE:

Mahsi cho. All aboriginal peoples in the western Northwest Territories should have more meaningful participation in the process leading to division.

Mr. Speaker, I note that the aboriginal leaders sought and obtained support from the executive of the Northwest Territories Association of Municipalities on this position. They had asked if the municipalities also wanted representation on their committee and received the assurance that this was not necessary.

I will also note that this statement should not be taken to mean the Deh Cho First Nations or the Treaty 8 Tribal Council are now willing to join in on the Constitutional Development Steering Committee process as anything other than observers. The Deh Cho and Treaty 8 are pursuing a different direction in the development and implementation of governments in their territorial areas. These groups do, however, wish to protect their legitimate interest in such areas as division of the Government of the Northwest Territories assets and liabilities.

The participation of the Government of the Northwest Territories in negotiations between aboriginal peoples and the Government of Canada is also a source of concern. The leaders of the aboriginal peoples believe that the Government of the Northwest Territories should not have third-party status in any

such negotiations, unless the aboriginal peoples concerned consent to such status.

Mr. Speaker, different aboriginal peoples have somewhat different interests, as well as different histories and positions before the law. None of the nine groups want the Government of the Northwest Territories to have third-party status. They believe it is wrong to insist that all should have the same position on this issue before our government revisits the matter. A bannock-cutter approach to self-government will never work.

4. The devolution of authority to the Government of the Northwest Territories is another issue impairing relationships between the aboriginal peoples and the Government of Canada. The leaders of the aboriginal peoples believe that there should be no further devolution from the Government of Canada to the Government of the Northwest Territories without the consent of the aboriginal peoples concerned.

Finally, Mr. Speaker, the nine leaders believe that we would support their positions if we took the time to hear them out. They look forward to the establishment of a mechanism for ongoing formal consultation with the Legislative Assembly on these and other issues. Perhaps the next Legislative Assembly will demonstrate more solidarity with the western aboriginal leaders and the people they represent. Mahsi cho. The inherent right will have a significant and lasting ---Applause

MR. SPEAKER:

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

Member's Statement On 4th Annual Pokiak River Music Festival

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I wanted to have an opportunity today, through you and this forum, to advise people of the Northwest Territories of an annual event that occurs in Aklavik; at least, for the past four years. This, Mr. Speaker, is the year of the 4th Annual Pokiak River Music Festival. It will occur from June 23rd to 26th. This event is intended to bring together musical talents of people from the Mackenzie Delta/Beaufort region; it's intended to bring together musical talents from throughout the Northwest

Territories, from the Yukon and even other parts of Canada.

I wanted to advise the people of the north and certainly Members of this Assembly, that all people are invited and

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encouraged to attend. The intention is that it's a time to reflect upon the good days and to create joy among people. This event, Mr. Speaker, is an event that is drug and alcohol-free, and is intended to make people aware of the importance of festivities; particularly when it brings together people and families.

This year's event, Mr. Speaker, is entitled "A Tribute to our People, Past and Present," and it is intended to honour their contribution and their guidance to the development of the community of Aklavik and the Mackenzie Delta. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

Member's Statement On Failures Of Affirmative Action Policy

MR. WHITFORD:

Thank you, Mr. Speaker. Good afternoon. Mr. Speaker, the Government of the Northwest Territories first introduced affirmative action as the native employment policy in 1985. This policy was meant to address the lack of aboriginal representation in the public services of the Northwest Territories.

In 1989, the affirmative action policy was introduced to replace the native, employment policy. This new policy included provisions for disabled northerners, women and indigenous non-aboriginals who had lived in the north for more than half of their lives or were born here.

In 1985, the public service had about 30 per cent aboriginal employees. By 1989, however, the native employment policy had brought this figure to just over 32 per cent. This was still far short of the percentage of northerners who are of aboriginal descent; 61 per cent, according to the 1991 census. So, many northerners had high hopes for the affirmative action program.

Well, in 1994, five years later, there had been an increase in percentage of aboriginal employees in the public services from 32 per cent all the way up to 35. This was not the kind of spectacular increase that would be necessary to obtain the goals set by the developers of this policy. Meanwhile, we are losing many of our best and brightest non-native university students who grew up in the north and hoped to return, but who have instead decided to stay in the south. They can't find summer jobs here while they are at school, and they are very pessimistic about their chances of finding permanent employment with the government. Unless they have job prospects in the private sector, they will not return.

The affirmative action policy has also been a trigger for racial tension. These are tensions which I had not seen before the introduction of this policy. But now well-qualified, non-native northerners find it easy to become resentful when they cannot find jobs while less-qualified aboriginal candidates can. While there are many skilled and qualified aboriginal northerners who deserve employment with the government, it is very unfortunate that the existing policy has the effect of turning away the many skilled and qualified non-aboriginal northerners who have as much of a desire to contribute to their home as anyone else.

I seek consent to continue.

MR. SPEAKER:

The Member for Yellowknife South is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Conclude your statement, Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Speaker. Thank you, colleagues. Mr. Speaker, I'm glad to see the government has established an affirmative action policy review task force group. This policy is obviously in desperate need of revision. I remember high and lofty promises that affirmative action would lead to a government workforce that was 52 per cent aboriginal by the year 1990.

Well, here it is five years later and we are still nowhere near that goal, and, in the meantime, we have lost many who could, and who want to, contribute to the north.

The goal of having a public service whose make-up reflects that of the entire population of the north is a

valuable one, but this policy has not brought us much closer to that goal. In fact, I dare say that the negative effects of this policy have outweighed as benefits.

As this Assembly draws to the close of its mandate, I regret that we will not be able to change things for the better right now, but it is my sincere hope that the task group reviewing this policy will have developed effective and useful recommendations for the next Assembly. I don't know whether this policy should be improved or can be improved, replaced or even scrapped in favour of an increased focus on education. I do know that it is not working now and it needs to change. Thank you, Mr. Speaker.

MR. SPEAKER:

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

Member's Statement On Ndilo Education Concerns

MR. BALLANTYNE:

Thank you, Mr. Speaker. Mr. Speaker, today I would like to speak about the community of Ndilo in my constituency. It's been more than a decade and a half now that I have had the privilege of working with the people of Ndilo and the Yellowknives Dene Band. When I started, Chief Isidore Tsetta was the chief of the Yellowknives Band and Eddie Lacome was the subchief for what was then called Rainbow Valley. When I came on to the scene, there was a major jurisdictional problem and everything had stopped in Ndilo. The federal government said it was a territorial responsibility; the municipal government said it was a federal government responsibility and nothing was happening. The people then were real victims of bureaucratic in-lighting.

From that time, I and many of us have always treated Ndilo as its own community. Many times over the last decade and a half we have tried ways to formalize its status as its own community, but there have been so many barriers. But anyhow, the government and the Legislative Assembly were good enough to include Ndilo in the five-year plan and, for all intents and purposes for the last decade, Ndilo has been treated fairly with other communities in the Northwest Territories.

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The issue of education has always been a very important issue in Ndilo. I remember that we started off, probably nine or 10 years ago, with a very

successful upgrading program. Everybody remembers Florence Erasmus, the Tree of Peace and their kindergarten program in Ndilo which was a mainstay of the community for many years. In the last couple of years, there has been a very successful after-school care program.

The people of Ndilo, for many years, have been frustrated With the lack of success of their students in the education system here in Yellowknife. They have really thought that because they are a community, they should have more community control over the system. I want to thank the Minister. There have been a number of discussions with the Minister and the issue has come up again around the Education Act.

Mr. Speaker, the band is looking at getting support for the head start program, a pre-school care program in Ndilo, this fall. Mr. Speaker, I seek unanimous consent to conclude my statement.

MR. SPEAKER:

The Member for Yellowknife North is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Conclude your statement, Mr. Ballantyne.

MR. BALLANTYNE:

They've made a presentation to the Minister to start work on a school in Ndilo, starting off kindergarten to grade 3 but over a period of time having kindergarten to grade 8. The Minister has been open; there's been a lot of support from the Catholic school board, and I think there is a lot of possibility.

I think it's very important for the people of Ndilo. They feel that if they can run the school down there, they can get the parents involved in the school, they can bring the support mechanism to get the kids to school and make sure the kids are successful.

Their intention, ultimately, is to have these successful kids come out of grade 8 and enter the Catholic high school in Yellowknife and go on to whatever career choices they may want to make.

At some point, they are looking at belonging to a Treaty 8 education division, and I know again that the Minister is open and flexible about how, over a period of time, these aspirations can be met.

The people of Ndilo have always felt, just because of the status of their community, that they've been isolated from Dettah, which has a different status. So

we are looking at ways that the education programs between the two communities can work more closely together.

So, during the course of the next couple of days, as we discuss the Education Act, there are other meetings happening with the Minister. The Minister has indicated to me and to other MLAs that he's open to finding a solution to allow the people of Ndilo to take more control over the education of their am looking forward to a successful conclusion of those discussions. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

Member's Statement On Appreciation For Support During Tenure As MLA

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. I am standing up today to thank some people. I don't usually ask much from you, Mr. Speaker, and I will thank you, Mr. Speaker. I know that I am going to be here today and tomorrow during the session. From then on, I will not be attending the rest of the session and this is the last time that I am going to be able to stand up and say what I have to say.

I would like to thank my children, my wife and my relatives, because they have waited and were patient with me while I have been a Member of the Legislative Assembly.

I know that my constituents are not very close; Sanikiluaq is pretty far away. Some times a was very difficult for me to visit my constituents there.

For almost four years, the people I represent have supported me and I would like to thank them. Especially in this year, 1995, I was away from my constituents for a long time dealing with important stuff such as preparation for division and helping out my constituents and I have tried very hard to represent the wishes of the people who elected me. I would like to thank them for being able to support me while I have been a Member of the Legislative Assembly.

I will be here tomorrow in the House, but from then on, I will not be attending. Maybe because we are

going to be finished this week. I would also request, Mr. Speaker, to conclude my statement.

MR. SPEAKER:

The Member for Baffin South is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Conclude your statement, Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker and Members of this House. I will not make a lengthy statement, but I just want to thank the Members, especially seeing as this is our last session. I would like to thank the Members of the Legislative Assembly for assisting me and for helping me with whatever I need.

I would like to thank all the Ministers as well for being able to respond to the numerous requests that I have made. I would like to thank the previous Speaker and the present Speaker for allowing me to speak. I would especially like to thank the staff of the Legislative Assembly for assisting me, even though I cannot speak English. I would also like to thank the people in my community who assisted me. I would like to thank my constituency assistant in Lake Harbour. She's always available whenever I need some assistance. I would especially like to thank the interpreters because I have to use them on a day-to-and I day basis during the session. They were able to accompany me whenever I had to go travelling with committees or on other assignments I had to attend to. So I would like to say thank

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you very much to the interpreters for helping me and assisting me for almost four years.

I know we have met numerous times in the House this year, because we have to deal with legislation for the betterment of the people in the Northwest Territories.

Also, I would like to thank the people on the Legislation and Finance committees. Lastly, I would like to thank every one of you. I will see you again tomorrow. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

Member's Statement On Importance Of Small Business

MR. DENT:

Thank you, Mr. Speaker. Mr. Speaker, I would like to speak today about the importance of small business in Yellowknife and the north; especially since the constituency I represent includes the Airport Road and the Kam Lake Industrial Park which has a lot of small businesses in it, and I spend a lot of time talking to small business owners.

Mr. Speaker, I was able to find out that there are 1,761 businesses currently registered in Yellowknife. We can probably estimate that about 1,000 of those will be home occupations or single-source contractors, so that means that there are about 700 storefront operations. Many of those will have started as home occupations, but now are employing people, serving other people across the north.

Small business provides a major source of employment in the north. As we know, the private sector represents an awful lot of jobs. In Yellowknife - if we include those working for the mines -- we probably have over half of all employment, or at least 5,500 to 6,000 jobs which are provided by the private sector. Employees in these businesses provide this government with a major source of revenue. Easily one quarter of all personal tax revenue collected by this government will come from people working in private industry in Yellowknife. On top of that, the businesses themselves will be supplying a significant portion of the corporate taxes this government receives.

Mr. Speaker, it has long been recognized that the small business sector is best at creating new jobs. With division coming, with funding cuts from Ottawa, it's important that we encourage the development of small business. It's there that we see the future when it comes to more jobs for northerners.

This government needs to examine how it deals with business and make sure that it is business-friendly. We need to look for ways to streamline the regulatory and paperwork functions, perhaps by taking a look at the Newfoundland example where fees have been cut for services.

Mr. Speaker, this government needs to move quickly to get business and labour working on recommendations for revising our Labour Standards Act. Then we also need to make sure that this

government is enforcing the provisions of labour standards across the board, making sure that there is a level playing field for business. Too often, we hear of southern competition being able to do a job cheaper in the north because they're in and out quickly, and are never checked to ensure that they live up to the standards northern companies must adhere to. But most important, Mr. Speaker, this government needs to develop an attitude that we support the development of small business. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

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

Member's Statement On Appointment Of Mr. Dan Marion, Deputy Commissioner

MR. ZOE:

Thank you, Mr. Speaker. I was pleased to learn today, Mr. Speaker, that Mr. Dan Marion, the mayor of Rae Edzo, has been appointed as the new Deputy Commissioner

---Applause

...filling the vacancy left when Helen Maksagak became Commissioner. As one of my constituents, I've known Mr. Marion for many years. He is a hard-working individual who has done his best to promote the community of Rae-Edzo and the entire Dogrib region. Dan believes strongly in the ability of northerners to work together for a better future. He also has great respect for the values and traditions of aboriginal people of the Dogrib area.

Mr. Speaker, Mr. Marion began public life in the Northwest Territories in 1970 when he was elected to the town council of Fort Norman. He has spent the last 25 years involved as a politician in Fort Norman and Rae-Edzo. He has also served as a board member for the Rae-Edzo Dene Band Development Corporation and the Northwest Territories Development Corporation.

Mr. Speaker, Mr. Marion has many contacts across the Northwest Territories. Through his past work as a member of the executive of the Northwest Territories Association of Municipalities, he has worked with leaders from many of our communities. I am sure they will be pleased with his appointment and will lend their

support to him in his new role. I am sure, Mr. Speaker, that Mr. Marion and our Commissioner, Ms. Maksagak, will prove to be a dynamic team representing the Northwest Territories in a way in which all of us can be proud of. I invite all Members to join with me in congratulating Mr. Dan Marion on his appointment as the new Deputy Commissioner. Mahsi.

---Applause

MR. SPEAKER:

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

Member's Statement On Lack Of Dall Sheep Quota In Mackenzie Mountains

MR. ANTOINE:

Mahsi, Mr. Speaker. Mr. Speaker, there is no quota on Dall Sheep in the Mackenzie Mountains. This is the only place in Canada and the United States where there is no limit on how many sheep are hunted by big game hunters. There is no way to monitor the sheep, except from the outfitters

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themselves. This is what we are told. We have to believe what the outfitters tell us. An outfitter could book 100 hunters in one zone, and they could take 100 sheep out there and there is no real control. This is the concern that I've heard from different people in my constituency; the problem of overhunting the sheep in the Mackenzie Mountain ranges.

There is a real danger for overhunting in the big game hunting zones. This could be detrimental to the animal population in the mountains, west of the communities I represent. This is a traditional area of a lot of the Dene people. An outfitter could hunt an area hard for a few years, then sell out the area for enormous profits. These zones have become assets to the people who are the outfitters.

There are four types of big horn sheep in North America, and the Dall Sheep is one of them. The others are very well controlled, I'm told. For example, in British Columbia, each area is regulated by quotas. The local biologist determines how many sheep could be taken out of an area; let's say, eight or 12 out of a hunting zone. This is the quota for one hunting area and it is very well controlled.

Mr. Speaker, in order to determine quotas we need to survey and count the animals in the mountains, especially the sheep, on an annual basis. The government will say there's no money, so I would like to make one suggestion, **MR. SPEAKER:** let us place a higher fee on each of the non-resident hunters who come into our area so they could pay for the survey and counting of these animals. For example, in order to pay for the survey, let's say \$1,000 per tag for each non-resident hunter. This is a request for support in this area, Mr. Speaker.

Another problem I have is that there is a request by big game hunters for grizzly bear tags now. Here again, I have to oppose this because I need to know the status of the population in the Mackenzie mountains of the grizzly bears before I approve anything like this.

Mr. Speaker, my time has run out. I seek unanimous consent to conclude my statement. Mahsi.

MR. SPEAKER:

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

MR. ANTOINE:

Thank you, Mr. Speaker. The problem is not only with sheep, Mr. Speaker, but has to do with moose, caribou and the different animals in the mountains. We don't know how many there are and there is really no good way of surveying them. There are occasional fly-over surveys, but that is not good enough, Mr. Speaker.

Historically, Mr. Speaker, big game hunting zones were practically given away in the 1970s by the Commissioner of the day. There were five zones and now there are more; there are eight, I believe. Now, we're stuck with the outfitters who control these hunting zones and mountains. They are the only ones allowed to take non-resident hunters into the mountains and the aboriginal people are cut out of the deal. These outfitters all live in the south, Mr. Speaker, and though they are available for sale for enormous amounts of money if they become available, the amounts are impossible for the aboriginal people from the communities to have access to.

Mr. Speaker, recently there was a meeting in Fort Simpson where aboriginal people and leaders met

with the outfitters from the mountains. As a result of this meeting, some decisions were made that there would be closer cooperation between the outfitters and aboriginal leaders. Hopefully, this will improve the situation and help the concerns of people in my constituency. Mahsi, Mr. Speaker.

---Applause

MR. SPEAKER:

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

Member's Statement On Public Consensus On Bill C-68

MR. LEWIS:

Thank you, Mr. Speaker. I have some comments to make, Mr. Speaker, about Bill C-68, the gun control bill. I have been a little bit concerned because there seems to have been some surveying done about people's attitudes and opinions on this issue. In my own attempt to get a feel for public opinion, Mr. Speaker, I found that there is a difference in the way people react, according to whether they're a gun owner or whether they're not a gun owner. That should be obvious, I suppose, but it would be very easy to take a survey of people and, if the vast majority of them don't own guns and you ask them about gun registration, they would say there would be no problem that they have to register their car, have to have a licence for their dog and they don't see a problem with having a gun registered.

However, if you're a gun owner, automatically -- because you know what's in this bill -- you would say this is under the Criminal Code of Canada, and I'm being treated as though I'm a potential criminal. They want me to register my gun because they don't trust me. It's very easy to do a survey to get the public opinion that people don't have any problems with registering rifles or guns.

So, Mr. Speaker, in my attempt to find out what people really felt, first of all, I found that people are very, very upset that a government which has a huge deficit could be faced with an act which costs -- according to various estimates depending on whether you're in the opposition or the government -- anywhere between \$78 million and \$500 million just to carry out the registration program. A lot of people are concerned about that. The biggest concern that people have, though, is if you really want to have

some system for registering these guns, then why couldn't it be done not in a crime bill -- and that's what this is, a crime bill -- but like with any other thing that you own, so there would be registry. Even though it would be tremendously costly, the public would at least see that it has nothing to do with them and their potential to be involved in criminal activity.

I say any efforts that we make right now in trying to lobby the Senate to make changes and so on, will make no change to the fundamental nature of the bill, which is a crime bill. That's what northerners find offensive. Peace-loving people who own rifles, not to protect their property or to shoot people they don't like, are going to be treated as potential criminals. We are unlike the people in Montreal, Toronto or Vancouver because we don't see guns in the same way. That's what I found in my survey of local people. It depends on who you're talking to.

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If you own a gun, you know all the implications and if you don't own one, you have to be educated on what this bill is all about.

I wish our people the best of luck in Ottawa, but you can't change the fundamental nature of this bill, which is a crime bill. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Item 3, Members' statements. Mr. Ng.

Member's Statement On Appreciation For Support During Tenure As MLA And Minister

HON. KELVIN NG:

Thank you, Mr. Speaker. Mr. Speaker, I won't be making a reply to the opening address but, because the 12th Assembly is drawing to a close, I would like to make a brief statement of appreciation. I would like to thank all of my constituents who, since May of 1993, have granted me the privilege of serving as their MLA. I would like to recognize and thank my many friends and supporters who encouraged me to seek this office and I would like to say for the public record, and to them, that I will be seeking a new mandate on October 16th.

---Applause

Mr. Speaker, since February of 1995, I have also had the honour of representing the NWT as Minister of MACA and I would like to thank Members of this House for affording me that privilege. For those Members who won't be seeking re-election, who are retiring or moving on to pursue other matters, I would like to wish you all the best. I thank you all for the guidance, support and encouragement that you provided to me and the way you welcomed me to the Assembly through the caucuses and committees I sat on, and into Cabinet as well.

I would like to recognize two Members of this House who have officially declared that they will be retiring, both Mr. Patterson and Mr. Pudluk. For Mr. Patterson --although he isn't here now, I know he reads the Hansard so he will read these comments --I don't know whether it is a result of his experience on Cabinet or whatever, but I would like to say that he has taught me that you can say a lot without really saying anything.

---Laughter

Secondly, he has offered advice to me on many occasions, but I would like to thank him for not offering me advice on how to assemble a tie collection.

---Laughter

And, for Mr. Pudluk, who said in his reply that he misses the way I touched his legs since I came over here on this side, that although I don't miss touching his leg, I do miss sitting beside him. For the record, I would like to say that when I did accidentally brush his leg, it was not for sexual purposes at all.

---Laughter

Mr. Speaker, I would also like to thank the staff of the Assembly, and in particular, Mr. Hamilton. I know many people have said that he has been a father to them but to me, he has been more like a grandfather.

---Laughter

I would like to say that it's not because of our age difference, but because of the fact that I'm one of the younger, newer Members, he has probably tolerated me a lot more than he would other Members.

Mr. Speaker, I seek unanimous consent to conclude.

The Member for Kitikmeot is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Please proceed, Mr. Ng.

HON. KELVIN NG:

Thank you, Members, Mr. Speaker. I would also like to thank the staff in the ministerial office, both Lisa Morgan and Joan Irwin. Although they've been there only a short time, I realize that without them, a Minister could get lost very quickly. I'd also like to recognize and thank the staff of the department. I'm fortunate because I believe MACA is one of the more respected departments and is recognized throughout the NWT as such.

Finally, Mr. Speaker, I would like to thank my family. Before I came to this Assembly, I had lots of opportunities to travel but never to the extent that becoming a Member of this House has afforded me. For those of us who don't live in Yellowknife, being absent from home for long periods of time is very stressful on family life. I would like to recognize my wife, Susie, and thank her for being a single parent while I've been gone. I would like to thank all my children for forgiving me for all the occasions I haven't been available for them.

In closing, Mr. Speaker, I would like to say to all NWT residents, to Members of the House, and staff, have a safe and happy summer. I hope to run into all of you, in whatever capacity we may be in, in the future. Thank you, very much.

---Applause

MR. SPEAKER:

Thank you, Mr. Ng. Item 3, Members' statements. Item 5, recognition of visitors in the gallery.

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

Thank you, Mr. Speaker, colleagues. I would like to take this opportunity to recognize in the gallery, Paula Stanton-Stanford and Peter Stanford. Ms. Stanford is the daughter of Dr. Oliver Stanton who was the first doctor in the Yellowknife area in the 1930s and for whom the Stanton Hospital is named.

As well, I would like to recognize Barb Bromley, one of the pioneers of the city of Yellowknife.

---Applause

MR. SPEAKER:

Thank you. Item 5, recognition of visitors in the gallery. I've noticed some seniors who are also visiting our gallery. I don't know whether it's because they're not from the

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area that they're not being recognized, but welcome to the Assembly.

---Applause

I missed one item, item 4, returns to oral questions. Mr. Todd.

ITEM 4: RETURNS TO ORAL QUESTIONS

Further Return To Question 553-12(7): Role Of Economic Development Officer Teams

HON. JOHN TODD:

Thank you, Mr. Speaker. I have two returns to oral questions, one asked by Mr. Koe on June 8th with respect to the role of economic development officer teams.

As Mr. Koe noted, I had indicated to the House that it was the intention to fill these positions by June 30th. The planning required for the positions is running behind schedule and the positions will not be filled by June 30th. However, the department will have completed the general plan for deployment by the end of the month and I am optimistic that we will fill them at that time.

Return To Question 533-12(7): Origin Of Sealskin Products

Mr. Speaker, I have another return asked by Ms. Mike on June 7th with respect to the origin of sealskin products.

On June 7th, the honourable Member for Baffin Central asked me, through the Premier, if we were trying to enhance the economies of Newfoundland and Ontario by developing prototype sealskin products or enhance the economy of the Northwest Territories.

Economic Development and Tourism is participating with Renewable Resources and the federal Department of Fisheries and Oceans in a study to explore possible uses of seal products in the Baffin

region. During the course of this study, the consultants concluded that there was a possibility of marketing some sealskin products, particularly when the fur has been dyed.

Some northern skins were processed through a southern tannery which had the ability to dye the fur. Some skins were returned to Minnguq where, with the assistance of the consultants, new designs were fashioned into prototypes. Other prototypes were put together in southern Canada. The prototype products were then test marketed with very positive results in both the NWT and southern Canada. The prototypes, put into production, will expand the variety of products manufactured in the Northwest Territories with respect to sealskins. Thank you.

MR. SPEAKER:

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

HON. DON MORIN:

Thank you, Mr. Speaker. I have three returns to oral questions asked By Mrs. Marie-Jewell.

Return To Question 497-12(7): Status Of Air Operations Manager Of Fire Suppression Program

The position of manager of air operations and administration has been discontinued and the incumbent has received a written notice of lay-off.

Return To Question 569-12(7): Waiving Employment Procedures For Fire Suppression Staff

Another return to question asked by Mrs. Marie-Jewell, waiving employment procedures for fire suppression staff.

The manager of air operations and administration has received a written notice of lay-off from the deputy minister of Renewable Resources indicating that the requirement to work for three months was being waived.

Further Return To Question 572-12(7): Employment Status Of Bird Dog Officers

Another return to question asked by MRS. MARIE-JEWELL; Employment Status Of Bird Dog Officers.

At this point, I can confirm that no air attack officers are flying with the DC-4 air tankers. Thank you.

MR. SPEAKER:

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

Further Return To Question 617-12(7): Status Of Community Water Pumps For Fire Protection

HON. KELVIN NG:

Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Antoine on June 15th regarding the status of community water pumps for fire protection.

The Department of Municipal and Community Affairs has followed up on the suggestions of the Member and the recommendations of the Standing Committee on Finance to review options for fire protection in small communities.

Mr. Speaker, our review of the options for using portable water pumps, of a Wajax or similar type, found there were limited supplementary benefits to the fire suppression equipment currently in small communities. Cold weather problems with pumps and hoses limit their use in winter, set-up time for pump and host systems is too lengthy for quick response, the size and weight of pumps necessary to pump water any distance is a distinct disadvantage and, the pressure from these types of pumps provide marginal water flow rates for fire suppression. The office of the fire marshal has not sanctioned pump and hose systems as a reliable means of fire suppression.

The department believes that a rapid, coordinated response with the dry chemical fire truck, the water truck and the loader is the most effective means of containing and controlling fires in small communities. These methods could apply to the small brush fires in communities that the Member mentioned.

As Members will appreciate from our experiences with fires in the Sahtu and other areas, community fire suppression equipment is a minor component of the efforts of forest fire management. In my reply to the honourable Member for

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Thebacha, I noted work is being undertaken to upgrade and rebuild community fire breaks as one measure to improve protection from major forest fires.

Mr. Speaker, the department is also focusing on means to improve fire protection within communities. Several of these initiatives were announced last

session in presenting our 1995- 96 budget and include the firefighters training program now being developed. A course is scheduled this fall for the Fort Simpson area, and the firefighters from small communities in the region will be trained in the use of dry chemical fire trucks and brush firefighting. Other initiatives include public education, on such matters as minimizing the burning of community garbage, and a current study on ways to improve fire alerting in communities. Thank you, Mr. Speaker.

MR. SPEAKER:

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

Further Return To Question 544-12(7): Inclusions Of Non-Insured Health Benefits In Health Billings Agreement

HON. JOHN POLLARD:

Thank you, Mr. Speaker. Good afternoon. Mr. Speaker, I have a return to an oral question asked by Mr. Dent on June 8, 1995. It concerned the inclusion of non-insured health benefits in the health billings agreement.

Mr. Speaker, by way of a contribution agreement, the Government of the Northwest Territories administers and delivers, on behalf of Health Canada, the non-insured health benefits program to Inuit and registered Indians in the Northwest Territories. Under the terms of the agreement, invoices are paid by the territorial government and submitted monthly for reimbursement from the federal government.

The 1995-96 budget amount for the non-insured health benefits program is \$15.7665 million. This amount was proposed by Health Canada following a review of the previous year's expenditures.

Mr. Speaker, a unilateral cut by Canada for non-insured health benefits across Canada would impact the Northwest Territories by way of section 25 of the agreement which states:

"In accordance with section 40 of the Financial Administration Act, R.S., 1985, c. F-11, payment here under is subject to there being an appropriation for the fiscal year in which any commitment here under would come due for payment."

This provision of the agreement allows Canada to limit payment under the non-insured services program to amounts appropriated. As a result, a unilateral cut

across Canada would reduce funding available to Inuit and registered Indians in the Northwest Territories for non-insured benefits.

Mr. Speaker, the Minister of Health and Social Services is corresponding with her federal counterpart with regard to the comprehensive review that Health Canada is conducting relative to the non-insured health benefits program. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Item 4, returns to oral questions. Item 6, oral questions. **Mrs. Marie-Jewell.**

ITEM 6: ORAL QUESTIONS

Question 664-12(7): Date Employees Hired To Replace Dismissed Bird Dog Officers

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I would like Mr. Speaker, it has been brought to my attention that two new Renewable Resources employees have been hired to replace the two employees who were dismissed last week; the Bird Dog officer and assistant manager of air operations. Apparently, two employees have been hired to replace these individuals. Can I ask the Minister when these two latest employees were hired as air attack officers? Thank you.

MR. SPEAKER:

The Minister of the Personnel Secretariat, Mr. Arngna'naaq.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Speaker. I'll take that question as notice.

MR. SPEAKER:

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

Question 665-12(7): Criteria For Acquiring NWT Birth Certificate

MR. DENT:

Thank you, Mr. Speaker. My question is for the Minister of Safety and Public Services. Mr. Speaker, I wonder if the Minister could advise us if, in order to get a birth certificate in the Northwest Territories, all that is needed is to fill in an application form with a

name, address, phone number and the mother's maiden name.

MR. SPEAKER:

Minister of Safety and Public Services, Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I am not clear on all of the specifics, so I will take the question as notice.

MR. SPEAKER:

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

Question 666-12(7): Dall Sheep Survey In Nahendeh

MR. ANTOINE:

Mahsi, Mr. Speaker. My question is for the Resources. Earlier today, I mentioned in my Member's statement concerns about the situation of the Dahl Sheep in the mountains. There are no quotas on them and there is a concern that these animals may be overhunted. I would like to ask the Minister if his department is doing anything to survey and count how many sheep there are, so we can impose a quota on these sheep. Thank you.

MR. SPEAKER:

The Minister of Renewable Resources, Mr. Arngna'naaq.

Return To Question 666-12(7): Dall Sheep Survey In Nahendeh

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Speaker. I know that the Department of Renewable Resources has hired a consultant who was to be working on the various guidelines set out for the outfitters in the different zones in the western

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Arctic, but I don't know specifically whether there is work being done at the present time on Dall Sheep in the Mackenzie Mountains. However, with respect to caribou and animals that are hunted by big game hunters using outfitters, there is a study being done.

I also understand that there was a meeting recently in the town of Fort Simpson with regard to the sheep,

but I do not have the results of that meeting. Thank you, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Antoine.

Supplementary To Question 666-12(7): Dall Sheep Survey In Nahendeh

MR. ANTOINE:

Thank you, Mr. Speaker. I need to find out from the Minister, were the consultants hired specifically to survey the Dall Sheep? Thank you.

MR. SPEAKER:

Mr. Arngna'naaq.

Further Return To Question 666-12(7): Dall Sheep Survey In Nahendeh

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Speaker. No, it was not specifically to do with Dall Sheep. It was regarding caribou, I believe. I don't know whether that was extended to Dall Sheep. However, as a Renewable Resources department, one that believes in conservation and sustainable development, I think it is warranted that something should be done. There should be discussions with the outfitters; not just with the outfitters, but with the people in the area around Fort Simpson. Thank you.

MR. SPEAKER:

Supplementary, Mr. Antoine.

Supplementary To Question 666-12(7): Dall Sheep Survey In Nahendeh

MR. ANTOINE:

Thank you, Mr. Speaker. The Minister mentioned that there were consultants hired to do a survey with caribou. Will the survey be conducted to count the caribou in the mountains west of my constituency?

MR. SPEAKER:

Thank you.

Further Return To Question 666-12(7): Dall Sheep Survey In Nahendeh

HON. SILAS ARNGNA'NAAQ:

Mr. Speaker, the research being done was with regard to the way in which outfitters are operating in the various zones, and not necessarily to count caribou, but to come up with a report on the situation of each of the zones with respect to caribou outfitting. Thank you, Mr. Speaker.

MR. SPEAKER:

Final supplementary, Mr. Antoine.

Supplementary To Question 666-12(7): Dall Sheep Survey In Nahendeh

MR. ANTOINE:

Thank you, Mr. Speaker. The consultants are there to work with the communities and to count the caribou and work with the outfitters. Is this going to result eventually with setting a quota on caribou, Dall Sheep and moose in the big game hunting zones in the Mackenzie Mountains? Thank you.

MR. SPEAKER:

Mr. Arngna'naaq.

Further Return To Question 666-12(7): Dall Sheep Survey In Nahendeh

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Speaker. Mr. Speaker, I believe the study is being done on how to better manage the quotas that are allotted for big game hunters. The study should be completed and the report should be forthcoming. At this point, I am not sure where it is at. I believe it is at the stage where the researcher will be providing a report to the department. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 6, oral questions. Mr. Whitford.

Question 667-12(7): Status Of Mine Safety Regulations

MR. WHITFORD:

Thank you, Mr. Speaker. Mr. Speaker, I have a question I would like to direct to the Minister of Safety and Public Services. In the last little while, we passed the new Mine Safety Act. Following along with that, there were to be new and revised regulations that

would accompany this bill. The public is wondering where these important regulations are. What is the status of the new mine safety regulations?

MR. SPEAKER:

Minister of Safety and Public Services, Mr. Nerysoo.

Return To Question 667-12(7): Status Of Mine Safety Regulations

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. We had hoped to have those regulations done by July. There are some problems with regard to translation and the resources available for French translation of those regulations. So that is the status right now.

MR. SPEAKER:

Supplementary, Mr. Whitford.

Supplementary To Question 667-12(7): Status Of Mine Safety Regulations

MR. WHITFORD:

Thank you, Mr. Speaker. It is confusing to the public knowing that regulations have already been drafted and it is a matter of translating. I would like to know why there is no money, if indeed it is a money problem. Perhaps rather than asking about the money, when can we expect these to be done? Surely, the Minister could find some money to do this.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 667-12(7): Status Of Mine Safety Regulations

RICHARD NERYSOO:

Thank you, Mr. Speaker. One of the problems is the federal government were the ones that were supposed to be involved in paying for the translation of our legislation into the French language. Part of the problem is we have not received all of the resources that are necessary to complete these translations. This, I believe, is just one

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situation that could occur in the future with other regulations and other pieces of legislation, if we don't

have the federal government seriously committed to the obligations they say they are committed to. From a practical perspective, it makes it difficult for anyone developing regulations.

On the other hand, I can advise the Member that we have made those who are involved in this responsibility aware of our concern and we want to get on with getting the work done. The English version of those regulations are complete. What we need now is to ensure that the French translations take place. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Item 6, oral questions. MRS. MARIE-JEWELL.

Question 668-12(7): Reasons For Laying Off Air Operations Manager

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have a question for the Minister responsible for the fire suppression program. Mr. Speaker, the Minister indicated today that the manager of the air operations and administration division received a written notice of lay-off, that the position has been discontinued, and the requirements to work for three months were being waived by the deputy minister.

Mr. Speaker, we all know that lay-offs apparently occur when a position is terminated as a result of lack of work or discontinuance of a function. We all know that the fire suppression function certainly hasn't been discontinued and there is certainly not a lack of work available. Can the Minister explain which of these reasons were used for laying off the individual; the air operations manager in the fire suppression program? Thank you.

MR. SPEAKER:

Minister responsible for the forest fire management program, Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Speaker. My understanding is this individual has obtained the services of a lawyer, so I don't think it's proper for me to answer any questions on this issue in this Assembly. I'll take the question as notice. Thank you.

MR. SPEAKER:

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

Question 669-12(7): Allocation Of Community Freezer For Arctic Bay

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. Regarding my question to the Minister of Renewable Resources, there was a concern regarding the Arctic Bay community freezer. Although it is quite old, they repaired it and had it running again. Has the Department of Renewable Resources made any plans for allocating a community freezer for that community? Thank you.

MR. SPEAKER:

Minister of Renewable Resources, Mr. Arngna'naaq.

Return To Question 669-12(7): Allocation Of Community Freezer For Arctic Bay

HON. SILAS ARNGNA'NAAQ:

(Translation) Thank you, Mr. Speaker. The Arctic Bay community freezer was one of the freezers inspected during the annual inspection. They figured out which communities needed new freezers and reported on what needs to be repaired and what needs to be done in each of the communities. This report will be ready next month and will be taken to Cabinet for consideration. At the meeting of FMBS, these things will be considered. I'm quite confident that Arctic Bay will be considered to the best of their benefit. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Item 6, oral questions. MRS. MARIE-JEWELL.

Question 670-12(7): Decision To Eliminate Air Operations Manager

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. My question is for the Minister responsible for fire suppression. Mr. Speaker, I would like to ask the Minister, since he has indicated in his reply to an oral question today that the manager of air operations and administration position was discontinued, I would like to ask the Minister why was this position not identified as part of the normal

budget process, but only at the start of the fire season? Thank you.

MR. SPEAKER:

Minister responsible for the forest fire management program, Mr. Morin.

Return To Question 670-12(7): Decision To Eliminate Air Operations Manager

HON. DON MORIN:

Thank you, Mr. Speaker. It was identified to be discontinued when I took over as Minister. Thank you.

MR. SPEAKER:

Supplementary, **MRS. MARIE-JEWELL.**

Supplementary To Question 670-12(7): Decision To Eliminate Air Operations Manager

MRS. MARIE-JEWELL:

Thank you. Since he decided to identify a position to be redundant when he took over the responsibility of being Minister, can he indicate whether or not his department had indicated that eliminating a person year should be part of the budget process? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 670-12(7): Decision To Eliminate Air Operations Manager

HON. DON MORIN:

Thank you, Mr. Speaker, no.

MR. SPEAKER:

Supplementary, **MRS. MARIE-JEWELL.**

Supplementary To Question 670-12(7): Decision To Eliminate Air Operations Manager

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. Normally, when we're advised of positions being deleted, they are identified in the budget process which reflects the amount of

PYs in a particular activity. The Minister seems to be misleading the House with respect to bringing forth budget processes without advising us of positions being taken out

HON. DON MORIN:

Point of order, Mr. Speaker.

MR. SPEAKER:

Mr. Morin, your point of order.

Point Of Order

HON. DON MORIN:

Thank you, Mr. Speaker. The way I understand it, the Member is saying that I am misleading the House because I didn't say this position would be cut during the budget process. I wasn't the Minister during the budget process. Thank you, Mr. Speaker.

Speaker's Ruling

MR. SPEAKER:

To the point of order, **MRS. MARIE-JEWELL**, the Minister is suggesting that you made an allegation that he misled the House. I would ask, **MRS. MARIE-JEWELL**, that maybe you clarify your question on that; clarify it in light of the point of order. **MRS. MARIE-JEWELL.**

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. To the point of order, I don't want to question your ruling, but I did not indicate the Minister was misleading the House in my comments, if you want to check Hansard. I indicated that the Minister appears to be misleading the House. I want to state that the budget process that was presented to Members in this House and the budget that we passed in this House, does not reflect what the department is implementing. Therefore, the information given to us, as Members, does not appear to be correct. Thank you.

MR. SPEAKER:

MRS. MARIE-JEWELL, with regard to the question of the Minister misleading the House, even if the suggestion is with regard to the appearance, it is still unparliamentary to suggest that type of allegation. I would ask, **MRS. MARIE-JEWELL**, that you withdraw your statement and rephrase your question.

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have no problem withdrawing the statement, even though it is placed on the record. However, I do want to ask the Minister, why was the budget process that was presented to Members in this House not implemented in accordance with his departmental plans?

MR. SPEAKER:

Thank you. Mr. Morin.

Further Return To Question 670-12(7): Decision To Eliminate Air Operations Manager

HON. DON MORIN:

Thank you, Mr. Speaker. When I took over the responsibility for forest fire management, circumstances evolved and we made a change in the PYs in the Fort Smith fire centre. As Minister, I have the authority to do that. Thank you.

MR. SPEAKER:

Supplementary, **MRS. MARIE-JEWELL.**

Supplementary To Question 670-12(7): Decision To Eliminate Air Operations Manager

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I would like to ask the Minister whether or not he views that type of authority, with regard to arbitrarily doing lay-offs or discontinuing positions, as political interference? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 670-12(7): Decision To Eliminate Air Operations Manager

HON. DON MORIN:

Thank you, Mr. Speaker. No.

MR. SPEAKER:

Item 6, oral questions. Mr. Whitford.

Question 671-12(7): MACA Tracking System For Concerns Raised By Public

MR. WHITFORD:

Thank you, Mr. Speaker. I have a question I would like to direct to the Minister of Municipal and Community Affairs. Yesterday, the Minister of MACA indicated that the department receives numerous enquiries from a variety of sources and responding to all of these enquiries and concerns is likely an onerous undertaking. I would like to ask the Minister if MACA has some sort of tracking system for concerns and unanswered questions from Members and from members of the public.

MR. SPEAKER:

The Minister of Municipal and Community Affairs, Mr. Ng.

Return To Question 671-12(7): MACA Tracking System For Concerns Raised By Public

HON. KELVIN NG:

Thank you, Mr. Speaker. Yes, I believe the department does have a system where they log in correspondence that comes to the department and deals with the issues accordingly. Thank you.

MR. SPEAKER:

Supplementary, Mr. Whitford.

Supplementary To Question 671-12(7): MACA Tracking System For Concerns Raised By Public

MR. WHITFORD:

Thank you, Mr. Speaker. I would like to ask the Minister if he can explain how questions from the public can go unanswered for up to three months or more if there is a tracking system to ensure a response to these enquiries?

Further Return To Question 671-12(7): MACA Tracking System For Concerns Raised By Public

HON. KELVIN NG:

Thank you, Mr. Speaker. I am not sure about this particular situation. I said to the Member yesterday that I would make sure that it is dealt with promptly. I apologize for the error in the length of time that it's taken to respond to this particular issue, but I would like to say that it's probably because it may have been felt that the issue might have been addressed without formally acknowledging it. Thank you, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Whitford.

Supplementary To Question 671-12(7): MACA Tracking System For Concerns Raised By Public

MR. WHITFORD:

Thank you, Mr. Speaker. I find it hard not to ask another question because I think, during the short time I was in Cabinet, if a question was asked in the House that the Minister didn't know, then the officials would make sure that he knew. I asked this yesterday, and I would like to ask to know when the particular issue in question will be answered?

MR. SPEAKER:

Mr. Ng.

Further Return To Question 671-12(7): MACA Tracking System For Concerns Raised By Public

HON. KELVIN NG:

Thank you, Mr. Speaker. The Member asked yesterday about responding to the issue that had been brought forward by his constituent and I committed yesterday that it would be done within a week. At this time, I would like to reiterate that. Thank you.

MR. SPEAKER:

Thank you. Item 6, oral questions. Are there further oral questions? **MRS. MARIE-JEWELL.**

Question 672-12(7): Commitment To Assist Laid-Off Bird Dog Officers Find Employment

MRS. MARIE-JEWELL:

Mr. Speaker, I would like to ask the Minister of fire suppression a question. Mr. Speaker, on May 29th, the Minister wrote a letter, which I tabled in this House, that indicated that he would give a commitment to making every attempt to find employment for the individuals that all of a sudden he is deeming to be laid off. I would like to ask the Minister why he is not living up to his commitment as stated in the letter to me which was tabled in this House? Thank you.

MR. SPEAKER:

The Minister responsible for the forest fire management program, Mr. Morin.

Return To Question 672-12(7): Commitment To Assist Laid- Off Bird Dog Officers Find Employment

HON. DON MORIN:

Thank you, Mr. Speaker. Bird Dog officers -- I think that she was referring to Bird Dog officers -- are not feeling well right now, but as soon as they get well, they can report back to duty and they can go to work. They can report to Bird Dog on DC-4 aircraft. Thank you.

MR. SPEAKER:

Item 6, oral questions. Supplementary, **MRS. MARIE-JEWELL.**

Supplementary To Question 672-12(7): Commitment To Assist Laid-Off Bird Dog Officers Find Employment

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. Is the Minister indicating that this commitment was only with respect to staff who were employed as Bird Dog officers? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 672-12(7): Commitment To Assist Laid-Off Bird Dog Officers Find Employment

HON. DON MORIN:

Thank you, Mr. Speaker. It is my understanding the question she was asking was about those people who are booked off sick. The three Bird Dog officers who have booked off sick are not feeling very well. But it's my understanding that the day after tomorrow the first one is supposed to report back to work, and he can report back to work at such and such a base. The supervisor will tell him where to report for duty and he can go to work. Thank you.

MR. SPEAKER:

Thank you. Supplementary, Mrs. Marie- Jewell.

Supplementary To Question 672-12(7): Commitment To Assist Laid-Off Bird Dog Officers Find Employment

MRS. MARIE-JEWELL:

Also from the letter I tabled in the House signed by the Minister, I want to quote one portion of that letter, Mr. Speaker. The Minister stated, "The decision to proceed without Mr. Pederson was made since I took responsibility for this program. It was necessary if we were to make a smooth transition to the new northern contractor and subcontractors for the fixed-wing services for the fire operation." Can I ask the Minister what he meant by making such a statement? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 672-12(7): Commitment To Assist Laid-Off Bird Dog Officers Find Employment

HON. DON MORIN:

Thank you, Mr. Speaker. I have already replied to the Member in an earlier question about this position and this person, and I informed the Member that this person has contacted a lawyer and a lawyer is representing him, so I won't be commenting on anything about that person in this House. Thank you.

MR. SPEAKER:

Okay, just to remind the Minister that, with regard to your response to MRS. MARIE-JEWELL, the Minister cannot hide behind a situation with regard to a person talking to a lawyer. It's not sub judice. You should either respond to the question or take it as notice but not use the issue, because anyone could hire a lawyer and say that they can't answer because they have a lawyer. Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Speaker for that advice. I'll take that question as notice.

MR. SPEAKER:

Item 6, oral questions. **MRS. MARIE-JEWELL.**

Question 673-12(7): Conclusion Of Safety Investigation Of Bird Dog Officers

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I would like to ask the Minister of Safety and Public Services whether or not he can give an update or an indication to this House with respect to the investigation that he announced

last week. Has he been in a better situation to give a time frame as to when this investigation can be concluded? Thank you.

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MR. SPEAKER:

Minister of Safety and Public Services, Mr. Nerysoo.

Return To Question 673-12(7): Conclusion Of Safety Investigation Of Bird Dog Officers

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I can't give a specific time, I can only advise the honourable Member that the information I have received is that the investigations are being conducted and that we will report back after their investigations have been concluded.

I can also advise the honourable Member that meetings had been scheduled between the chief safety officer and Mr. Robertson and the individuals involved; unfortunately, there seems to have been some miscommunication with regard to the dates. The meeting was cancelled and was to have been rescheduled. The communication didn't get back and there was confusion that somehow the chief safety officer wasn't conducting the investigation. This is not correct. The fact is that we wanted to schedule a meeting to accommodate those who were filing the complaints to hear their concerns, then conclude or continue with the investigation. That meeting is being rescheduled.

MR. SPEAKER:

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

ITEM 8: RETURNS TO WRITTEN QUESTIONS

Return To Written Question 35-12(7): Revenue Raised By The Government Of The Northwest Territories Fire Management Program Through The MARS Agreement

The mutual aid resources sharing -- MARS -- agreement is a multilateral agreement between the Northwest Territories and most other jurisdictions in Canada whereby the parties agree that they will mutually share forest firefighting resources and other services in time of need.

The amounts of cost recovery through the MARS agreement for 1993 and 1994 were approximately \$280,000 and \$953,000 respectively.

MR. SPEAKER:

Item 8, returns to written questions. We'll take a 15-minute break.

---SHORT RECESS

MR. SPEAKER:

Item 9, replies to opening address. Mr. Ballantyne.

ITEM 9: REPLIES TO OPENING ADDRESS

Mr. Ballantyne's Reply

MR. BALLANTYNE:

It's not very long. Thank you, Mr. Speaker. Thank you, Mr. Todd, for listening to my address.

---Laughter

It's actually relatively short. I know everyone wants to finish the business, so I won't keep you here long. Mr. Speaker, today in my reply to the Commissioner's address, I intend to give some views and observations on the rapidly-changing Northwest Territories from the perspective of an elected politician, both municipal and territorial, over the last 17 years.

Compared to the rest of Canada, the last two decades in the north have been very productive. There has been a massive construction of infrastructure and communities now have a strong physical base on which to develop. If I look at Yellowknife, at Ndilo and Dettah today, I'm proud of what we've accomplished over the years. Communities today are well organized, self-reliant and very capable of taking on new challenges. We must ensure that they are given the support to control more of their own destinies. I'm not going to dwell on the past today. Politics is a tough business, and no one is really interested in the victories of yesterday, which is good because all of our energy must be directed towards the future.

What does the future hold? Land claims, treaty issues, the Charter of Rights, and a fragile and incomplete public government system present the most complex and confusing political landscape in Canada. I would like to step back for a moment and reflect objectively on what it all means. Each of these

issues is compelling and each create their own momentum and expectations. There are strong moral and legal arguments to pursue each to its ultimate conclusion. Unfortunately, depending on who you are and what you believe, these issues often clash and spin off on tangents and more tangents; we never conclude any of these issues, and everybody loses.

Let's get back to basics for a moment, and identify some basic principles. What do we want to achieve? First of all, and I think very importantly, we want to provide basic services to people as efficiently as possible. Second, it's been agreed to and it's a bottom-line principle that aboriginal people have a fight to self-government. Third, communities need, demand, and should have more control. Fourth, regional governments and concepts are here to stay. Once the comprehensive claim broke down and regions negotiated their claims on a region by-region basis, regions were here. There are institutions set up by claims that actually give regional bodies constitutional protection. The communities in those regions, whether they are based on land claims or treaty groupings, want to delegate certain powers to regional bodies. Although some people don't want to deal with that, it's a reality. It's there, so let's deal with it. Fifth, there is a need for a central government. In all discussions, though there are differences about the powers that that central government will have, everybody acknowledges that in this ever-changing, difficult, competitive world, we have to speak with one voice here in the western government. So, there is a need for a central government here. These are the principles that I think all of us have to accept.

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There are also some basic realities, which we have to recognize, whether we like it or not, although some people are having a problem recognizing these realities. One, and this is very, very important, there will be considerably less money to do whatever we want to do over the next four years. That's a fact. It changes everything. Whatever we talk about, let's keep in mind, we need money to do it. The second reality is that division will be very difficult. There's absolutely no doubt in my mind that it's a mammoth undertaking fraught with all sorts of perils. It is going to consume a tremendous amount of energy in the next Legislative Assembly and government. It is going to cause us problems that we haven't yet anticipated. I don't think any of us should fool ourselves that division will be easy because it won't be. It is going to be very, very difficult.

Self-government will be very difficult. I think there's a reality now that, no matter how much the present Minister of Indian and Northern Affairs would like to fulfil his commitments on self-government, I have no doubt that the central agencies in the federal government, whether it is Finance or the Treasury Board, are shutting down the money. It is going to be very difficult to fulfil those commitments without money. I think we should recognize that the federal government has caught themselves in a trap right now. They've raised expectations and are caught in the midst of a huge deficit and debt crisis which, I think, will have tremendous negative ramifications here in the territories in the next four or five years. The federal government made a start this year to deal with the deficit, but they haven't even begun to deal with the debt and, when they do, I think this country is going to change dramatically and irrevocably from coast to coast.

Another reality is that some regions in the Northwest Territories are richer than other regions. We should keep that in mind. Some regions may be blessed by oil and gas exploration, others by diamond mining, while others may have nothing. Whatever we do, we have to ensure that there is some equalization of riches of the western Arctic so that poor regions don't wither and die. That's very important. We're back to the concept that there has to be some form of central government to ensure that the more fortunate regions contribute to the less fortunate regions.

Another bottom line that nobody wants to talk about, but I think that people in the Northwest Territories want to hear at least discussed is that, whatever we do, whatever new forms of government we may want -- and I'm not disagreeing, in the ideal world, it would be great if we could do everything that everybody wants -- is what price are we prepared to pay. Are we prepared to cut programs for people in order to add new government structures? That's a question people should talk about. It's nice to pretend that that issue won't come up, but that issue is going to be with us and it's going to be with us more and more. I think we have to be very honest with ourselves and with our constituents that any choice has effects. Any choice has costs.

It seems to me, and this is only my opinion, that sooner or later, reality is going to strike in the Northwest Territories. Reality is going to strike about the ease or difficulty of division. Reality is going to strike about what the federal government is prepared to accept in self-government. Sooner or later, we, in the Northwest Territories, are going to have to bite the

bullet. Sooner or later, we, in the Northwest Territories, are going to have to compromise. That day is when real leadership comes to the fore. It's easy to be a leader when you're promising the moon, but when you have to make tough compromises that are necessary because of external forces, that's a real measure of a leader. What we'll desperately need over the next four or five years is strong, courageous leaders who are willing to face reality straight in the eye and make the tough decisions so we can survive.

No one is going to get everything they want. There is no doubt in my mind that any group in the Northwest Territories won't get what they want. To people here in Yellowknife who want the status quo, the status quo is gone. The world will change. There's absolutely no doubt in my mind that people here in Yellowknife have to accept the fact that it will change. But in every region of the Northwest Territories, people aren't going to get everything they want. There's not enough money for everybody to get everything they want.

So as I said, sooner or later, we're going to have to bite the bullet. I think we should start thinking about it now. If we wait until slowly, but surely, this truth opens up to us, we're going to beat ourselves to death in the meantime. We're going to turn on each other, there are going to be accusations of lack of faith and of mistrust. It's going to be very difficult to achieve anything in that sort of atmosphere.

Maybe what we should think about in the west for 1999, if we haven't come up with a brilliant plan, is to try a five-year experiment. If we haven't come up with an agreement, why don't we say that for each of the regions in the western Arctic, we'll give them three or four programs to deliver. Let's say we'll give them housing, we'll give them social services, and we'll do that for five years. We could say that each region could choose their own regional director and that person can be the contact person with the Cabinet. We can ensure that each region has representation on Cabinet and see how it works. Try it. Try something real. The problem with the community transfer program we have now is that we have a whole smorgasbord; take any number of 200 things. The reality is it's far too complex. It hasn't worked. So why don't we say let's start somewhere real and see where we go? I think after checking it out for a while, again some reality will step in. Regions will see there are certain things they want and certain things they don't want. But as long as they're not given the opportunity to try, they're always going to ask for everything. There's always going to be a sense of mistrust. ideal world, it would be great if we could do

everything that I say, Mr. Speaker, the next five years are going to be a tremendous test of everything we've done. Those of us who have spent most of our lives in politics will see whether all that work was worth it, or if it's all brushed aside.

What gives me some hope, Mr. Speaker, is that we, as northerners, at many, many levels are able to work out many difficult and complex issues. I really think that if we become very pragmatic, we recognize that there's not going to be the external help that we think there is. There's no magic out there. The federal government is not going to ride in on a white charger and save anybody, it's quite to the contrary. I don't think you're going to hear clear statements from the federal government. I don't think they're in a position to give clear statements or in a position to give any clear direction. So I think we're going to have to make those decisions, and we're

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going to have to use our own abilities to put together something here that works.

There's not going to be any sympathy in the rest of Canada. Canada is having tougher times than they've ever had. There's no sympathy now in Ontario for the Northwest Territories. There's no sympathy in British Columbia for the Northwest Territories. They can't believe that 65,000 people with all the potential wealth we have can't take care of themselves. So we're really on our own, and I feel we should recognize that. There's really no magic left. We're left to our own devices, and I think we have enough potential here to be able to do something very worthwhile and something that will work if all of us take our heads out of the stars or out of the sand and just look at the reality of the situation that we're in.

Mr. Speaker, I will make an announcement over the summer as to my intentions in the next election. In the meantime, I want to thank my colleagues here in the House for dealing with the issues of my constituency over the years, for their support for the positions I've held in the Legislative Assembly and the Cabinet over the years, and as Speaker. Being part of this Legislative Assembly can be a very frustrating experience at times, and it can be a very rewarding experience at times. MLAs can be very supportive or they can be total pains in the proverbial...

It's a tough business. No quarter is asked and none is given, and there's little margin for error. But I must say, Mr. Speaker, that this Assembly, with its different

cultures, languages and different regional perspectives, is very reflective of the people of the territories. We represent all of the good parts and we represent all of its flaws. Politicians are neither saints nor are they evil. They're just ordinary human beings who, for a short period of time, are chosen by the people to represent them to the best of their abilities.

Mr. Speaker, 65,000 people is a very small pool to draw the number of leaders that our system requires. I think that with all our flaws, everyone who has served in this Assembly over the years should take some satisfaction that we have done very well compared to other jurisdictions in the country. Very well indeed, and I think sometimes we lose perspective. I hear a lot of complaints here in the Northwest Territories but, if you travel across this country, we still live in one of the most fortunate areas in the country and in the world.

I would like to take this opportunity to thank by wife Penny and to thank my son Nicholas and my daughters Erin and Alexandra for their support over the years. Something that I don't think can be overstated here in the political arena is the support of our families. I think those people who have never gone through elections or who have never gone through the pressures of politics can only guess to the pressure that that puts on families. Any of us who have managed to survive in politics for a number of years owe so much of that to the support that we get from our families.

I want to thank David Hamilton, who I've had the pleasure of working with for close to two decades. I want to thank the staff of the Legislative Assembly, the interpreters, Hansard, everyone in the government who I've worked with over the years; I think of deputy ministers Stein Lal, Geoff Bickert, Eric Nielsen, Lew Voytilla, Hiram Beaubier who served this government well; and the great staff who have worked with me personally over the years: I think of John Stephenson, who was my executive assistant for six years, Peggy Butler; Jodi Kapicki, who is with me now; Anne Todd; Paul Jones, who was with me for a long period of time; Fran Hurcomb; Tanis Stirling; Rosemarie Cairns and all the other staff who have served really the people of the Northwest Territories so well.

I would also like to thank the people of my constituency. As you know, I have, I think, a very interesting constituency, a very diverse constituency, a high percentage of aboriginal people in my constituency, probably close to 25 per cent; people

who live on Latham Island are very different from the people who live at Royal Oak. The people who live in the high rise are very different from the people who live in Old Town. So I've always had a diversity of opinions, and I must say for the last 12 years I was often in trouble with one group or another because any decision made is sure to offend one group. I did my best and people were quite supportive.

But I have to say that I've been very proud to represent Yellowknife North for many, many years. I think the group is quite representative of the Northwest Territories. I think the challenge in trying to deal with their differences is very much a microcosm of the challenge all of us have in dealing with the real problems of the Northwest Territories.

With that, Mr. Speaker, I know everybody wants to get back to the Education Act so I don't want to keep anybody here any longer. I just want to thank everybody here. I wish everybody a great summer; those who are running all the best of luck; those who aren't, a good life. I must say for me, Mr. Speaker, my life in the Legislative Assembly so far has been a slice. Thank you very much.

---Applause

MR. SPEAKER:

Thank you, Mr. Ballantyne. I also would like to thank the Members who are in the House now for listening to Mr. Ballantyne. I see some people in the gallery. Welcome to the Assembly. Item 9, replies to opening address. Item 10, petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Mr. Todd.

ITEM 13: TABLING OF DOCUMENTS

HON. JOHN TODD:

Thank you, Mr. Speaker. I wish to table Tabled Document 147-12(7), Proposed Business Corporations Act. Thank you.

Item 13, tabling of documents. Ms. Cournoyea.

HON. NELLIE COURNOYEA:

Mr. Speaker, I wish to table Tabled Document 148-12(7), Proposed Amendments to the Territorial Court Act. Thank you.

MR. SPEAKER:

Thank you. Item 13, tabling of documents. Item 14, notices of motion. Item 15, notices of motions for first reading of bills. Item 16, motions. Item 17, first reading of bills. Item 18, second reading of bills. Item 18, consideration in committee of the whole of bills and other matters: Committee Report 11-12(7), Report on the Review of Bill 25 -

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The Education Act; Bill 25, Education Act; and, Bill 34, Supplementary Appropriation Act, No. 1, 1995-96, with Mr. Whitford in the chair. Prior to that, by the authority given the Speaker by Motion 16-12(7), I place the House in committee of the whole until such time as the committee is prepared to report out.

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

CHAIRMAN (Mr. Whitford):

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

MR. DENT:

Thank you, Mr. Chairman. I would like to recommend the committee consider first of all Bill 34, and if we should complete Bill 34, then move on to Committee Report 11-12(7) and Bill 25.

CHAIRMAN (Mr. Whitford):

Does the committee agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 34: Supplementary Appropriation Act, No. 1, 1995-96

CHAIRMAN (Mr. Whitford):

Thank you. The committee agrees that we shall deal with Bill 34 and, time allowing, Committee Report 11-12(7) and Bill 25. Bill 34 in your green binders under tab 34, Supplementary Appropriation Act, No. 1, 1995-96. Is the Minister of Finance prepared to make his opening remarks?

Minister's Introductory Remarks

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, Supplementary Appropriation Act, No. 1, 1995-96, requests authority for additional appropriations of \$31.903 million. This supplementary appropriation consists of additional appropriations in the amount of \$1.192 million in O and M and \$30.711 million in capital.

Mr. Chairman, the significant amounts included in Supplementary Appropriation Act, No. 1, 1995-96 are \$21.252 million for capital carryovers and \$2.352 million for the building and learning strategy. This increase, Mr. Chairman, is fully offset by \$1.767 million in reductions from various departments and a contribution of \$585,000 from the NWT Housing Corporation. There's \$9.8 million for the Canada/NWT infrastructure program. Mr. Chairman, this increase is offset by reductions to various departments in the amount of \$1.9 million, a \$3 million contribution from the NWT Housing Corporation and the federal government share of \$4.9 million.

Mr. Chairman, transfers between various departments in the amount of \$34.223 million to effect the transfer of the social assistance program from the Department of Health and Social Services to the Department of Education, Culture and Employment, and transfers between the Department of Personnel and the Department of the Executive to effect the establishment of the Personnel Secretariat.

These supplementary appropriations are not anticipated to worsen the forecast deficit for 1995-96. Mr. Chairman, the high level of capital carryovers, does exceed our provisions for carryovers, but the trend to a higher carryover level will undoubtedly continue until we can address the underlying causes. As a result, Mr. Chairman, we've revised our forecast of the level of lapse of appropriation authority in 1995-96 to more realistically reflect the level of carryovers that will occur.

Mr. Chairman, I would also note that the result for 1994-95 is expected to improve due to the high level of capital carryovers from that fiscal year, although we will not have the final results for 1994-95, Mr. Chairman, until later on this summer.

Mr. Chairman, at the time that the supplementary appropriation document as prepared, there were two items that were in progress that have not been finalized: the negotiation of the transfer of the Arctic A airports program from the federal government and the review of the approach to fighting fires, partially in response to the Standing Committee on Finance's

direction to provide a more accurate estimate for fire suppression expenditures.

Mr. Chairman, both items have now been finalized. Presentations on the results of the Arctic A airports transfer negotiations and the program changes to the forest management program have been provided to the Standing Committee on Finance.

Mr. Chairman, these supplementary funding requirements will not result in a worsening of the forecast 1995-96 deficit. The additional supplementary appropriations required for the Arctic A airports transfer will be financed through funding transferred from the Government of Canada through the formula financing agreement while the additional supplementary appropriations for the changes to the forest management program will be financed from established supplementary funding reserves.

At the appropriate time, Mr. Chairman, I am prepared to make a motion to amend the supplementary appropriation bill to include \$24,617,700 for the transfer of the Arctic A airports program from the federal government and \$7.3 million for the forest management program changes.

Mr. Chairman, at the appropriate time I would like to request that staff join me at the witness table. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Would the chairman of the Standing Committee on Finance who reviewed the bill make comments to the bill? Mr. Antoine.

Standing Committee On Finance Comments

MR. ANTOINE:

Thank you, Mr. Chairman. The Standing Committee on Finance reviewed Bill 34, Supplementary Appropriation Act, No. 1, 1995-96, at its meetings on June 7, 8, 13, 14 and 19, 1995. The chairman of the Financial Management Board and his staff were available to answer questions at the June 7, 8, 14 and 19, 1995 meetings.

Mr. Chairman, the original bill represents an additional appropriation request of almost \$32 million for the 1995-96 fiscal year. As well, we understand that the amendments to be brought in by the Minister of Finance relating to the transfer of

Arctic A airports and the program changes to forest fire management will bring the total to almost \$64 million. This would bring the total voted appropriations for the fiscal year 1995-96 to just over \$1.28 billion.

As has been the practice, I will speak to the major issues of this supplementary appropriation. Members of the committee may have additional comments when we proceed to discussion on the detail of the bill.

The Minister of Finance has already outlined the significant highlights of this appropriation. Committee Members noted the adjustments made to fund the building and learning strategy and the Northwest Territories' share of the Canada/NWT infrastructure program.

Committee Members also noted the transfers relating to the Community Transfer Initiative (CTI). The transfers implementing the block funding approach for Tuktoyaktuk's CTI funding, along with new arrangements recently announced for implementing CTI in the Baffin region, are a further response to recommendations of the Standing Committee on Finance, and the committee appreciates the efforts of the government in implementing its recommendations.

The transfer of the social assistance program from the Department of Health and Social Services to the Department of Education, Culture and Employment was already debated in this House when the 1995-96 budget was introduced and passed. Some funding transfers in this supplementary appropriation merely give effect to this transfer of responsibilities. Similarly, transfers giving effect to the merger of the NWT Science Institute with both Aurora College and Nunavut Arctic College have also been the subject of previous debate.

The establishment of a new Personnel Secretariat in the Department of the Executive, replacing the Department of Personnel, is a new initiative by the government. This change does not alter total government spending, but it does reflect a further consolidation of tasks in the Executive.

Regarding the amendments reflecting program changes to forest fire management and the transfer of Arctic A airports, the Minister of Finance briefed the Standing Committee on Finance about these issues on June 14th.

Committee Members appreciate the government's response to SCOF's recommendation that fire suppression expenditures be more accurately reflected in the budget. The standing committee is also looking forward to the results of the other initiatives planned by the government to improve the handling of the difficult task of forest fire suppression and prevention. While protecting lives is essential, as is teaching northerners to prevent unnatural fires, it is important that we balance the protection of property with the need for the forest to be renewed through fire.

The Minister of Finance, along with the Minister of Transportation, has kept the Standing Committee on Finance well informed over the last couple of years on the negotiations to transfer the responsibility for the largest airports in the Arctic to the Government of the Northwest Territories. Committee Members were shown the funding and personnel figures related to the transfer, and agree that this funding should be included in this bill. The standing committee agrees that transferring responsibility for these important airports will be a benefit to the Northwest Territories.

In our discussions in the Standing Committee on Finance, two of the most significant issues are the introduction of what is essentially the 1995-96 capital budget for the Department of Justice and the large amount of capital funding carried over from the 1994-95 fiscal year. Over \$21 million in capital funding to replace funds lapsed in 1994-95 is included in this supplementary appropriation. The entire capital planning process has been the subject of debate in the standing committee. Committee Members are concerned at the growth in the number of capital projects being delayed and carried over to future fiscal years. The amount being carried over from 1994-95 in this supplementary appropriation represents almost 12 per cent of the total 1994-95 capital estimates.

While some delays are inevitable, given the difficult nature of planning and coordinating capital projects in the north, this amount of carried-over funding indicates serious problems in the capital planning process. The standing committee has been discussing this issue with the Minister of Finance and we trust that the Minister and his capable staff will be able to address this problem by introducing improvements to the capital process in time for the 1996-97 fiscal year. It would not be appropriate for this Assembly and this government to leave this problem unaddressed for the next Assembly to deal with.

For the Department of Justice, \$2 million in capital funding is included in this appropriation. When the standing committee reviewed the 1995-96 capital budget in September and October of last year, one of the recommendations was "that the capital budget of the Department of Justice be presented to the House as part of consideration of the overall 1995-96 capital estimates." It is now eight months later and we are only now seeing the department's plans for capital spending for this fiscal year. The standing committee strongly recommends that the department ensure that this does not happen again.

Of the \$2 million identified for the department, the committee noted, with approval, the \$150,000 for providing wilderness camp contributions, the \$50,000 provided to plan for a women's correctional facility in Nunavut, and the \$1.3 million allocated for community correctional centres and camps. These directly address recommendations made by the standing committee, and committee Members appreciate these recommendations being included in the department's capital plans. However the fourth item, \$500,000 for a proposed youth treatment centre in Inuvik, raised some concerns. In the review of the 1995-96 capital budget, the standing committee recommended "that the Department of Justice include a facility for violent young offenders in its five-year capital plan." Some time after that, before the review of the main estimates, an official with the department announced that such a new facility would be built in Inuvik. Committee Members were concerned, not only with the manner in which the facility was announced, but also with the apparent haste and lack of planning evident in the announcement. Well informed over the last couple of years on the negotiations to address the standing committee's concerns, the Minister of Justice appeared before the standing committee on June 14th. The Minister explained that the planned facility was not directed

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specifically at violent young offenders. The department left that they should focus on treatment and support programs for youth, including young offenders and that this treatment centre would reflect that focus.

Committee Members acknowledge the high rate of incarceration for both adults and young offenders in the Inuvik region, and appreciate that a facility may be needed in Inuvik. Members of the standing committee are still concerned that this new facility may be no different from the three existing secure custody

facilities in Hay River, Fort Smith and Iqaluit. Young offenders sentenced to these facilities seem to have a high rate of re-offending. Committee Members do not want to see further facilities built without careful consideration by the department as to how to address the problem. The design of the program should come well before the design of the physical facility. In fact, program design should also be emphasized for open custody young offender facilities run by contractors.

Committee Members are still concerned that the Department of Justice does not appear to have any concrete plans for dealing with the most violent of young offenders. This issue was the subject of an earlier recommendation of the standing committee, and should be addressed quickly.

That concludes my remarks on Supplementary Appropriation Act, No. 1, 1995-96. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. At this point, would the Minister like to invite witnesses in to assist him with this matter? Mr. Minister.

HON. JOHN POLLARD:

If I might, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Does the committee agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Minister, you may take the witness table and the Sergeant-at-Arms will assist your witnesses.

Good afternoon, Mr. Minister. For the record, would you introduce your witnesses please.

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, on my right is Mr. Lew Voytilla who has had a haircut. He's altogether better looking.

---Laughter

Mr. Chairman, I have with me Mr. Rob Taggart from the Financial Management Board Secretariat. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Welcome, Mr. Taggart. General comments. Does the committee agree, then, that we go into the Supplementary Appropriation booklet?

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Executive

Executive Council Secretariat

It's the white booklet and we're on page 6. Executive, Executive Council Secretariat, operations and maintenance, not previously authorized, \$50,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Financial Management Board Secretariat

Directorate

CHAIRMAN (Mr. Whitford):

Thank you. Financial Management Board Secretariat, directorate, not previously authorized, \$17,500.

SOME HON. MEMBERS:

Agreed.

---Agreed

Human Resource Management

CHAIRMAN (Mr. Whitford):

Thank you. Human resource management, not previously authorized, \$674,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Audit And Evaluation

CHAIRMAN (Mr. Whitford):

Thank you. Audit and evaluation, not previously authorized, negative \$66,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

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Department Of Executive

Personnel Secretariat

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Page 8, Executive, Vehicles And Equipment

not previously authorized, Personnel Secretariat, \$4.0695 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, not previously authorized, \$4.745 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Personnel

Staffing

CHAIRMAN (Mr. Whitford):

. Thank you. Personnel, operations and maintenance, staffing, not previously authorized, negative \$4.137 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, negative \$4.137 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Public Works And Services

Project Management

CHAIRMAN (Mr. Whitford):

Department of Public Works and Services, operations and maintenance, not previously authorized, project management, negative \$17,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Accommodation Services

CHAIRMAN (Mr. Whitford):

Thank you. Vehicles and equipment, not previously authorized, negative \$20,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Utilities

CHAIRMAN (Mr. Whitford):

Utilities, not previously authorized, negative \$7,000.

SOME HON. MEMBERS:

Agreed Department Of Personnel ---Agreed

Supply Services

CHAIRMAN (Mr. Whitford):

Supply services, not previously authorized, \$12,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Systems And Communications

CHAIRMAN (Mr. Whitford):

Thank you. Systems and communications, not previously authorized, \$13,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, negative \$291,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Municipal And Community Affairs

Directorate

CHAIRMAN (Mr. Whitford):

Page 13, Municipal and

CHAIRMAN (Mr. Whitford):

Thank you. Accommodation services, not previously authorized, negative \$2,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Buildings And Works

CHAIRMAN (Mr. Whitford):

Buildings and works, not previously authorized, negative \$270,000.

Community Affairs, operations and maintenance, directorate, not previously authorized, \$515,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Community development, not previously authorized. The chair recognizes the Member for Nahendeh.

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MR. ANTOINE:

I had my hand up for the directorate, Mr. Chairman. With regard to the GNWT emergency measures program under the joint emergency preparedness program, \$149,000. I would like to ask what this was for. This was not previously authorized. What emergency was this for?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, these dollars don't relate to an actual emergency, they relate to the emergency measures office salaries and benefits which is \$215,000, and the emergency office O and M budget which is \$173,000. Total program costs of \$388,750. This amount that we're talking about represents the federal contribution, which is 38 per cent of the aforementioned number, which actually is shown at \$149,000 in the supp. It's actually \$148,468, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Pollard. Mr. Antoine.

MR. ANTOINE:

It's not in here, but I just wanted to ask a related question with regard to the evacuation of Fort Norman and Norman Wells. Mr. Chairman, this is the area where the expenditures that were used to evacuate communities would come from. Is that correct, Mr. Chairman?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister, would you be able to help him out?

HON. JOHN POLLARD:

Mr. Chairman, this money is the administration office salaries and benefits of the emergency measures office and the Department of Municipal and Community Affairs. The money that was spent to evacuate those people from those unfortunate communities that were surrounded by fire has yet to be totalled. We don't know what the total will be. Part of that will be the responsibility of the federal government. It would have to be dealt with by way of supplementary appropriation once the Minister has totalled the expenses, Mr. Chairman. Thank you.

Community Development

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Community development, not previously authorized, \$17,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, \$532,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Health And Social Services

Directorate

CHAIRMAN (Mr. Whitford):

Thank you. Department of Health and Social Services, operations and maintenance, directorate, not previously authorized, \$66,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Community Programs And Services

CHAIRMAN (Mr. Whitford):

Thank you. Community programs and services, special warrant, \$580,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$34.223 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, special warrants, \$580,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$34.157 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Economic Development And Tourism

Corporate And Technical Services

CHAIRMAN (Mr. Whitford):

Thank you. Economic Development and Tourism, operations and maintenance, corporate and technical services, not previously authorized, negative \$76,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total department, not previously authorized, negative \$76,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

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Department Of Education, Culture And Employment

Culture And Careers

CHAIRMAN (Mr. Whitford):

Thank you. Education, Culture and Employment, operations and maintenance, culture and careers, not previously authorized, \$33.996 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, not previously authorized, \$33,996.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total department, negative \$4,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Public Works And Services

Directorate

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Whitford):

Thank you. Page 20, Department

---Agreed

Legislative Assembly

Office Of The Clerk

CHAIRMAN (Mr. Whitford):

Thank you. Legislative Assembly, page 17, capital, office of the Clerk, not previously authorized, negative \$6,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, negative \$6,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Justice

Community Justice And Corrections

CHAIRMAN (Mr. Whitford):

Thank you. Department of Justice, capital, community justice and corrections, not previously authorized, \$1.996 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, \$1.996 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Safety And Public Services

Safety

CHAIRMAN (Mr. Whitford):

Thank you. Safety and Public Services, capital, safety, not previously authorized, negative \$4,000. of Public Works and Services, capital, directorate, not previously authorized, negative \$26,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Project Management

(Mr. Whitford): Thank you. Project management, special warrant, \$84,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Accommodation Services

CHAIRMAN (Mr. Whitford):

Thank you. Accommodation services, special warrant, \$1.323 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, \$117,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Buildings And Works

CHAIRMAN (Mr. Whitford):

Thank you. Buildings and works, special warrant, \$327,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Systems And Communications

CHAIRMAN (Mr. Whitford):

Thank you. Systems and communications, not previously authorized, negative \$50,000.

SOME HON. MEMBERS:

Agreed.

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---Agreed

Petroleum Products

CHAIRMAN (Mr. Whitford):

Thank you. Petroleum products, special warrant, \$826,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$240,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, special warrants, \$2.560 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$199,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Transportation

Arctic Airports

HON. JOHN POLLARD:

Mr. Chairman, I am sorry. I didn't hear. Is that where it is coming from or where it is going to go? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Does that answer the question, Mr. Antoine? Where are they going to go? Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, it's going to be Gjoa Haven, Pelly Bay and Arctic Bay for construction of access roads by those communities. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Antoine, does that take care of that? Okay. I will just go back to confirm that. Transportation planning, special warrants, \$248,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Not previously authorized, negative \$906,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total department, special warrants, \$1.77 million.

SOME HON. MEMBERS:

Agreed. Department Of Transportation ---Agreed

CHAIRMAN (Mr. Whitford):

Not previously authorized, **CHAIRMAN (Mr. Whitford):**Thank you. Page 23,negative \$906,000.

Transportation, capital, Arctic airports, special warrant, 1.522 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

Transportation Planning

CHAIRMAN (Mr. Whitford):

Transportation planning, special warrants, \$248,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$906,000. The chair recognizes the Member for Nahendeh, Mr. Antoine.

MR. ANTOINE:

I would like to ask the Minister, through you, Mr. Chairman, with regard to community access roads for \$66,000, does he have a breakdown of where this is going to go?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you.

Department Of Renewable Resources

Field Operations

CHAIRMAN (Mr. Whitford):

Renewable Resources, capital, field operations, special warrants, \$547,220 and change.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

I was just checking to see if you were paying attention; \$547,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Field operations, not previously authorized, negative \$32,000.

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SOME HON. MEMBERS:

Agreed.

---Agreed

Forest Fire Management

CHAIRMAN (Mr. Whitford):

management, special warrants, \$169,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Not previously authorized, negative \$30,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, special warrants, \$716,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

negative \$62,000.

Department Of Municipal And Community Affairs

Community Development

CHAIRMAN (Mr. Whitford):

Municipal and Community Affairs, community development, special warrants, \$2.975 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$239,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Sport And Recreation

CHAIRMAN (Mr. Whitford):

Sport and recreation, special warrants, \$1.485 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Not previously authorized, negative \$330,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

The chair recognizes the Member for North Slave, Mr. Zoe.

MR. ZOE:

Mr. Chairman, I realize that in the item under the amount that you indicated, there is \$59,000 for a primary gym for Snare Lake. It was a joint effort between the Department of Education, Culture and Employment and MACA. I would like to find out from the Minister, Mr. Chairman, if the amount of money that was allotted for the new school also included the landscaping around the school. That was not finished when they completed the school during the winter.

The school is in operation now, and I note on page 28 it states that there is \$200,000 being reduced because of the fast progress on that particular construction. I would like to ask the Minister if there is appropriate money left to do all the landscaping around the school, because even though the school is in operation, there has been no landscaping done to date. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, normally, when something like this is built, the land around it is repaired or put back after. I see that there is \$59,000 left for this particular project, and I am advised that the final warranty work will not be completed until the spring. I don't know if that is specifically to complete the landscaping, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Zoe.

MR. ZOE:

Thank you, Mr. Chairman. My understanding is that the total amount allotted of \$59,000 is for all the equipment and so forth that is required to go into the gym, so I don't believe it is currently part of the total package that was contemplated before or during the budget session. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Mr. Minister.

HON. JOHN POLLARD:

Mr. Chairman, I will have to get that information and bring it back to the Member. I don't have it on hand. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you. Is that okay, Mr. Zoe? Okay, thank you. Sport and recreation, special warrant, \$1.485 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$330,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Community Planning And Lands

CHAIRMAN (Mr. Whitford):

Thank you. Community planning and lands, special warrant, \$394,000.

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SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$625,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total department, special warrants, \$4.854 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$1.194 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Health And Social Services

Community Programs And Services

CHAIRMAN (Mr. Whitford):

Health and Social Services, community programs and services, special warrants, \$2.161 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$260,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Health And Hospital Boards

CHAIRMAN (Mr. Whitford):

Health and hospital boards, special warrants, \$3.273 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, special warrants, \$5.434 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Not previously authorized, negative \$260,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Economic Development And Tourism

Parks And Visitors' Services

CHAIRMAN (Mr. Whitford):

Thank you. Economic Development and Tourism, parks and visitors' services, special warrants, \$748,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$84,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Corporate And Technical Services

CHAIRMAN (Mr. Whitford):

Thank you. Economic Development and Tourism, corporate and technical services, not previously authorized, negative \$125,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, special warrants, \$748,000. **SOME HON. MEMBERS:** Agreed. **SOME HON. MEMBERS:** Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Not previously authorized, negative \$209,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

Department Of Education, Culture And Employment

Culture And Careers

CHAIRMAN (Mr. Whitford):

Thank you. Education, Culture and Employment, subject is capital, culture and careers, special warrants, \$6.326 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

SOME HON. MEMBERS:

Agreed.

---Agreed

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Educational Development

CHAIRMAN (Mr. Whitford):

Thank you. Educational development, special warrants, \$2.644 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Not previously authorized, negative \$859,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total department, special warrants, \$8.970 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Total department, not previously authorized, \$6.503 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Does the committee agree that this concludes consideration of the detail of Bill 34?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Is the committee prepared to go clause by clause through Bill 34, Supplementary Appropriation Act, No. 1, 1995-96?

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Whitford):

It is in your green books under tab 34, beginning on page 1. I'll give you a chance to open your books.

Clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 4.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 5.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 6.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 7.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 8.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Schedule, page 3. Part I, vote 2, capital, total capital.
Minister Pollard.

Committee Motion 80-12(7): To Amend Schedule Of
Bill 34, Carried

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, I move that
the schedule to Bill 34 be amended by:

(a) increasing the amount set out opposite Part I, Vote
2, item 3, by \$221,000 from \$0 to \$221,000;

(b) increasing the amount set out opposite Part I, Vote
2, item 8, by \$389,300 from \$2,361,000 to
\$2,750,300; (c) increasing the amount
set out opposite Part I, Vote 2, item 9, by \$6,999,000
from \$864,000 to \$7,863,000; (d)
increasing the amount set out opposite Part I, Vote 2,
Total Capital by \$7,609,300 from \$30,711,000 to
\$38,320,300;

(e) increasing the amount set out opposite Part II,
Vote 1, item 2, by \$887,500 from \$4,745,000 to
\$5,632,500;

(f) increasing the amount set out opposite Part II, Vote
1, item 3, by \$294,000 from \$0 to \$294,000;

(g) increasing the amount set out opposite Part II,
Vote 1, item 4, by \$147,000 from \$0 to \$147,000;

(h) increasing the amount set out opposite Part II,
Vote 1, item 6, by \$24,200 from \$0 to \$24,200;

(i) increasing the amount set out opposite Part II, Vote
1, item 8, by \$428,000 from \$(291,000) to \$137,400;

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(j) increasing the amount set out opposite
Part II, Vote 1, item 9, by \$14,714,500 from \$0 to
\$14,714,500;

(k) item 10, by \$7,354,100 from \$0 to \$7,354,100;

(l) item 11, by \$458,700 from \$532,000 to \$990,700;

(m) increasing the amount set out opposite Part II,
Vote 1, Total Operations and Maintenance, by
\$24,308,400 from \$192,000 to \$25,500,400;
and,

(n) increasing the amount set out opposite Total
Supplementary Appropriations in Parts I and II by
\$31,917,700 from \$31,903,000 to \$63,820,700.

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The motion is in order. 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

Schedule, page 3. Part I, Vote 2, capital, total capital,
as amended, \$38,320,300.

SOME HON. MEMBERS:

Agreed.

---Agreed

HON. JOHN POLLARD:

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

I would like to say thank you to the Minister and to Mr. Taggart. Mr. Minister, we did notice how easy it was for you to say those very large numbers, but when it came to the small ones, you had a little bit of difficulty with that.

---Laughter

Thank you, Mr. Minister.

Does the committee agree that we invite the Minister to the witness table to assist us with Bill 25?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

The committee has agreed, Mr. Minister. You may take the witness stand and invite your witnesses in. You have permission to do it. The committee will take a short break and will be back at 5:00.

---SHORT RECESS

Committee Report 11-12(7): Report On The Review Of Bill 25 -The Education Act

Bill 25: Education Act

Clause By Clause

CHAIRMAN (Mr. Whitford):

Thank you. Page 5, Part II, Vote 1, operations and maintenance, total operations and maintenance, as amended, \$25,500,400.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Total supplementary appropriation in Parts I and II, as amended, \$63,820,700.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. The bill as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Does the committee agree that Bill 34, Supplementary Appropriation Act, No. 1, 1995-96, is ready for third reading, as amended?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Bill 34 is now ready for third reading, as amended. Does the Minister have anything to add to this before we excuse you?

CHAIRMAN (Mr. Whitford):

When we left off the other day, we were dealing with clause 45, dealing with teachers, and that is where we will commence again today. Mr. Minister, before we begin, did we get the direction of the witnesses? No, we didn't. Could you introduce your witnesses to the committee?

HON. RICHARD NERYSOO:

Yes, thank you, Mr. Chairman, if I might. With me at this moment is Ms. Carol Whitehouse. I will be joined in a few minutes by Mr. Hal Gerein and Ms. Gail Joyce, but we can proceed, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Welcome, Ms. Whitehouse, and when the others arrive, we will welcome them accordingly. Clause 45.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 46.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 47.

SOME HON. MEMBERS:

Agreed.

---Agreed

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CHAIRMAN (Mr. Whitford):

Thank you. Clause 48.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 49.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 50.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 51.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 52.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 53.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 54. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. Just a quick question for clarification. I wonder if I could find out if it is possible in section 54(2), the term employer could be considered ambiguous and perhaps lead to problems? I guess the question I am asking is, is it easily determined whether or not the termination could be done by the CEO, or would it require a motion of the board? Could we perhaps just get some understanding of what is meant by this section?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. We are on clause 53. Clarification is sought. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. If I could ask Ms. Whitehouse to clarify this particular matter, please?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Ms. Whitehouse.

MS. WHITEHOUSE:

Thank you, Mr. Chairman. The word "employer" has been chosen carefully to coincide with the existing

labour law, and the collective agreement would most likely define who the employer would be. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. Whitehouse. Does that take care of the question, Mr. Dent? Thank you. Mr. Dent.

MR. DENT:

Mr. Chairman, I believe you indicated that I was asking a question about clause 53. The question was actually about section 54(2).

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. I stand corrected. Clause 54.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. **MRS. MARIE-JEWELL**, Member for Thebacha.

MRS. MARIE-JEWELL:

Mr. Chairman, I had my hand up to address clause 53.

CHAIRMAN (Mr. Whitford):

MRS. MARIE-JEWELL. I don't want to be too officious, but we were dealing with clause 54. However, if the committee agrees to go back to clause 53, we will. Does the committee agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. **MRS. MARIE-JEWELL**, clause 53, your question.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. Clause 53 to basically clause 57 is all with respect to the ability to transfer teachers, the ability to discipline teachers, et cetera.

With regard to clause 53(2), on termination notice, the clause indicates that it be given 60 days before the day set as the closing day of the school. So 60 days prior to the closing of a school, that termination notice has to be given.

There has been concern with respect to the board's ability to transfer within jurisdiction because of the time frame, and it appeared that 60 days did not seem to give reasonable time or reasonable notice. I am wondering whether or not I can get some comment on that.

I know from the perspective of the South Slave divisional board that this type of notice should be given a little bit more than what was initially proposed. I am just trying to go back to the initial proposal which was at least 60 days. It hasn't been amended in any way throughout this amended act. Is there a method that can address this, giving reasonable notice?

CHAIRMAN (Mr. Whitford):

Thank you, **MRS. MARIE-JEWELL**. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. The matter that the honourable Member is dealing with regarding transfer is in section 61. This particular matter is a matter of termination of contract, so we have to give the appropriate notice in that particular case.

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CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 53.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 54.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 55.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 56.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 57.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 58, 59 and 60 were repealed by the Standing Committee on Legislation. Clause 61. The chair recognizes the Member for Thebacha.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. First of all, regarding clause 61, there is a concern with respect to the notice of transfer for a teacher to be at least 60 days before the school ends. It appears that the time frame does not give the boards adequate notice to advise teachers of transfers. It causes some problems, and I would like to ask the Minister his viewpoints on that.

CHAIRMAN (Mr. Whitford):

Thank you, **MRS. MARIE-JEWELL**. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Could I ask the deputy minister to respond to the date?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. **MRS. MARIE-JEWELL**.

MRS. MARIE-JEWELL:

He said the deputy minister.

CHAIRMAN (Mr. Whitford):

Thank you. My apologies. Mr. Gerein.

MR. GEREIN:

Thank you, Mr. Chairman. The purpose of this clause is to provide a standard by which adequate notice would be given to the employee of the employer's intent with respect to transfer, and 60 days is deemed to be a reasonable amount of time in order to prepare and make decisions about transfers. The teacher, as outlined in clause 2, has the option of resigning if they choose not to accept the transfer. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gerein. Clause 61. Could we have some order. There are two or three meetings going on in here at the same time, and it is difficult for Members to concentrate on what's going on.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. **MRS. MARIE-JEWELL**.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. There does seem to be some confusion going on and I apologize but I didn't quite hear fully the explanation Mr. Gerein gave the House. So, I would like to ask him if he would repeat his comments. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, **MRS. MARIE-JEWELL**. Yes, Mr. Gerein, would you please give us that again.

MR. GEREIN:

Thank you, Mr. Chairman. The amount of 60 days was agreed to be a reasonable amount of notice for the employer to advise the employee of the intent to transfer. What it does, also, is allow the teacher the option of resigning if they choose not to accept the transfer. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gerein. Clause 61. Member for Thebacha.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. I just wanted to make the comment that it does seem to be difficult. At times, the boards feel it is a detriment to the ability to adjust staffing, particularly with this time frame. But, I'm sure if the act allows the boards to have as much authority as it appears to, they may be able to address this at a later time. Is that possible? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, **MRS. MARIE-JEWELL**. Mr. Minister.

HON. RICHARD NERYSOO:

Yes, that's the case, with the exception that there has to be some consideration for the teachers, in terms of notices that are given. The intent was to make sure that both parties were cognizant of fair practice and this was one way of making sure that occurred. There may be an adjustment by the boards, but not necessarily downwards. Mutual agreement is the other way. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. **MRS. MARIE-JEWELL**.

Committee Motion 81-12(7): To Defer Consideration Of Clause 61 Of Bill 25, Carried

MRS. MARIE-JEWELL:

Mr. Chairman, I would like to move that we defer clause 61.

CHAIRMAN (Mr. Whitford):

Thank you. There has been a motion to defer this clause. The motion is in order. To the motion.

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AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

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

---Carried

We shall defer clause 61. The chair will now recognize the Member for Aivilik, Mrs. Thompson.

MRS. THOMPSON:

The amount of 60 days is enough time for teachers to be given notice, speaking from experience. That's my comment. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Thompson. Clause 62. The chair recognizes the Member for Inuvik, Mr. Koe.

MR. KOE:

I would like some clarification on section 62.(3). Can someone clarify the intent of this clause for me, and what happens at the end of five years?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Can I ask Ms. Gail Joyce to respond, please.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Ms. Joyce, please.

MS. JOYCE:

Thank you, Mr. Chairman. Section 62.(3) means that if and when this act comes into force, five years from that date, the individuals will continue to be paid at their rate of classroom assistant that they had been paid.

MR. KOE:

Is it the intent of clause 62 to remove the terms "classroom assistants?" Is that the intent of this clause, and are they going to then be called education assistants?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Ms. Joyce. Mr. Minister, I'm sorry.

HON. RICHARD NERYSOO:

That's the correct interpretation, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

I just want to make a comment. Classroom assistants, as we know them now, are quite useful participants in the education system. Many of them are ones now involved in the TEP program or who are looking at the TEP program somewhere down the line. My concern is that we're not using this clause to eliminate these types of people from the system. You can call them something else, that's fine, but I just wanted to ensure that we still have the equivalent of classroom assistants. Not everyone who enters the TEP program is going to pass, and they still have a lot of experience and provide a lot of value to the system. So, we should have a provision to employ these people. I'm hoping that's what we're doing here.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. We agree. It's just a title change. It is our hope that those who are education assistants will move to become full-time teachers because they know the communities and, in most cases, they are aboriginal people as well. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The chair now recognizes the Member for Aivilik, Mrs. Thompson.

MRS. THOMPSON:

Thank you, Mr. Chairman. It makes more sense to say education assistants because when you interpret classroom assistants into Inuktitut, it means someone who is assisting the building, not a teacher. It makes more sense this way.

CHAIRMAN (Mr. Whitford):

Thank you for those comments, Mrs. Thompson. Clause 62.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 63. The chair recognizes Mr. Koe.

MR. KOE:

I had a comment on clause 63.(1), but I see it's clarified in 63.(8); that principals are allowed to be hired for more than five years. I picked that up, and just wanted to make that comment.

CHAIRMAN (Mr. Whitford):

Thank you for those comments, Mr. Koe. Clause 63. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. On clause 63.(1), with regard to the length of term for a principal, the term is not to exceed five years. I would like to ask the Minister what the intent of this particular clause is. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. It's very clear that the intent is to restrict the term of the tenure of a principal. If the district is happy with the terms and the professional support given by the principal, 63.(8) can allow them to make an adjustment to renew their contract. We've not always heard good things, we've heard bad things. In that case, it must be left up to the district education authority to make those determinations. But there are lots of good principals out there, too. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. I'm sure there are. Does that answer your question, Mr. Antoine?

MR. ANTOINE:

(Microphone turned off)

CHAIRMAN (Mr. Whitford):

Thank you. Clause 63.

SOME HON. MEMBERS:

Agreed.

---Agreed

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CHAIRMAN (Mr. Whitford): Thank you. Clause 64. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. Clause 64 is the certification of the eligibility of a principal. This could be issued to a teacher who has the prescribed qualifications, who successfully completes a program for teachers to become principals. I would like to ask the Minister, through you, Mr. Chairman, is there a prescribed program for training teachers to become a principal at the present time? If not, is there going to be a program in place to train teachers to be principals? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. Yes, Mr. Chairman, there now exists a two-session certification program for those who wish to become eligible as principals, and it's an NWT certification program. We do have the regulations. What I'll do is provide a copy of the regulations regarding the certification program to the honourable Member for his information. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 64.

CHAIRMAN (Mr. Whitford):

Thank you. Clause 65.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 66.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 67.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 68. Mr. Minister.

Committee Motion 82-12(7): To Amend Clause 68 Of Bill 25, Carried

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I move that clause 68 of Bill 25 be amended by repealing proposed (1) and by substituting the following:

68.(1) The education body responsible for a school may employ a teacher as an assistant principal of that school.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The motion is just being circulated here. We'll give it a moment to check it over to see if it's in order.

Everyone should have a copy of the amendment. The motion is in order. It has been translated. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. We don't have a quorum. Mr. Clerk, would you ring the bells?

The chair recognizes a quorum. We have a motion on the floor. Question has been called. All those in favour, please signify. Thank you. All those opposed? The motion is carried.

---Carried

Clause 68, as amended.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 69. The chair recognizes the Member for Inuvik, Mr. Koe.

MR. KOE:

Just some clarification on 69.(2)(e), perform the prescribed duties relating to monitoring home school programs. I thought those were the duties of the superintendent, or is it still the principal? I would just like some clarification. If we go back to home schooling and the relationship of a principal to a home school program, I thought we removed that responsibility.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister, I noticed you had your hand up before and I recognized the Member before you, but go ahead.

HON. RICHARD NERYSOO:

Thank you, that's fine, Mr. Chairman. I'll just respond to the honourable Member and I'll deal with the amendment later.

The matter that is before you is that we wanted to ensure that the home schooling programs were managed in the communities in which they were delivered. The superintendents are not in every community, and we wanted to, through regulations, determine the responsibility they had in monitoring home school situations and programming. That was the intent. It's in conjunction with the board, but the board has to be involved in the home school programs as well as terms in determining the program.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 69. Mr. Koe.

MR. KOE:

I would like to go to section (2)(1), in accordance with the Minister to establish guidelines. Under section 23, we give the authority to the principal to set the criteria for selecting the student. Now why are we giving it to the Minister here. Just for clarification.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. This is the matter of the principals and the acting principal and teacher in accordance with policy direction, so there's a consistent approach generally across the Northwest Territories. Where it says "in accordance with directions," generally means in accordance with policies that have been set. That is the basis on which this should be interpreted.

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CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

I'm still confused because 23 says "in accordance with the guidelines established by the principal," then section 69.(2)(1) says, "in accordance with directions of the Minister, establish guidelines." So I want to be really clear here. Who establishes the guidelines to select the student representative, the Minister or the principal?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. Very simply, the students are guided by the principal and the principal is guided by the Minister. We have to lay some general rules by which this process is used. Then there is also the school basis on which this process is laid out. That's how it works.

I don't know if the honourable Members know but in management, there's a hierarchy responsibility of giving overall direction. How that is done is it is applied by each school depending on that situation.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

I know a little bit about management. Where do superintendents come in then? If the Minister is giving direction to the principals, where do the superintendents come in?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. I don't want to debate with the honourable Member. If one understood this issue, it would be clear. This is a matter where the Minister gives overall guidelines; in other words, overall direction. From there, it goes to the superintendent and then to the schools. Each school has a different situation and as a result of that, they have to make their choices about representation. Some schools may determine that their representation...Inuvik, for instance, may determine that their representation should come from grade 10 to 12, not grade 9, but grade 10 to 12. We may determine, as has been the case here, that grade 9, 10, 11 and 12 should be the considered range.

In that, it could be that the policy in the school, then, is that someone would be selected in grade 9 in Fort McPherson rather than grade 10. That's a matter of choice that the school would make. There's a general parameter that we're now offering and that's part of the guidelines.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

Yes, I have no problem with that. I was just trying to clarify the Minister's previous statement where he said the authority came from the Minister to the principal, and I think there's a superintendent that fits in the middle there somewhere. I just want to correct the record.

CHAIRMAN (Mr. Whitford):

Thank you. The record shall show the corrections. Clause 69.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Minister, I got you this time. Mr. Minister, I saw your hand go up and I just anticipated that you were going to ask a question. The chair recognizes the Member for Nahendeh. Okay, let's do

this once more, start from the beginning. The Minister had his hand up. The Member for Nahendeh had his hand up. I recognized the Minister and he didn't want to speak. I recognized Mr. Antoine. Now, Mr. Antoine.

MR. ANTOINE:

Thank you. Mr. Chairman, I need clarification on 69(2)(k). It says that the duties of the principal or the acting principal will be to ensure, to the best of his or her ability, the safety of students and school staff. This is a good responsibility because there was an incident in one of the communities that I represent this spring where a young boy got hurt on the school ground and broke his arm during recess. There was supposed to be a teacher supervising the kids. Who's responsibility is that? Is it the teacher's responsibility or is it the principal's responsibility in a real-life situation like that? Is that covered under section (k)? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. To advise the honourable Member, this particular section was not in the previous act. It's being put in for the very reason the honourable Member has pointed out; that there have been incidents where the safety of students and school staff have been in jeopardy, to a point where there has been physical abuse of both staff and students. The idea here is to make certain that it's clear that part of the responsibility of a principal or acting principal is to ensure that there are considerations and there is a recognition procedure for dealing with the safety of students and school staff.

That, Mr. Chairman, is also why we did have some concern earlier about the whole matter of parents having direct right into classrooms because in some cases ...Another incident I know of, Mr. Chairman, is a parent actually went into a classroom and actually attacked a staff member. There has to be some considerations for those matters.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 69. Mr. Antoine.

MR. ANTOINE:

Just a further question on safety. I'm more concerned about the safety of students because, ultimately, when they have children, a person entrusts the school system with the education of a child as well as the safety of the child. That's very key. In the section under the duties of the teacher in section 45, I don't see any point in there where they to the best of their ability the safety of the student is covered. I take it that the responsibility of the safety of the students falls on the principal or the acting principal and if there is staff on duty then indirectly, through the staff, the principal is ultimately responsible for the safety of the child.

If the child gets hurt, breaks a leg or breaks an arm while under the care of the school, then the onus is on the principal. Is that correct? Is that what I'm hearing, Mr. Chairman?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

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HON. RICHARD NERYSOO:

Well, Mr. Chairman, all I can say is that what we were trying to do was articulate clearly the responsibilities and the duties of the principal or acting principal. Also, there's a responsibility on the part of the principal to lay out the rules by which teachers operate. Part of that responsibility could include the safety of the student, and other considerations for the safety of the staff, as well.

In that sense that is all part of the rules and these are things that are laid out for the district education authority, for the parents and for the students, so it is clear as to how things operate in the school. We certainly agree with the comments made by the honourable Member.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Minister, again.

Committee Motion 83-12(7): To Amend Clause 69 Of Bill 25, Carried

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I move that clause 69 of Bill 25 be amended by striking out "and" at the end of proposed paragraph (2)(f).

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. We'll just pause a moment here so we can get copies of the amendment circulated to the Members.

Yes, Mr. Minister, we now have the amendment circulated. Would the pages please continue to distribute them quickly? Thank you. The amendment appears to be in order. To the amendment.

CHAIRMAN (Mr. Whitford):

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

---Carried

Clause 69, as amended.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 70.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. The chair recognizes the Member for Thebacha.

MRS. MARIE-JEWELL:

Mr. Chairman, I have to ask if you could look up at the Members, because even though Members are saying agreed, you don't have a tendency to see whether or not our hands are up.

However, it's not clause 70 I am concerned about. It's clause 71.

CHAIRMAN (Mr. Whitford):

Thank you, **MRS. MARIE-JEWELL**. I was looking directly at you, and I did not see your hand up. Clause 70 has been agreed on. Clause 71. **MRS. MARIE-JEWELL**.

Committee Motion 84-12(7): To Defer Consideration Of Clause 71 Of Bill 25, Carried

MRS. MARIE-JEWELL:

Mr. Chairman, I move that we defer clause 71.

CHAIRMAN (Mr. Whitford):

We have a motion on the floor to defer clause 71. The motion is in order. All those in favour? All those opposed? Motion is carried.

---Carried

We shall defer clause 71. Clause 72.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 73.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. The chair recognizes the Member for Inuvik, Mr. Koe.

MR. KOE:

Okay, slight clarification on clause 73(1), why "in accordance with directions of the Minister"? Can I get clarification on that?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. If I could say this again, "in accordance with directions of the Minister" is the policy directions that are established for language education. That is the basis on which this is to be read. You can't read every one as though I am interfering every time on a decision. It is generally a policy that guides this particular matter.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe, did that take care of your question? Thank you. Mr. Minister.

HON. RICHARD NERYSOO:

Maybe, Mr. Chairman, if I could give an example for the honourable Member. For instance, let's say in Fort McPherson they decide the language of instruction is English; at least 21 per cent of the time, they should be taught in that language. Now, in another language, where we have given direction that an aboriginal language is also the second language --like Gwich'in - -at the very least, nine per cent of that other language --approximately 90 hours - -has to be taught. So those are the kinds of general instructions that we give for this area.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 73. The chair recognizes the Member for Nahendeh.

MR. ANTOINE:

Thank you, Mr. Chairman. Section 73.(1) deals with cultural diversity, language of instruction and

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language to be taught. This one states: "A district education authority shall, in accordance with any directions of the Minister, determine a language to be taught as part of the education program in the education district or in any school in the education district." It determines a language or languages to be taught as part of the education program in the education district or in any school in the education district. I think it's a language issue and I would like to ask the Minister if he could clarify this section for me and if he could explain what the intention of this clause is. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. It is clear from the legislation that the schools have to determine the basic language that they are going to teach in. These are subjects that are taught in the language. In other words, it's not a matter of just a language program so many hours a day. This is the language of instruction.

If you decide that Slavey is going to be the language of instruction, then all subjects must be taught in that language.

Now, having said that, you also then have to agree that another language --in this particular case, English --must be the language that is taught as the additional language, as a subject.

On the other hand, if you decide the other way, that English is the language of instruction, then you also can agree that the other language as a subject is then Slavey.

Basically, this clause deals with a language as a subject.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Antoine.

MR. ANTOINE:

Mr. Chairman, section 73 deals with language of instruction, and I believe that every student has the right to be taught in their traditional language. That is the point I want to raise. What is now going on is that a lot of students are losing their language, but the parents still speak the aboriginal language.

What the French have is that the French have the first right, where, if a French child doesn't speak French and the parents do, they are classified under the French language. That is the kind of provision that we should have as well in aboriginal languages.

I think this section deals with it and it's up to the district education authority, with the direction of the Minister, to determine a language to be taught as part of the education program. Let's say it is a Dene language, then the DEA and the Minister would determine if the Dene language would be part of the education program. I think it is really up to the communities to decide among themselves what kind of language should be provided in the education system.

One point that some of my colleagues and the people I have talked to have raised is that they are afraid that the Dene languages are going to die by the year 2000. What we are trying to do here is to try to keep them alive. Hopefully, with these provisions, they will not die and they will remain in place.

I would like to ask the Minister if he agrees with that position, and would this clause help Dene languages to remain intact? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Actually, Mr. Chairman, not only do I agree with it, but I support the principle that the honourable Member is stating.

In section 70, we have already dealt with the matter of the languages of instruction, which must be one of the official languages. The official languages are identified in the Official Languages Act of the Northwest Territories, so that is clear in our legislation if you look at section 70. We then deal with the matter of determining the language of instruction, which we deferred until tomorrow to bring in an additional amendment. But, in principle, it is very clear under section 70 that that is not a problem. Section 73 identifies languages to be taught as a subject. They must be taught as a subject. That's not the language of instruction; they are two different things.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. In clause 73.(3) it reads: "If English is the language of instruction, an Official Language other than English must be taught as part of the education program." Does that mean that if in a school, there is English and someone may want French, and there are also people who speak Slavey, that only English and French would be taught and not Slavey? It seems you are only looking at two languages. I wonder if in a school there can be English, French and also Dene languages? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Yes, we can consider other languages. I will also advise the honourable Member that section 70 deals with the recognition of the official languages. Section 71 deals with language of

instruction --which we deferred --and section 73 deals with additional languages as subjects. That's what it is. I can advise the honourable Member that in Iqaluit, programs are being offered in English, French and Inuktitut. That is already occurring and can occur in aboriginal communities. In fact, in aboriginal communities, we can also move to teach in aboriginal languages now, under the new act, we are already doing that in some cases. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The chair recognizes the Member for Aivilik, Mrs. Thompson.

MRS. THOMPSON:

I just wanted to explain what the act is trying to say. In our region --and I will use Coral Harbour as an example, which is a community of 700 --most of the parents speak Inuktitut. Before it said this in the act, we used to go to school to learn English, without any Inuktitut instruction. Now the act is trying to say that you can teach using Inuktitut as the language of instruction from kindergarten to grade 12, if you want to. What we're doing in our communities is, from kindergarten to grade 3, we have Inuktitut

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as the language of instruction with oral English taught as a subject to the students, so they can learn to speak English.

But the parents have the choice if they want to have English, Cree or French taught. It could be any official language. But the education authority in our community decided that Inuktitut will be the language of instruction because it is the first language of the children and if you're trying to explain math concepts to a child in a language he doesn't understand, he might not get very far. But, if you explain the concepts in his own language, he will get further. That's the reason behind having aboriginal languages as languages of instruction.

After the education authority decides that Inuktitut is going to be the language of instruction from kindergarten to grade 3, they teach all the subjects in Inuktitut with Inuktitut teachers. Then they teach English as a second language as a subject for those students so they can learn the language. But, it could be French, if they wanted their kids to learn French as a second language.

Now, from grade 4 to 5, there is a transition period. They try to transfer students from their Inuktitut skills to English so that when they're in grade 6 and 7, they are at the same level as grade 6 and 7 students in Yellowknife or Winnipeg, for example. Then they start teaching Inuktitut as a subject. The language of instruction changes to English or French. When teachers teach subjects, they change the language they are speaking to students in. An official language then becomes a subject. That's what the difference is.

The way this act is worded, it is trying to say that we will not lose our language. In my region, with the new model that has been implemented for the last 10 years, we are attempting to produce bilingual, bi-cultural children. We don't have many French-speaking people in our communities --we may have one person --but they still have the option to choose that as a subject. I just wanted to clarify that we aren't going to lose our language using this act. It just makes it stronger so that if we want to teach all things in Inuktitut, we can and teach French and English as subjects, or another official language of the territories. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Thompson. Clause 73. The Member for Nahendeh, Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. I just want to say one more time that once district education authorities are established, they must ensure that the resources are adequate to provide for languages of instruction whenever possible. They should make every effort to preserve, enhance and develop the use of the official languages, especially the traditional languages of the students in the school program in all grades and schools. The resources that are required must be available as part of the education program. That's a comment that I wanted to make, Mr. Chairman, thank you.

CHAIRMAN (Mr. Whitford):

Thank you for those comments, Mr. Antoine. The chair recognizes the Member for Thebacha.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. I listened with interest to the comments the Member for Aivilik made. I recognize that's probably how the official languages, particularly in that riding, work. They ensure the

enhancement and preservation of that language in those areas. However, I do want to note for the record that in the many other ridings, particularly in the west, the struggle to maintain many of the aboriginal languages is getting more difficult because of the lack of available teachers to teach those languages. In as much as it's carried out in the eastern part of the territories, it is not as easy as it sounds in the west. That is why we're very concerned that official languages other than English are taught as part of the education program, so the students have the opportunities and choices Mrs. Thompson speaks about.

I do know that even in our schools it's very, very difficult to get Cree or Chipewyan taught as a language of instruction, mainly because of the act; we just don't have the qualified instructors to teach it.

I just wanted to make that comment that it's something that people in the west are still struggling with, and there is a valid concern that aboriginal languages are almost going to become eliminated. I look at the generation of even my parents to myself, I think of my mother having to speak about four languages and all I can speak is English. It wasn't taught at home, but it's just that I know it wasn't encouraged in the school system. It wasn't as readily available in the west as it is in the east in the school system. So I certainly hope that we can make every effort to address this concern that's happening in the west with respect to aboriginal languages. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you for those comments, **MRS. MARIE-JEWELL**. You're certainly correct when you say the numbers of languages that people used to speak at one time. Clause 73.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 74.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 75.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Koe.

MR. KOE:

I would like clarification on clause 76, as it refers back to 75. I'm just trying to clarify what the roles of the superintendents and the principals are, versus the role of the Minister. Clause 76 says "in accordance with directions of the Minister" but in 75, the superintendent and principals receive their direction in accordance with the education body. So I want to clarify those clauses.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. All these issues are policy directions. Let me give you one example: where qualified persons are available, we could recommend the use

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of the affirmative action policy and directive on that issue. The other thing is that the superintendent ensures that the education body operates in accordance with the directions of the Minister, or the policies. That's the basis on which this should be interpreted.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 75. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. This one deals with cultural variation. In this clause, it says that "The superintendent and principals ... in accordance with the direction of an education body, plan the delivery of culture based school programs as part of the education program for the education district." I'm thinking that if you're in a Dene community and the

superintendent is non-Dene, the principal is non-Dene and the majority of people on the education body are non-Dene, how do they plan for the delivery of a culture-based school program? Is there a possibility that the local bands or the Metis locals, people who are indigenous to the area can get involved in the planning of such a culture-based school program? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister, did you wish to respond?

HON. RICHARD NERYSOO:

Thank you. I've seen a lot of changes over the last 16 years, and I think there are such significant changes that we can now at least be certain that these bodies of authority are going to be more responsive to the community.

The other thing is that, unfortunately, you have to keep associating this to other sections. You have to associate it to 117 where it says, an education body shall, (k), "With the advice of education staff, parents and community elders, develop and deliver culture based school programs in accordance with the requirements of the curriculum." The curriculum, as we're developing it now --and Dene Kede is the basis in the west for the delivery of culture-based education --will form the basis by which this particular matter is addressed.

I guess I view it in that context, that this cultural variation has to be respected; the programs have to be planned; then there's a requirement later on that this has to be done in conjunction with the community, with the elders and with the leadership. So you have to read it all in context, otherwise you will just read one section and not consider the direction in another that this must be implemented.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 75.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 76.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 77. Mr. Dent.

Committee Motion 85-12(7): To Defer Consideration Of Clause 77 Of Bill 25, Carried

MR. DENT:

Thank you, Mr. Chairman. Mr. Chairman, I move we defer clause 77.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. We have a motion on the floor to defer clause 77. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

It has been pointed out that we don't have a quorum. Mr. Clerk, please ring the bells.

Thank you. The chair recognizes a quorum. There's a motion to defer clause 77. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All in favour, please signify. All those opposed, please indicate. The motion is carried.

---Carried

Clause 77 is deferred. Clause 78. The chair recognizes the Member for Inuvik.

MR. KOE:

Again clarification on clause 78 and the hierarchy of powers here. The superintendent is employed by the education division or education authority and, as such, would receive most of his direction from the

education authority. But many clauses in this section also state --again, in these clauses, we have those phrases --"the directions of the Minister"? and "in accordance with the regulations." I just want to get it clear in my mind the hierarchy of powers, the superintendent reports and is paid by the education division. That's who his or her boss is. Directions from the Minister in this section, as the Minister has clearly indicated, are purely policy direction and financial when it comes to giving contributions and monies to the divisional boards. Is that the way this section fits?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. So that I can be very clear about the matter of directions of the Minister again, in legal terms, directions of the Minister are policy directions. The other component that has to be considered in the responsibility of a superintendent is the Education Act and the regulations. That is the same situation for the bodies of authority that have been established.

There are directions from the Minister on education programming, there are curriculum standards that are set, and again, policy directions. The policy directions are varied. The inclusive schooling policy is an example, affirmative action is another. Those are components and are only a few of the many that we give. There are all other kinds of factors that have to be considered in this.

The definition, again, the legal definition or interpretation given to directions of the Minister is policy direction.

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CHAIRMAN (Mr. Whitford): Thank you, Mr. Minister. Clause 78. The chair recognizes the Member for North Slave. Mr. Zoe.

MR. ZOE:

Just for further clarification. I understand that the superintendent who works for a division has to adhere to the policies, the regulations, et cetera, that come from the ministry and that he has to follow the Education Act and so forth, but technically it is the divisional authority, he basically works for. However, under part (2) of clause 78, it also says perform the

duties assigned to the superintendent by the education bodies within the area.

So, say for instance, in my area, the divisional board is situated in community A. Now, if community B wants to assign something else to the superintendent to undertake on their behalf, then this section would allow him to do that; right? That's the only purpose for it being there from the way I read it. If it contravenes the act or the regulations, then you can't do it. I guess you would then advise community B that it goes against the act or whatever. It's just these other things that if the local DEA wants the superintendent to undertake on their behalf then that provision is there for them to request that from the...or he has to do it because it's stated in the act now that community B can undertake this assignment that's given to the superintendent.

That's how I read it. Is that correct? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Mr. Minister.

HON. RICHARD NERYSOO:

Good interpretation and correct.

MR. ANTOINE:

Thank you, Mr. Chairman. Clause 78, with regard to the superintendent of the education division, maybe the Minister could clarify for me who is this superintendent answerable to. Is he answerable to the education body or the area and if so, which education body? Or is the superintendent answerable to the Minister? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. Presently, I can advise the honourable Member that it's based on the division in the regions. Here in Yellowknife it's to the two districts. The districts in Yellowknife each have a superintendent.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Antoine.

MR. ANTOINE:

Another question for clarification. Clause 78, with regard to the superintendent, is this clause different or similar to whatever is existing now? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. If I could ask Ms. Joyce to explain the changes of the role. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Ms. Joyce.

MS. JOYCE:

Thank you, Mr. Chairman. This whole section is very different from the current act. The current act describes a regional superintendent, which no longer exists. A regional superintendent used to report to the department, to the deputy minister, and worked for the GNWT --very much a regional administrator.

What we have in this section is describing the overall duties of the superintendent to supervise the administration of education for the jurisdiction that the superintendent is responsible for. In addition, as Mr. Zoe described, the jurisdiction can describe additional duties, set priorities, make more specific directions that the superintendent then must follow.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. Joyce. Mr. Antoine.

MR. ANTOINE:

So the education district bodies are the people that hire the superintendents and give the superintendent direction. Is that correct? This is a question through you, Mr. Chairman, to the Minister.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. According to this act, yes. Of course there are some parameters but, again, I explained that policies, the act, the regulations, and standards, those kinds of things are generally set by the department.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 78.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 79. The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

Committee Motion 86-12(7): To Defer Consideration Of Clause 79 Of Bill 25, Carried

MR. DENT:

Thank you, Mr. Chairman. I would like to move that we defer consideration of clause 79.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. We have a motion on the floor to defer clause 79. The motion is in order. To the motion. Before we continue, the chair recognizes no quorum. We shall sound the bell.

The chair recognizes a quorum. We have a motion on the floor to defer clause 79. The motion is in order. 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

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Clause 79 shall be deferred. Clause 80.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 81.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 82.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 83.

SOME HON. MEMBERS:

Agreed.

--Agreed.

CHAIRMAN (Mr. Whitford):

Clause 84. The chair recognizes the Minister.

Committee Motion 87-12(7): To Amend Clause 84 Of Bill 25, Carried

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I move that clause 84 of Bill 25 be amended by

(a) repealing proposed paragraph (3)(a) and by substituting the following:

(a) shall, by regulation, allocate to that commission scolaire francophone de division all of the powers and duties set out in (i) section 117, except paragraph (l) (v) and (ii) section 118; and (b) repealing proposed subsection (4) and by time. For instance, what if the current conseil in Yellowknife,

(4) A member of commission scolaire francophone de division is not liable for the loss or damage caused by anything done or not done by him or her in good faith in the exercise of his or her powers or in the performance of his or her duties.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The motion is in order. We're just circulating the amendment, as I speak.

Okay, all the Members have a copy of the amendment. It is the yellow page. There were two documents circulated at the same time; the white page is something else.

AN HON. MEMBER:

(Microphone turned off)

CHAIRMAN (Mr. Whitford):

Well, let's deal with this motion first. We have a number of people who wish to speak to the motion. Mr. Koe first, and then Mr. Antoine.

MR. KOE:

I'm just waiting for you to slow down so we can catch up to you.

CHAIRMAN (Mr. Whitford):

Thank you for your comments, Mr. Koe, but I thought everybody had the motion and were reading it.

Okay, we have the motion. It is on the yellow sheet. To the motion. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. I would like to ask the Minister for clarification. Could he explain to me what this does? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

The amendment removes section (1)(b), the ability to create themselves, and then adds the clarification on liability. That's what it does.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. 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

Clause 84, as amended. The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

Thank you, Mr. Chairman. Mr. Chairman, clause 84.(1) reads "Where two or more conseils scolaires francophones exist, the conseils may, on meeting the requirements of the regulations, request the Minister to establish a commission." I would like the Minister to perhaps explain why there was a need to have two or more conseils and address the issue of ensuring the bill stands the test of over the course of the next 20 years, builds to the point where they have hundreds of students; because there is only one conseil, would they still be restricted to not being able to become a commission?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Mr. Minister.

HON. RICHARD NERYSOO:

Maybe I will ask Ms. Joyce to add further clarification on this, but if there was a situation where they had more students, based on their responsibility, they would have more than one school under them and, therefore, would have more than one conseil. So, that would be taken care of in that situation. I would ask Ms. Joyce to additionally clarify this matter, for the information of the honourable Member, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Ms. Joyce.

MS. JOYCE:

Thank you, Mr. Chairman. This clause also reflects the 1992 agreement that we made with the board of

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education and with the Yellowknife French Parents' Association on behalf of the Franco-Tenoise. The intent of this was to allow progressive governance; to allow the conseils to gather numbers so that they could become a commission and take on more authority. As the Minister described, if their numbers increased in one community, there could be more than one conseil because there would be more than one school. This also allows conseils from different communities to agree to work together and petition the Minister for a commission. It's an enabling clause, as opposed to a barrier. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. Joyce. Mr. Dent.

MR. DENT:

I think that has probably addressed the concern, but just so I understand completely, if for instance there was to be an addition of grades 7 to 9, rather than expanding L'Ecole Allain St-Cyr, you're saying that the French Parents Association should basically start another conseil and have a different school. If they did that that would perhaps enable them, if they have sufficient numbers, to meet the requirements of this act. Or, as Ms. Joyce has just pointed out, if a conseil in Iqaluit and a conseil in Yellowknife wanted to, they could get together and petition the Minister. Is that a correct understanding?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Mr. Minister.

HON. RICHARD NERYSOO:

Certainly, Mr. Chairman, if they were able to have those school situations where they had the numbers, they would be eligible for that. In the case of two communities working together, it was our intent to enable those scenarios to occur, to be more supportive rather than restrictive. The interpretation might have gone the other way, but that is certainly not our intention.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Next I'll recognize the Member for Aivilik, Mrs. Thompson.

MRS. THOMPSON:

Thank you, Mr. Chairman. Regarding section 84.(1) (Translation) I don't understand the meaning of these French words. (Translation ends) I don't know what you guys are talking about. I don't know the terms, I might as well put Inuktitut in place of them. What do these mean? I can't even pronounce them, it's getting very frustrating. I don't understand French.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Thompson. Mr. Minister, would you explain the words "scolaire," "conseils," and "francophone," toutes ca?

HON. RICHARD NERYSOO:

The conseils, so there's no confusion, are committees. In the case of a board, where there are French parents who have rights to have their children educated in French, there is the ability to set up a council within a district, or within a board. It is basically a subgroup of a board. From the councils where you have two or more, you can combine them to form a commission. The commission is basically the board, a board. They will have the authorities that would normally be extended to boards, such as the Keewatin Divisional Board of Education. They would have those types of authorities with regard to the education of their children. So that's the basis on which they would work.

I must say that the conseil would also have the authority to manage the affairs of their French programming and the facilities in which their children are educated, but that would be dealt with through regulations.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mrs. Thompson.

MRS. THOMPSON:

Thank you, Mr. Chairman. As I understand it, in the Keewatin we have a Keewatin divisional board, if the French wanted to set up their own divisional board as a subdivisional board besides our divisional board in the Keewatin region, they can come in and establish their own divisional board. Is that what you're saying? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Thompson. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. They could establish a commission or a board, where the numbers warrant. In other words, there is a criteria where numbers have to be considered as part of the basis on which we move from one category of comite to a conseil to a commission. But that's already been determined.

What we are trying to do here is to make it permissive that two or more can get together and form a commission. It can be a territorial organization, or it can be one that's located in a particular community, depending on the numbers and the circumstances. The conseil would have delegated authority on behalf and through the district education authority, but they must clearly have responsibility for managing the

programs and the facilities in which they are involved in delivering programs. That is very clear. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 84, as amended.

SOME HON. MEMBERS:

Agreed.

---Carried

CHAIRMAN (Mr. Whitford):

Thank you. Clause 85.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 86.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 87.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 88. The chair recognizes the Member for Yellowknife North, Mr. Ballantyne.

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MR. BALLANTYNE:

Thank you, Mr. Chairman. I think this concern has been brought up in committee and been brought up to the Minister before, but I would like to put it on the public record here in the House. There has been a fair amount of concern expressed right across the territories about the use of the new terms: district

education authority, divisional education council. Specifically, the school board of Yellowknife Education District No. 1 would really like to keep that nomenclature of "board of education." I wonder if the Minister could explain why it was necessary to make these changes, and what advice he would have to the board to be able to use "board of education."

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Mr. Minister.

HON. RICHARD NERYSOO:

If I could ask Ms. Joyce to answer, please.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Ms. Joyce.

MS. JOYCE:

Thank you, Mr. Chairman. In answer to Mr. Ballantyne's question, legally they would be called district education authorities and divisional education councils, but they could call themselves the board of education if they so choose. As they do now, their name is not exactly the name that is reflected in the current act, so they can continue to do so. The reason we have chosen different names is because the system is so entirely different. Also, we wanted to use one name for a district or a community education authority so that legally Yellowknife, as a community, is a district education authority as is Coral Harbour.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. Joyce. Mr. Ballantyne.

MR. BALLANTYNE:

I also understand there was some significant technical difficulty, changes throughout the whole act if we had changed it. Just to reassure the board, you would have no problem if their correspondence was board of education and they just kept using that. It's a legal terminology which would be used, I suppose, in a legal sense, but nobody is going to give them a hard time if they continue to use board of education for a long time.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Mr. Minister, for clarification.

HON. RICHARD NERYSOO:

I can advise the honourable Member that it's certainly not our intention. I think it's a legal interpretation. As long as they recognize those factors and the responsibilities, nobody is going to be chasing after them.

CHAIRMAN (Mr. Whitford):

Thank you for that assurance, Mr. Minister. The chair recognizes the Member for Aivilik, Mrs. Thompson.

MRS. THOMPSON:

Thank you, Mr. Chairman. That was the concern of our regional boards in the Keewatin, that they would have to change their names because of all the labels and things that would have to be changed. If we were called district education authority, the same as Yellowknife, would we have as many superintendents for our region as the city? No, my question has been answered already.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Thompson. Clause 88 was agreed. Clause 89.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 90. Mr. Koe.

MR. KOE:

Thank you. Under 90.(2), it says the DEA shall select one member for the DEC and one alternate. Two issues: can the district education authority select or appoint two members to a DEC?

CHAIRMAN (Mr. Whitford):

Mr. Koe, you're dealing with 92? Oh, I'm sorry. Clause 90, subsection (2). My apologies. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. In this particular case, the indication is that you can only have one representative who has the ability to vote in the divisional education council meetings. That's what it

says. You can have other representatives. I think you may be getting into questioning about the chairmanship. Maybe I'm pre-empting the honourable Member. That is how it reads right now.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

Thank you. No, chairmanship is different. I'm just wondering what's preventing us from allowing a district education authority ... I guess the act's not allowing us to do it, but why is this provision in there that doesn't allow a larger community to have two representatives on a divisional board?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. At this particular juncture, costs and efficiency of the functioning of the board are the greatest concerns we have. For every additional person we put on a board, the costs continue to go up. It's a factor in this particular situation.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 90. The chair recognizes Mr. Koe.

MR. KOE:

That's not a consideration of this act, that's a consideration that the divisional board has to take into account. I'm just wondering if that's what's in the current act, is that what we're adopting? I'm just trying to make it clear why we're not allowing two representatives from a DEA to go on to the divisional councils.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. What is happening here is that this is the matter with regard to when a member serves as a representative of a divisional education council. That is already in the existing legislation. What we are adding is the alternate, so that we can

ensure that there is a representative on the divisional education council in the

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absence of members who are already there. That's what we are doing in this particular clause.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

The part about the alternate representative. Currently, alternate representatives are not allowed to vote at divisional council meetings. Does this now allow them the right to vote at divisional council meetings?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Only if the person who is the alternate is sitting in place of the representative. In other words, they are then eligible to vote.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

Okay, if that's clear and that's the case then this clause is acceptable because currently you can have a lot of alternates at a meeting and because they can't vote, many times you don't have a quorum. I want to be clear and we have to clarify it in the regulations that they have a right to vote if they are replacing the appointed member.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. We agree with the honourable Member. In fact, that is one of the reasons we added the addition to this section so that we could allow the alternates to be eligible to replace and represent the community. We understand and we will ensure that it is clear in the regulations.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 91. The chair recognizes ...We had some approval at the time we started discussing it; however, back to clause 90. Clause 90.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 91. The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. Mr. Chairman, I was wondering if I could find out from the Minister why the wording is different between subsections (4) and (5).

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Mr. Minister.

HON. RICHARD NERYSOO:

Can I ask Ms. Joyce to clarify this, please?

CHAIRMAN (Mr. Whitford):

Yes, you may, Mr. Minister. Ms. Joyce.

MS. JOYCE:

Thank you, Mr. Chairman. Clause (4) states that if the chairperson resigns, the vice-chairperson automatically becomes the chairperson. Clause (5) states that if the vice chairperson resigns then the district education authority would, amongst their members, select another person to become the vice-chairperson.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. Joyce. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. Actually, what I was looking to find out was why the authority could not select a new chairman. In other words, the vice-chair may not necessarily be the best person to proceed forward to be the chair. There may be a situation where an education authority may decide that someone who is vice-chair may not be the best

person to be chair. So, the question is why would they automatically accede to the position?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Mr. Minister.

HON. RICHARD NERYSOO:

Can I ask Ms. Joyce to reply?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Ms. Joyce.

MS. JOYCE:

Thank you, Mr. Chairman. It's written in that manner because normally when you choose a vice-chair you would choose a vice-chair knowing that that person is to sit in when the chair is absent, and if the chair is to resign that person would become the chairperson. So you would choose the vice-chair knowing that.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. Joyce. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. This was brought up by a local school district as a concern. I guess they see that along the way they may find that somebody else on the authority may be better suited to be the chair, but this is kind of limiting. It doesn't allow them the opportunity to say we've lost a chairperson, who shall we choose to be the new chairperson.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Ms. Joyce.

MS. JOYCE:

Yes, Mr. Dent's interpretation is correct. They are limited to choosing the vice-chair.

CHAIRMAN (Mr. Whitford):

So they must choose wisely in the beginning. Mr. Dent, are you satisfied with that answer?

MR. DENT:

Thank you, Mr. Chairman. The concern was raised by one of the local school districts, and I don't have an amendment prepared to proceed with this one but I

think that it is something that we need to consider whether or not it's necessary to automatically have the vice-chair move on to the chair's position in those times when the chair resigns. I understand the need for the vice-chair to take the position in the absence, due to an illness or a temporary absence, of a chairperson, but I think what we're looking for is in the position of a resignation. Why couldn't the authority choose?

Mr. Chairman, I think I'll leave it for now and hope that I can get a better explanation tomorrow when we continue consideration of the issue.

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CHAIRMAN (Mr. Whitford): Thank you, Mr. Dent. We can deal with it in the 13th Assembly, too. The chair recognizes Mr. Koe.

MR. KOE:

Mahsi, Mr. Chairman. Clause 91.(1), where a member of a DEA may resign. The question I have is on the last part of that, the member ceases to hold office of the meeting of the DEA when the resignation is received. I would like some clarification. To me, it should be the option of the member when he wants to resign. If a member goes to a meeting and says he has a job in Timbuktu and has to leave a month from now so would like to resign a month from now, not the date when the resignation is received. That's what this says. You leave no option for the member to set a date when he or she wants to resign. I need some clarification there.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

If I could ask Ms. Whitehouse to respond, please.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Ms. Whitehouse.

MS. WHITEHOUSE:

Thank you, Mr. Chairman. This has two purposes. First, that the DEA is considered to be a corporation so there has to be a formal recognition of the resignation of what would technically be considered a director of that corporation.

Secondly, there is nothing to prevent the scenario that the Member has explained from happening; where a person may verbally indicate that they may be resigning in the future and formally submit a written resignation in that future time, and when they would actually submit the written resignation, that is when they would be considered as ceasing to hold office. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. Whitehouse. Would that include it being dated for a certain date? Would that be the official date? Ms. Whitehouse.

MS. WHITEHOUSE:

Mr. Chairman, yes. If the letter was dated for the meeting at which the letter was received, then it would take effect from that date.

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Koe.

MR. KOE:

I guess the way it's written is confusing. I'm trying to get it clear. The way I read it, the literal interpretation is when a trustee comes to a meeting, brings his letter and tables it at that meeting, he is effectively struck off the list at that meeting. That's what I read that to say, when the resignation is received. The individual may be diligent in what he's doing and doesn't want to leave until a month from that date, or two meetings from then. I just want to make sure we're clear and that trustees don't get caught up in the terminology of this section.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Sorry, Mr. Chairman, I was trying to think here. One has to realize that if a letter is dated and legally received on a particular date, then based on most normal corporate organizations, that's the date you have resigned. If you indicate in the letter that you're going to resign on another date, that's another issue. I don't understand. I would like to see what it is like for other corporations that have been set up, I guess.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe, do you need further clarification of the issue? Thank you. Clause 91.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 92.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 93. I'm still pondering clause 91. Clause 92.(b) reads "not be eligible to be a candidate." Where is the criteria for who is eligible to be a candidate?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. It's in the Local Authorities Education Act.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister.

HON. RICHARD NERYSOO:

No, the Local Authorities Elections Act.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Minister, I think your reply might have been broken up into two pieces. I ask your indulgence to pause a moment and repeat it for us, please. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. Do you want me to repeat that again, so that Mr. Koe will be quite clear about the process?

---Laughter

Local Authorities Elections Act.

CHAIRMAN (Mr. Whitford):

Thank you. That was quite clear. Thank you very much, Mr. Minister. Mr. Koe.

MR. KOE:

And where will that reference be; in the regulations?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Section 89.(1).

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

All I'm asking is where will the reference to the Local Authorities Elections Act appear in this document?

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CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. Section 89.(1).

CHAIRMAN (Mr. Whitford):

Thank you. Section 89.(1). Mr. Koe.

MR. KOE:

Just a clarification, I don't have a copy of the Local Authorities Election Act. Can an MLA be elected to be a member of a DEA?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

No, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister.

---Laughter

Sorry, Mr. Koe, you'll have to do one job at a time.

Clause 92.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 93.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 94.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 95.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 96.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 97. The chair recognizes Mr. Koe, then Mr. Antoine.

MR. KOE:

In clause 97, we only recognize ratepayers who belong to a religious minority, whether they are Protestant and Roman Catholic. I just want to know why other religions aren't recognized: Muslims, Lutherans, whatever?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. The NWT Act articulates very clearly that those are the two religious minorities.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The chair now recognizes Mr. Antoine.

MR. ANTOINE:

That's all right. I had my hand up for section 96.

CHAIRMAN (Mr. Whitford):

Mr. Antoine, I was very slow when I passed this one

---Laughter

...as was directed by the committee. However, if you wish to return to it, you can ask your colleagues.

CHAIRMAN (Mr. Whitford):

Mr. Antoine.

MR. ANTOINE:

Mr. Chairman, you're the chairman whether you go slow or fast. I would like to ask unanimous consent to go back to section 96.

CHAIRMAN (Mr. Whitford):

Do Members agree?

SOME HON. MEMBERS:

Agreed. ---Agreed ---Agreed

CHAIRMAN (Mr. Whitford):

Members agree. Thank you. Mr. Antoine, clause 96.

MR. ANTOINE:

I guess it's for the entire section, from 79 to 96, but since this is the last one for district education authorities, I would like to ask the question, although I should have asked it up front. With this, the Minister will establish a district education authority. I would just like to ask the Minister, how many of these district education authorities there will be. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. One for each district.

---Laughter

No, we define district as communities, that's how we address it. There may be other circumstances, but generally speaking, that's what it is for, communities.

CHAIRMAN (Mr. Whitford):

It's the common Cabinet language. I think that's used a lot. Thank you, Mr. Minister. Clause 96. Mr. Antoine.

MR. ANTOINE:

Just a further question. If you have a district education authority in each community, is there going to be a larger unit above that to pull them all together for each region? Is there a divisional district education authority, and is that going to be the same as what we have; the same jurisdiction as we currently have now? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Antoine. Mr. Minister.

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HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Yes, it's our intention to maintain the divisions as they are. It is clear that as we go through the act, you will see that we're giving more responsibility and more authority to the divisions, as well.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 96. Mr. Ningark.

MR. NINGARK:

Thank you. With regard to clause 96 whereby we talk about district education authority, where there is a private school in the community, denominational school, community school; you could have three districts in one community if you have a private school, denominational school and another school. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ningark. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I can advise the honourable Member that DEAs are not responsible for private schools. I can be very clear about that. On the other hand, there certainly can be two district education authorities; one for a public school and one for a denominational school, similar to that of the experience here in Yellowknife, for instance.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Ningark, does that answer your question?

MR. NINGARK:

(Microphone turned off)

CHAIRMAN (Mr. Whitford):

Thank you. It appears that Mr. Ningark is happy now. Clause 96.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 97.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 98.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 99. The chair recognizes the Member for Inuvik, Mr. Koe.

MR. KOE:

Where are we, 99 or 100, or somewhere in between?

CHAIRMAN (Mr. Whitford):

We had completed clause 99, but clause 99, just to be sure.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 100. Who was first? Mr. Koe.

Committee Motion 88-12(7): To Defer Consideration Of Clause 100 Of Bill 25, Carried

MR. KOE:

Mr. Chairman, I move that we defer clause 100.

CHAIRMAN (Mr. Whitford):

Thank you. We have a motion to defer clause 100. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

Question was called. I don't recognize a quorum. It's been pointed out that there's no quorum, so I'll sound the bells.

Thank you. The chair recognizes a quorum. We have a motion to defer clause 100. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All those in favour please signify. Thank you. All those opposed? The motion is carried.

---Carried

Clause 100 will be deferred. Clause 101.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 102.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 103. The chair recognizes the Minister.

Committee Motion 89-12(7): To Amend Clause 103 Of Bill 25, Carried

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Mr. Chairman, I move that clause 103 be amended by repealing proposed subsection (2) and by substituting the following:

(2) The Minister may accept or reject a petition and shall respond to the petition within 90 days of receiving it.

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. We have a motion on the floor. The motion is in order and the amendment is now being circulated to the Members. I'll give you a moment to review the text. It has been translated. We have an amendment. To the motion.

SOME HON. MEMBERS:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All those in favour, please signify. Thank you. All those opposed, signify. The motion is carried.

---Carried

Clause 103, as amended.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 104.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 105.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 106.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 107.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 108.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 109.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 110.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 111.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 112.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 113. The chair recognizes Mr. Koe.

MR. KOE:

Under 113, "in terms of Investigation," what are the rights of the public -- or the electorate, in this case -- who voted for a trustee, then the Minister now

dissolves the education body but the public are the ones who elected the body. I'm just curious what the rights are of the electorate.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

I'm just trying to think here because there are two aspects that we have to consider; one to deal with the matter of investigation where previously the Minister did not have the ability to carry out investigations, which was necessary or which was shown to be necessary in certain circumstances so that we may determine whether or not there is a need to dissolve a divisional education council. Having said that, obviously the investigation would identify the issues, the problems and who might be responsible or what would be the basis for the concerns being raised, and the remedy as well. It gives us the option first, to move to dissolution.

There's a bit of a problem, though, because you have to understand that the divisional board, itself, is really a representative group of the division and you can't really say they are elected on a regional basis; they are selected by the districts. So, while they are representing the communities, they are not elected on a regional basis. The other thing is, the investigation would also include input from the community, which was not there previously.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

I have no problem with that. I would just clarify that I'm referring to section 113.(2), "suspend the powers of an education body or dissolve an education body. An education body could be a DEA, which is made up of elected people. That's why I'm asking about the rights of the people who elected the trustees to the DEA. If the Minister says you are no longer an official education body and I'm going to appoint a trustee to take over, there must be some obligation to the electorate in the community who elected those people. I'm just trying to get some clarification.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. I understand the question now. What this allows the Minister to do is to ensure that the education body is carrying out its public responsibility and, in some instances, they may not be doing that. The communities may determine that the people are doing the right thing, but the investigation may reveal that that is not, in fact, the case. The information has to be made available to the community so they can make that determination, where it is in the interest of the community to receive that information. There are situations where other factors could come into play -- where there is legal action, etcetera -- and we would have to be concerned about that.

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The other thing is, even if the Minister were to dissolve the education body, it would really be up to the electors to make their own decision after a Minister takes action with regard to those seeking re-election. It is really no different, I think, from the municipal election process and the investigation and dissolving powers in that legislation. That's the basis on which we're dealing with this. Unfortunately, our experiences as an Assembly have shown that there are circumstances where we have to use this type of power. It's the matter of the protection of the public interest. We're also ensuring that public funds are spent properly.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

I wish to ensure somewhere, though, that there is a responsibility for all parties to consult with each other. There is obviously going to be consultation within the community, consultation with the trustees, and it's not going to be a situation where one walks in and shuts everything down. I know there are a lot of things leading up to an investigation and things following an investigation. But I just want to make sure that there will be provisions for proper consultation and the district is well aware of any incidents or investigations are taking place.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I certainly concur with the honourable Member. I think if we read the clause in total, it indicates that now a Minister has the ability to investigate, which we didn't have previously. The investigations, which include consultations with trustees, the community and those involved, will determine whether the education body is exercising its powers as defined in this act. Part of that includes the responsibility for managing resources, people, structure and programs. We would make sure that is clearly the case and I think the legislation is clear that there are some investigations that need to be done prior to those decisions being made. Part of the regulations may clarify what the roles and processes are, as well.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The chair now recognizes Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Chairman. With regard to clause 113, which reads "Where the Minister is of the opinion that an education body is not adequately exercising its powers" this clause, all five sections of it, describes how the Minister can get involved with the education body if it's not performing its duties. I would like to ask the Minister, through you, Mr. Chairman, if he could explain to me what this clause is replacing in the current act. Is it giving more authority and strength to the Minister to do investigations and give direction to an education body, if it is seen that it is not operating well? Thank you, Mr. Chairman.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. The authority to dissolve is in existence right now; I have the ability to do that. What we are now including is the investigative authority, so we can deal with the matter of communication and remedy some of the problems that exist. The fact is, our investigations may prove that circumstances are such that the body of authority may not be responsible for some of the things that are going on. On the other hand, they may be totally responsible, so we have to make judgements based on that information and on the discussions we have with those we're consulting. It gives us the investigative component, which we didn't have before. In other words, we didn't have an ability to talk to the community, ask questions, and get into the investigations into the depth that is necessary. What we're trying to do here is add an investigative

authority that wasn't there before. I can advise the honourable Member that there have been no dissolutions in 18 years, after assessments. There are situations we have just encountered as an Assembly, where certain boards ... I don't want to talk about them, but I think investigations of the boards would have been better. I think things would have worked out sooner and better had we had that responsibility. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Antoine.

MR. ANTOINE:

Mr. Chairman, in clause 113, regarding the wording "Were the Minister of the opinion," how does the Minister form his or her opinion? Is it in consultation with the staff and his department? Is it in consultation with communities? How is this opinion to be formed? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Antoine, are you all right? Mr. Koe, you are all right. Mr. Antoine.

MR. ANTOINE:

Mr. Chairman, I asked a question to the Minister.

CHAIRMAN (Mr. Whitford):

Sorry. Mr. Minister.

HON. RICHARD NERYSOO:

The issue of opinions is always subjective. It depends on the facts, whether or not it is community concerns that are raised, public concerns, a district raising concerns about the conduct of the divisional board, et cetera. It could be some of the financial information we are getting indicating that there are problems in terms of fiscal responsibility. It could be that we are getting reports in which the student progress is such that we are unhappy with the results. Those are all considerations. We need to get all the information before a Minister can make any kind of decision. It has to be clear that whatever occurs, the Minister is acting fairly and with due consideration of all the facts and issues. If not, the Minister could find himself in court as quick as anything. It is one thing for people to put forward the facts and issues as they are; it is another thing to accuse innocent people of certain conduct without the information before you. We have

to be very careful on the utilization of this authority.
Those are considerations: the facts and the issues.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 113.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 114.

SOME HON. MEMBERS:

Agreed.

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---Agreed

CHAIRMAN (Mr. Whitford):

Clause 115.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 116.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 117. Mrs. Thompson and then Mr. Dent.

MRS. THOMPSON:

Thank you, Mr. Chairman. I just want clarification of an education body. Is that a CEC; community education council? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Thompson. Mr. Minister.

HON. RICHARD NERYSOO:

The education bodies, as defined in the definitions, are district education authorities, divisional education councils and the commission. Those are the three defined under that definition. It is at the beginning of the act.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

Committee Motion 90-12(7): To Defer Consideration Of Clause 117 Of Bill 25, Carried

MR. DENT:

Thank you, Mr. Chairman. I move that we defer consideration of clause 117.

CHAIRMAN (Mr. Whitford):

Thank you. We have a motion on the floor. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All those in favour? It has been brought to my attention that we do not have a quorum.

Thank you, Members. We have a motion on the floor to defer clause 117. The motion is in order. To the motion,

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

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

---Carried

Clause 117 is deferred. Mr. Dent.

MR. DENT:

Sorry, Mr. Chairman, I was getting ready to put my hand up when you called clause 118.

CHAIRMAN (Mr. Whitford):

Okay.

---Laughter

Clause 118. The chair recognizes Mr. Dent.

Committee Motion 91-12(7): To Defer Consideration
Of Clause 118 Of Bill 25, Carried

MR. DENT:

Thank you, Mr. Chairman. I move that we defer
clause 118.

CHAIRMAN (Mr. Whitford):

Thank you. We have a motion to defer clause 118.
The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

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

---Carried

Clause 118 is deferred. Clause 119. The chair
recognizes Mr. Koe.

MR. KOE:

Clause 119 refers to powers of an education body
and some of those powers refer to borrowing money,
making resolutions to borrow money and making by-
laws to borrow money through various securities.
Currently, I understand the government ... And then
there are other clauses, 127, 135 and 137, which all
refer to financial aspects. I understand there is a
review going on by someone in the government on
the ability of raising revenues for education bodies or
municipal councils. Can you enlighten us on where
this review is or are you involved in this review?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you. Could I ask Mr. Gerein to give you the
information on that?

CHAIRMAN (Mr. Whitford):

Mr. Gerein.

MR. GEREIN:

Yes, the study is under way and we expect to receive
the consultant's recommendations later this fall.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gerein. Clause 119. Mr. Koe.

MR. KOE:

This is just for clarification, Mr. Chairman. I presume
you are talking to boards, municipalities and
aboriginal organizations that may take on
responsibilities for education; people who are involved
in the process.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. I refer to Mr. Gerein.

MR. GEREIN:

Thank you, Mr. Chairman. Yes, in the terms of
reference we did specify municipalities and education
bodies. I am not certain whether we referred to
aboriginal organizations. I am informed that we did.
So we will be consulting with them as well. Thank
you, Mr. Chairman.

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CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gerein. Clause 119.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. At this point, we shall take a short break
to attend to creature comforts. We shall return at the
sound of the bell, around 10 minutes from now.

---SHORT RECESS

CHAIRMAN (Mr. Whitford):

For whom the bell tolls. It tolls for thee. When we took our short break, precisely 10 minutes, we were ready to deal with clause 120. Clause 120.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 121.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 122.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 123.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 124.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 125.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 126. The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

Committee Motion 92-12(7): To Defer Consideration Of Clause 126 Of Bill 25, Carried

MR. DENT:

Mr. Chairman, I move we defer consideration of clause 126.

CHAIRMAN (Mr. Whitford):

Thank you. We have a motion on the floor to defer clause 126. The motion is in order. To the motion. Do we have a quorum? We require one more.

Thank you. The chair recognizes a quorum. We have a motion to defer clause 126. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All those who support it, please signify. Thank you. All those opposed? The motion is carried.

---Carried

We will defer clause 126. Clause 127.

SOME HON. MEMBERS:

Agreed.

---Agreed

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 129.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 130.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 131.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 132.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 133. The chair recognizes the Member for Inuvik, Mr. Koe.

MR. KOE:

I would just like clarification on clause 133.(1)(c). " Clause 133.(1)(c) states what the statement must contain. What if the auditor has to qualify the report, where are the provisions for him or her to qualify an audit report? You're stating in the act what the auditor has to say, if I'm reading it correctly. But any auditor may not necessarily have a The audit may not be a clean audit; therefore, it has to be qualified. So I would just like some clarification on this. What's the intent of this clause?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

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HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Mr. Chairman, it's in accordance with the Financial Administration Act. I

believe the concern the honourable Member is raising is contained in that requirement.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 133.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 134.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 135.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 136. The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

Committee Motion 93-12(7): To Defer Consideration Of Clause 136 Of Bill 25, Carried

MR. DENT:

Thank you, Mr. Chairman. I move that we defer consideration of clause 136.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. We have a motion on the floor to defer clause 136. The motion is in order. To the motion.

SOME HON. MEMBERS:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All those in favour, please signify. Thank you. All those opposed? The motion is carried.

---Carried

Clause 136 is deferred. Clause 137.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 138.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 139.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 140.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 141.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 142.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 143.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 144.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 145.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 146.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 147.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 148.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 149.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 150. The chair recognizes Mr. Koe.

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MR. KOE:

This act refers to universities or the authorization of the Minister to determine what university or degree-granting institution may be set up. Where in the act is there reference to the Aurora College system? The concern I have is we're talking about a continuum of education from kindergarten to grade 12, but Aurora College is a main part of the education system in the north. I'm just trying to determine where the tie-in in this act is, or is there one from grade 12 to the next level?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. The matter of Aurora College and Nunavut Arctic College is taken care of under the Public Colleges Act. That's where it's dealt with. This particular matter of universities was a provision that was also included in the former legislation, and we're trying to deal with it in this term.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Koe.

MR. KOE:

There are a lot of ads and there are some people who take courses through correspondence with Athabasca University or with Alaska University. Are they

registered, or are they sanctioned by your department or yourself?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. Those institutions are not institutions that have been created in the Northwest Territories. What we do in terms of the programming is another issue where we try to reach agreements between the various post-secondary institutions, but we leave that up to them as part of the responsibility and authority in the Public Colleges Act. That's where we address those issues.

This is basically a holding place for this particular section until we amend the Colleges Act or establish a Universities Act.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Clause 150.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 151. Mr. Koe.

Committee Motion 94-12(7): To Defer Consideration Of Clause 151 Of Bill 25, Carried

MR. KOE:

Thank you, Mr. Chairman. I move that we defer clause 151.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. We have a motion on the floor to defer clause 151. The motion is in order. To the motion.

SOME HON. MEMBERS:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All those in favour, please signify. Thank you. All those opposed? The motion is carried.

---Carried

We shall defer clause 151. Clause 152 in on page 85.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Koe.

MR. KOE:

I would just like to ask a question. We're now into consequential amendments, and I'm just curious as to the legal aspects because we haven't completed all the clauses of the act and there are still a lot of amendments to come. How can we approve the consequential amendments until we complete the bill?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. I shall ask Ms. Whitehouse.

MS. WHITEHOUSE:

Thank you, Mr. Chairman. The consequential amendments form part of Bill 25. They will not be part of the act when it is completed, but are part of the legislation that is contained in Bill 25.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. Whitehouse. Clause 152.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Ms. MacPherson will explain it a little bit more if you wish, Mr. Koe.

MR. KOE:

(Microphone turned off)

CHAIRMAN (Mr. Whitford):

Thank you. Clause 153.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 154. Mr. Minister.

Committee Motion 95-12(7): To Amend Clause 154 Of Bill, 25, Carried

HON. RICHARD NERYSOO:

Thank you, Mr. Chairman. I move that clause 154.(8) of Bill 25 be amended by striking out "under" in proposed paragraph 27.(2)(b) and by substituting "pursuant to".

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

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

---Carried

Clause 154, as amended.

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SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Page 88 is the next one. Clause 155. Mr. Minister.

Committee Motion 96-12(7): To Amend Clause 155 Of Bill 25, Carried

HON. RICHARD NERYSOO:

Thank you. I move that clause 155.(2)(c) of Bill 25 be amended by striking out "under" in the proposed definition of "Superintendent" and by substituting "pursuant to".

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. The motion is in order. Copies of the motion are being handed out. I will pause a moment so Members can review this motion.

Thank you. The motion has been circulated and Members have had a chance to look at it. The motion is in order. 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

Clause 55, as amended. My apologies, clause 155, as amended.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

We have agreement, thank you. It's a good thing I didn't check it off there.

---Laughter

Done. Page 89, clause 156.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 157.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 158.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 159.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Whitford):

Thank you. Clause 160.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 161.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 162.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Page 93, clause 163.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Clause 164.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. I think that concludes the clauses we're going to be dealing with here. Mr. Dent.

MR. DENT:

Mr. Chairman, I move that we report progress.

CHAIRMAN (Mr. Whitford):

Thank you. We have a motion on the floor to report progress. The motion is not debatable. All those in favour? All those opposed? There are three opposed; the motion is carried, however. They want to work.

---Carried

I shall rise and report to the Speaker.

MR. SPEAKER:

The House will come to back order. We're on item 20, report of committee of the whole. Mr. Whitford.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 34 and Bill 25 and would like to report progress with 17 motions being adopted. Mr. Speaker, I move that the report of committee of the whole be concurred with.

MR. SPEAKER:

The motion is in order. It is seconded by Mr. Ningark. Mr. Whitford.

CHAIRMAN (Mr. Whitford):

Mr. Speaker, I beg your indulgence. I missed a paragraph, if I may return to my report. I would like to report progress with 17 motions being adopted,

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and that Bill 34 is ready for third reading, as amended. Mr. Speaker, I move that the report of committee of the whole be concurred with.

MR. SPEAKER:

Thank you, Mr. Whitford. Yes, it has been a long day. It is seconded by Mr. Ningark. To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER:

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

---Carried

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

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, there will be a meeting of the Ordinary Members' Caucus at 9:00 am tomorrow morning.

Orders of the day for Thursday, June 22, 1995:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills

16. Motions
17. First Reading of Bills
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
 - Committee Report 11-12(7), Report on the Review of Bill 25 - The Education Act
 - Bill 25, Education Act
20. Report of Committee of the Whole
21. Third Reading of Bills
 - Bill 28, An Act to Amend the Legislative Assembly and Executive Council Act
 - Bill 34, Supplementary Appropriation Act, No. 1, 1995-96
22. Orders of the Day

MR. SPEAKER:

Thank you. By the authority given the Speaker by Motion 16-12(7), I set the sitting hours for tomorrow, Thursday, June 22nd, from 10:00 am to 12:00 pm and from 1:30 pm until committee of the whole is prepared to report.

This House stands adjourned until 10:00 am, Thursday, June 22, 1995.

---ADJOURNMENT