



**NORTHWEST TERRITORIES  
LEGISLATIVE ASSEMBLY**

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**HANSARD**

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The Honourable **Samuel Gargan**, Speaker

MEMBERS PRESENT

Honourable Jim Antoine, Honourable Goo Arlooktoo, Mr. Barnabas, Honourable Charles Dent, Mr. Enuaraq, Mr. Erasmus, Honourable Sam Gargan, Mrs. Groenewegen, Mr. Krutko, Mr. Miltenberger, Honourable Don Morin, Honourable Kelvin Ng, Mr. Ningark, Mr. Ootes, Mr. Picco, Mr. Rabesca, Mr. Roland, Mr. Steen, Honourable Manitok Thompson, Honourable John Todd.

ITEM 1: PRAYER

Oh, God, may your spirit and guidance be in us as we work for the benefit of all our people, for peace and justice in our land and for the constant recognition of the dignity and aspirations of those whom we serve. Amen.

**SPEAKER (Hon. Samuel Gargan):**

Thank you, Ms. Thompson. Good morning. I would like to update all Members on how our colleague, Mr. Evaloarjuk, is doing in the hospital in Montreal. Mr. Evaloarjuk is doing well and able to walk independently with the help of a cane, although he has some pain in his wrist. He has an appointment on October 15th and he will be informed then when he will be discharged. It is a pity that he will not be home with his family for Thanksgiving. Mahsi cho.

--Applause

**MR. SPEAKER:**

Orders of the day. Item 2, Ministers' statements. Mr. Morin.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 116-13(4): Minister Absent From the House

**HON. DON MORIN:**

Thank you, Mr. Speaker. I wish to advise Members that the Honourable Stephen Kakfwi will be absent from the House today to attend to a personal matter in Fort Good Hope. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Ministers' statements. Mr. Antoine.

Minister's Statement 117-13(4): Progress on the Western Constitution Process

**HON. JIM ANTOINE:**

Mr. Speaker, I am pleased to report progress on efforts to establish a constitutional framework for the new Western Territory. In June, the Constitutional Working Group released a report following its first round of public consultation last winter. The Round One Summary Report provided an overview of the first round of community consultations including areas of agreement, areas of concern and a working group response to most issues.

It also provided the public with:

- a legal, historical and political context,
- the principles and objectives guiding the working group process,
- summaries of four possible models of government for the western Northwest Territories,
- the purpose and description of a possible companion self-government agreement, and
- answers to some commonly asked questions about western constitutional development.

Over the summer, working group members made presentations at the annual assemblies of each aboriginal organization, as well as, board meetings of the NWT Association of Municipalities and the NWT Chamber of Commerce. Generally speaking, people were satisfied the working group had responded to concerns expressed during the first round of public consultations. In particular, they were pleased that the working group has adjusted its work plan to ensure the public is kept well informed and involved in the development of a new constitution. The working group is preparing materials for its second round of public consultations, scheduled to begin in January, 1998. Members want to provide the public with new information and give them an opportunity to further explore and discuss options before making a firm recommendation on a single model next summer.

Progress on a constitution for the west is closely tied to progress in negotiating aboriginal self-government agreements. Working group members are very sensitive to this issue. The materials being developed for public release will include as much information as possible on the meaning and substance of aboriginal self-government, the linkages between self-

government arrangements and a future territorial government for the west.

The working group has approved a work plan for the period of October 1997, to March 1999. It is the working group's objective to present a final constitutional package, ratified by northern residents, to the Government of Canada before April 1, 1999. I will table a document later this afternoon which describes the Constitutional Working Group's proposed schedule of activities. The successful completion of the working group's work plan is dependent on adequate, long-term financial support from the federal and territorial governments. It is also dependent on the continued commitment and participation of western MLA's, members of the Aboriginal Summit, federal officials, representatives of the NWT Association of Municipalities and women's organizations. The Government of the Northwest Territories has committed over \$200,000 to the Constitutional Working Group for the remainder of this fiscal year. It is anticipated that a small delegation of Constitutional Working Group members will meet with the Honourable Jane Stewart, Minister of DIAND in early November to discuss continued federal support.

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Constitution building is, by necessity, a slow, careful process. However, progress is being made, and with the continued support and involvement of the public, I am confident we can bring this project to a close in the near future. The people of the west will have a new constitution upon which to establish a system of government that can effectively carry the new territory into the next millennium. Mahsi cho, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Thank you, Mr. Antoine. Ministers' statements. Item 3, Members' statements. Mr. Steen.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement 465-13(4): Tuktoyaktuk Tourist Facilities

**MR. STEEN:**

Thank you, Mr. Speaker. Mr. Speaker, since today is Friday, I believe it may be appropriate for me to make this statement at this time. Mr. Speaker, for the past two years the Department of Resources, Wildlife and Economic Development has been constructing tourist

facilities in the Hamlet of Tuktoyaktuk. I believe that these facilities are completed and ready for use by the tourists during the summer months. The tourist facilities are located in the small area designated as an NWT park and consists of tent frames, as well as, two outhouses. There is a sign erected indicating the area is called Paniksak Park. Over the past summer, I have been approached by the tour operators in Tuktoyaktuk as to information concerning these park facilities. In particular, the tour operators requested information such as:

1. who dedicated the area as a park?
2. who named the park and what or who does the name represent?
3. who is responsible for maintaining the park facilities?
4. who has the keys to the facilities?

Mr. Speaker, I committed to follow up on these questions. Therefore, at the appropriate time today, I will be asking the Minister responsible for Resources, Wildlife and Economic Development, the Honourable Stephen Kakfwi, these questions, in particular, who has the keys to the washroom in Paniksak Park? Thank you.

--Applause

**MR. SPEAKER:**

Thank you, Mr. Steen. Members' statements. Mr. Enuaraq.

Member's Statement 466-13(4): Marine Facilities Funding

**MR. ENUARAQ:**

Thank you, Mr. Speaker. The community of Broughton Island has been told that there is a program where they can apply for money to build docks. The community would like information on how to access this program. They have made requests for information on the program but have not had any replies. There is a Marine Infrastructure Program within the Department of Transportation that has funds for building docks. The community of Broughton Island has not been able to gain access to this program. For this reason, I will pursue this matter later. Thank you.

**MR. SPEAKER:**

Thank you. Members' statements. Mr. Roland.

Member's Statement 467-13(4): Family Values

**MR. ROLAND:**

Thank you, Mr. Speaker. Mr. Speaker, I rise today to speak about families and family values. Two years ago during an election I spoke about families. The way I see it, strong families lead to strong communities. Mr. Speaker, indeed, when we speak of families, a large majority of us would picture grandmother, grandfather, mother, father, brother, sister, children and grandchildren. In fact, as a government, many of our programs and services are based on families. Housing, education, health care, and indeed many of our laws and regulations are set up to protect children and how, as a society, we raise them. Mr. Speaker, none of us would be here today if it was not for our mothers and our fathers who in a moment of intimacy conceived us. It is very important, Mr. Speaker. Mr. Speaker, when I come to this building on a daily basis, in the morning and sometimes late in the evening, using one of Mr. Picco's claims, I am reminded on a daily basis something that is special to me. It is a gift I received from my children and my wife. It is a cup that I drink my coffee from and on this cup it says, "Dad, Wise Teacher" and below that it says, "I have no greater joy than to hear that my children walk in truth". Mr. Speaker, as a government we set rules and regulations in place that govern the rest of our society or the territories. We should be basing those on truth and in the mornings when we come to meetings here, we ask for guidance and wisdom. I hope today we have all listened very carefully to the guidance and wisdom that is coming our way. Thank you.

--Applause

**MR. SPEAKER:**

Thank you, Mr. Roland. Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Mr. Ng.

**ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY**

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize Geraldine Balzer, vice-principal of the high school in Kugluktuk and the secretary of the Northwest Territories Teachers' Association. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Welcome to the Assembly. Recognition of visitors in the gallery. Mrs. Groenewegen.

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. It is a pleasure today to introduce in the gallery the sister of someone who is no stranger to this House. Pat Thomas has her sister visiting from the south. Her name is Betty and she is no stranger to politics as well having served as an EA in the Alberta Legislature, for the Minister of Personnel. Welcome to the House.

--Applause

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**MR. SPEAKER:**

Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Ootes.

**MR. OOTES:**

Thank you, Mr. Speaker. I would like to recognize Geraldine Balzer. I have worked with her when I was involved in the publishing of the publication called Communicate. That is the Northwest Territories Teachers' Association publication. Geraldine continues as the editor of that publication and is also the secretary of the Northwest Territories Teachers' Association and vice-principal of the school in Kugluktuk. Welcome to the gallery.

--Applause

**MR. SPEAKER:**

Thank you. Recognition of visitors in the gallery. Mr. Barnabas.

**MR. BARNABAS:**

Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize Elizabeth Allakariallak Roberts. Elizabeth has retired after 19 years of Government of the Northwest Territories service and she presently is my constituency assistant in Resolute Bay. In the past, she performed a great deal of volunteer services with the Northwest Territories Status of Women, Sport North and as the president of Resolute Bay Co-op. Presently she is a member of Resolute Bay

community land and administration committee, the chairperson for Baffin Treatment Centre Board, and the community women's working group in her community. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Welcome to the Assembly. Recognition of visitors in the gallery. I would like to recognize our law clerk and her sister, Lisa in the gallery. Welcome to the Assembly.

--Applause

**MR. SPEAKER:**

Item 6, oral questions. Mr. Picco.

**ITEM 6: ORAL QUESTIONS**

Question 650-13(4): Baffin Regional Health Board

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, after our meetings last week it came as a shock to have heard that Ms. Ann Hanson had resigned as chair of the Baffin Regional Health Board. Mr. Speaker, I spoke to Ann almost daily on Baffin Regional Health Board issues and, as I stated earlier, I know how much time and energy she put into the position. Mr. Speaker, with the recent cursory review of the Baffin Regional Health Board and the Keewatin Health Board, there is much concern with the operations of these agencies. Can the Minister for Health clarify how board members are appointed and does the department have any discretionary responsibility with these appointments? Thank you, Mr. Speaker.

**MR. SPEAKER:**

The Minister of Health and Social Services. Two questions.

Return To Question 650-13(4): Baffin Regional Health Board

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, it has been the practice of myself, as a Minister of Health and Social Services, to receive nominations from communities if it is a community representative and have that individual appointed as their representative

to regional health and social services boards. Mr. Speaker, I do have discretion, of course, if I deem the candidate not to be suitable, not to have to undertake their appointment. That has not been the case to date, Mr. Speaker. Thank you.

**MR. SPEAKER:**

Thank you, Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 650-13(4): Baffin Regional Health Board

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, the Minister has completed the cursory review as earlier stated. There is still concern with the amalgamation of health boards and social services. Has the Minister appointed any staff person to monitor the activities of the various boards in the Northwest Territories? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 650-13(4): Baffin Regional Health Board

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**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker we have not had any direct employee tasked with that responsibility. However, as it has been indicated in the review that was undertaken of the Keewatin Health Board and the Baffin Regional Health Social Services Boards contemplated move, we recognize that we may, well we do, have to have a requirement to put in some monitoring and evaluation processes to provide some support quite frankly to the boards and quite frankly to provide additional insight as a ministry into the operations of boards to make sure we do not get into situations that may cause difficulty, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 650-13(4): Baffin Regional Health Board

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, that seems to be a very serious concern right now with health boards in the Northwest Territories, especially in those two regions that we just talked about. I wonder what framework the Minister is looking at and, when does he think these people will be in place to monitor the activities of the board and ensure that indeed, the policies and regulations of this government are being carried out? Also, how the operations are being set up so that the health care is indeed at the level it is required for the residents of this territory? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Mr. Ng.

Further Return To Question 650-13(4): Baffin Regional Health Board

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, it is important to recognize that the review and results of the review just came to me less than two weeks ago. I have directed the department to start to design and put in place that monitoring and assessment capability. I believe that certainly within 30 to 60 days we would have that completed. In the meantime, we are in regular contact with the board, CEOs and myself with the chairs on a regular basis trying to keep a sense of some of the issues and some of the happenings in the boards. Mr. Speaker, thank you.

**MR. SPEAKER:**

Oral questions. Final supplementary. I am sorry you have already had your final supplementary. You had two questions in the first one. Mr. Enuaraq, oral questions.

Question 651-13(4): Marine Infrastructure Program

**MR. ENUARAQ:**

Thank you, Mr. Speaker. My question is directed to the Minister of Transportation, Mr. Jim Antoine. How do communities access monies that are in the marine infrastructure program? Thank you.

**MR. SPEAKER:**

The Minister of Transportation, Mr. Antoine.

Return To Question 651-13(4): Marine Infrastructure Program

**HON. JIM ANTOINE:**

Thank you, Mr. Speaker. Mr. Speaker, the community usually just makes application to the Department of Transportation at the regional level. Perhaps maybe as an MLA you could bring that to my attention as a Minister. We try to work these requests into our business plan after we analyze each request. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Enuaraq.

Supplementary To Question 651-13(4): Marine Infrastructure Program

**MR. ENUARAQ:**

Thank you, Mr. Speaker. Can the Minister indicate which communities benefited from this program in the last year? Thank you.

**MR. SPEAKER:**

Mr. Antoine.

Further Return To Question 651-13(4): Marine Infrastructure Program

**HON. JIM ANTOINE:**

Thank you Mr. Speaker. Mr. Speaker, in the last few years there were a number of communities, particularly in the Nunavut area, that benefited from harbour enhancement. I do not have the list of the communities handy but there are a number of communities that over the years have benefited from this program and, it is a multi-year program, it is not a year to year program. The nature of the weather in the east and the nature of the sizes of the project we have to do a multi-year type of a planning. If the Member would like, I will get the department to compile the list of the communities that have benefited from this program and provide them with that information. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Steen.

Question 652-13(4): Paniksak Park

**MR. STEEN:**

Thank you, Mr. Speaker. Mr. Speaker, I identified in my Member's statement, there is some confusion in the hamlet of Tuktoyaktuk as to who is responsible for the maintenance of Paniksak Park, as well as, some questions as to how this park got named. I would be requesting the Minister of Economic Development and Tourism if he would be good enough to research these questions and if he may be able to supply this information to the hamlet of Tuktoyaktuk. Mr. Speaker, I would like to point out that these tour operators did approach the hamlet staff as to background on the park and they were unsure of the information as well. So, although I am sure the urgency to use a washroom is long gone, it still might be a request to have this information put to the hamlet. Thank you.

**MR. SPEAKER:**

The Premier.

Return To Question 652-13(4): Paniksak Park

**HON. DON MORIN:**

Thank you, Mr. Speaker. I would be pleased to look into this issue for this Member of who actually named the park, whose idea was it for the park and who maintains the park, as well as, who has the keys for the washrooms in the park. Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Mr. Miltenberger.

Question 653-13(4): Aurora Fund Marketing Strategy

**MR. MILTENBERGER:**

Thank you, Mr. Speaker. My question is directed to the Minister of the FMBS responsible for the Aurora Fund. Yesterday, he made a generous commitment in this House that he would do a quick study and be able to report back to the House on the status of the marketing strategy for the rural fund in the north. Can the Minister indicate whether, in fact, given his busy schedule, he has been able to obtain that information.

**MR. SPEAKER:**

The Minister responsible for the Financial Management Board. Mr. Todd.

Return To Question 653-13(4): Aurora Fund Marketing Strategy

**HON. JOHN TODD:**

Thank you, Mr. Speaker. Well, unfortunately my honourable colleague is correct, I had a very busy schedule last night, worked late into the evening and started work early this morning at 6:30 a.m., quarter to seven and; unfortunately, I was not able to get a hold of Mr. Bailey who was equally as busy doing other things. I will commit to the House and to Mr. Picco particularly that I will give him a full briefing in this House on the marketing strategy for the rural fund later next week. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Miltenberger.

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Supplementary To Question 653-13(4): Aurora Fund Marketing Strategy

**MR. MILTENBERGER:**

Thank you, Mr. Speaker. It was difficult to hear the Minister's reply where the violins in the background about the sad story about how hard he is working. I would ask the Minister if he would consider trying to, rather than wait late next week, since he had committed to do it this morning, if he would commit to doing it early next week so we can get that particular issue off the table and allow us to deal with more pressing agenda items.

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 653-13(4): Aurora Fund Marketing Strategy

**HON. JOHN TODD:**

Mr. Speaker. Well let me humbly apologize to my colleagues for being unable to determine what the marketing strategy for this Aurora Fund is as I was busy trying to assist my honourable colleague, Mr. Kakfwi, in negotiating appropriate arrangements for BHP; speaking with Mr. Voytilla in an effort to continue to balance the budget and, of course, getting ready for this morning's debate. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 653-13(4): Aurora Fund Marketing Strategy

**MR. MILTENBERGER:**

Thank you, Mr. Speaker. I appreciate the outline of the Minister's workload but he neglected to answer the question. Would he consider providing that information early in the week as opposed to late in the week?

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 653-13(4): Aurora Fund Marketing Strategy

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I think I could be ready for Monday, Mr. Speaker. That may be the appropriate time for me to make that approach. Thank you.

**MR. SPEAKER:**

Thank you. Just briefly, I would like to, on behalf of the Member for Hay River, recognize her sister in the gallery. Janet, welcome to the Assembly. Oral questions. Mr. Miltenberger. Final supplementary.

Supplementary To Question 653-13(4): Aurora Fund Marketing Strategy

**MR. MILTENBERGER:**

Thank you, Mr. Speaker. The Minister's offer to do it Monday would mean he would probably be here alone with the Thanksgiving turkey. I was wondering if he would consider doing it on Tuesday when the House is in fact in session? Thank you.

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 653-13(4): Aurora Fund Marketing Strategy

**HON. JOHN TODD:**

As the Premier has often told us we have to work during holidays, and I am sure, I will be here as I always am while my honourable colleague is enjoying a turkey. I will commit to giving the Aurora Fund Marketing Strategy on Tuesday so we can get on with

the business of the House, balancing the budget, taking care of our constituents and all that stuff.

**MR. SPEAKER:**

Thank you. Oral questions. Mr. Roland.

Question 654-13(4): Records of Employment

**MR. ROLAND:**

Thank you Mr. Speaker. Mr. Speaker, my question will be directed to the minister responsible for FMBS. Yesterday I asked the Minister about Records of Employment and the timing of dealing with those and getting those out to the employees. The Minister responded by saying 30 - 60 days. I believe that is not correct and I am going to ask the Minister to inform this House what is the actual time this government has to have those Records of Employment in the employees' hands. Thank you.

**MR. SPEAKER:**

The Minister responsible for the Financial Management Board, Mr. Todd.

Return To Question 654-13(4): Records of Employment

**HON. JOHN TODD:**

Thank you, Mr. Speaker. Mr. Speaker, I am so used to apologizing in the last two days and I have apologized more times in the last two days than in the last two years. So, I apologize to my colleague for misleading him yesterday. I believe the actual turnaround time is supposed to be seven days. I hope that he will accept my apology and my corrections this morning.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 654-13(4): Records of Employment

**MR. ROLAND:**

Thank you, Mr. Speaker. Mr. Speaker, it is not me he should be apologizing to, it is to those who are in the community that had to do without.

--Applause



I think an apology is kind of hard to eat. Mr. Speaker, I would like to ask the Minister is this a federal regulation that we have to meet as a government to have Records of Employment in an employee's hands in seven days? Thank you.

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 654-13(4): Records of Employment

**HON. JOHN TODD:**

Thank you, Mr. Speaker. Mr. Speaker, well, once again, I apologize to everybody. For about the 16th time in the last two days. I believe it is a federal requirement and sometimes we are not able to meet that as the private sector is occasionally. As I said, on a serious issue we are trying to take steps to correct that. We do recognize that when

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somebody gets laid off they need to find some source of income and unemployment insurance is one means of it. Once again, Mr. Speaker, just for clarity purposes, I apologize, I apologize, I apologize.

**MR. SPEAKER:**

Thank you. Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 654-13(4): Records of Employment

**MR. ROLAND:**

Thank you, Mr. Speaker. Mr. Speaker, can the Minister inform us what are the results of not meeting those regulations? Thank you.

**MR. SPEAKER:**

Mr. Todd

Further Return To Question 654-13(4): Records of Employment

**HON. JOHN TODD:**

Thank you, Mr. Speaker. Mr. Speaker, I am not sure. I do not think there are any penalties, if that is where my honourable colleague is heading, but certainly it is the desire of this government to try to meet the

regulations that are set forth in the federal system. It is our compassionate desire, as my colleague frequently talks about, to get the documentation necessary to collect UIC to our employees who have been laid off. I would have to check with my department as to the actual, if you want, legal requirements and the ramifications of not meeting those requirements and report back to him next week. Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Mr. Barnabas.

Question 655-13(4): Baffin Regional Hospital Construction Schedule

**MR. BARNABAS:**

Thank you, Mr. Speaker. Mr. Speaker, I would like to follow-up my colleague's, Mr. Picco's, question to the Minister of Health. My question is, does the Minister foresee any delay in the construction of a new Baffin Regional Hospital because of the recent resignation of the chair? Thank you.

**MR. SPEAKER:**

The Minister for Health and Social Services, Mr. Ng.

Return To Question 655-13(4): Baffin Regional Hospital Construction Schedule

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, no, not as a result of the recent resignation of the Chair. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Ootes.

Question 656-13(4): GNWT Personnel Secretariat

**MR. OOTES:**

Thank you, Mr. Speaker. Mr. Speaker, last week my honourable colleague from Yellowknife North, Mr. Erasmus, raised questions about the Personnel Secretariat and, in addition, I asked a question and the Premier provided a return to that oral question and stated that there were eight positions in the Personnel Secretariat. I have a question for the Premier to follow up on that and, that is, can the Premier tell us, considering the transfer of two

employees and the vacancy of two positions, if this means the discontinuance of the whole secretariat? Thank you.

**MR. SPEAKER:**

Mr. Premier.

Return To Question 656-13(4): GNWT Personnel Secretariat

**HON. DON MORIN:**

Thank you, Mr. Speaker. Mr. Speaker, at the present time as the Members are aware that we have gone through business plans with them of how our government is proceeding with next year's development of our budget. I do not know whether it would be proper of me to say, at this time, what would be happening in the future until we have our budgets approved by this Assembly as well as committees. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 656-13(4): GNWT Personnel Secretariat

**MR. OOTES:**

Thank you, Mr. Speaker. Mr. Speaker, since the Cabinet seems to be in a very generous mood this morning and very apologetic in areas, I wonder if they would be generous enough to commit to us that this is not the end of the Personnel Secretariat, Mr. Speaker?

**MR. SPEAKER:**

Mr. Morin.

Further Return To Question 656-13(4): GNWT Personnel Secretariat

**HON. DON MORIN:**

Thank you, Mr. Speaker. Mr. Speaker, no.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 656-13(4): GNWT Personnel Secretariat

**MR. OOTES:**

Thank you, Mr. Speaker. Mr. Speaker, I appreciate the blunt answer from the Premier. I wonder if he could tell us if this was part of the 1997/98 deficit plan and if it was approved in that plan? Thank you.

**MR. SPEAKER:**

Mr. Morin.

Further Return To Question 656-13(4): GNWT Personnel Secretariat

**HON. DON MORIN:**

Thank you, Mr. Speaker. Mr. Speaker, the current positions in the 1997 business plan of these there are eight. Two are vacant at the present time and six are staffed. Of the six, two are on transfer to assignments, one person is on leave prior to retirement in a position in Fort Smith. This, in no way, takes away from the responsibility of the Personnel Secretariat and the Personnel Secretariat is still responsible for auditing, training and human resources support to every department. The whole thrust of the government has been that we would put the responsibility of hiring and personnel training in the hands of the department, within the

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management of that department and hold them accountable and that seems to be working quite well. Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Final supplementary, Mr. Ootes.

Supplementary To Question 656-13(4): GNWT Personnel Secretariat

**MR. OOTES:**

Thank you, Mr. Speaker. Mr. Speaker, my concern is twofold. One is the priority, of course, and my first purpose is that we ensure service is provided to the necessary level that provides consistent and good service throughout the public and service. My second concern is the elimination of further positions. As the Premier well knows, I have continually expressed concerns for my community and the continual erosion of positions there. I want to ensure that this was part of the deficit reduction plan when it was approved this

past spring. That is my area of concern. I wonder if the Premier could tell us, will this secretariat be able to continue to function to the full level of service that it did previously with the reduced number of people? Thank you.

**MR. SPEAKER:**

Mr. Morin.

Further Return To Question 656-13(4): GNWT Personnel Secretariat

**HON. DON MORIN:**

Thank you, Mr. Speaker. Mr. Speaker, there was never any intention of the Personnel Secretariat functioning at the same level as the Department of Personnel was functioning. That was never the intention. It was always very clear. There was open communication with the Members of this House that we were no longer going to have two different departments involved in the training, hiring, the recruitment, and the career pathing of government employees. The managers of every department were going to be responsible for that function, and they were going to be held accountable as well. I do not see any downturn in any services to our employees. It is fairly straightforward and it seems to be working a lot better. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Erasmus.

Question 657-13(4): Affirmative Action Hiring

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, my question is for the Premier. Mr. Speaker, a year or so ago, the Cabinet saw fit to do away with the Personnel Department which had been, I guess, monitoring affirmative action, monitoring the interviews and hiring practices of this government. When that was done, we were informed that the onus would now be on the deputy ministers and the Ministers to ensure that affirmative action was properly implemented. What I would like to know is, has the numbers of employees with affirmative action status increased since we put this onus on the managers? Thank you.

**MR. SPEAKER:**

Mr. Premier.

Return To Question 657-13(4): Affirmative Action Hiring

**HON. DON MORIN:**

Thank you, Mr. Speaker. Mr. Speaker, I will have the FMBS chairman answer that, he is in charge of that. Thank you.

**MR. SPEAKER:**

The Minister responsible for the Financial Management Board, Mr. Todd.

Return To Question 657-13(4): Affirmative Action Hiring

**HON. JOHN TODD:**

Thank you, Mr. Speaker. Mr. Speaker, I do not have the actual numbers with me today, but direction was given by the Premier to the Ministers that this was a priority of this government, and they would be held accountable in this House for their actions. We are, and were confident that by putting the political responsibility on the Ministers, that we would get a greater participation by aboriginal people in the Government of the Northwest Territories. I can provide my colleague, probably later next week when I speak to Mr. Voytilla, as to the results of our efforts to date and the future plans we have in relationship to increasing aboriginal northerners in the civil service. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 657-13(4): Affirmative Action Hiring

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, one of the recommendations of the subcommittee on affirmative action was to increase the value of human resource programming, specifically affirmative action, within the performance appraisal so that how a deputy minister worked or their performance in regard to affirmative action would be part of the performance appraisal, and it would be given a higher value in their performance appraisal. I was wondering if the Premier is going to implement this particular recommendation? Thank you.

**MR. SPEAKER:**

Mr. Morin.

Further Return To Question 657-13(4): Affirmative Action Hiring

**HON. DON MORIN:**

Thank you, Mr. Speaker. Mr. Speaker, I have made it very clear to the deputy ministers of this government when they are to be evaluated. I will evaluate, sit down and discuss it with them once a year. I made it very clear to them that I want to see affirmative action numbers increased in this government. I want to see career plans, career paths and human resource development plans from the departments when I evaluate their performance soon. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 657-13(4): Affirmative Action Hiring

**MR. ERASMUS:**

Thank you, Mr. Speaker. I understand that the deputy ministers operate on bonuses. If these instructions

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have not been complied with, is it possible that these bonuses could be affected detrimentally? Thank you.

**MR. SPEAKER:**

Mr. Morin.

Further Return To Question 657-13(4): Affirmative Action Hiring

**HON. DON MORIN:**

Thank you, Mr. Speaker. Guaranteed, that is the whole reason this new contract system was brought in with the deputies in the last government, so you can sit down and work out with your managers, at the beginning, what is very clear the direction of government. This is the priorities of the government. This is how we expect our senior management to work and one of the highest priorities of this government is to ensure that our northern people are brought through the system, so they can end up being senior management. As well we do hire affirmative action. It will affect deputies' incentives which is in their contracts if those things are not met. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Picco.

Question 658-13(4): Residency Requirements for Tax Purposes

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, my questions are on the federal tax matters. Mr. Speaker, after getting several phone calls from my constituency concerning Revenue Canada it was getting a little tiring to have Revenue Canada continuing to hassle Northwest Territories' residents on northern benefits deductions and continuing to request residency information to the same people each year. Mr. Speaker, my question is to the Finance Minister. Will he contact Revenue Canada to look at this harassment and see if northerners are unfairly being singled out for this northern benefit deductions? Thank you.

**MR. SPEAKER:**

The Minister of Finance, Mr. Todd.

Return To Question 658-13(4): Residency Requirements for Tax Purposes

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I would not categorize the Revenue Canada's request for information as harassment. They have a responsibility and obligation to ensure that the public purse is protected, but I know that my own colleague is correct. I have received the request myself about the need for me to provide them with additional information. I think it is probably just a bit a blip in the system right now. I will talk to Revenue Canada later next week and see whether or not this is an ongoing decision, or whether it is just a strategy right now to determine the kinds of deductibles that we use for our people in the north. I think we are the only jurisdiction in Canada that has it. I am not sure, but I think we are.

**MR. SPEAKER:**

Thank you, Oral questions. Supplementary, Mr. Picco.

Question 659-13(4): Canadian Pension Plan Contributions

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, I understand that the Yukon and certain parts of northern Quebec, Newfoundland, northern Alberta, have northern resident deductions. It may not be perceived as harassment. However, requesting the same information each year, asking the person to prove that he lived in the Northwest Territories, they must have something on file, Mr. Speaker, to indicate with the T-4 slip, so on and so forth, that they are a resident. After saying that, Mr. Speaker, continuing with my questions on tax matters, there has been negotiations underway with the federal government in basing the CPP, and the territorial government, of course, had been involved in that. I am asking questions on tax matters. This is a tax. What is it if it is not a tax? It is a tax. My question is on the CPP negotiations with the federal government. Can Mr. Todd update us on those negotiations?

**MR. SPEAKER:**

Thank you. It is a new question, Mr. Picco, but I will allow you to have your question asked to Mr. Todd.

Return To Question 659-13(4): Canadian Pension Plan Contributions

**HON. JOHN TODD:**

Yes, Mr. Speaker. Mr. Speaker, we have had a number of meetings with the finance Minister from the provincial and territorial jurisdictions with respect to Canadian Pension Plan. We reached a recommendation, something this jurisdiction did, with Minister Martin with respect to the changes that we felt were necessary to bring it back into a fully funded situation and that was the first step. There are other meetings that have to take place I believe, in the new year, to carry on with discussions to ensure that the Canadian Pension Plan is fully funded for future generations like Mr. Picco. Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 659-13(4): Canadian Pension Plan Contributions

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, there has been several concerns that the Canadian Pension Plan will not be in place for people like myself when we retire in 20 or 30 years, as Mr. Todd has alluded to. So my question to Mr. Todd concerning these negotiations

that have taken place and are underway is, when you are looking at the deductions based on the total income, can Mr. Todd tell us what the feeling is from these negotiations in dealing with the basing of the fund and the availability? Are we looking at an increase in each deduction for each taxpayer, what would that increased fee be? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 659-13(4): Canadian Pension Plan Contributions

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I did not realize that Mr. Picco was so young. Anyway, Mr. Speaker, there is a combination of actions that are required to bring the pension plan into what is called a fully funded position. One of these action plans could be an increase in the contribution rates,

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possibility of reducing benefits, extending the retirement age from 65 to 67, tightening up the administration and disability claims and, Mr. Speaker, a very important one, changing the investment strategy. The investment strategy is a fairly conservative one. However, there are mixed views amongst finance Ministers which are understandable with different political and fiscal ideologies. So we are hoping that, by the beginning of the new year, we will be able to come to an appropriate compromise, move forward and ensure that the Canadian pension fund is there for Mr. Picco when he reach the ripe age of retirement.

**MR. SPEAKER:**

Thank you. Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 659-13(4): Canadian Pension Plan Contributions

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, one of the major concerns with the Canada Pension Plan and other information coming from federal offices is that it is not translated into Inuktitut for unilingual people, especially in smaller communities, where you do not have access to people to help you. I wonder if the

Minister could tell me if he had related that concern last year, when I asked him about with the federal officials on having some type of mechanism in place so that our residents, who are not able to speak either of the two official languages in this country, can still be serviced as residents and taxpayers of this country. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 659-13(4): Canadian Pension Plan Contributions

**HON. JOHN TODD:**

I am sure my honourable colleague recognizes this is a national policy and, while we all respect and understand the sensitivities of languages, that it would be difficult, I would suggest, to get the federal government to consider perhaps looking at the north in a slightly different way than they look at the rest of the country. I did bring the matter up to the Department of Finance in our discussions and to date I have not had a response. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Picco. Final supplementary.

Supplementary To Question 659-13(4): Canadian Pension Plan Contributions

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, I am glad that the Minister has brought that concern up and, it is a major concern. I wonder if the Minister would commit to contact the federal officials again to find out, with the new tax year coming up and people having to report again to Revenue Canada, that there is some mechanism in place, or at least from his own Department of Finance, that he could have people on the ground to help facilitate our residents. They can make sure that the forms that are sent out in very convoluted language are understood so that people know their responsibilities, and to help them facilitate responding to the requests made by Revenue Canada. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 659-13(4): Canadian Pension Plan Contributions

**HON. JOHN TODD:**

Well, Mr. Speaker, as Mr. Picco knows, when you ask a question at the federal level you get a response. So we will just have to wait until that response comes. I am saying this is a national issue, a national policy, and it will be difficult. If I could be frank with my honourable colleague, it would be difficult to get special consideration in relationship to any federal forms, et cetera. I agree with my honourable colleague that these tax forms are quite complicated. I guess the only way to answer that, is that, we will have to wait until the federal government gives us their response to the request that was asked by Mr. Picco. I asked them and we wait and see what they say to us on their return whenever that may be, hopefully in the new year. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Barnabas.

Question 660-13(4): Increase in Rental Rates

**MR. BARNABAS:**

Thank you, Mr. Speaker. Mr. Speaker, recently Toonoonik Sagoonik Co-operative in Pond Inlet purchased units from this government. There was to be no increase in the summer of 1998. The Co-op has no alternative but to increase the units due to the Canadian Mortgage Housing Corporation requirements as far as down payment, equity required mortgage due to their remote location status of these units. For instance, one unit will rise by 68.5 percent; two-bedroom unit will rise by 20.7 percent; and three-bedroom unit will rise by 36.5 percent. What will the Minister of Finance do to address this problem? Thank you, Mr. Speaker.

**MR. SPEAKER:**

The Minister of Finance, Mr. Todd.

Return To Question 660-13(4): Increase in Rental Rates

**HON. JOHN TODD:**

Yes, Mr. Speaker. I might just stay standing. Mr. Speaker, first of all there is some great difficulty with the changes in the mortgage conditions in terms of conditions and my honourable colleague, Mr.

Arlooktoo, has been working fully aggressively with CMHC and the federal Minister responsible. I think it will be fair to say we have not had much luck, at this stage, of trying to convince them that CMHC should view the north no differently than it views anywhere else in Canada. That is the one side. There is a legitimate concern up there by developers that CMHC has changed the rules of engagement and, there is a requirement for a greater down payment on commercial residential properties than was there before. On the other side of the equation, I have said consistently, when we went to sell the staff houses, that we were hopeful the teachers along with butchers, bakers, and candlestick makers would choose to buy the houses at a significantly discounted rate. Some teachers, for whatever reason, decided not to. Therefore, they were bought by private developers like the Toonoonik Sahoounik Co-op and their rents have to reflect the financing and the cost of the facility. In this particular instance, I did get a note from my honourable colleague which I appreciate. We will look into the fact that it appears, at least in print here, that

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some of these rents may be getting raised to the tune of 36.5 to 68.5 percent. If that is the case and there is not a defensible position with respect to it, they will have some discussions with that developer. If we have no success, then as I said before in this House, we will find alternative housing for the teachers.

**MR. SPEAKER:**

Oral questions. Mr. Krutko.

Question 661-13(4): Treatment of Cardiac Patient

**MR. KRUTKO:**

Thank you, Mr. Speaker. I was not too sure if it was a Picco. My question is to the Minister of Health and Social Services in regards to an incident that happened in my riding for an individual complaining of chest pains. He went to the local hospital and after waiting for almost four hours to get the results back from Inuvik, they finally decided to send the individual to Inuvik by taxi. Basically, it is a two and a half hour ride and upon arriving in Inuvik, he waited in emergency for another two and a half hours. At that time he was diagnosed to have had a heart attack. Mr. Speaker, my question to the Minister is, is this appropriate action by the health board, the doctor, the hospital and also the means of transporting

individuals who are complaining of chest pains? I would ask the Minister, is this the appropriate action of this government and is this the type of health care that we will be receiving in smaller, isolated communities or will something be done about it? Thank you.

**MR. SPEAKER:**

The Minister of Health and Social Services, Mr. Ng.

Return To Question 661-13(4): Treatment of Cardiac Patient

**HON. KELVIN NG:**

Thank you, Mr. Speaker. First of all, the boards have the responsibility for delivery of programs and services that includes the responsibility for transportation. I cannot speak on the specific circumstances the honourable Member mentions. I will ask the department to get a status report from the Inuvik Regional Health and Social Services Board. I cannot speak on the appropriateness of it as well because I do not know what the diagnosis would have been by the health care professionals in this case, both in his constituency and the referring physician, that would have been based in Inuvik. But I will undertake to find out the circumstances surrounding this incident, speak to the honourable Member on it and determine what the circumstances were, Mr. Speaker. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 661-13(4): Treatment of Cardiac Patient

**MR. KRUTKO:**

Thank you, Mr. Speaker. No offence to the health board. The question was directed as a Minister who is responsible for health care of the residents of the Northwest Territories. My question was, is this appropriate action by your department?

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 661-13(4): Treatment of Cardiac Patient

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, I am the Minister of Health and Social Services and ultimately responsible for the health care of residents throughout the Northwest Territories. The boards or the public administrators, if there are no boards, are responsible for the delivery of programs and services. They have the mandate on how they deliver those services given that we have to make sure they are adequate and reasonable. As I indicated to the honourable Member in this particular circumstance, if there were actions that may not have been appropriate, we will find out. We will find out that if that was the case, what recommendations would be made to the board in trying to alleviate the possibility of that type of circumstance happening again, Mr. Speaker. Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 661-13(4): Treatment of Cardiac Patient

**MR. KRUTKO:**

Thank you, Mr. Speaker. Mr. Speaker, in regards to the whole issue of complaints, maybe the Minister could clarify exactly what the mechanism is. I mean, on one hand you say it is the responsibility of the health board but the individual who do they complain to? They complain to us, as Members of this Legislature, to represent them or is there a 1-800 number they call you direct at your office?

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 661-13(4): Treatment of Cardiac Patient

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, obviously individuals could lodge complaints with whomever they may choose. I would suggest to them, depending on the nature of the complaint, that they first approach the health care professionals in their community. If they cannot get resolution to that issue, approach the CEO at the regional board level; failing that, to the chair whether directly or through the trustee of that community; failing that, to their MLA's and to the ministry. There are different avenues, of course, depending on the circumstances but I think, if

you work your way through the process and you are not satisfied with the answer then you can move it on to the next level, Mr. Speaker. Thank you.

**MR. SPEAKER:**

Oral questions. Final supplementary, Mr. Krutko.

Supplementary To Question 661-13(4): Treatment of Cardiac Patient

**MR. KRUTKO:**

Thank you, Mr. Speaker. Mr. Speaker, does it not sound like a lot of red tape that you have to go through to lay a complaint? It seems like the bureaucracy we have is heavy enough as it is without having to go through every nook and cranny to lay a complaint. Do you not think that we should simplify it so basically there is a 1-800 number where an individual does not feel that they have been treated right. I hear a lot of that especially in the smaller communities where you go to the nursing station, basically, you have an ache in your tummy or whatever, they tell you to take a couple of aspirins and go home and then they come back. By the time you diagnosis them it is something else. Is there a way of streamlining the system? Thank you.

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 661-13(4): Treatment of Cardiac Patient

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, certainly the issue of having a possible advocate on behalf of health and other matters has been an issue that has been considered. Right now, as we all know, we are going through a major reform of our Health and Social Services systems both in the governance and the delivery. I would suggest that we are not trying to make the circumstances difficult for individuals to resolve their issues or bring forth their issues. But certainly if it happened in the community level first of all, no matter who it is, they have to go back to find out the circumstances surrounding the case. There are always two sides to every story. We have to start from somewhere, and to begin at the community level is the logical choice as the first incidence of treatment began, Mr. Speaker. Thank you.

**MR. SPEAKER:**



Oral questions. Mr. Picco.

Question 662-13(4): Hiring/Dismissal Process for Health Boards CEO's

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, there have been several concerns about different CEOs of different health boards and how they are hired. I wonder if the Minister for Health can inform me what the process is for the hiring and dismissal of CEOs of health boards. Thank you.

**MR. SPEAKER:**

The Minister of Health and Social Services, Mr. Ng.

Return to Question 662-13(4): Hiring/Dismissal Process for Health Boards CEO's

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, it is my understanding that, technically speaking, the department still holds the hiring and the termination functions for CEO's although recognizing the move that we have towards empowering and putting out decision making to the regional health and social services boards that we have them undertake a lot of the recruitment process and the recommendations of hiring and firing so that they can be more fully involved in that process of hiring their CEO's, Mr. Speaker. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 662-13(4): Hiring/Dismissal Process for Health Boards CEO's

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, what type of circumstances would have to occur before the Minister or his department would step in and intervene in this type of situation? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 662-13(4): Hiring/Dismissal Process for Health Boards CEO's

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, I guess it would depend a lot on the circumstances. Obviously, if there were blatant issues about incompetency or misuse of board funds or possible abuse of powers that individual might have, it may necessitate myself as the Minister stepping in to deal with those circumstances, Mr. Speaker. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 662-13(4): Hiring/Dismissal Process for Health Boards CEO's

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, over the past several weeks we have heard a lot of talk about problems with the health boards, calls for resignations, and so on and so forth. I guess, to date, those circumstances did not warrant the Minister or the Minister's department to step in. I am wondering now, Mr. Speaker, after hearing the Minister, just now, talk about the different reasons he would see to come in, how would he find out about these occurrences about monies maybe misappropriated or other explanations that he gave? How would he find out about those things if, indeed, the board, through this community empowerment initiative, has rights and responsibilities? How would his department find out about it? Would it be after the fact? How long after the fact, would it be too late? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 662-13(4): Hiring/Dismissal Process for Health Boards CEO's

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, obviously, it would have to be an issue that was there. It would be pointed out either by an individual, an ordinary citizen, a member of the staff, MLAs or others. Certainly, if somebody were to get into those kinds of difficulties, it would not be a one-time event. It would be over the course of a duration that would flag it as far as attention goes that would raise the issue and the necessity, possibly for us to step in and, quite frankly, take a look to see if the circumstances were true and,

if it were so, to take remedial action, Mr. Speaker.  
Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Final supplementary, Mr. Picco.

Supplementary To Question 662-13(4):  
Hiring/Dismissal Process for Health Boards CEO's

**MR. PICCO:**

Thank you, Mr. Speaker. Mr. Speaker, anyone health's is a major concern and, I think that has been expressed in the Northwest Territories in different regions of the territories over the past few weeks. I know that each independent board has to have an audit. I wonder, for example, does the Minister have people from his department

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that actually monitor the health boards, if they go into each region to see what is happening, do they do cursory checks, do they have checks and balances in place to make sure that the operation is running according to regulations set out by the Minister? Ultimately, Mr. Speaker, the buck has to stop somewhere and the buck stops at the Minister's door. I am wondering what the Minister has been doing to follow up on these concerns. Does, indeed, his department follow up on these concerns with somebody from his office or someone from a regional office? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Ng

Further Return To Question 662-13(4):  
Hiring/Dismissal Process for Health Boards CEO's

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, boards are required right now to have independent annual audits. Of course, we get copies of those audit reports. We also request and receive regular financial information from the boards. As I indicated in an earlier response, we recognize that we have to go a bit farther than that, in that we have to set up a monitoring and assessment provision within the ministry in respect to some of their operational aspects, as well as, the financial aspects. So, it is something that we are actively pursuing right now,

quite frankly, based on some of the actions of boards in the past and some of the circumstances that led us to make this decision, Mr. Speaker. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Erasmus.

Question 663-13(4): Changes to Non-Insured Health Benefits

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister for Health and Social Services. Recently, we received copies of letters from the medical association and the dental associations from the Northwest Territories and, also Alberta concerning their concerns on changes to non-insured health benefits for aboriginal people. Could the Minister indicate to this House the changes that are being proposed to the non-insured medical benefits for aboriginal people? Thank you.

**MR. SPEAKER:**

The Minister for Health and Social Services, Mr. Ng.

Return to Question 663-13(4): Changes to Non-Insured Health Benefits

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, the non-insured health benefits program is through Medical Services Branch. It is a federal program for aboriginal people throughout Canada. Our government, as you know, currently administers the program on behalf of the federal government who sets all the terms and conditions of eligibility for access to those programs. I do not have the specifics of exactly what the proposed changes are. I do recall seeing those same letters on some of the potential changes, but from what I understand and my recollection, Mr. Speaker, basically Medical Services Branch, Health and Welfare Canada is trying to tighten up some of the regulations. The concern is that there is more of a bureaucratic process to receive pre-approval on some of the benefits before professionals are allowed to provide those services, Mr. Speaker. Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 663-13(4): Changes to Non-Insured Health Benefits

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, would the Minister know if this would entail less services for people? Thank you.

**MR. SPEAKER:**

Mr. Ng.

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Further Return To Question 663-13(4): Changes to Non-Insured Health Benefits

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, I can anticipate that the last time changes were made on the criteria for non insured health benefits by Medical Services Branch, it was in respect to the dental programs. What they did, at that time, was make longer eligibility requirements before you could replenish some of the benefits under that program. I will, in this case, check into the matter to see exactly what the proposed changes are and advise the Member. Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 663-13(4): Changes to Non-Insured Health Benefits

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, could the Minister indicate whether these services are available for Northwest Territories residents when they travel into the provinces. Thank you.

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 663-13(4): Changes to Non-Insured Health Benefits

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, again, I am not certain on that specific eligibility and I will include

that in the information that I provide for the Member. Thank you.

**MR. SPEAKER:**

Oral questions. Final supplementary, Mr. Erasmus.

Supplementary To Question 663-13(4): Changes to Non-Insured Health Benefits

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, should the Minister find that benefits are not available in the provinces, would he undertake to take action to ensure that similar benefits are available in the provinces without difficulty to aboriginal people when they travel there? Thank you.

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 663-13(4): Changes to Non-Insured Health Benefits

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, if that is the case we can certainly bring forward the issue to Medical Services Branch of Health and Welfare Canada, but as I indicated earlier, it is a federal program. They outline all the criteria in respect to the eligibility of individuals and how they can access those non-insured health benefits. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Oral questions. Mr. Barnabas.

Question 664-13(4): Overcrowding at Arctic Bay School

**MR. BARNABAS:**

Thank you, Mr. Speaker. Mr. Speaker, in Arctic Bay we have 99 students attending high school and recently there has been a cut in staff. Most of the students attend in the morning and most of the other students attend the evening. My question is will the Minister of Education address this problem? Thank you, Mr. Speaker.

**MR. SPEAKER:**

The Minister responsible for Education, Culture and Employment, Mr. Dent.

Return To Question 664-13(4): Overcrowding at Arctic Bay School

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. Mr. Speaker, the Member brought this issue to my attention a couple of days ago and I have looked into it. One thing that is important to note is, that in some ways, this is a good news story as there are more students in school than were expected this year. There was a significant increase in the numbers of students attending, or it appears that there were. It was not projected and we are not sure what the cause was. The problem is made worse because there is a program of renovation on at the school right now. We are adding classrooms to the school and that has caused some space constraints because of the construction. That will be resolved within the next six weeks or so, we are hoping. The other problem in terms of having instruction available, we are going to be working with the DEA and the divisional education council to determine how many students are actually attending this year and see if the school has experienced, what we call an exceptional growth, which would then qualify them for extra funding. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Oral questions. Mr. Krutko.

Question 665-13(4): Boarding Home Operations

**MR. KRUTKO:**

Thank you, Mr. Speaker. My question is to the Minister of Health and Social Services. It is in regards to boarding homes. I have received a complaint from an elderly constituent of mine who came to Yellowknife for treatment who was supposed to go for a bunch of tests at the hospital, and she stayed in one of the local boarding homes. She complained that she was kept up all night because there was gambling going on in the facility. Is this the practice of this government to allow gambling in public facilities such as the boarding homes that this individual stayed at?

**MR. SPEAKER:**

The Minister of Health and Social Services, Mr. Ng.

Return To Question 665-13(4): Boarding Home Operations

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, it is certainly not the practice of this government. We do not operate the boarding homes. Depending on the circumstances of which boarding homes the honourable Member is referring to, they are operated primarily by the boards that send the majority of the people to the boarding homes. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 665-13(4): Boarding Home Operations

**MR. KRUTKO:**

Thank you, Mr. Speaker. Is there a policy or is this facility licensed so we do not end up with what happened in the Gold Range, where this thing ends up in court because of gambling, that we somehow restrict that activity by putting in regulation? Are there some guidelines that these operators have to follow to ensure that the health and well-being of those people who do come from the outlying communities are taken care of and are able to get their sleep so that when they do go for treatment, they are well rested and they do not have to worry about what is going to happen the next day?

**MR. SPEAKER:**

Mr. Ng.

Further Return To Question 665-13(4): Boarding Home Operations

**HON. KELVIN NG:**

Thank you, Mr. Speaker. Mr. Speaker, again, I do not know the circumstances of which boarding home the honourable Member refers to. If it is a private home that the individual is boarded in, obviously we have a lot less control of what happens in those circumstances. But if it was a private home that was causing that type of a problem to a patient, where they were not getting the rest that they required, then we would take them off that list. If it is in respect to one of the major boarding homes that we contract and

fund with, then certainly our policies and guidelines will be in place. If that was the case then we would institute measures to allow that not to happen. Mr. Speaker, what I will do is commit to speaking to the Member on these particular circumstances and deal with the matter right away. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Question period is over. I have received a note from a Member to return to Members' statements. I do not know who did it but I was wondering if - Mrs. Groenewegen.

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. I would like to seek unanimous consent to return to item 3, Members' statements.

**MR. SPEAKER:**

The Member for Hay River is seeking unanimous consent to return to item 3, Members' statements. Do I have any nays? There are no nays. Mrs. Groenewegen, you have unanimous consent.

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**REVERT TO ITEM 3: MEMBERS' STATEMENTS**

Member's Statement 468-13(4): Family Values

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker and thank you colleagues. I apologize. I was a little ill prepared this morning and I am used to a few more Members' statements so I can get organized. But I was surprised this morning by only a couple.

Mr. Speaker, I observed with interest the recent gathering in Washington, DC of an estimated one million men. This was a public statement of men committed to returning to the traditional family and community values. Some of the basis of the Promise Keeper's Association are the practice of spiritual, moral, ethical, and sexual purity to break down racial barriers and to honour wives and children and to strive to live a life of love and compassion and above all to be accountable.

Spokespersons for various organizations went on the public record in the media as expressing fear in response to this movement called the Promise Keeper's. Although people through choice or

circumstance live their lives in varied ways, I would like to, on this eve of Thanksgiving, state that I am thankful to have been raised and nurtured in a home with the benefit of a loving mother and father who espoused to the unique role that each parent brings to child rearing and family life. I, in turn, at the young age of 19 excepted a proposal of marriage from a man who has consistently displayed this commitment to the same values. After 20 years of marriage, my children and I enjoy the benefits of a husband and a father who has taken seriously his role in the family as the head and as the leader.

It is that covering, that protection, support and partnership that empowers me to enjoy a diverse career as a mother, a wife, a businesswoman, and a community leader. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:**

Thank you. I also would like to recognize in the gallery some students that are taking the Nunavut training program under Nunavut Policy Co-management. I have looked at their names and I want to tell them I apologize if I do not say your name right. Okay?

There is David Akeeagok, Nicole Camphaug, Susan Makpah, Jaypeetie Arnakak, Heather Hay. Welcome to the Assembly.

-- Applause

We will be taking a break soon so you could correct me if I am wrong.

Item 7, written questions. We are still on Members' statements. Mr. Erasmus.

Member's Statement 469-13(4): Fairness and Equity

**MR. ERASMUS:**

Thank you, Mr. Speaker. On this Thanksgiving weekend I, too, would like to say thanks for the ability to live in this great country of ours, where we try to be fair and equitable to all our people and I hope later today that the Members in this House will be fair and equitable to all our constituents. Thank you.

**MR. SPEAKER:**

Thank you. Members' statements. We are back to item 7, written questions. Item 8, returns to written questions. 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. Antoine.

#### ITEM 13: TABLING OF DOCUMENTS

Tabled Document 109-13(4): Constitutional Working Group: Proposed Schedule of Events (October 1997 - March 1999).

#### HON. JIM ANTOINE:

Mr. Speaker, I wish to table the following document entitled Constitutional Working Group, Proposed Schedule of Events, October 1997 to March 1999. Thank you, Mr. Speaker.

#### MR. SPEAKER:

Thank you. Tabling of documents. Item 14, notices of motion. Item 15, notices of motion for first reading of bills. Item 16, motions. Item 17, first reading of bills. Item 18, second reading of bills. Mr. Todd.

#### ITEM 18: SECOND READING OF BILLS

Bill 24: An Act to Amend the Financial Administration Act

#### HON. JOHN TODD:

Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member from Nahendeh, that Bill 24, An Act to Amend the Financial Administration Act be read for the second time.

Mr. Speaker, this bill amends the act to provide the commissioner or the board of a public agency may, with the approval of the financial management board, on behalf of the government or a public agency, make a guarantee of an amount not exceeding the limit prescribes by regulation. Thank you.

The Commissioner of the Northwest Territories, by and with the advice and consent of the Legislative Assembly, enacts as follows:

1. The Financial Administration Act is amended by this Act.

2. Subsection 67(1) is repealed and the following is substituted:

67. (1) The Commissioner, on the recommendation of the Board and on behalf of the Government, may make

(a) a guarantee, where the maximum liability under the guarantee does not exceed the prescribed amount; or

(b) an indemnity, where the maximum liability under the indemnity does not exceed \$500,000.

3. Subsection 87(1) is repealed and the following is substituted:

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87. (1) A board, with the approval of the Commissioner and the Financial Management Board and on behalf of the public agency, may make

(a) a guarantee, where the maximum liability under the guarantee does not exceed the prescribed amount; or

(b) an indemnity, where the maximum liability under the indemnity does not exceed \$500,000.

4. This Act or any provision of this Act comes into force on a day or days to be fixed by order of the Commissioner.

#### MR. SPEAKER:

Thank you, Mr. Todd. Your motion is in order to the principle of the bill. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 24 has had second reading and accordingly, the bill stands referred to committee. Second reading of bills. Item 19, consideration in committee of the whole of bills and other matters. Bills 3, 5, and 15; Committee Report 08-13(4); Minister's statement 110-13(4), Tabled Documents 108-13(4). With Mrs. Groenewegen in the chair.

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

#### CHAIRPERSON (Mrs. Groenewegen):

Good morning Members. I would like to call committee of the whole to order. There are a number of items before the committee of the whole today. I am just going to read them and then I am going to ask your direction on what you would like to do. Bill 3, Family Law Act; Bill 5, Adoption Act.; Bill 15, An Act to Amend the Workers' Compensation Act; Committee

Report 08-13(4), Report on the Review of the Family Law Bill; Minister's Statement 110-13(4), Transition Action Plan; Tabled Document 108-13(4), Creation of Two New Territories - Transition Action Plan. What is the wish of the committee? Mr. Barnabas.

**MR. BARNABAS:**

Thank you, Madam Chair. The committee will deal with Minister's Statement 110-13(4), Transition Action Plan, and proceed with Tabled Document 108-13(4), Creation of Two New Territories - Transition Action Plan, and Bill 3, Family Law Act. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Barnabas. At this time, I would like to inform Members that there is provision for lunch and I think we will take a break. Thank you.

-- Break

**CHAIRPERSON (Mrs. Groenewegen):**

I call the committee of the whole back to order. The item before us today first is Tabled Document 108-13(4) Creation of Two New Territories Transition Action Plan. Is the committee agreed that we will ask the Minister to take the witness table and bring in any witnesses he may have? Agreed? Thank you. Mr. Minister. Thank you. The floor is now open for comments and questions but prior to that I will ask the Minister to introduce his witness for the record please.

**HON. JOHN TODD:**

Thank you, Madam Chair. On my immediate right is Mr. Lew Voytilla, chairman of Financial Management Board and author of the report Creation of Two New Territories.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Todd. Do we have general comments and questions? Mr. Arlooktoo?

**HON. GOO ARLOOKTOO:**

Thank you, Madam Chair. I want to start off the discussion today with a few more comments. I was listening to the debate yesterday and the discussions that have gone around in the last few days over the Transition Action plan and of the immense task that we have before us in making things happen. I think there is no question at all that our job is to be one of

several partners in making Nunavut and the Western Arctic a reality. I think there is a tendency also when we are down to the nitty gritty or the nuts and bolts to sometimes lose sight of the goal sometimes. Because of the many different issues we have before us things like the financing, the staffing issue, the need to get the justice system and executive system in place for Nunavut in the short amount of time we have. It does take the centre stage as it must and those issues are certainly the most pressing ones that we need to deal with. I think also, as I mentioned yesterday and the statement that I have, that we do need to step back every once in a while to take a look at exactly what is going on.

In this case, it is important to remember many of the positives and the main goal that we are working towards and, in the case of the people of Nunavut, it is a creation of Nunavut and that is what I wanted to touch a bit upon. I must say that for myself personally, it is exciting and it is an honour for me to be involved in this area. These are historic times and I think those of us that are involved in this including the MLAs here, the staff that are directly involved are in a sense lucky to be at the forefront as we are trying to deal with this. In one of the positive things that the people of Nunavut are looking forward to is in the area of jobs and training. I have had discussions with Mr. Dent and staff and looked at the information that he has put forward in the work in the area of training and received information a couple of weeks ago. So far there has been over 150 Inuit that have completed full-time courses in the area of preparing for jobs with the Nunavut government. An additional 100 people have completed part-time studies. This is very positive and we have many more, hundreds more that are in the system and for them, although you have the usual difficulties of living as a student and all the different issues that you have to deal with as a young person, it does not affect very exciting times.

I wanted to thank the Speaker for introducing some of those that are involved here, especially in the headquarters, in the government system preparing to step in 1999 as managers. The four that we have today incidentally are in the area of policy and I think it does make me very proud of the fact they are taking this training and that we need to encourage and support these young people. I wanted to mention their names again: David Akeegok, Nicole Camphaug, Susan Makpah and Jaypeetie Arnakak who are here taking in the work that we do here in the headquarters level and being exposed to and being involved in what goes on in headquarters. I believe they are still here

with us today and I think it is very important to note the fact that is why we are doing this. Thank you, Madam Chair.

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**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Arlooktoo. Would the Minister like to respond to any of those comments? Okay. Next on the list, I have Mr. Steen.

**MR. STEEN:**

Thank you, Madam Chair. Madam Chair, as a follow-up to what I stated yesterday in this committee, I feel I am required to clarify some statements or some interpretations from what I have said. Madam Chair, one particular Member was concerned about who I meant by those people, these people, and them. Madam Chair, I wish to clarify that and leave no doubt who I am referring to. I am referring to John Amagoalik, chairman of the NIC; I am referring to Peter Ernerk, a member of NIC; I am referring to Jose Kusugak, NTI president and I am referring to Jack Anawak, Interim Commissioner. I am also referring to anyone else who is tied in with these people who are mandated to create Nunavut. That is who I am referring to.

I am not suggesting here, Madam Chair, that as Ordinary Members or Cabinet Members or as residents of Nunavut that people do not have a right to contribute towards the final creation of Nunavut government. That is entirely up to them whether they want to take part or not. I would also like to suggest that after reading the unedited Hansard, I cannot find any derogatory tone or remark that I may have made. If any Members feel that they were insulted or put down, I apologize. That was not the intent.

However, I would like to point out that as was pointed out by the Member, there are a fair number of Inuit in this building. He is correct. But I hope he includes myself and Mr. Roland in that category because we are. Therefore, we have a right to see and we feel obligated towards the final creation of Nunavut to some degree. The question is, how much and who is paying?

There is no doubt in my mind, Madam Chair, that these particular people that I mentioned have the capability to create Nunavut if they were given the resources from the federal government to do the job. There is no doubt whatsoever in my mind. I have

worked with these people in the past, I worked with John Amagoalik when I was the vice-president of Inuit Tapirisat of Canada. So I am well aware of Mr. Amagoalik's capabilities I am not comparing him to the capabilities of other Members in this House. That I want clear.

I have no intention of trying to limit anybody's ability to say what they please or to contribute as they wish towards the creation of Nunavut. What my concern is, and I want to make it clear that I do not represent Western Arctic MLAs, but I do represent the people in my riding and I resent anybody saying that I do not. I do represent the people in my riding and, the people in my riding are concerned about the amount of funds from this government being used towards the creation of Nunavut because we believe this government does not have that mandate. We believe that this government, as a third party, is obligated to take part. Yes, Mr. Todd, we are obligated to take part. The question is, are we obligated to spend our own money to do it? That is the question. That I feel is what the question is on the floor right now. Nobody questions the document itself. What the question is, who is paying for this document?

As the Finance Minister suggested, this is an advisory document. They can take it or leave it. The first question that comes into my mind is: if they take it or portions of it, obviously we can claim those as transition costs. If they do not take it, can we claim it as transition costs? Those are the types of questions that are on my mind.

Furthermore, I would like to know from this Assembly is how far can we go and keep spending towards the creation of Nunavut with a firm, definite agreement from the federal government that they will pay the costs. I am not talking about promises, Mr. Todd. I am talking about something in writing. We signed an agreement with NIC and the federal government that we would contribute towards the creation of Nunavut. The problem is you stated, more than once, seems to be that we are the only ones that are contributing right now and we seem to be the only ones without the mandate to contribute.

Therefore, I question, Mr. Todd, not the fact that we feel obligated to help create Nunavut. I do not question that. What I question is how much money are we going to contribute from this government? I question that, Mr. Todd, because there are people in my riding that are concerned that the more this government spends towards the creation of Nunavut, the less programs and services happens in my riding.



I am not trying to make a big issue out of this thing any more than what it requires, but I and my people do require, Mr. Todd, some clarification from Cabinet level as to how much are we going to contribute. You identified \$136 million shortfall. I hope you are not suggesting that this government is going to come up with \$136 million to cover that shortfall. I would urge you, Mr. Todd, to get something in writing from the federal Minister that he or she is going to cover these transition costs. Not promises, Mr. Todd, something in writing. You, Mr. Todd, as the finance Chairman know better than anybody else, or should know better than anybody else, how dangerous it is to walk around with a blank cheque. That seems to be what we are doing here. That, Mr. Todd, is what I get concerned about. I am not trying to start any wars here, but I sure would like some clear answers. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Steen. I would just like to remind Members that all of their comments should be not directed to anyone other than the Chair and their comments should be directed through the Chair. We do not want to turn this into adversarial session here. I would ask that your comments be directed to the Chair. Mr. Todd.

**HON. JOHN TODD:**

Madam Chair, surely we have both a corporate and a political responsibility to the residents of the Northwest Territories to engage in some kind of discussion, some kind of planning for the creation of two new territories. After all, we are the government at the present time. We have a great deal of corporate knowledge available and, I think it would be naive of my honourable colleague to suggest that we are not going to be a partner in the process.

To answer his question with respect to money. First of all, I appreciate his clarification of his comments yesterday and I will accept them at face value. The important thing here is to say there are no direct implementation costs with respect to

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the creation of two territories that are going to be funded by this government. Let me repeat that. No direct implementation costs that are going to be funded by this government.

There is, no question, some costs associated with good planning and advice which we are giving on this

report and to the parties at the table. I mean, we are meeting on a regular basis. There are some expenditures there. In terms of the large dollars in relation to implementation. I think we have been pretty clear and pretty consistent that responsibility lies in the hands of the federal government. I am going to take Ms. Stewart at face value when she says to me: one, we will re-examine the \$150 million original submission of March 1996, to see if we can re-profile some of that money which was approved by the federal cabinet; and two, that she is prepared to sit down with all parties, and I have to remind everybody for clarity purposes who the parties are; Government of the Northwest Territories, federal government, NTI, the Interim Commissioner, and the western coalition.

It is a bit complicated. It is not the government-to-government debate. It is a variety of partners that was agreed upon through a political accord that was signed a number of years ago. In terms of Mr. Steen's concerns and reassurances that this government is not going to expend large dollars in relation to implementation, I can give him that today, unequivocally. I will say to him that we are spending some money, no doubt, as I said on the cost of planning and just good corporate and political responsibility that we all have. I am confident that the Minister of DIAND means it when she says that she is prepared to sit down with the parties and look at some consideration for the shortfall of the dollars that are necessary to move forward.

In respect to who is responsible? The responsibility clearly lies in the hands of the Interim Commissioner and the federal government. We made it clear from the outset that we are giving advice to the Interim Commissioner. He can choose to accept it or not. Given the corporate knowledge that we have, we have a responsibility to lay out a plan for the eventual creation of two territories. After all, we are training people for that eventuality. Four of them are in the House today. Two from my riding, which I am pleased to see. Both charming young ladies, Ms. Makpah and Ms. Camphaug. We are spending money already. The federal government has given us that money to assist in training these people. We are in a partnership. I recognize and I understand Mr. Steen's concerns, particularly about his riding, but I do not know what other assurances I can give him, other than what I have said. One, there are no direct implementation costs, for the third time. Two, we have an agreement from the federal government to form a table to take a look at what we fundamentally believe is the shortfall to put into place the essential

ingredients of a new government so it is functional in April 1, 1999. How much that is going to be? I do not know. Who is going to pay? The federal government. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Todd. I have Mr. Steen. Mr. Ningark.

**MR. NINGARK:**

Thank you, Madam Chair. Madam Chair, I listened to the different statements from Members yesterday. I find that it was and it is necessary to look at the pros and cons. I believe that each and every Member of this Legislature has the right to speak for or against the Transition Action Plan. Madam Chair, there are times it helps to be cautious about items, issues, and so on. But at the same time I think the time is running out.

Madam Chair, over the past 20 years I have listened to people, individuals, groups, organizations at the community, regional, territorial level talk about their idea for two territories. Thoughts were given to the creation of two territories. I find the Transition Action Plan of this government is nothing more than a thought which is in the written form and, I find that it is not a blueprint, but it is there to be used as a tool and mechanism to ensure the creation of two territories will come out in an organized manner. When we talked about the division, I do not believe we talked about in isolation of one. I think that should be noted. We are talking about two different territories. In one, it is working well. At the beginning, as Mr. Todd indicated, by April 1, 1999, we wanted to have it functioning, an operating government for the benefit of its residents. I believe one is able to work because of the well laid out plan prior to the creation the other will follow. Madam Chair, I believe Mr. Steen and other Members who had some disillusion to the action plan have a very legitimate concern and I commend them for that. This is, Madam Chair, a government institute in a democratic society and we should respect that. Madam Chair, does the transition action plan take the role of the Interim Commissioner, NTI or anyone for that matter? I do not believe so. I think it is said to be used as advisement for those people who are given the task of creating Nunavut and western government. I think we should recognize that. Madam Chair, we are willing to fund anything over and beyond that promised to be funded by the federal government? I think each and every Member recognize that we do not have the resources at this point in time and, we do not have the money at this

point in time. Are we, in the public government, prepared to give more resources to one territory than the other? I do not think so. The Premier and the Finance Minister have said many times that you want to be fair and compassionate. I think we are about to take that into account as we always have taken that into account. Madam Chair, when Mr. Todd made his statement and I quote "on the first page talks about the Honourable Charles Dent will be tabling in this House next week a further report that focuses more strictly on the issues related to the transition of new Western Territory".

Madam Chair, for the last week and a half, I listened to Members here in this forum, committee of the whole, in the House, in committee rooms, Caucus room or even outside these premises, that east is getting more than the west. If that is the fact, Madam Chair, that may not be true. Perhaps we are ready for division in 1999. Perhaps we know we are not quite as ready as the public perceives us to be. That is why it is necessary to come up with the Transition Action Plan to help us out. We know that time is running out, public knows that time is running out and we know the public government of today is not mandated to write the blue print for Nunavut to be. We also know that we are the government of today that will oversee part of two parties the creation of the two territories. For that matter we wanted to ensure that Nunavut and Western Territory come April 1, 1999, those two governments, are functioning and operating, and the residents of those two

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governments are receiving program services at the basic to both territories. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Ningark. Mr. Todd.

**HON. JOHN TODD:**

I do not want to sound like a broken record, but I am going to repeat two things in an effort to try to get some final clarity on the issue of what we are doing here and who is responsible. I think then hopefully, it will be clear and we will not debate it any more. It is important to stress, Madam Chair, that this document represents our best analysis of the current situation and has been offered to all parties in the spirit of cooperation and partnership and is simply advice, nothing more. Although the Government of the Northwest Territories will continue until April 1, 1999,

we have no legal mandate to implement transition measures in Nunavut. It is clear that the transition responsibility lies with the Interim Commissioner and the federal government. I do not know how more clear or concise I can be than that. Thank you Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Todd. I have next on the list, Mr. Ootes. Point of order. Mr. Ng.

**HON. KELVIN NG:**

Thank you, Madam Chair. I believe it is a custom in the rules that for Members who have not spoken to be given that opportunity. I believe Mr. Ootes spoke to this yesterday and I have not had an opportunity yet. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Ng. Could I just take a moment to review that? Okay, thank you. I have never had anyone raise a point of order in committee before. So Mr. Ng, your name is on the list but the lists are not carried over from one day to the next. It is a new day so each member is recognized in the order of the request. I am sorry Mr. Ng you have no point of order. Mr. Ootes.

**MR. OOTES:**

Thank you, Madam Chair. This document is of importance to me because it contains a lot of information that we have been waiting for, and it specifically deals with identifying some of the areas that will impact the west. For example, we have been diligently waiting here in Yellowknife on the number of positions that could potentially be impacted when Nunavut is created. I want to make reference to the figure in this document that states that the possibility is there for 289 positions to be affected. Naturally, there will be a question and follow-up questions with that, such as when will these positions be located in Nunavut? Again the document identifies that, in all likelihood, these positions will not all be eliminated from the western government by April 1, 1999. It will likely take a longer period of time. It will likely extend into the year 2000. When we speak of 289 positions, it does not mean that by April 1, 1999 all of these positions will have been eliminated from Yellowknife. It will take a longer period of time. In addition, what is also of importance to Yellowknife, specifically again, is that the contracting of services can be provided to

Nunavut. Naturally again, from the Yellowknife perspective, that is very important to us because it allows us to retain a certain number of positions for some time and to provide those services until Nunavut wishes to take those over if Nunavut wishes to contract those services from this particular government. Naturally, I am very interested in ensuring that transpires.

The other question related to that then is one of office spaces which were impacted because of the need to reorganize, and again, we have an impact upon our community and that being with the business sector and office space. The document addresses that particular problem as well and that, to me, is again very helpful. What is necessary now is for us to allay some concerns and additional concern with the 289 positions, and that is, the staff themselves have been very uneasy as to the numbers but also what positions will be affected. That will be a need to be addressed and I hope that we can address that over the next short while so that individuals in those positions have some idea of whether they will be affected by the creation of Nunavut. With respect to the contracting of services, I do wish to point out that it has been made abundantly clear to me that some decision needs to be made imminently, preferably this fall, on whether this government will be entertained as to providing the contract services for Nunavut. The reason for that is, as my impression, that Yellowknife and the headquarter's staff are losing key people. In order for us to be able to provide that service, if Nunavut wishes that it be provided, we have to ensure that there are adequate numbers of people and qualified people to fulfil those positions and that the office space, et cetera. is taken care of along with the resources. The other item others have spoken on it and that is of concern is the transition cost. I am also of the feeling that we need to get a commitment on that and the Minister of Finance has addressed that in his replies. I just want to express my concern in that area, as well, that it could potentially impact upon us if a commitment from the federal government is delayed by a long period of time because we are, in essence, using some funds from this territorial government and will continue to do so unless we are reimbursed. That could impact upon us for the next, by the looks of it, what is it, fourteen, fifteen months of continued operation together. It is a concern. I want to also make reference to the fact that Yellowknife will be the centre for some training. That is now in progress. We have some people here in the Legislative Assembly today, and we welcome that. It is a good contribution to our community and I think

that the public in Yellowknife does need to know that Yellowknife and the headquarters here is being fully utilized to provide some training, and our community is the beneficiary of that at the moment. So those are my comments, Madam Chair. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Ootes. Mr. Todd.

**HON. JOHN TODD:**

Thank you, Madam Chair. Mr. Ootes is correct. There will be a significant amount of downsizing with the 281 PYs that have been identified to be moved in the report. You know there is in an ideal world. Would you like to have a turn key situation, as I have said earlier this week; but unfortunately it is not. Some of the limitations are not necessarily the political will or the money. The reality is some of the assets are not in place whether it is office facilities or housing, et cetera. That is not an excuse, that is a reality. My understanding is there is a desire to try to move as quickly as they can on putting in the office facilities and the housing in both Iqaluit and in the decentralized communities that have

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been identified. We are not totally sure yet, exactly what positions will be transferred at this time, because quite frankly we still have to negotiate with our partners. This is one report. Remember the three things I have said. I will say it again for clarity purposes. It is advice to the Interim Commissioner, a clear and concise costing to the federal government and a call of action to the Government of the Northwest Territories. We are encouraging, or trying to encourage, the Interim Commissioner and I am confident that he will call a meeting as quickly as he can of all parties to see if a consensus can be reached, what he is doing, what we are doing, and what the federal government is doing. Some negotiations that we are going to have to undergo as to what actually we are going to do, work out what we think at the end of the day, what the costs are going to be. We have to sit down with Ms. Stewart's office and reassess the \$150 million, see if they are re-profiling and determine what the additional costs that are going to be necessary with respect to transition which is a one time cost associated with dividing the territories. I think that it is important that I give some clarity on the contracting side.

I said in my opening comments earlier this week, and we say in the report, the decision in which to contract some services of the new Nunavut government will be made by the Interim Commissioner. He and his office will determine what services they need to purchase and, if in fact, they wish to purchase them from the current or future western government. Our comment on our position was that we have a certain corporate out there that we think has some value. We have a long history in running this country since 1966/67, and we would hope that, at the end of the day, if there is a requirement to contract out some services, they would give due consideration to the western government or this existing one. But, again, there are no guarantees. That is the Interim Commissioner's decision. There is also no question in respect to Yellowknife, that there is clearly going to be a requirement for some downsizing in the offices. There is no question about that. This government, and the future government of the west, will not want to be left and encumbered with a number of costs associated with offices if they are sitting empty. At the end of the day, you have to pay for that. The Honourable Goo Arlooktoo, Minister of Public Works, and myself are working to put together a paper which will try to bring some rationalization to the office requirements during the interim transition stage and the office requirements at April 1, 1999. Yes, Mr. Ootes, for your constituents' sake there will be some downsizing. No question. That paper will be coming forward shortly to Cabinet and I am sure we will be able to discuss that at the time.

Transition costs, I cannot say it any more clearly than I have, and I appreciate you qualified your comments as to the responsibility of the federal government I am confident, at this stage anyway, qualified, confident that at this stage anyway there is a political desire to reach an arrangement. I hope that the Interim Commissioner will call a meeting quickly so we can get to the table and determine what we can do. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Todd. Next on the list, I have, Mr. Roland.

**MR. ROLAND:**

Thank you, Madam Chair. We have heard a lot of discussion on this topic and I think that it is good because, although we as Members of the Assembly and other parties working with us, are familiar with what is happening, there are many in the public who

cannot make it to these meetings who are unaware of what is happening. I, as well, had calls from my constituents, not a great number, but the concern is still there, why are we moving ahead with this. Around the table here I think we know why. We need to get that message out. I think looking at things, from being a western member, that this document, as we have heard, is a good starting point. It is a planning document. There are many other more areas of this document that have to be agreed to by other parties including this Assembly when the time comes. I think that the people of the west have for quite some time been dealing with the vision and because the majority of the work that is happening has to do with the creation of Nunavut, and there is much work to be done there. The concern from some western residents or by a lot of western residents is they do not see too much happening in the west. They are concerned about the loss of jobs, and that is to be expected because we have just gone through two years of reductions all throughout the territories. Many communities are afraid of more reductions.

I think this document puts it out and starts to make information available to all residents of the territories, and I would hope that all those who are concerned will be able to get copies somehow through the Assembly by whatever means. They will be able to look at this and start to realize some of the things there. It does not clarify all of the positions but it brings some out into the public that were not there before, for example, the \$136 million and the concern of where is that going to come from. Well, in this document, under sufficiency of resources, we talk about if adequate funding is not available to commence system's work, we will not be able to function on April 1, 1991. You name a number of other things. I think, as we have heard earlier today, it is very important that we, as a government, receive a commitment from the federal government as to their responsibility in this area. I think that we have heard it said that the table has been opened and that is very good because that allows for more work to continue. I think in all the discussions, we all have to look at the whole territory, everyone in this Assembly and the impact it is having on the lives of residents throughout the territory. It will have an impact both east and west, good and better, hopefully for the better of all. I noticed in this document we have talked about costing and in this \$136 million, maybe the Minister can respond to me by saying if to date this government and the work it has done, we have heard it has tracked the costs. Has it tracked and is it available? I think those are part of the transition costs as well. But

I think we have a document we can start to work with. It is a starting point. It will open the eyes to residents both east and west and, hopefully, we will start receiving feedback from this that will allow us to further look at the issues that are coming before us. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Roland. Mr. Todd.

**HON. JOHN TODD:**

Thank you, Madam Chair. I guess April 1, 1999 not 1991. Madam Chair, a little joke, it is Friday. Madam Chair, I think the other important thing is from a Government of the Northwest Territories point of view. I do not quite see it as a planning document, I see it as a call to action. I think it is important. With respect to the wide distribution of Page 1548 the document under the Premier's office we have sent this out to all municipalities, chiefs, mayors, et cetera. We have made it accessible to all the staff who may wish to have a look at it. I am told that it is the most sought after document we have had, I would like to think in the history of the territories, but I will not exaggerate today. It is certainly a document that will be in most people's libraries, I suspect. That is an indication of the interest level. I think that Mr. Bailey, I say Mr. Roland, I do not know why I keep mixing up the two outstanding gentlemen, maybe that is the reason for it but I keep mixing up the names. It is a much requested document and I think that is an indication of the interest into what is happening. People wish to see and get some clarity on where this government stands and how it is going to move forward. But I would caution you in as much, as again, it is a document that we have prepared as an advisory piece for the Commissioner. It may not be the final action plan, if you want, that will unfold in the coming weeks. I said in the House earlier, and I will say it again today, I would hope that all parties in this process including this House will see some value in the document. They would see some value in that it does try to lay out, as my colleague Mr. Arlooktoo said earlier today, some of the fundamental requirements to put a government in place. I hope that, at the end of the day, consensus will be reached by the partnership. We will be able to move forward in a course of action that will enable us to put some of the essential ingredients for Nunavut in place and maintain the quality of life for people in the western part of the country. We will be able to, as we are now trying to sit down with our federal and territorial colleagues, identify the additional dollars as

necessary and to reassure everybody that division will not be on the backs of the current fiscal framework for the Government of the Northwest Territories.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Todd. Next on the list, I have, Mr. Ng.

**HON. KELVIN NG:**

Thank you, Madam Chair. I briefly want to speak in favour of the transition plan. I know a lot of people have spoken already. It is not a perfect document. I would agree with that. It is a starting point. I would agree with that. In all honesty, ideally if we could establish a fully functional government on April 1, 1999, that would be the ideal way of doing it but unfortunately, as everybody recognizes, there is an urgency because April 1, 1999 is less than 18 months away. The transition document does lay out to establish the basic provisions to have a government in place and, that being a judiciary, the legislative executive component, the financial component necessary to have an informational systems and payroll systems in place to provide services. I think, I hope certainly, the NTI, the federal government and the Interim Commissioner will objectively review what is there, add or delete to it or certainly be able to present their own document to deal with this issue of transitioning towards establishment of a functioning Nunavut government on April 1st.

There is the issue about the decentralized government. What we all know the NIC model, which recommended some function in Igloolik, Cape Dorset, Pangnirtung, Pond Inlet, Arviat, Baker Lake, Kugluktuk and Gjoa Haven, has raised a tremendous amount of expectations amongst people in those communities for having employment opportunities and economic opportunities as a result of potential Nunavut government staff being located there. It is fair to say that we fully support that. I have supported it with the qualifier that there has to be the incremental costs provided by the federal government to allow that to happen. We cannot afford to be taking dollars from the programs that we have for health, for education, for justice, for social assistance to be putting that into administration. That is one of the reasons why our government currently had to undergo some strategic reform. That, quite frankly, has caused a lot of problems throughout the Northwest Territories in a loss of economic opportunities. Changes in reductions to some of our programs that have ultimately come back to MLA's, to

Ministers and to this House because of the controversy surrounding some of those changes.

I would like to say that, in respect to, the contracting of services from the Nunavut side to the western side is an issue that I think warrants a lot of consideration. It has been mentioned about the corporate knowledge of people already in our government providing services to the Nunavut area, and that would certainly remain the case post 1999 or leading up to 1999. Certainly there would be more corporate knowledge than other southern jurisdictions. If I can speak on some of the knowledge that is in my area of responsibilities for justice and corrections, we know that there is a lack of Nunavut facilities to house offenders. It would make sense to keep our offenders in the current western institutions because of the fact, that at least, there is some knowledge and awareness of the cultural differences from our people from Nunavut, amongst the people that are currently providing services to them. There still is the issue of accessibility to family members who may travel through the western communities to access facilities.

In respect to the health care, the issue is a huge one for people in my constituency. As members may recall, in the first plebiscite in the early 1980s, the Kitikmeot voted against Nunavut and that was a direct result of real concerns about health and education and where they would be going to receive those services. Subsequent to that in the last plebiscite, there were reassurances made by Inuit leaders that people from the Kitikmeot would continue to come to Yellowknife for their services if that is what they so chose. I would dare to say, and suggest, to the Interim Commissioner's office, who I would hope are monitoring these discussions, recognize that fact. The people in my constituency want to continue to come to Stanton, if at all possible, if they have to leave their constituency for medical services. I just want to make a note of that.

In closing, Madam Chair, we have to recognize that success of any kind of transition towards Nunavut, a lot of it, is going to depend on DIAND Minister and the federal ministry in trying to secure some form of commitment for transitional dollars for the success of decentralized Nunavut government post 1999. The issue of Finance Canada having to reach an agreement on incremental funding in a new base is critical. Also, I think what we have to recognize as well, is the infrastructure for housing and for office space. It is the responsibility of Nunavut construction, as per an agreement with NTI and the federal government, to have the housing and office in place

for Nunavut government. It is also a critical component of a decentralized government post 1999. I would stress and urge

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all parties that are involved, who have an interest, to try to reach some kind of an accommodation as soon as possible to get on with the planning for implementing the transition gearing towards April 1, 1999.

In closing I would like to thank and commend Mr. Voytilla and the staff he had, who worked in putting together this document. It is a starting point, if we can get some kind of resolution of a general direction to go there is a lot more work required to be done. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Ng. Mr. Ootes.

**MR. OOTES:**

Madam Chair, with the concurrence of the committee, I would move that we move to the next item and that is Bill 3, Family Law Act.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Ootes. Is the committee in agreement with moving on? This item stays on the papers. It is not concluded. We can come back to it again, if necessary. Agreed? Okay, thank you. We will move on to Bill 3, Family Law Act. At this time, I would like to ask the Minister of Health and Social Services if he would like to make opening remarks?

**HON. KELVIN NG:**

Thank you, Madam Chair. Madam Chair, the family law reform initiative began a number of years ago with the work of the Family Law Review Committee. This bill is part of the package that evolved from the efforts of that group. It is one of the four proposed bills currently before the Assembly to update family law in the Northwest Territories.

The main subject areas covered by the bill are domestic contracts, spousal support, division of the value of family property and possession of the family home. A significant move forward in this bill is the recognition of common-law spouses as members of families who should have rights and obligations that are similar to those of married spouses. The bill also

recognizes that the spousal relationship is a kind of partnership and that child care and household responsibilities, as well as paid employment, are all valuable contributions to the family unit.

During the spring and summer of this year, the Standing Committee on Social Programs conducted a public review of the family law bills. A response from the public and from interested organizations has been very important in the further development of this bill. As a result of their review, the standing committee made recommendations for improvements to it which results in a number of amendments to Bill 3 during their clause by clause review in September. At the standing committee's request, further proposed amendments have been developed to improve this bill and these will be dealt with later today.

I would like to thank the Members of the standing committee and their staff for the thorough work on the family law reform package. Also like to thank all those who were involved in this initiative including members of the public, Members of the Family Law Review Committee and I look forward to discussion on this bill later today. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Ng. At this time, I would like to ask if the Chairman of the Standing Committee on Social Programs would like to bring forward the committee's remarks on the bill. Mr. Ningark.

**MR. NINGARK:**

Thank you, Madam Chair and good afternoon. A number of amendments were made to the bill during the clause by clause review. The original bill did not allow people to make binding agreements respecting possessions of the family home in domestic contracts. The committee was concerned there was no opportunity for people to protect their home which may have been in their family for many years. Amendments were made to allow protection of the family home in a contract between the partners. The bill provides for two components to spousal support. There is the standard support arising from sharing the advantages and disadvantages of a relationship. The second component is intended to provide short term support to allow a spouse to become self-sufficient. The section on spousal support was confusing to presenters. An amendment was made to more clearly identify the two types of spousal support. The dependant parents' section was amended to more clearly define when a parent could apply for support

from a child. This includes the need for care over a significant period of the child's life. There was also a new section on what types of support could be ordered by the court. The commencement date under the family property part was amended to begin at the start of a common-law relationship.

Madam Chair, time was limited for starting an action under this act was different for married and common-law couples. This was amended to provide a two year period regardless of common-law or married status. A change was made to the section on mediation allowing the court to order the parties to attempt mediation. There are some additional changes we would like to see made to this bill. Endlessly, we raised concerns about Section 19 which referred to default in payment of support. We felt it was not clear and could apply after a single late payment. The department brought amendments which allows six months of missed payments before the section would apply. We feel this is too long and will post an amendment for a shorter time period.

In section 24(3), there is reference to Canada Consumer Price Index. We understand the Minister's reasoning that this is an annual index which is reliable and consistent. However, the committee continues to believe an index more directly related to northern costs could be determined.

Madam Chair, in Section 37, there is the potential for a person to die with more than one spouse. For example, they may have married, separated and then entered a common-law relationship. The ministry is still developing an amendment to address this problem. The part on family property allows one party to remain in the home. However, as currently written there are potential problems with leased property. If the husband's name is on the lease, the wife and children may not be allowed to remain in the home, although that would be the intent under this act. With so many territorial residents living in leased homes, the department is preparing an amendment to address these concerns. There were complaints about the complexity of the current expense form for divorce. The need for simplified forms was stressed. The department has agreed

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to review this and in developing the relations. Madam Chair, thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Ningark. The committee has agreed that, at this time, we would ask the minister if he would like to take the witness table and if he would like to bring witnesses. Is the committee agreed? Thank you Mr. Minister. Sergeant-at-Arms, if the Minister has witnesses, could you please escort them in.

--Pause

**CHAIRPERSON (Mrs. Groenewegen):**

Mr. Ng, for the record, could you please introduce your witnesses.

**HON. KELVIN NG:**

Thank you. Madam Chair, to my right is Janis Cooper, legal counsel; to my left, Shawn Flynn, legislative counsel. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you and welcome. Our general comments by Members on the bill. Any general comments? Your clause by clause is being called, Members agreed that we will move on to the clause by clause consideration of the bill. Agreed? The process today would need to be revisited as to whether or not we would like the Minister to continue giving a brief description of the clause at the start of the consideration of that clause. What is the wish of the committee? Okay, we will proceed. Bill 3, Family Law Act, clause 1. Mr. Ng.

**HON. KELVIN NG:**

Madam Chair, this sets all the definitions used throughout the Act.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you. Mr. Erasmus.

Committee Motion 96-13(4): Motion to Amend Clause 1 of Bill 3

**MR. ERASMUS:**

Thank you, Madam Chair. I move that clause 1(1) of Bill 3 be amended by deleting the definition "spouse" and by substituting the following definition in alphabetical order. Spouse means:

(a) either of a man and a woman who;

(1) are married to each other;



(2) have together entered into a marriage that is voidable or void in good faith on the part of the person asserting the right under this Act;

(3) having cohabited outside marriage if they:

(A) have cohabited for a period of at least two years; or

(B) have cohabited in a relationship of some permanence and are together the natural or adoptive parents of a child;

(b) a person who has cohabited with another person of the same gender for a period of at least two years.

**CHAIRPERSON (Mrs. Groenewegen):**

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

**MR. ROLAND:**

Thank you, Madam Chair. During the public hearings we heard from a number of communities, some concern over the definition of spouse in the family law bill. Just the motion and the title of the Act, Family Law Act, seems to point towards families. I was happy in hearing the Minister's opening when comments he spoke of the family unit.

Madam Chair, we have heard arguments a number of times now that other parts of this country are looking at changing their laws. That is one of the reasons why we should be changing our laws, but those decisions have not been made final, especially the one that is in front of the Supreme Court. So that argument I cannot buy. I, and hopefully other Members of this Assembly, will take it very seriously what a family means. Without families, none of us would be here and there would be no need for any of these laws. We have a very serious responsibility and, though others may argue the fact of law, the thing I recall during these public hearings whether it related to husband and wives or children, was law could be used in many ways, good or bad. There is always a way of twisting it around. I am quite concerned that we are setting laws for the territories and may be looking at this just because the nature of spouse refers to marriage. We hear that this will not be impacting that, this will just allow certain other things to happen. But to me the word spouse implies marriage, a husband and wife, and from that we go on. In fact, generations have built on the same families. As I said in my Member's statement earlier today, without a mother and a father there would be no conception. There is no other way

of doing things besides how we have been made. To accept anything less than that, would be saying that we disagree with the ultimate reality that life is based on procreation, man and woman, joined in unity and would continue to support life.

As I said, when I drink from my cup of coffee on a daily basis when I am in this Assembly, it would do me great to know that I have taught my children and raised them in truth. To me, by agreeing to something like this, I would be telling my children that this would be the truth and this was the natural way things happen. I have seen, over the years, in the Northwest Territories things change from small towns to large growing centres. Where outside influences have changed things, sometimes for the better, but a lot for the worst, as we have heard in this House. I would urge Members to join me in saying no to this motion because we can set this example, once again, that this lifestyle, this way of doing business and of writing laws in this way, is normal.

I can easily say I respect people who make their decisions based on their lifestyles. That is their decision. There are no facts. There is no solid evidence to prove that this is not anything else but a decision one makes in their life and how they would like to live it. As I make decisions in my life and how I want to live it, I do not go to others to say, this is my lifestyle, endorse it, give me that right and I will live happily ever after. In a perfect world we would not have to face these things, but we are far from a perfect world, as we know. But I think we have a responsibility to show the youth, the generation coming up, that we, as leaders, are leaders that are responsible, and we respect life and the creation of life. That is what we base our laws on. I think every one of us should seriously consider the actions here and the long term impacts of what this decision makes, not just based on law, because law can make wrongs right in some cases. Those are my comments towards the ability of making laws. I would hope

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that as we review this and it comes to a vote, that Members would think of their families at home and how they will react and respond to this and what we are setting them up for in the generations to come. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Roland. To the motion. I apologize, I should have recognized the mover of the motion first.

I had thought that the mover of the motion spoke to the motion last before the vote. I do apologize for that and now call on Mr. Erasmus.

**MR. ERASMUS:**

Thank you, Madam Chair. This amendment, I am proposing, does not include the ability for people of the same sex to be married. It does not include the ability for them, as a couple, to adopt children. What the amendment proposes to do is to provide protection to people who enter into relationships. So, upon the dissolution of those relationships, they are able to participate in the division of property that has been acquired during that relationship and also to get spousal support.

The first thing I wanted to talk about is that the amendment would allow people to enter into enforceable agreements prior to or during cohabitation. Today those are called pre-nuptial or marriage contracts and this right would also be extended to same sex couples.

The second thing is upon separation, they would be able to enter into those same types of legally enforceable agreements.

The third thing is that they would have the right to apply for spousal support upon the breakdown of the relationship, similar to a man and woman when their relationship breaks down and they separate. One of the two can apply for spousal support, for assistance, for training, or to help them live for a period of time.

The fourth is that when the relationship is broken down or one of the spouses has died, one person would have the right to apply for a division of property acquired during the relationship. Currently, if one of the spouses dies, the living spouse has no claim on the property not in that person's name. This would rectify that. It would also give the person the right to apply for possession of the family home when the relationship breaks down.

Madam Chair, similar to relationships between a man and a woman, spouses in same sex couples often forego their own career to assist their partner in their career. Other times, they look after the children, perhaps from their partner's or their own previous marriage. When they do, they do not work and they leave themselves out of the workplace for sometimes a long period of time and once the relationship ends, it is difficult to get a job. They may require training.

This spousal support is needed for everybody, not just for heterosexual relationships.

Today, it is very difficult for anybody living together to get division of property and you simply cannot get spousal support. You can get division of matrimonial property, but it is very difficult because you have to prove constructive trust to the court. It is very difficult to establish and since it is difficult to establish, it can become very expensive. Once again, we have a situation where we have two systems of justice, one for the rich and one for the poor. Those people who can afford good lawyers might be able to get division of property, but others would not be able to.

As I said, spousal support today, unless you are married you simply cannot get it. Common-law couples, whether they are man and woman relationships or same sex relationships, cannot get it because there is no act in place to provide for that. The courts will not give common law people spousal support. This act gives legal basis for common law spouses to have division of property and spousal support. The proposed amendment that I am speaking to, would go one step further. It would give this same protection to same sex couples. I feel to not extend the right to same sex couples would be against the Canadian Constitution.

Madam Chair, the Canadian Charter of Rights provides in Section 15, that every individual is equal before and under the law, and has the right to the equal protection and benefit of the law without discrimination. The Charter is there to protect Canadian citizens from actions and laws of the territorial, provincial, and Canadian governments. Inconsistencies in laws and the actions of those governments are unconstitutional and whole Acts can be struck down or just the part that is inconsistent with the Charter could be taken out of the Act, which could very well happen in this instance.

There is currently a case before the Supreme Court of Canada called M versus H. In that case there were two women in Ontario who lived together for 10 years. The one woman assumed the role of the supportive spouse. She stayed at home and entertained for her partner and generally assisted her partner in achieving her career objectives. At the end of the relationship, she applied for spousal support. It is interesting to note that Ontario's law regarding spousal support was exactly the same as this government proposes today in Bill 3. The first time she went to court, she was denied spousal support on the basis that she had no legal entitlement to support

under the law, which only authorized spousal support in an opposite sex relationship. At the Court of Appeal level, this decision was overturned. The Court of Appeal found that the law was discriminatory and that in the context of spousal support, there was no valid societal objective in discriminating in this way.

This case is now before the Supreme of Canada and will be argued soon. Madam Chair, I talked earlier about spousal support, which includes allowances to help a person get training or to help them get back on their feet. When spousal support is not allowed, the government ends up having to provide people in need with income support. While actually it is the former spouse who should be providing this.

What we are proposing would give that spousal support to heterosexual couples, man and woman couples, but it would not provide it to same sex couples. I have heard today about our responsibilities. Being a native person, I have lived with discrimination since I was a child and I have taught my children not to discriminate. I feel that it is my responsibility not to discriminate in the laws that I pass.

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Madam Chair, at the proper time I will ask for a recorded vote. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Erasmus. Next on the list, I have Mr. Steen.

**MR. STEEN:**

Thank you, Madam Chair. Madam Chair, I will not be supporting this motion. I will try to outline my justification for this. Madam Chair, I believe that what we are addressing here is, in fact, partnerships rather than actual marriages or common-law situations. I intend to compare this with partnerships that people undertake by living together. I am talking about two men or two women whereby, there is no sexual activity of any kind, and there are many examples of this now a days where people share the cost of living, simply by living together, as friends. There is no sexual relationship involved.

You may also compare this, Madam Chair, to partnerships of the past where people went partners on trap lines, or as prospectors, for instance and if at some point in time, there were disagreements as to who owned what out of the partnership and who was

entitled to what out of the partnership. I believe, that what should be suggested here is very similar as that at some point in time, these people are going to get to a point of disagreement and start claiming what they believe is their fair share of the contribution toward the partnership.

I would like to give an example, Madam Chair that in the past, particularly with prospectors for instance, there were long disagreements because people, after living together for a long time, tend to have them. They have to be settled one way or the other. I believed, Madam Chair, that there is past records whereby prospectors disagreements were settled by simply dividing everything in half, and that included sawing the boat in half, the house in half everything, until each guy had exactly half.

Now obviously, we have advanced a little bit above the chain saw way of settling things. But it still brings into question whether or not these people, in fact, have the same problem, as they are, in fact, partners trying to decide who is entitled to what. I believe and perhaps with the consent of the rest of the Members, we could get confirmation of this from our legal advisor. But I believe that these people have avenues open to them under several laws that exist right now, whereby, they can take their dispute to civil court and ask the judge to decide who is entitled to what out of the partnership. Therefore, because I feel there are avenues open for these people and I am talking about same gender partnerships, I believe that we are not interfering with their constitutional rights. We have supplied them with an avenue to settle their disputes.

Madam Chair, I think it would be appropriate at this time, if I could possibly have you request from the Members to get a legal opinion from our legal advisor as to whether or not there are other avenues open at this time for disputes to be settled, at this time. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Steen. I will refer your question to the committee's law clerk, Sheila MacPherson.

**LAW CLERK (Ms. MacPherson):**

Thank you, Madam Chair. With reference to the division of property required by a couple in a same sex relationship, it is possible for one of the people in a same sex relationship to apply for a division of property based on constructive trust principles, based on principles that do already exist in law. It is a more

complicated than the procedure set forth in the Family Law Act. There are remedies available for the division of property presently in civil law if one can establish that there was contribution made by the person to the acquisition of the asset.

With reference to spousal support, there are no remedies to people in same sex relationships. In order for the court to order spousal support, there must be a right to receive spousal support, and there is presently no legal right to receive spousal support in the same sex relationship. I hope that assists the Member and the House, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Ms. MacPherson. Mr. Steen.

**MR. STEEN:**

Thank you, Madam Chair. And thank you to our legal advisor for that explanation. Madam Chair, I have one other point to make here that would disturb me to some degree. It suggests in the amendment or the motion that whoever cohabited with another person of the same gender for a period of two years. Now Madam Chair, this has, to me, to open up the door for people who have lived together with no sexual activity at all. This seems to allow them, for one of those particular people to claim sexual activity and therefore, claim property rights under this particular law. I would be very cautious about proposing this amendment. I, for one, am not in favour of this amendment. Thank you, Madam Chair.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Steen. Did you have a further question? No? There is no question? Okay. Thank you. At this time on my list I have Mr. Enuaraq, Mr. Miltenberger, Mr. Picco. Mr. Enuaraq.

**MR. ENUARAQ:**

Thank you, Madam Chair. At this time I will not be speaking to the motion, but after other Members have a chance to speak to the motion, I will also be requesting a recorded vote. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Enuaraq. That request has been noted. I have Mr. Miltenberger.

Committee Motion 97-13(4): Motion to Extend Sitting Hours to Conclude Item Under Consideration: CM 96-13(4)

**MR. MILTENBERGER:**

Thank you, Madam Chair. Just before I begin my remarks, I would like to ask that we agree to extend sitting hours to conclude this clause, since it may go past two o'clock.

**CHAIRPERSON (Mrs. Groenewegen):**

Is the committee agreed to extend sitting hours to conclude this clause? Consideration of this clause? This motion. Thank you. Agreed. To the motion. The motion is in order. It is not debatable. All those in favour of the motion? Those opposed?

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The motion is carried. Thank you, Mr. Miltenberger. Please continue.

**MR. MILTENBERGER:**

Thank you, Madam Chair. Madam Chair, in my mind this motion is about rights and obligations, the right of two adults to start or end a relationship. The obligation to share the spoils of that relationship and the obligation to acknowledge the penances arising from the relationship. I do not see the motion as encouraging same sex relationships. It does recognize, however, when two people live together, dependencies can develop and that both contribute to the relationship.

It also seems to be an issue of benefits. Two people contribute over time in their own way and this Act provides a way to divide the contribution fairly, very similar to splitting a small business. This Act gives rules to guide the split. In my mind, this amendment would also protect partners in an unequal relationship, dealing with things like power, knowledge of the law, and education levels which can be different between partners.

Madam Chair, if you look at the legal trends across the country where there is an issue in dividing or providing quality and benefits, most legal cases includes reference to same sex. My sense is that, if we do not recognize this now, with this legislation that has been the works for 10 years, that we will soon be forced to do so in the courts, which as we all know with other circumstances we are involved in, is an extremely costly and adversarial process.

Madam Chair, once again, to me this is not an issue of condoning, condemning or approving same sex relationships. It just recognizes that all long-term couples should have the same obligation to equitably share property. It forces couples to face their responsibilities. It does not let them rely on society to pick up the pieces.

Madam Chair, I will support on principle that people should fulfil these responsibilities and obligations. I will be supporting the motion. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Miltenberger. To the motion. Mr. Picco.

**MR. PICCO:**

Thank you, Madam Chair. Madam Chair, with the family law legislation before us, one of the most significant changes will be made to the legal status of common-law couples. The bills will give heterosexual common-law couples virtually the same rights as married couples. Heterosexual common-law couples will have the right to negotiate and enter into legally binding prenuptial and separation agreements. Heterosexual common-law partners will also have the right to look to the courts to seek a division of properties, spousal and child support. I see this as a human rights issue.

I do not want to wade into an issue that attacks a lifestyle choice. The division of property based on cohabitation has been made in other jurisdictions. At one time, living without the benefit of marriage, was considered a sin. Few people today would voice the same concerns about common-law couples. Times changed and attitudes changed. Allowing for spousal support, divisions of assets are all fundamental rights. As legislators, we are charged to enact legislation, laws, and bills that will benefit all walks of life, all colours, backgrounds, creeds, and religions. That is what the amendment is allowing. It is a fundamental human right to be treated equally and fairly. It is not for me to decide which lifestyle of choice is correct. I am not elected to judge people. This legislation is to give equal rights as the Canadian Constitution outlines, and I will be voting in support of the amendment. Thank you, Madam Chairperson.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Picco. To the motion. Mr. Ootes.

**MR. OOTES:**

Thank you, Madam Chair. I have a question for the law clerk. I wonder if I could get a definition of the word cohabit?

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Ootes. Ms. MacPherson.

**LAW CLERK (Ms. MacPherson):**

Thank you, Madam Chair. This Act contains a definition of cohabit, and cohabit means to live together in a conjugal relationship whether within or outside marriage. I hope that assists the Member.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Ms. MacPherson. Mr. Ootes.

**MR. OOTES:**

Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

To the motion. Mr. Erasmus.

**MR. ERASMUS:**

Madam Chair, when I campaigned for office, I indicated that I was not making any promises, but when I looked at an issue, I would look at both sides of the equation and that I would use fairness, equity and compassion in my decisions. That is what I am trying to do today, trying to treat people fairly, compassionately, and equitably.

Having studied the law, I know if we passed this law without the amendment, we will find ourselves in court and it will be expensive. I think it would be best not to put ourselves in that type of a situation. I have been told that by putting forward this amendment, it would likely mean that I would not be re-elected. I have heard Members being told that if we pass this, we would not be re-elected.

I am not here to worry about everything I do and whether I am going to be re-elected or not. I think we are here to try to be fair and equitable in our decisions and in the laws that we pass. It is simply not fair to not extend this right to everybody. The rights of division of property and spousal support are only extended to part of the population. As I said, I believe that it is against the constitution. We will be challenged and it will be expensive. On a final note, Madam Chair, I would like to express my disappointment with the

Members who suddenly found pressing business outside this House today, but who were here all week. I would also like to ask for a recorded vote. Thank you.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Erasmus. To the motion. Question is being called for the

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purpose of the recorded vote. All those in favour? I do apologize for the delay. Just a small procedural matter. We needed to have two clerks at the table. All those in favour of the motion please signify by standing.

**CLERK OF THE HOUSE (Mr. Hamilton):**

Mr. Erasmus, Mr. Dent, Mr. Picco, Mr. Miltenberger and Mr. Ootes.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you. Those opposed please stand.

**CLERK OF THE HOUSE (Mr. Hamilton):**

Ms. Thompson, Mr. Antoine, Mr. Morin, Mr. Todd, Mr. Arlooktoo, Mr. Steen, Mr. Ningark, Mr. Barnabas, Mr. Enuaraq and Mr. Roland.

**CHAIRPERSON (Mrs. Groenewegen):**

Those abstaining.

**CLERK OF THE HOUSE (Mr. Hamilton):**

Mr. Ng and Mr. Rabesca.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you. The motion to amend clause 1, Bill 3, Family Act has been defeated. Those for; 5. Those against; 10. Abstentions; 2. Thank you. The motion is defeated. With this item concluded, what is the wish of the committee? Is it to proceed with the continuing clauses? Mr. Picco.

**MR. PICCO:**

I move to report progress, Madam Chairperson.

**CHAIRPERSON (Mrs. Groenewegen):**

Thank you, Mr. Picco. Your motion is in order. It is not debatable. All those in favour of the motion? Opposed? The motion is carried. I will now rise and report progress. Thank you.

**MR. SPEAKER:**

The House will come back to order with item 20, report of the committee of the whole. Ms. Groenewegen.

**ITEM 20: REPORT OF THE COMMITTEE OF THE WHOLE**

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Minister's Statement 110-13(4), Tabled Document 108-13(4), and Bill 3, Family Law Act and Committee Report 8-13(4). I would like to report one motion being adopted. Mr. Speaker, I move that the report of the committee of the whole, be conferred with. Thank you.

**MR. SPEAKER:**

Thank you. Seconded by Mr. Ningark. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? Motion is carried. Item 21, third reading of bills.

**ITEM 21: THIRD READING OF BILLS**

**MR. SPEAKER:**

Mr. Ningark.

**MR. NINGARK:**

Thank you, Mr. Speaker. Mr. Speaker, I seek consent to go back to unanimous consent to Item 3, Members' statements. Thank you.

**MR. SPEAKER:**

The Member for Natilikmiot is seeking unanimous consent to go back to Item 3, Members' statement. Do we have any nays? There are no nays. Mr. Ningark, you have unanimous consent.

**REVERT TO ITEM 3: MEMBERS' STATEMENTS**

Member's Statement 470-13(4): Absence From the House

**MR. NINGARK:**

Thank you, Mr. Speaker. Mr. Speaker, on Monday October 13th, 14th, and 15th, I will be absent from the House attending a Kitikmeot/Inuit Association meeting in Pelly Bay. Thank you.

**MR. SPEAKER:**

Member's statement. We will go back to Item 21, third reading of bills. Mr. Ng.

**HON. KELVIN NG:**

Thank you, Mr. Speaker. I move, and seconded by the honourable Member for Aivilik, the bill for children's law be read for the third time. Thank you, Mr. Speaker.

**MR. SPEAKER:**

The motion is order to the motion. Question has been called. All those in favour? All those opposed? Motion is carried. Bill 4, has had third reading. Third reading of bills. Mr. Clerk. Item 22, orders of the day.

**ITEM 22: ORDERS OF THE DAY**

**CLERK OF THE HOUSE (Mr. Hamilton):**

Mr. Speaker, meeting of the Management Services Board immediately after adjournment. Meetings for Tuesday, October 14th at 9:00 a.m. of the Caucus, at 10:00 a.m. of the Standing Committee in Government Operations, at 11:00 a.m. of the Ordinary Members' Caucus.

Orders of the day for Tuesday, October 14th:

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

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15. Notices of Motions for First Reading of Bills

16. Motions

17. First Reading of Bills

- Bills 25, Supplementary Appropriation Act, No. 2, 1997/98.

18. Second Reading of Bills

19. Consideration in Committee of the Whole of Bills and Other Matters

- Bill 3, Family Law Act

- Bill 5, Adoption Act

- Bill 15, An Act to Amend the Workers' Compensation Board

Act

- Bill 21, an Act to Amend the Companies

Act

- Bill 22, An Act to Amend the Corrections

- Committee Report 08-13(4), Report of the Review of the Family Law Bill

- Minister's Statement 110-13(4), Transition Action Plan

- Tabled Document 108-13(4), Creation of Two New Territories - Transition Action Plan

20. Report of the Committee of the Whole

21. Third Reading of Bills

22. Orders of the Day

**MR. SPEAKER:**

Thank you. Have a good weekend. This House stands adjourned to Tuesday, October 14th, at 1:30 p.m.

--ADJOURNMENT