



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

6th Session

Day 14

13th Assembly

HANSARD

TUESDAY, NOVEMBER 10, 1998

Pages 341 - 369

Page numbers reflect printed Hansard

The Honourable **Samuel Gargan**, Speaker

MEMBERS PRESENT

Honourable Jim Antoine, Honourable Goo Arlooktoo, Honourable Charles Dent, Mr. Erasmus, Honourable Sam Gargan, Mrs. Groenewegen, Mr. Henry, Honourable Stephen Kakfiwi, Mr. Krutko, Mr. Miltenberger, Honourable Kelvin Ng, Mr. Ningark, Mr. O'Brien, Mr. Ootes, Mr. Rabesca, Mr. Roland, Mr. Steen, Honourable Maniok 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):

The Chair does not recognize a quorum. Thank you. The Chair now recognizes a quorum. I would like to remind Members that we start session at 1:30 p.m. Good afternoon. Orders of the day. Item 2, Ministers' statements. Mr. Arlooktoo.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 61-13(6): Nunavut Transition Planning - An Update

HON. GOO ARLOOKTOO:

(Translation) Thank you, Mr. Speaker. In a short 142 days, the Nunavut territorial government will proudly join Canada's confederation as a new jurisdiction, and it is only fitting that as the Minister responsible for Nunavut Transition Planning, I rise to provide my colleagues with an update on certain aspects of division as it relates to Nunavut Transition Planning. Members of the 13th Assembly have had the privilege of being a part of this historical achievement. We take very seriously our role as one of the three signatories to the Nunavut Political Accord, along with Nunavut Tunngavik Incorporated and the federal government.

Mr. Speaker, yesterday, you read out letters of recommendation from the Interim Commissioner of Nunavut regarding bills that are going before this Assembly to facilitate the transition to Nunavut on April 1, 1999. Besides being historically important, this is done in accordance with the recent

amendments to the Nunavut Act, as well being done in the spirit of cooperation in Nunavut Transition Planning that is needed to get the job done.

Recently, the Nunavut Caucus held a critical meeting in Iqaluit. Issues such as division-related legislation and business planning for Nunavut were discussed. It was an opportunity for the Nunavut Caucus to meet in Nunavut rather than Yellowknife where meetings were necessarily held. As a result of this meeting, we agreed with the OIC that key employees of the Interim Commissioner's Office will attend before a future meeting of Nunavut Caucus to report on their business planning process and obtain our input. (Translation ends)

The first election for the Nunavut Legislative Assembly will be held on February 15, 1999. Many preparations are already underway and the enumeration for the first Nunavut election has been done. Having an election in advance of April 1, 1999, had to be done by special legislation.

While I was attending a recent meeting of Ministers of Justice in Regina, I was very proud to give a presentation on the single level trial court which will be the proud centrepiece of the Nunavut justice system. On April 1, 1999, Nunavut will become the only jurisdiction in Canada to hold such a court system. In the single court system, one level of court can hear all cases. I was very happy to have the opportunity to address these issues at a national level.

In the coming days, I plan to appear before a Parliamentary Standing Committee to express the GNWT support to further amendments to the Nunavut Act, that will smooth the way for the single level trial court system. Mr. Speaker, these are but few of the many issues facing us in advance of April 1, 1999, and I look forward to the continued cooperation of all those involved in this historic achievement, an undertaking, Mr. Speaker, that will see the first change to Canada's political map in 50 years.

--Applause

MR. SPEAKER:

Ministers' statements. Mr. Ng.

Minister's Statement 62-13(6): Capital Funding

HON. KELVIN NG:

Thank you, Mr. Speaker. I am pleased to announce that last Thursday, the Financial Management Board approved inclusion of \$1.55 million in capital funding in the 1998/99 Supplementary Appropriation No. 3, for the Department of Health and Social Services.

Included in this funding is:

- a \$500,000 contribution to the Stanton Regional Hospital Board to assist in the acquisition of a CAT scanner;
- \$300,000 for furnishings and equipment for the soon to be completed health centre in Gjoa Haven; and,
- \$750,000 for contributions to boards to address urgent minor capital requirements that could not be funded this year.

Mr. Speaker, the Stanton Regional Health Board, through its foundation, has been pursuing the acquisition of a CAT scanner for some time. Today, we are happy to announce this government's contribution which will bring this pursuit closer to realization. The Stanton Regional Hospital Foundation was

Page 342

established to help meet the funding needs for medical equipment at Stanton Regional Hospital. Several pieces of equipment have been identified as being required. The CAT scanner, which is a very important diagnostic tool, is at the top of the list.

I urge all Members of this House and the general public to generously support the efforts of the Stanton Regional Hospital Foundation in their continuing quest to raise additional funding for medical equipment. As Members may know, a CAT scanner is a system that reconstructs cross sectional images of the human body. The acquisition of the scanner and the establishment of a CAT Scanning Program will support and enhance the Diagnostic Imaging Program for the Stanton region. This will provide more effective diagnosis and treatment for residents in the region and will decrease the need for invasive diagnostic procedures.

In summary, Mr. Speaker, the proposed CAT Scan service will support NWT health care practitioners in providing a higher quality service:

- by assisting in patient diagnosis and treatment;

- by facilitating better decision making about southern referrals; and,

- by allowing practitioners to maintain professional skill levels.

Practitioners' support is a key ingredient in recruiting and retaining health professionals in the north, and many specialists rely on the availability of CAT Scan technology. Mr. Speaker, with respect to the second item of newly approved capital funding, I am pleased to say that the new health centre in Gjoa Haven, which will replace the present facility, is nearing completion.

In the past, the expectation has been that the necessary furnishings and equipment in an existing facility could be transferred to a new facility. Therefore, the department has not included furnishing and equipment for replacement projects in their budget. However, given the environment of fiscal restraint, the department has been unable to maintain an active minor capital replacement program. As a consequence, the equipment in the existing Gjoa Haven facility is in very poor shape, and a significant portion needs to be replaced. The recently approved funding will allow for this replacement.

Mr. Speaker, each year the minor capital requests that the department receives from boards far exceed available funding. Requests typically exceed funding by \$2 million or more. Knowing this, boards only bring forward their most critical needs. The department is attempting to address this chronic shortfall and minor capital through the business plan. However, there are significant critical needs that need to be addressed now.

Mr. Speaker, aging facilities and equipment continue to place pressure on the health and social services system to maintain essential assets. The financial resources currently available to maintain the existing infrastructure have been and continue to be, insufficient to meet urgent requirements of the boards.

Included in these urgent requirements are items such as:

- medical equipment including dialysis machines, fetal monitors, infant warmers;
- other equipment such as hospital beds and stretchers;
- upgraded phone systems and workstations in community facilities;

- renovations to facilities such as painting and replacing carpeting; and,
- vehicle replacements.

These capital purchases will ensure that quality programs and services can continue to be delivered. Capital equipment and facilities that are rapidly nearing the end of their useful and sometimes safe life, if not replaced or renovated, will cause the shutting down of programs and could even mean the closing of facilities. These purchases will also address fire and other safety code issues. Mr. Speaker, we all know that fiscal restraint of the past few years has had a major impact on our ability to provide quality health and social services. However, I am pleased to say that this government has demonstrated its willingness to recognize and address these difficulties by approving funding for these urgent capital requirements. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Ministers' statements. Mr. Kakfwi.

Minister's Statement 63-13(6): Trip to Antwerp, London and Brussels

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I recently travelled to Europe where I met with Canadian embassy officials, the Central Selling Organization, and a number of diamond manufacturers to promote investment in the Northwest Territories diamond industry. In meetings with Embassy officials in London and Brussels, we emphasized the need to promote the opportunities associated with diamond-related investments in the NWT to the diamond industry in London and Belgium. We received a favourable response from embassy officials and they indicated a willingness to provide support for our endeavours. The Central Selling Organization was encouraged to consider opening an office in the NWT. In their role as industry leaders, and in recognition of the potential of their diamond exploration projects, the presence of a De Beers office with a De Beers sign would contribute towards the development of the NWT as a diamond centre. It would also demonstrate their willingness to join our northern business community as full partners. Mr. Speaker, during the two days in Antwerp, I met with six diamond manufacturers who are interested in

establishing cutting and polishing facilities in the NWT.

All of these manufacturers are significant players in the

Page 343

diamond industry. A number are developing proposals to cut and polish diamonds in the NWT. We anticipate receiving at least three and as many as five proposals within the next few months from Antwerp-based manufacturers. These companies may join other parties from Canada and the United States that are already interested in participating in the investment opportunities in the NWT. The critical element in making the NWT attractive as a cutting and polishing centre is a guaranteed long-term supply of high-quality rough diamonds direct from the mine. We will continue to work with BHP Diamonds and future producers to ensure that this need is met. Thank you.

--Applause

MR. SPEAKER:

Ministers' statements. Mr. Dent.

Minister's Statement 64-13(6): Review of Education, Culture and Employment Strategic Plan

HON. CHARLES DENT:

Thank you, Mr. Speaker. Good afternoon. The Department of Education, Culture and Employment has begun a major review of its strategic plan which is now five years old. The key goals for that plan were developed after consulting with people across the north. Those goals are the foundation of our plan. As well, the plan helped us to improve coordination between our programs and services. The result of having a strategic plan are better links between early childhood programs, schools, colleges and work. On the whole, the plan has been very useful, particularly in setting goals and measuring progress.

It is time now to review the plan, update it and make the necessary changes. We are close to the creation of two new territories. We know that each new territory must set its own goals and priorities. Technology is progressing rapidly and the skills and knowledge required in the workplace are demanding. Given these circumstances, it is important that we take a step back, look at the progress we have made and think about where our strategic plan should take

us over the next five years. I should point out that we are not planning to completely rewrite the plan. Instead, we want the public, parents, students, educators, employers and other interested groups and organizations to tell us what has been successful, what we should focus on now and help us outline how to deal with the challenges ahead. As part of this review, I will very soon appoint people to a Minister's forum. This forum will collect information from the public and make recommendations on future direction from kindergarten to grade 12.

--Applause

MR. SPEAKER:

Ministers' statements. Ms. Thompson.

Minister's Statement 65-13(6): Community Safety Initiatives

HON. MANITOK THOMPSON:

(Translation) Mr. Speaker, Members may recall the colouring book that MACA released last winter, on safety around municipal service vehicles. This colouring book has been very successful. We have received many requests for copies of it. As a result of the overwhelming interest, MACA is now producing a series of activity books to children about safety.

(Translation ends)

Our first activity book features safety around dogs. It explains the responsibility that dog owners and community residents have to keep their community safe.

Future safety books will encourage consumer awareness, fire protection, emergency response and safety around animals. These books will help teachers, parents and community officials to discuss important safety issues. I would like to thank the NWT Association of Municipalities for their support in distributing the books around the north. Mr. Speaker, MACA is working with its partner agencies on many other safety initiatives for communities.

We have worked with the Inuit Broadcasting Corporation to produce an episode of the very popular children's show, "Takuginai." This episode talks about safety around dogs. MACA is also working with the NWT Dog Sledding Association to produce public service announcements on dog safety. Mr. Speaker, MACA's other initiatives include our partnership with the NWT Recreation and Parks Association and the

NWT Fire Chiefs' Association to deliver playground safety workshops and inspections.

New initiatives this year include the Play Safe, Be Safe Program for pre-schoolers and the community-based Risk Watch Program. Risk Watch gives children the skills and knowledge to recognize danger and avoid risks. Other public safety resources will include ice and water safety, winter safety, fire safety, firearm safety and safety on the land. Mr. Speaker, through the participation of our partner organizations, we hope to increase awareness of safety practices in all northern communities. Thank you, Mr. Speaker.

MR. SPEAKER:

Ministers' statements. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I seek unanimous consent to wave Rule 34(6), so that all Ministers' statements filed with the Clerk can be delivered today.

MR. SPEAKER:

The Member for Sahtu is seeking unanimous consent to wave Rule 34(6). Do I have any nays? There are no nays? Mr. Kakfwi, you have unanimous consent.

Page 344

Minister's Statement 66-13(6): Joint Meeting of Energy and Environment Ministers - Halifax

HON. STEPHEN KAKFWI:

Thank you. Mr. Speaker, on October 19 and 20, I had the privilege of co-chairing the joint meeting of federal, provincial and territorial Ministers of Energy and Environment in Halifax. Discussions focused on climate change and other air issues. Of greatest importance to the Northwest Territories was the discussion on the international agreements recently negotiated between Canada, United States, Russia and European nations. These agreements aim to control emissions of persistent organic pollutants and heavy metals.

As Members are aware, the north is affected by this pollution. Wind and ocean currents carry it northward from industrialized countries. Ministers confirmed that Canada should proceed to ratify the agreements, but that provinces and territories will need to be fully consulted should further obligations be required. Another major outcome of the Halifax meeting was

the signing of a Canada-wide Acid Rain Strategy. This document builds upon the successful efforts of the last decade to reduce pollutants that cause acid rain.

Aside from these two issues, Ministers devoted the majority of time to reviewing Canadian actions on climate change. During these discussions, we reaffirmed the two-track approach all governments are taking to address climate change. That approach is to take action that will have clear net benefits now, while assessing options for measures that will lead to sustained reductions in the future. Mr. Speaker, the Government of the Northwest Territories recognizes that climate change is a serious concern. It has the potential to significantly disrupt the global environment, and in turn, will affect the ability of northerners to lead healthy and productive lives.

Our government recognizes its responsibility to support local and global actions to reduce greenhouse gas emissions. We must support Canada's position as a leader among nations to protecting the environment. The GNWT is committed to developing a "Made-In-The-North" Strategy to help control greenhouse gas emissions. We are also committed to working with federal and provincial governments to develop an equitable approach to Canada's international commitment. Mr. Speaker, in the NWT we are developing a strategy to control northern greenhouse gas emissions that is being developed in cooperation with a broad range of stakeholders. As it evolves, we will take action to reduce the negative effects of climate change on our health and environment, to minimize the negative impacts to our economy and take advantage of the economic opportunities that will result from the use of more efficient equipment and materials. Mahsi cho.

MR. SPEAKER:

Thank you. Ministers' statements. Mr. Kakfwi.

Minister's Statement 67-13(6): NWT Business Credit Corporation 1998 Annual Report

HON. STEPHEN KAKFWI:

Mr. Speaker, I am pleased to present the Northwest Territories Business Credit Corporation's 1998 Annual Report. The Business Credit Corporation is dedicated to assisting economic development in the NWT and encouraging job opportunities by providing loans and contract security to northern entrepreneurs and businesses. As a provider of loans, the Business Credit Corporation recognizes the diverse needs of its

northern clients and tailors financing as much as possible to meet their needs and expectations. The bulk of monies lent to northern businesses remain in the north creating economic spin-offs at the community level.

Mr. Speaker, I would like to mention some of the highlights during the year. Operationally, the Business Credit Corporation's approved loans grew by \$14.6 million, which went to 119 northern businesses. This is an increase of 20 percent in the number of loans approved and over 62 percent in dollar terms over the previous year. The value of approved loans to all three community levels increased, with level 2 communities showing the greatest increase - 177 percent over the previous year, followed by a 48 percent in level 3 communities. In the level 1 communities, 46 percent of the value of approved loans were outside of Yellowknife, indicating a strong demand from the communities of Fort Smith, Hay River and Inuvik. The increase in approved loans over the previous year across the north, shows the continued economic growth of the northern economy and the important role of the government as a partner in stimulating job creation.

I am pleased to note that while the overall loan portfolio group, by almost 14 percent to over \$31 million, the administrative expenses decreased slightly from the previous year. The Business Credit Corporation has become more efficient in delivering its services to northern businesses and will continue to do so in the future. In conclusion, Mr. Speaker, I wish to thank members of the board of directors for their guidance, support and commitment throughout the year and look forward to their continued dedication. Thank you.

--Applause

MR. SPEAKER:

Thank you. Ministers' statements. Members' statements. Mr. Arlooktoo.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement 151-13(6): Status of Nunavut Accomplishments

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. As we get closer to April 1, 1999, for division, we have increasingly come across many important milestones that remind us that this important date is drawing near. Recently, we had the

Formula Financing Agreements, yesterday, we had the letter read from the Interim Commissioner's Office for the first time in this House, and today, I will be tabling letters from the Nunavut Tunngavik Incorporated president, who expresses support for these bills. We are in the process right now of completing service agreements between the GNWT and Nunavut.

Particular importance to me today, is the fact that the Clerk

Page 345

designates for the Legislative Assembly of Nunavut are here with us today. I would like, with your permission, to recognize them and personally, I would like to thank you, Mr. Speaker, and especially, Mr. David Hamilton, who has been extremely cooperative in allowing this to occur. Mr. John Quirke is the Clerk designate. Mr. Quirke is joined by Ms. Rhoda Perkison and Ms. Nancy Tupik, who will be Mr. Quirke's number 2 and 3, in the House of the Legislative Assembly. They have before them a very broad range of important work that they need to do for the planning for briefings, travel, helping MLAs select their Cabinet, and the Premier, et cetera. I would like to ask the Members to join me in congratulating these three individuals and wishing them the best of luck. Thank you.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Miltenberger.

Member's Statement 152-13(6): Remembrance Day Celebration

MR. MILTENBERGER:

Thank you, Mr. Speaker. Eighty years ago, World War I concluded. Fifty-three years ago, World War II finished. Forty-seven years ago, the Korean conflict ended. Hundreds of thousands of Canadians laid down their lives in those conflicts and many, many more have laid down their lives since then in dozens of places around the world in Peace Keeping Initiatives. Tomorrow is the day where we take the time to think back and think about all those who have given their lives, so that we can live in the style and type of government we now have.

Mr. Speaker, as we think about those who gave their lives for us, we also have to think how fragile a thing

peace is and how lucky we are, an oasis basically, in the world, surrounded by countries at war in almost every other continent around us. It did not come lightly and it is nothing we should take for granted. It is something that we have to work at every day, not only as a nice thought, but in our dealings with each other as we move toward division, as we look at setting up two separate territories. This is a critical issue and I would encourage everybody to take time tomorrow to think of all those who have died.

I would also like to acknowledge and thank the Commissioner who will be coming to Fort Smith tomorrow to help us celebrate the Remembrance Day ceremonies, which I as well, will be attending. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statement. Mr. Roland.

Member's Statement 153-13(6): Remembrance Day

MR. ROLAND:

Thank you, Mr. Speaker. November 11, marks a very important date in the history of democracy. My generation in Canada have not had to fight for our own democracy as many men and women of our country in World Wars I and II, and the Korean War, as well as many UN peace keeping missions. Mr. Speaker, in this hectic journey we call life, we have become so busy that we often forget to thank those who have gone before us. Our focus is on today, and we look ahead to try and prepare for what may come tomorrow.

Mr. Speaker, tomorrow is a day dedicated to the memory of those who bravely gave their lives to protect the very fabric we call democracy. I would like to take this time to thank the many survivors and the families of those who laid their lives down, so that I, as well as my children, could continue to live in a free democratic society. Mr. Speaker, I have been invited to take part once again in the ceremonies of the Royal Canadian Legion, McInnes Branch 220 in Inuvik, but unfortunately, this year I will be unable to attend. I would like to send a message home that I am sorry I cannot be there personally, but my thoughts and prayers will be with them during their time. Thank you.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Rabesca.

Member's Statement 154-13(6): Meeting of Western Members on the Airport Project

MR. RABESCA:

Thank you, Mr. Speaker. Mr. Speaker, today I hosted a meeting between the Western MLAs and the community of Rae-Edzo. This meeting was mainly to start a dialogue to gather support for my colleagues for the Road to Resources and other important initiatives that my community is working on, which of course, includes the airport project. At this time, I would like to thank the honourable Charles Dent, Mr. Roy Erasmus, Mr. Michael Miltenberger, Mr. David Krutko and Mr. Seamus Henry for attending this meeting. Listening to my constituents' concerns regarding this very important issues. Throughout this meeting the word compromise was said over and over.

On that note, it was agreed that in order for the Road to Resources project to go ahead, all parties must work together to ensure this project is a success. It is with this feeling of compromise, we will be planning another meeting of this type, which will also include members from Detah, N'dilo and Yellowknife. In closing, I again would like to thank my colleagues and members of my community for attending the start of a process that will benefit the whole North Slave region. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statements. Mr. Krutko.

Member's Statement 155-13(6): Implementation of Affirmative Action Policy

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, I rise today on an issue that I have raised before in this House with limited success, regarding the implementation of a policy in this government. I am talking about, Mr. Speaker, the

Page 346

Affirmative Action Policy that this government has had in place to support aboriginal people for 12 years. We

do not see the success rate or increases of aboriginal people in the government workforce. This government must effectively implement the policy, which has not happened.

Without the Department of Personnel, there is no consultation in dealing with affirmative action applicants and clients. Most jobs in regard to the Affirmative Action Policy are being filled more in relation to labour positions and lower standards of opportunities of this government. Mr. Speaker, individuals who attend post-secondary education, and to obtain their degrees at universities and come back home are still having a hard time finding jobs with the Government of the Northwest Territories.

Mr. Speaker, we may point fingers at BHP and other companies to implement social impact agreements and ensuring that a certain percentage of positions will be filled by northerners and aboriginal people, but, Mr. Speaker, in this government, especially in the area of management positions only 12 percent are held by aboriginal people. We need to look at many aboriginal people in the Northwest Territories who have schooling degrees and work in the private sector and ask ourselves why are those people not in the Government of the Northwest Territories workforce.

There maybe many questions asked through this government in regard to the Affirmative Action Policy, but, Mr. Speaker, it is important that if we are going to have policies that we ensure they are there for the purpose of benefiting those who the policy was drafted for. Mr. Speaker, at the appropriate time, I will be asking the Minister a question on the Affirmative Action Policy and why is it not working.

--Applause

MR. SPEAKER:

Members' statements. Mr. Erasmus.

Member's Statement 156-13(6): Recruitment and Retention Plan

MR. ERASMUS:

Thank you, Mr. Speaker. Mr. Speaker, I rise today to urge the GNWT and the union to get a contract out, so our public service members can vote on it. Mr. Speaker, this issue has dragged on far too long and it is affecting all northerners in many ways. For example, we have been hearing for quite a while now about the nursing shortage. If you listen to the radio, you hear about it. If you look at the papers, you can

see it there. Turn on your TV, you see it there. Lately, we have had Members talking about it here. Some of our Members went to Tuktoyaktuk and saw signs up that there were fewer services being provided. Another Member spoke yesterday, that the health system is in a death spiral because of this. Mr. Speaker, the Minister of Health and Social Services has tabled a Recruitment and Retention Plan. This was put together with the help of health boards, nurses, doctors and so on.

Mr. Speaker, we have heard that community nurses stand to gain up to \$13,000 a year through a new collective agreement that has already been agreed upon. The problem is the GNWT cannot pay those new salaries because the bargaining process is still going on. Mr. Speaker, I seek unanimous consent to conclude my statement.

MR. SPEAKER:

The Member for Yellowknife North is seeking unanimous consent to conclude his statement. Do we have any nays? There are no nays. Mr. Erasmus, you have unanimous consent.

MR. ERASMUS:

Thank you, Mr. Speaker, and thank you, colleagues. Mr. Speaker, this situation reminds me of an old story. The one where there is water flowing through a hole in a dike and the little Dutch boy sticks his finger in the hole and stops the flow and that saves his village. In our case, the little Dutch boy, or rather the little Scottish boy is ready to put his finger in the dike, unfortunately there is something blocking his finger. I urge the union and the government negotiators to hurry up and get something out for the workers to vote on. For the sake of our health care system, quite blocking the Scottish boy's finger. Thank you.

--Applause

MR. SPEAKER:

Members' statements. Mr. Ootes.

Member's Statement 157-13(6): Remembrance Day

MR. OOTES:

Thank you, Mr. Speaker. Mr. Speaker, I would also like to say some words on Remembrance Day today. I would like to mention that I was born in a country that was under war in Holland in the 1940's. I must say that I have had my parents speak about that time

with a great deal of memories that were not pleasant. There was suffering, a lot of death, and a lot of injustices done to people who were overridden by an other power. It effected my family, my mother, my father, my brother, myself, my grandparents, and our extended family very dramatically in many ways. I would like to say that war is not pleasant. It is very, very unpleasant, not just for the soldiers but for the residents in those particular areas. We came to Canada in 1952, and I must say, that we found this particular country a dramatic change from where we came from. A country where there is tremendous opportunity, and you will never believe what it does for people who come from an area that is war torn, to come to a country like this. The opportunity presents itself, if a person is willing to take it. For anybody in this country, it is there to be taken. I do not care how destitute you are, how poor you are, if you really want to get somewhere, you can do it. I have proven that in my particular case.

Page 347

Mr. Speaker, I would like to tell people that this is the best country in the world. It has been judged as such by the United Nations five times in this decade. It is based on 175 other countries comparisons and on about 75 criteria. On this day, tomorrow, I would like people to remember and not only remember that war is terrible and those who have died in it, but also remember what a great country we have, what opportunities we have, and the responsibilities we have to ensure that we carry that on for our future generations. Thank you, Mr. Speaker.

--Applause.

MR. SPEAKER:

Members' statements. Item 4, returns to oral questions. Mr. Ng.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Oral Question 120-13(6): Cancer Studies in the Mackenzie Delta

HON. KELVIN NG:

Thank you, Mr. Speaker. I have a return to oral question asked by Mr. Krutko on September 25, on cancer studies in the MacKenzie Delta. On September 25, 1998, you expressed concern over high cancer rates in the Mackenzie Delta and you asked me what studies have been done and where they are.

The Government of the Northwest Territories, through the Department of Health and Social Services, maintains a Cancer Registry under the Disease Registries Act. It is a legal duty of health professionals in the NWT to report every newly diagnosed case of cancer to the registry.

Information gathered in the Cancer Registry is reviewed annually and reports are produced periodically. The analyses are usually published in EpiNorth, our epidemiological newsletter. Data is also regularly provided back to health and social services boards upon request.

Cancer rates in the NWT, although rising, still remain lower than the rest of Canada. This is also true of the Mackenzie Delta region. The types of cancer which are on the rise include lung cancer, strongly linked to high rates of tobacco smoking, and cancer of the large intestine and rectum, associated with dietary changes away from traditional foods towards those that are fried, high in saturated fats, and low in fibre, vitamins and trace minerals.

The perception that cancer rates are high in many NWT communities relates to the following:

-cancer rates were traditionally quite low among aboriginal people and the rise in the past two or three decades has been noticeable;

-cancer is a disease associated with aging; as the numbers of elders increase, so do the numbers of people with cancer; and,

-people with cancer are also more "visible" in small communities as compared with large centres; proportionally more people are aware or touched by each new case of cancer.

The department is quite concerned about this issue. In collaboration with aboriginal partners, a project is currently underway to develop a communications package to facilitate discussions about cancer at the community and regional levels. A workshop was held in Yellowknife on October 14-15, 1998. It was coordinated by the Dene Nation and included participation from regional stakeholders. Once a communications package has been developed, it will be provided to the Inuvik Regional Health and Social Services Board for use at the community level in your region. Thank you.

MR. SPEAKER:

Thank you. Returns to oral questions. Ms. Thompson.

Return To Oral Question 182-13(6): Review of the Municipal Funding Formula

HON. MANITOK THOMPSON:

Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Rabesca on November 9, 1998, Review of the Municipal Funding for MACA.

In response to the Member's question regarding funding for the community of Rae-Edzo, I would like to confirm for the Member that in recognition of the unique situation in that community, the Department of Municipal and Community Affairs provided additional funding to the community of Rae-Edzo for both the 1997/1998, and 1998/1999 fiscal years. The department has also identified additional funding for the community for the 1999/2000 fiscal year subject to the approval of the Legislative Assembly.

Based on the concerns raised by the Member for North Slave, the Municipal Finance Review is considering the unique situation of separate communities within a single municipal boundary, as in Rae-Edzo. I anticipate that this review will result in recommendations regarding such situations. Thank you.

MR. SPEAKER:

Thank you. Returns to oral questions. Item 5, recognition of visitors in the gallery. Mr. Roland.

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

MR. ROLAND:

Thank you, Mr. Speaker. I am happy to recognize my constituency assistant in the gallery. She used to go by the name of Janine Gordon, but has since been married this summer and now goes by Janine Blake. Thank you.

--Applause

MR. SPEAKER:

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

MR. KRUTKO:

Thank you, Mr. Speaker. I would like to recognize Pat Thomas with the NWTTA. Welcome Pat.

Page 348

--Applause

MR. SPEAKER:

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

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize two people in the public gallery. One is Annie Clark, now a resident of Iqaluit, Nunavut, former interpreter/translator of this Assembly for ten years.

--Applause

Secondly, Mr. Speaker, I would like to recognize Atima Hadlari, Director of Language Bureau of Cambridge Bay in Nunavut.

--Applause

MR. SPEAKER:

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

HON. KELVIN NG:

Thank you. I thank my honourable colleague for recognizing Mr. Atima Hadlari. I did not realize he was there. I, too, would also like to recognize Mr. Atima Hadlari as one of my constituents and a golfing associate. Thank you.

MR. SPEAKER:

Recognition of visitors in the gallery. Mr. Henry.

MR. HENRY:

Thank you, Mr. Speaker. Mr. Speaker, it gives me great pleasure today, to recognize someone I have had the opportunity to work with for the past ten years, and an individual that allows me to have the freedom to have so much time in this House, a member of my constituency, Mr. Craig Shenher.

--Applause

MR. SPEAKER:

Welcome to the Assembly. Recognition of visitors in the gallery. Item 6, oral questions. Mr. Krutko.

ITEM 6: ORAL QUESTIONS

Question 197-13(6): Aboriginal People in Management Positions

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Finance, regarding the Affirmative Action Policy. In regard to my statement it seems like there is a real gap in the number of jobs that have been created through this policy in regard to the changes that we made in this government with the removal of the Department of Personnel. There are a lot of jobs being advertised, but there are not too many aboriginal people filling those positions. I would like to ask the Minister exactly why is it that there is such a low percentage of aboriginal people at the management position level in this government and what is being done to ensure that there is an opportunity for aboriginal people to get into the managerial positions?

MR. SPEAKER:

Thank you. The Deputy Premier, Mr. Arlooktoo.

Return to Question 197-13(6): Aboriginal People in Management Positions

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. The Affirmative Action Policy was transferred to the Department of the Executive this fiscal year. I want to assure the Member, this government is fully committed to the principles of affirmative action. We have indeed taken action to try and involve more aboriginal people in the public service. There are on record many examples in the past where we have done so. Incidentally, Mr. Speaker, I am aware that the Premier has been preparing a document that he is prepared to put before this House. He has not been able to do so in the last few days, but I believe the plan is for the document on affirmative action to be tabled in this House on Thursday or Friday. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 197-13(6): Aboriginal People in Management Positions

MR. KRUTKO:

Thank you, Mr. Speaker. It is good and well to table another report in this House, but the policy this government presently operates under, is a policy in this government which directs the government to ensure that aboriginal people have opportunities in this government for jobs. Mr. Speaker, I would like to ask the Minister in regard to division which is coming, why is it that there are so many aboriginal people who basically have the schooling and the degrees, but do not want to work with the Government of the Northwest Territories, or is it a question of not having the abilities in regard to having extensive post-secondary education? Why is there such a low percentage of aboriginal people in the managerial area of this government?

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 197-13(6): Aboriginal People in Management Positions

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I recall that a committee was struck early on in the life of this Assembly to look at the Affirmative Action Policy. This was an issue of concern to many Members of this House. I believe that Mr. Picco, Mr. Erasmus and Mr. Miltenberger were members of the committee that was struck and there may have been more Members. The government put together a draft policy and provided it to this Assembly and gave it to the committee for review. The committee reviewed this draft policy and reported on it in June 1997. Since that time, there has been a working group established, there has been more research and recommendations put in place. As I said earlier, Mr. Speaker, the government is firmly committed to affirmative action. We have taken actions to ensure that more aboriginals are involved. We do need to balance the affirmative action hiring based on merit, et cetera. As I said earlier, the Premier has been working on a document that outlines for all Members

Page 349

what the government has done and will be doing and what it proposes to do and that will be tabled later this week.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 197-13(6): Aboriginal People in Management Positions

MR. KRUTKO:

Thank you, Mr. Speaker. I will try direct my question, I do not think it has been answered yet. The whole question was on the Affirmative Action Policy itself. I know there are attempts to work on a new policy, but we have a policy in this government, Mr. Speaker, that we have been working on to ensure that the Government of the Northwest Territories Affirmative Action Policy is there to ensure that this government reflects the people it serves. The Government of the Northwest Territories and the population of the Northwest Territories has a majority of aboriginal people, yet, in the Government of the Northwest Territories right now, we see a lot of senior management people who are not aboriginal people. The question I asked to begin with is, why is it that there are no aboriginal people or no large percentage increases in the area of management positions of this government and why are aboriginal people not being hired in that area? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 197-13(6): Aboriginal People in Management Positions

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. First, I wanted to respond just a part of what the Member had said in saying that there are, indeed, yes, many non-aboriginal people in our workforce and many of them are very committed, hard working and good people and many who were born and raised in the north. That is very important to us and we value each and every one of our workers. I also wanted to say that, in trying to obtain a more representative workforce, this type of exercise takes time, sometimes it takes a long time. If I can use, for example, the situation that is occurring in Nunavut where 85 percent of the population is Inuit and we had set the fairly ambitious goal of 50 percent Inuit representation in the workforce, in the general workforce, and management by division and eventually reaching 85 percent several years down the road. It is not the type of exercise that you can rush forward and push through overnight. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Krutko.

Supplementary To Question 197-13(6): Aboriginal People in Management Positions

MR. KRUTKO:

Thank you, Mr. Speaker. I applaud the Member from the east, especially in relation to the efforts that have been made in the east. I wish we could strive for the same goals in the Western Territory. In the Western Territory, in the area I represent everyone knows that decisions in this government is not made in this House, it is made at senior levels of government. It is important that we have aboriginal people at that level in this government, so that when decisions are made, we have a reflection of basically the sector of the population that can feel they are being represented at where the decisions are being made. That is why it is critical that this government implement the idea of the affirmative action and ensure that aboriginal people, we have great employees who are at the lower sector of this government. The government has to make more efforts to move those people up, so they will take on those senior managerial positions. Can the Minister give me statistics to show exactly how many aboriginal people are in senior levels of government to date, so we can see how many of those increases have been applied through affirmative action?

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 197-13(6): Aboriginal People in Management Positions

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I know we have put together and provided those types of statistics to the House before and we can do that again. I would just invite the Member to work with us to put forward his suggestions on what more we can do and what other areas we should be working in. As I said earlier, the document that the Premier will table later this week will show that this government is doing a good committed job in working towards hiring more aboriginal people in our work force. Thank you.

MR. SPEAKER:

Oral questions. Mr. O'Brien.

Question 198-13(6): Impact on Nurses Under Hay Plan Reclassification

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister responsible for the FMBS, Mr. Todd. Mr. Todd, in relation to the pay equity issue and union negotiations, can the Minister give us some more detail as to what the impact will be once these negotiations are completed, for example on the nurses? Thank you.

MR. SPEAKER:

Can I ask the Member if he can rephrase the question. Maybe on what impact the nurses would have according to the Hay Plan or the new classification plan. Mr. O'Brien.

MR. O'BRIEN:

Thank you, Mr. Speaker. I will rephrase the question. Mr. Todd, what can the nurses expect once the new Hay Plan schedule is fully in place? Thank you.

MR. SPEAKER:

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

Return to Question 198-13(6): Impact on Nurses Under Hay Plan Reclassification

HON. JOHN TODD:

Thank you, Mr. Speaker. As I indicated earlier this week to a similar question, if we can get a collective agreement out there to our membership and we get a positive response, which I am optimistic we will get, our nursing fraternity at the community level would get somewhere in the

Page 350

region of \$9,000 to \$13,000 pay adjustment based upon the new Hay Plan Job Evaluation System that we now have in place. The optimum issue here is, will the UNW in fact come to an agreement this week or next week and if and when they do will they get it out to the membership so they can vote on it. I certainly hope so. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. O'Brien.

Supplementary To Question 198-13(6): Impact on Nurses Under Hay Plan Reclassification

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, I am not quite sure if this question is appropriate given the fact that the negotiations are not completed yet, if Mr. Todd would comment on this figure between \$9,000 and \$13,000. If there is any impact on this figure, or if there is any relationship, to the pay equity situation, or is it completely separate? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 198-13(6): Impact on Nurses Under Hay Plan Reclassification

HON. JOHN TODD:

There are two components to what we are doing, Mr. Speaker. There is a retroactivity to pay equity. If we could get an agreement on pay equity which, to put it quite candidly, extremely disappointed that we were not able to move as aggressively as we should have on, so there is the retroactivity from when a nurse started, in 1988, I believe this complaint goes back, to the present day. That is a significant amount of money for the nursing fraternity and others, and then there is the ongoing pay changes that have taken place because we have put into place the Hay Plan Job Evaluation System. I do not know if that explains it or not. What you have is, we are at the collective bargaining right now with the UNW. If they agree with the changes that we have recommended, and the monies we put forward both in the collective agreement and in the adjustment evaluation systems, then the nursing fraternity will get a significant increase somewhere between \$9,000 and \$13,000, plus some of the additional collective bargaining components that are underway right now. They will not be able to get any retroactive pay on the pay equity side, unless we get an agreement on that.

To date, the UNW has insisted that I decouple it, and so, if some Members of this House, and I, have suggested on a number of occasions that by decoupling it, the reality is, we will not get the agreement for years to come and it will be in the courts. My preference would be that we would move forward on both these initiatives, so we can put new money, more money, in the hands of our employees. Unfortunately, that does not seem to be the case from

my UNW colleagues and union at this time so we are going to deal with the collective agreement and hopefully come to some resolve this week, or next week, get it out to the membership, let them rightly vote yes and no on it. Assuming that they vote yes, which I hope they will, put some money into the hands of our employees before Christmas.

MR. SPEAKER:

Oral questions. Supplementary, Mr. O'Brien.

Supplementary To Question 198-13(6): Impact on Nurses Under Hay Plan Reclassification

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, we referred to the nurses under the Hay Plan. There are a number of other groups, of course, that come under the Hay Plan and I believe the only individuals that have been dealt with are the excluded members or government staff, I am not sure if that is correct or not. Can the other groups expect the same type of increases? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 198-13(6): Impact on Nurses Under Hay Plan Reclassification

HON. JOHN TODD:

Thank you, Mr. Speaker. Let me tell you that we have already put into place for our non-unionized employees. The changes are necessary to give them more money and they are already getting it. The only reason we have not done it with the UNW is because, for a variety of reasons, they have chosen not to move it forward to the membership. Once it gets, and I am optimistic that common sense will prevail in the next week, that we will be able to get the UNW to recognize that this offer is fair, it is reasonable and affordable. It puts again, to the point of being repetitive, new money in the hands of our employees that they do not currently have. We will be able to get that out and get an agreement on it, and I am optimistic we will, and hopefully get money in the hands of employees before Christmas. Time is running out and the obligation and responsibility now lies at the mediation table and hopefully they will move quickly to seek a resolve. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. O'Brien.

Supplementary To Question 198-13(6): Impact on Nurses Under Hay Plan Reclassification

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Todd, I agree that our employees should get whatever is coming to them and that is on the table. We have made some major cuts over the last few years to staff, programs, benefits, salaries, I am just curious as to where are we going to come up with all this money to pay the employees? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 198-13(6): Impact on Nurses Under Hay Plan Reclassification

HON. JOHN TODD:

It is also important to point out, we also cut the less fortunate, programs and capital programs, et cetera. I want to say, quite frankly, there are a great deal of other people out there in the territories that beyond organized labour and teachers' associations, et cetera, they have equally took hits like everybody else did, including this House. We budgeted, and I budgeted some time ago, for both the pay

Page 351

equity and the collective agreement, of \$40 million. It is in the balance sheet, if you want, the income statements. That money is sitting there, waiting patiently to be distributed to our employees, should the union and UNW executive decides to have the courage and conviction to allow our employees to vote on what I think is a fair and reasonable settlement.

MR. SPEAKER:

Oral questions. Mr. Roland.

Question 199-13(6): Advertising for RFP for Inuvik Regional Hospital

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, my question at this time will be directed to the Minister of Health and Social Services. Recently, a constituent of mine

raised a concern that he had read that the RFP for the Inuvik hospital was out and actually listed as the Inuvik Regional Health and Social Services Centre. He was concerned that we had been downgraded. I want to ask the Minister, that this, in fact, is still remaining a hospital, the Inuvik Regional Health and Social Services Hospital. Thank you.

MR. SPEAKER:

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

Return to Question 199-13(6): Advertising for RFP for Inuvik Regional Hospital

HON. KELVIN NG:

Thank you, Mr. Speaker. Mr. Speaker, it has always been the intent of the department and myself that this is a replacement project for the Inuvik Regional Hospital and it will continue to be that case. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 199-13(6): Advertising for RFP for Inuvik Regional Hospital

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, the Minister has confirmed that it remains a hospital, so who takes care of the advertisement of such projects? Is it his department, do they send it out or prepare an ad, or is it another department? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Ng.

Further Return To Question 199-13(6): Advertising for RFP for Inuvik Regional Hospital

HON. KELVIN NG:

Thank you, Mr. Speaker. Mr. Speaker, as I understand, because this is one of the P3 projects that is under the auspices of P3, one of those ones, that it is under the auspices of the Financial Management Board Secretariat taking the lead on the coordination of all those P3 projects. You can blame them for that. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 199-13(6): Advertising for RFP for Inuvik Regional Hospital

MR. ROLAND:

Thank you, Mr. Speaker. Can the Minister notify or send the message to the other department that, in fact, it is still a hospital, so we can clear up any further advertisements that go in, whether it is the Construction Association weekly bulletin or advertisements for contracts in the local papers throughout the territories that it would be corrected? Thank you.

MR. SPEAKER:

Mr. Ng.

Further Return To Question 199-13(6): Advertising for RFP for Inuvik Regional Hospital

HON. KELVIN NG:

Thank you, Mr. Speaker. I would have no problems in trying to clarify that, if indeed, it was our government that put out the naming of the project as a health centre versus a hospital in error. I cannot speak on the advertisements in the NWT Construction Association newsletter which announces those things because that is under Mr. Bushey, I believe. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Roland.

Supplementary To Question 199-13(6): Advertising for RFP for Inuvik Regional Hospital

MR. ROLAND:

Thank you, Mr. Speaker. Will he work with other departments to make sure it is recorded and listed as a hospital? He is going on about Mr. Bushey, but I am more concerned about this government. Thank you.

MR. SPEAKER:

Again, to remind the Members that it is inappropriate for naming of names of people who cannot defend themselves in this Chamber. Mr. Ng.

Further Return To Question 199-13(6): Advertising for RFP for Inuvik Regional Hospital

HON. KELVIN NG:

Thank you, Mr. Speaker. Mr. Speaker, I would say that for \$28.5 million, it would be a lot to spend for a health centre. I will make sure that we clarify that for the honourable Member. Thank you.

MR. SPEAKER:

Oral questions. Mr. Ootes.

Question 200-13(6): Year 2000 Computer Problems

MR. OOTES:

Mr. Speaker, my question is for the Deputy Premier and it relates to the Department of the Executive. The year 2000 computer problems are receiving quite a bit of attention nationally in the Globe and Mail and other publications that governments should be paying attention to this whole area of concern. There could be devastating problems if it is not treated with a tremendous amount of detailed attention. I am wondering, considering that computer glitches are a possibility and we thrive on computers today in all facets, telephones to computers themselves, desktop and laptop computers, et cetera. I wonder if the Minister could tell us if the government does have a program to address the year 2000 computer glitch problem? Thank you.

Page 352

MR. SPEAKER:

The Deputy Premier, Mr. Arlooktoo.

Return to Question 200-13(6): Year 2000 Computer Problems

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I am going to ask our in-house computer expert, Mr. Todd, to deal with that question. Thank you.

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

HON. JOHN TODD:

Thank you, Mr. Speaker. I just discovered e-mail last week. Mr. Speaker, I am responsible for overall coordination of the communications strategy of the government, so my honourable colleague, Deputy Premier is correct. We do recognize the problem, as

other governments and other agencies throughout the country do, with respect to moving into the new millennium, the year 2000. I do not have the detail of what steps are taking place, but we are clearly working diligently to ensure that there is some continuity in our whole high-tech communication system before the millennium occurs. That is being worked out by a number of people in the government and also in the private sector. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 200-13(6): Year 2000
Computer Problems

MR. OOTES:

Thank you, Mr. Speaker. Naturally, the government does not have direct control over some areas, but we are affected as citizens, if we should have a breakdown of telephone service, et cetera. I wonder if the Minister could tell us if our government people are also in touch with organizations such as NorthwesTel, the RCMP, again with relationship to communication, telephones, the military, and of course, transportation organizations, if the government is in touch with those, and coordinating with those particular organizations to ensure that they also are addressing this whole issue? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 200-13(6): Year 2000
Computer Problems

HON. JOHN TODD:

Mr. Speaker, I am not aware if we are discussing the matter with the army, the RCMP or anybody else, but what I can tell you is, we do have an internal committee in headquarters, and regional representatives and reviewing the existing systems and vehicles that we have for communication across the territories. I would have to check with my deputy and get an update on it. It is an issue that everybody understands. It is an international issue. There is a recognition, across the country, that something has to be done about it, we are no different than anybody else. We are working with a variety of partners in trying to ensure that there is some continuity in the systems that we have, and the services we provide. I do not know today, if in fact, we have been

communicating with these other agencies. I will check into it and get back to my honourable colleague. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 200-13(6): Year 2000
Computer Problems

MR. OOTES:

Thank you, Mr. Speaker. I appreciate the Minister will not be able to give me detailed answers on this today, but it is an area of concern, it seems by more and agencies. Citizens get affected by it and the mail is maybe affected, et cetera, so I would appreciate if the Minister could have some attention paid to this and have his officials ensure that it is not just government that addresses the issue but other agencies throughout the territory, that we are up to speed on this. Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 200-13(6): Year 2000
Computer Problems

HON. JOHN TODD:

Mr. Speaker, we will do the best we can given the dilemma that we are in.

MR. SPEAKER:

Oral questions. Mr. Steen.

Question 201-13(6): Airline Services Between Inuvik
and Holman

MR. STEEN:

Thank you, Mr. Speaker. Mr. Speaker, my question is directed to the Honourable Charles Dent, Minister responsible for western division issues. Mr. Speaker, in the past, I have brought up the issue of how this government is going to respond to the fact that Holman is now relocated in the Inuvik region for administration purposes. There are some Members expressing interest in this issue as well as indicated by my honourable colleague from Mackenzie Delta, Mr. Krutko, who voiced his concern in regards to court services for Holman in my riding yesterday. I thank

the Member for bringing that up. Mr. Speaker, in particular, as well as that issue that was raised yesterday, I would like the Minister to possibly bring the House up to date as to what the government is doing to prepare Holman for division? Thank you.

MR. SPEAKER:

The Minister responsible for Western Transition Planning, Mr. Dent.

Return to Question 201-13(6): Airline Services Between Inuvik and Holman

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, along with the Member, I have met with the mayor from the community on several occasions, in fact, in Inuvik on Friday and Saturday, I had the occasion to talk to Mayor Bristow about the transition measures. The mayor, is satisfied that Ministers and departments are working well with the community to coordinate the transfer of administrative support from the Kitikmeot to the Inuvik region. Specifically, Mr. Speaker, the hamlet has met with Government of the Northwest Territories departments from both Kitikmeot and the Inuvik region, MACA, Justice, Education, Culture and Employment, the divisional education councils, the health

Page 353

boards, and housing. Work is progressing well and to date. The mayor advises me there are no significant concerns. There will be a meeting this Friday in the community with Education, Culture and Employment from both the Kitikmeot and Inuvik regions. As well, Arctic College and health board officials will be meeting with hamlet officials in the community this Friday. Mr. Speaker, I am certain we are doing what we can to try and make sure that the people of Holman see this transfer as being entirely seamless. The goal of this government is to make sure that the residents of Holman see no difference in the way in which they receive their services. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Steen.

Supplementary To Question 201-13(6): Airline Services Between Inuvik and Holman

MR. STEEN:

Thank you, Mr. Speaker. Mr. Speaker, we seem to be addressing all the particular issues pertaining to departments, but one thing I see as lacking is, there is definitely a need for an airline connection between Inuvik and Holman on a regular basis, which is not there at this point in time, and I am wondering what the department or the government is doing towards encouraging the airlines to open a scheduled flight to this particular community to allow the departments to have a feasible access to the community to provide the services? Thank you.

MR. SPEAKER:

Mr. Dent.

Further Return To Question 201-13(6): Airline Services Between Inuvik and Holman

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, to date the government has not done anything official to try and change air travel patterns. The expectation is, that as the administrative services are transferred over from the Kitikmeot to the Inuvik region, there will be a natural increase in the amount of traffic from Inuvik to Holman and that will lead to the development of regular air services. We could certainly make sure that the airlines in the north are aware of the transfer of administrative services and advise them that this will most likely lead to an increase in traffic, so that they can watch the route and be prepared to add services as necessary. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Mr. Miltenberger.

Question 202-13(6): Joint Ministers of Energy and Environment Meeting

MR. MILTENBERGER:

Mr. Speaker, my questions will be addressed to the Minister of RWED with regard to his statement on the joint meeting of Energy and Environment Ministers of Halifax. Specifically, Mr. Speaker, I would like to get some more information about the strategy he references in the last page of his statement that is being developed in the north to control greenhouse gas emissions. As the whole issue of greenhouse gas emissions is a critical one, and especially so in the north where there is a much more dramatic impact on our climate. Could the Minister elaborate on how

this strategy will develop and when it will be completed? Thank you.

MR. SPEAKER:

The Minister responsible for Resources, Wildlife and Economic Development, Mr. Kakfwi.

Return to Question 202-13(6): Joint Ministers of Energy and Environment Meeting

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. In the Northwest Territories, we have a heavy dependence on the burning of fossil fuels in order to meet our heating and energy requirements. Many of our communities are required to burn large volumes of diesel in order to ensure that power is provided to the residents of different communities. Our economy is at a very elementary stage in many cases, but we do have some industry, mines that also require large volumes of fossil fuels to be consumed. That is really what the basis is, for looking at greenhouse gas emissions in the Northwest Territories.

As a strategy, we have been discussing amongst our officials, and with certain stakeholders like the Power Corporation and other agencies, sharing analysis of the situation as we see it in the north, providing some information and an analysis of how the rest of the country will work to try to meet the commitments Canada made and keeping stakeholders, like I said, the Power Corporation, briefed on the developments as they occur with the ongoing commitments Canada will be making internationally on how we will meet these commitments.

We have, and are currently still discussing with stakeholders, how these targets will impact on our economy, whether or not, in fact, there can be seen a reduction in the greenhouse gas emissions in the Northwest Territories. Clearly, we do have some work to be done to develop a strategy and that is basically the picture as it is today. Thank you.

MR. SPEAKER:

Oral questions. Mr. Miltenberger.

Supplementary To Question 202-13(6): Joint Ministers of Energy and Environment Meeting

MR. MILTENBERGER:

Mr. Speaker, could the Minister indicate with a little more specificity, the time frames? Initial discussions have started, but what is the hope in terms of having a document strategy that is complete that can be brought forward? How long does he anticipate this is going to take? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 202-13(6): Joint Ministers of Energy and Environment Meeting

HON. STEPHEN KAKFWI:

I will not be able to give the Member a time frame on the completion of the strategy. We will perhaps give an update in December as to where we are in the development of the strategy, plus provide a more

Page 354

detailed update on the commitments Canada is making, and how the provinces and territories are working with the federal government in meeting the international commitments. We will be working to help meet those commitments and specifically, the status report on where we are in the Northwest Territories, in regard to those two other areas of work. Thank you.

MR. SPEAKER:

Oral question. Supplementary, Mr. Miltenberger.

Supplementary To Question 202-13(6): Joint Ministers of Energy and Environment Meeting

MR. MILTENBERGER:

Thank you, Mr. Speaker. Mr. Speaker, the issue of the greenhouse gas emissions, of course, is tied intrinsically to the broader issue of energy planning and the whole issue of energy use in the Northwest Territories, both east and west. That issue has been brought up in the House in previous sessions and, in fact, if my memory serves me correctly, the Minister indicated that as well, work was being done on a broader energy strategy that would incorporate not only answers and substrategies, if you would, to deal with northern greenhouse gas emissions, but also that the broader issue of energy planning since the provision of energy is one of the single largest costs that this government bears. Is that work still being undertaken? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 202-13(6): Joint Ministers of Energy and Environment Meeting

HON. STEPHEN KAKFWI:

Thank you. We have ongoing discussions, again, with various stakeholders like the Power Corporation, municipalities, representatives from the private sector, on the whole issue of energy consumption and looking at ways of dealing with the need and demands in that area. As well, how we can look for cheaper, more efficient use of our energy and tied in with that, of course, as the Member pointed out, is cleaner, more efficient use of existing energy and alternate sources of energy to find ways to reduce the consumption we have presently. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Miltenberger.

Supplementary To Question 202-13(6): Joint Ministers of Energy and Environment Meeting

MR. MILTENBERGER:

Thank you, Mr. Speaker. I would like to ask the Minister then, can he indicate with any more certainty than he could on the Northern Greenhouse Gas Emission Strategy, as to where that broader strategy is, in its developmental process and does he have an anticipated end in sight, in terms of when a final product would be put forward on the table, so we can look at this very critical initiative? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 202-13(6): Joint Ministers of Energy and Environment Meeting

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I cannot be more definitive in that area either. It is work that is being done in coordination with other stakeholders and it would require to ask for a status report on that. I will commit to providing a comprehensive report on the status on that initiative at the December session for all Members. Thank you.

MR. SPEAKER:

Oral questions. Mr. Henry.

Question 203-13(6): Diamond Opportunities in the NWT

MR. HENRY:

Thank you, Mr. Speaker. My question is to the Minister of Resources, Wildlife and Economic Development, Mr. Kakfwi. It is regarding his statement in the House today, on his trip to Antwerp, London and Brussels. I would first like to thank the Minister for taking the time out to promote the Northwest Territories as he is doing and, in particular, to our newest industry of diamonds. Myself, Mr. Speaker, and others in this House had the opportunity to visit London and Antwerp as the Minister did. We were able to see diamond cutting and polishing there and it did not take us long to decide that, yes, we could do that in the Northwest Territories and there would be opportunities for the people here to play a role in that.

We have since, as a government, supported Sirius Diamonds who are starting a factory in cutting and polishing diamonds in the Northwest Territories. The government is to be commended for that and Members of this House for supporting that initiative. The Minister talked about other players who he had talked to, who are very interested in relocating in the Northwest Territories, and my question to the Minister is, was there any discussion of financing such projects with these organizations that he had conversations with? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister of Resource, Wildlife and Economic Development, Mr. Kakfwi.

Return to Question 203-13(6): Diamond Opportunities in the NWT

HON. STEPHEN KAKFWI:

Mr. Speaker, the government had made arrangements to provide support for companies that meet certain requirements and that we would support certain companies to set up cutting and polishing operations here in the north. Those were provided to all the different companies and individuals that met with us on our recent business trip to Antwerp. There were a lot of questions asked by the interested parties ranging from possible discounts, financial incentives,

injections, taxation, subsidies, training, infrastructure like buildings, equipment acquisition to type of services available in the Northwest Territories, and questions about the climate. A lot of questions were asked. There was some interest in knowing if any financial assistance would be provided by the government and we gave a general indication of what we were prepared to do under the guidelines we had recently approved. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Supplementary,

Page 355

Mr. Henry.

Supplementary To Question 203-13(6): Diamond Opportunities in the NWT

MR. HENRY:

Thank you, Mr. Speaker. The Minister indicated that he had communicated to the various organizations that may be interested in relocating to the territories that he would be willing to look at what we were prepared to do in the territories. Could the Minister maybe tell the House what his department is prepared to do for other organizations that may be interested relocating to communities in the Northwest Territories? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 203-13(6): Diamond Opportunities in the NWT

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. The Government of the Northwest Territories is prepared to provide training bodies to companies that are interested in setting up cutting and polishing operations in the Northwest Territories. The companies would be first required, of course, to acquire an agreement with BHP or another diamond mine in the north to access diamonds of the quality they require over an extended period of time. That would ensure that they have something to work with.

The company should show a sufficient commitment to set up operations, that is, they make some sort of a financial commitment, business commitment to set up

shop here in the north and a commitment that would show a benefit to the north in terms of training, employment and an establishment of a business here in the north. Then, as we have said, we would help by doing a number of things. One, we would help with training monies plus providing of support for the training through Mr. Dent's office. We would in cases, help with some sort of a contribution to ensure that a business gets established here. It may take the form of a contribution to acquire equipment which is very expensive in this type of business.

We would also assist in helping these companies get the necessary information together, so they can make realistic business proposals and cost projections. It would also be possible for us to provide to them information on the type of land and facilities, office space, for instance, that are available in the north, whether it be in Yellowknife, Hay River, Fort Smith or other communities where they may be interested in possibly setting up operations. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Henry.

Supplementary To Question 203-13(6): Diamond Opportunities in the NWT

MR. HENRY:

Thank you, Mr. Speaker. Mr. Speaker, the government has had the opportunity of dealing with the Sirius Diamonds' request for assistance from the government. I think it is also fair to say that there has been a little criticism of how long it has taken for some proponents to get a response from the government. With the experience that the government has now, Mr. Speaker, how long can a proponent who makes a proposal to the government, expect a turn around to take as a response from the government? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 203-13(6): Diamond Opportunities in the NWT

HON. STEPHEN KAKFWI:

Mr. Speaker, the turn around can be very quick if the proposal meets the expectations of our government. We laid out the criteria and guidelines we would like the proposals to meet and those are shared with

interested parties. In the first instance, any interested party is required to first get some access agreement with BHP. That is the first requirement and then, they would bring a proposal to us to finalize. In many of the cases, there are proposals flying around. Some have been submitted and in some cases resubmitted with advice and some suggestions from us on what is required before we can more realistically deal with them. It is not a question of how long it takes for us to deal with these, because you can deal with them fairly quickly. It is more a matter of getting realistic proposals submitted. Certainly, they would have access to some of the diamonds that are now being produced by BHP diamonds.

MR. SPEAKER:

Thank you. Oral questions. Mr. Rabesca.

Question 204-13(6): Formula Funding for Rae-Edzo

MR. RABESCA:

Thank you, Mr. Speaker. In response to the return to an oral question by the Minister of Municipal and Community Affairs, Ms. Thompson, can the Minister clarify the amount of additional funding provided annually to the community of Rae-Edzo? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister responsible for Municipal and Community Affairs, Ms. Thompson.

Return to Question 204-13(6): Formula Funding for Rae-Edzo

HON. MANITOK THOMPSON:

Thank you, Mr. Speaker. I do not have that information in front of me, so I will take that as notice.

MR. SPEAKER:

Thank you. The question is taken as notice. Oral questions. Mr. Krutko.

Question 205-13(6): New Initiatives for Revenue

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Finance. It is regarding his discussions with the federal government to consider the possibility of looking at the Resource Sharing

Agreement. I would like to ask the Minister exactly where these efforts are at with his discussion with the federal government Minister of Finance to try and find new initiatives for new sources of revenue and resources for this government? I would also like

Page 356

to keep in mind with the Minister that there is a Northern Accord process in place. I would like to ask exactly how these two initiatives are being conducted together?

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return to Question 205-13(6): New Initiatives for Revenue

HON. JOHN TODD:

Thank you, Mr. Speaker. First of all, Mr. Speaker, we are trying to take a coordinated approach with the federal government, with my colleagues, Mr. Kakfwi and others, in an effort to have a renewed fiscal relationship with them. When I have talked about it in the House, and I am sure I will talk about it in the future, part of that new relationship and plan that we are trying to put in place is clearly on the fiscal side. It is important for my colleague, and perhaps I should have said earlier, to differentiate between royalties and taxes. Royalties are an issue that are far more complicated when it relates to claims and First Nations, et cetera, than taxes.

In my discussions with Mr. Martin, I have clearly been talking about the need for the government, western and the Nunavut governments, to have greater access on the tax side. My colleague, Mr. Kakfwi, has been under discussions for many months in relationship to devolution, and you have heard him speak to it, which also includes the royalty side. It is really a collaborative effort on the part of Mr. Kakfwi and myself, and others, in an effort to get a different relationship with the federal government, so we could be less dependent on transfer payments, where there is an incentive for us to move forward on some of these initiatives that we can work out with all the players at the table, the stakeholders, if you want, and in particular, the aboriginal constituency as to how we are going to move forward in an orderly way to bring new revenues to the new Western Territory and ultimately to the new Nunavut territory.

If I may, since I have been given this opportunity, I would like to stress that it is an absolute priority if we are going to continue to deliver the kinds of services that are expected of us by the constituency at large. The status, right now, is that discussions are underway. They are preliminary at this stage of the game I have to be candid that I am optimistic that in the next four to six weeks we will have at least some discussions at a federal level. As a matter of fact, I spoke to Mr. Kakfwi and others just this morning, or earlier this afternoon about that. I hope that in the coming weeks we will be able to put forward a blueprint, a step-by-step of what we have to do to reach the goals we are all trying to achieve. That is, less fiscal dependence on grants, more independence in terms of the revenues that have been generated, particularly from the non-renewable resources side, et cetera. This is, the overall objective. The discussions are very preliminary and I was encouraged by my discussion with Mr. Martin before he left here two weeks ago, where he indicated to me a willingness to at least address the issue, and hopefully, put into place some kind of process where discussions and negotiations could be undertaken to achieve the end that we are all trying to reach. That is, greater access to the revenues being derived from the non-renewable resources and other industries that go on in this part of the country. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 205-13(6): New Initiatives for Revenue

MR. KRUTKO:

Thank you, Mr. Speaker. My next supplementary question is in regard to the process of the Northern Accord, the Roads to Revenue Sharing, in which there is a process that has been negotiated in place and some land claim agreements in the Gwich'in Agreement, Section 21, Sub-Surface Resources. Under Section 21.6, it clearly states the Government of the Northwest Territories shall involve the Gwich'in in development and implementation of the Northern Accord Agreement. I would like to ask the Minister, what involvement do the aboriginal groups have? Are they being consulted in these discussions which are going on between the federal government and the Government of the Northwest Territories at this time?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 205-13(6): New Initiatives for Revenue

HON. JOHN TODD:

Let me stress from the outset, Mr. Speaker, that politics is timing. We have an opportunity, based upon my discussions with the Finance Minister and other Ministers discussions with the Indian Affairs Minister to try to move forward on this initiative to get a renewed fiscal relationship with the federal government. We fully recognize it simply cannot be done without the full participation of all the stakeholders of which, as I have said to an earlier question, the aboriginal constituency, in particular, claims First Nations have to be involved.

At this stage of the game, given this new opportunity that has arisen, we have not gone back and suggested for one minute the process has to be undertaken because we are still working that out with the federal government, but some of us have a history of dealing intimately with the aboriginal constituency, whether it was myself, Mr. Kakfwi, or previous Ministers or Premiers. The process in the past of participation is clear. The process for the future will be the same. Participation by the stakeholders that are involved in this important initiative that we are moving forward on. Thank you.

MR. SPEAKER:

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

Supplementary To Question 205-13(6): New Initiatives for Revenue

MR. KRUTKO:

Thank you, Mr. Speaker. Can the Minister clarify a point when you mean you need the involvement of aboriginal groups in order to devolve any policies of the Government of the Northwest Territories? There are certain areas of the aboriginal communities and regions that are quite a way off concluding their land claim agreements and what not. Will the Minister go ahead with those regions that have concluded their claims agreements and wait for the other groups to conclude later on, or will you wait until all claims are

Page 357

settled in the Northwest Territories?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 205-13(6): New Initiatives for Revenue

HON. JOHN TODD:

I respect the fact that not all aboriginal groups are on a level playing field and there are political differences between claims and inherent rights. I am not totally qualified to speak on that issue. I do have an obligation as the Finance Minister, along with my colleagues, to move forward on some of these initiatives. We will move forward on them, sensitive to the political realities we all live in. Part of that is, there is not necessarily unanimity within the constituency at large, on issues like non-renewable resources, tax windows, royalties, et cetera. I have an obligation as my colleagues do, to move forward on this initiative and to provide where we can discussions that will unfold with respect to a sharing of the revenues, whether it is royalties or taxes that come from the resources, that are currently, if you take diamonds, which are currently being taken out of this country.

If I may, just for clarity purposes, remind the Members that out of the one diamond mine, and I sometimes think myself included, we are sometimes too preoccupied with diamonds. There is a huge gas and oil find out there as well, but in the diamond mine alone, there is \$4.4 billion in my numbers worth of royalties and taxes in which there is little or no benefits coming to either this government, more importantly to aboriginal governments, or more importantly to the people we represent. We have an obligation and responsibility to move forward on this initiative. I believe we have a political will at the federal level to at least sit down and discuss it. It is certainly our intention to ensure all the stakeholders are part and parcel of our discussions at the end of the day. Thank you.

MR. SPEAKER:

Thank you. Question period is over. Written questions. Mr. Krutko.

ITEM 11: WRITTEN QUESTIONS

Written Question 7-13(6): Affirmative Action Statistics

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, my question is to the Premier, regarding the Affirmative Action Status.

1. How many positions in the government overall, have been filled through the Affirmative Action Initiative in the past three years?
2. How many positions were filled with the Affirmative Action Initiative by Department?
3. Recognizing people of aboriginal descent comprise a significant portion of the population, what efforts have been made to ensure they are proportionately represented in the Territorial Government labour pool?
4. Post-secondary education is required for many occupations. Financial and geographic restraints prevent many people from attending university. What initiatives has the government adopted or considered in the past three years to encourage and assist more aboriginal people to enter university and other post-secondary programs?

MR. SPEAKER:

Thank you. 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. Mr. Todd.

ITEM 12: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS

HON. JOHN TODD:

Thank you, Mr. Speaker. Mr. Speaker, yesterday the Standing Committee on Government Operations reported on the review of Bill 11, An Act to Amend the Workers Compensation Act, No. 2. The committee reported the bill was ready for consideration in the committee of the whole.

Mr. Speaker, I seek unanimous consent to waive rule 70(5), and have Bill 11 moved into committee of the whole. I would like to thank all of my colleagues for their support in this request. Thank you.

MR. SPEAKER:

Thank you. The Member for Keewatin Central is seeking unanimous consent to waive rule 70(5). Do we have any nays? There are no nays. Mr. Todd, you have unanimous consent. Bill 11 will be moved into

committee of the whole for today. Report of committees on the review of bills. Mr. Roland.

MR. ROLAND:

Thank you, Mr. Speaker. I wish to report to the Legislative Assembly that the Standing Committee on Social Programs has reviewed Bill 10, An Act to Amend the Student Financial Assistance Act, and wishes to report that Bill 10 is ready for consideration in committee of the whole. Mr. Chairman, I seek unanimous consent to waive rule 70(5), and have Bill 10 moved into committee of the whole for today. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The Member for Inuvik is seeking unanimous consent to waive rule 70(5). Do I have any nays? There are no nays. Mr. Roland, you have unanimous consent. Bill 10, An Act to Amend the Student Financial Assistance Act, will be moved into committee of the whole for today. Reports of committees on the review of bills. Item 13, tabling of documents. Mr. Arlooktoo.

ITEM 13: TABLING OF DOCUMENTS

Tabled Document 30-13(6): Letters From NTI Re: Legislative Consultation

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. It is my pleasure to table three letters from Mr. Jose A. Kusugak, President of Nunavut Tunngavik Incorporated, regarding consultations on the Nunavut Statutes Replacement Act, and

Page 358

the Judicial System Implementation Act, and the Nunavut Statutes Amendment Act. Thank you.

MR. SPEAKER:

Thank you. Tabling of documents. Mr. Kakfwi.

Tabled Document 31-13(6): Business Credit Corporation Annual Report, 1998

HON. STEPHEN KAKFWI:

Thank you. Mr. Speaker, I wish to table the following document, entitled Business Credit Corporation, 1998 Annual Report. Thank you.

MR. SPEAKER:

Thank you. Tabling of documents. Item 14, notices of motion. Mr. Todd.

ITEM 14: NOTICES OF MOTIONS

Motion 10-13(6): Extended Adjournment

HON. JOHN TODD:

Thank you, Mr. Speaker. I give notice on Friday, November 13, 1998, I will move the following motion:

I move, seconded by the honourable Member for Yellowknife Centre, that notwithstanding rule 4, that when this House adjourns on Friday, November 13, 1998, it shall be adjourned until Wednesday, December 2, 1998.

And further, that at any time prior to December 2, 1998, if the Speaker is satisfied, after consultation with the Executive Council and Members of the Legislative Assembly, that the public interest requires the House should meet at an earlier time during the adjournment, the Speaker may give notice, and thereupon, the House shall meet at the time stated in such notice and shall transact its business as it has been duly adjourned to that time. Thank you.

MR. SPEAKER:

Notices of motion. Item 15, notices of motion for first reading of bills. Mr. Arlooktoo.

ITEM 15: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

Bill 18: Access to Information and Protection of Privacy Statutes Amendment Act

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I give notice that on Thursday, November 12, 1998, I will move that Bill 18, Access to Information and Protection of Privacy Statutes Amendment Act, be read for the first time.

MR. SPEAKER:

Thank you. Notices of motion for first reading of bills. Mr. Henry.

Bill 19: An Act to Amend the Public Highways Act and the Motor Vehicles Act

MR. HENRY:

Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Thursday, November 12, 1998, I will move that Bill 19, An Act to Amend the Public Highways Act, and the Motor Vehicles Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Notices of motion for first reading of bills. Item 16, motions. Item 17, first reading of bills. Item 18, second reading of bills. Item 19, consideration in committee of the whole of bills and other matters Tabled Documents 26-13(6), Bill 10, An Act to Amend the Student Financial Assistance Act, and Bill 11, An Act to Amend the Workers' Compensation Act, No. 2, with Mr. Steen in the Chair.

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

CHAIRMAN (Mr. Steen):

I call the committee to order. For consideration in committee of the whole, we have Tabled Document 26-13(6), Report of the NWT Electoral Boundaries Commission, 1998, and Bill 10 and Bill 11. I will ask the chair of the Ordinary Members Caucus, Mr. Ootes, how he wishes to proceed.

MR. OOTES:

Thank you, Mr. Chairman. That we proceed with Bill 11, the WCB YMIR Bill, firstly, followed by Bill 10, An Act to Amend the Student Financial Assistant Act, followed by the start of the Review of the Electoral Boundaries Commission Report. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ootes. Does the committee agree?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. We will proceed then as indicated, after we have a break.

--Break

CHAIRMAN (Mr. Steen):

I would like to call the committee back to order. Before we proceed with Bill 11, I would like on behalf of Mr. Henry, the Member for Yellowknife South, to

recognize in the gallery Mr. Robert Slaven, previous employee of the Legislative Assembly, and presently a City of Yellowknife Councillor, and Mr. Garth Wallbridge, a local lawyer. Both are long-time northerners. Welcome to the Assembly.

--Applause

We will now proceed with Bill 11, An Act to Amend the Workers' Compensation Act, No. 2. I will ask the Minister responsible, Mr. Todd, to introduce the bill.

HON. JOHN TODD:

Thank you, Mr. Chairman. Mr. Chairman, I am pleased to present Bill 11, An Act to Amend the Workers' Compensation Act, No. 2.

The bill proposes to increase the Year's Maximum Insurable Renumeration (known as YMIR) from \$52,000 to \$60,000, effective January 1, 1999. This amount would apply for both benefit and assessment purposes.

The Year's Maximum Insurable Renumeration is a

Page 359

fundamental element of worker's compensation. It is used to determine benefits payable to an injured worker, as well as the amount of payroll for which an employer will be assessed in the year. The YMIR is currently set at \$52,000.

When a worker becomes entitled to worker's compensation in the NWT, he or she is paid 90 percent of those earnings for as long as the disability continues. If a worker's earnings exceed the YMIR, this calculation is based on \$52,000. Employers, meanwhile, are assessed according to their payroll. When a worker receives a salary greater than YMIR, the employer is only assessed on payroll up to \$52,000.

In closing, I ask this committee to support the YMIR increase and recommend to the Assembly that Bill 11 receive final reading in this sitting. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Todd. Before I recognize Mr. Henry for the government operations comments, I would like to recognize Mr. Dave Ramsay, a City of Yellowknife Councillor.

--Applause

Welcome to the Assembly. Mr. Henry, on behalf of the Government Operations committee, will you comment.

MR. HENRY:

Thank you, Mr. Chairman. The Standing Committee on Government Operations reviewed Bill 11, An Act to Amend the Workers' Compensation Act, No. 2, at its meeting on November 9, 1998. The committee would like to thank the Minister responsible for the Workers' Compensation Board for presenting the bill and responding to the committee's questions. Bill 11 would amend the Workers' Compensation Act, to increase the amount of the Year's Maximum Insurable Remuneration from \$52,000 to \$60,000, effective January 1, 1999. The YMIR is a maximum remuneration used to determine the benefits payable to injured workers and to determine the amount of assessable payroll of an employer.

Increasing the YMIR will allow workers to receive higher benefits and would increase the amount paid into the system by employers, however, because a 35 percent average assessment rate reduction has been approved for 1999, employers will still pay less overall. The last time the YMIR was increased was January 1, 1998. The standing committee was advised that the YMIR of \$60,000 would fully compensate approximately 85 percent of full time NWT workers and would be the highest YMIR in Canada.

Mr. Chairman, the standing committee supports this amendment. Committee Members may have questions or comments on the bill as we proceed. Mr. Chairman, this concludes the standing committee's comments on Bill 11, An Act to Amend the Workers' Compensation Act, No. 2. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Henry. Would the Minister like to bring in witnesses?

HON. JOHN TODD:

Mr. Chairman, I do not think there is any requirement today for witnesses. The committee has agreed to support this bill. It has three sections and unless there are some general questions that want to be asked of me, I would suggest that we move to the detail and approve it, so we can move on. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Todd. The floor is open for general comments on the bill. Mr. Ootes.

MR. OOTES:

Thank you, Mr. Chairman. I do not have very many comments, but I would like to make reference to an issue I think is important for the public to know with respect to the YMIR. I appreciate the Minister bringing this forward and having pursued the increase in the YMIR. It was brought to my attention certainly last year and certainly to other Members as well. One of the concerns out there was that we have very high paid workers in the Northwest Territories. Some in the neighbourhood of \$100,000. When they are injured and permanently disabled, the YMIR they are given does not mean that the \$52,000 ends up in their pocket. There are deductions. They only get 90 percent of the \$52,000. I am very pleased to see that we are raising this rate to \$60,000, of which, the public has to understand that the injured worker still does not get \$60,000. He may see \$48,000 or somewhere in that level. I think that is important for the public to know. I support the bill and am very pleased that it has come forward. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ootes. We will have a response from the Minister on general comments after everybody has spoken if necessary. General comments on the bill. No other further general comments. Would you like to respond Mr. Minister?

HON. JOHN TODD:

There is no requirement to. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Todd. Is the committee prepared to go through clause-by-clause?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. We will start on the cover page. Bill 11, An Act to Amend the Workers' Compensation Act, No. 2. Agreed?

Page 360

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. Page one of the document, clause one. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. Clause two. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. Clause three. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. Bill as a whole. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. Does the committee agree that Bill 11 is ready for third reading? Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. Bill 11 is ready for third reading. As indicated by Mr. Ootes, and the committee agreed to, we will now move to Bill 10. I thank the Minister for his presentation and I am now prepared to deal with Bill 10. Does the committee agree?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. The Minister responsible for Bill 10 introduce the bill please. Mr. Dent.

HON. CHARLES DENT:

Thank you, Mr. Chairman. Mr. Chairman, the Student Financial Assistance Act, establishes a program of grants and loans to assist eligible NWT students pursuing post-secondary education. All loans issued through this program are made from a revolving fund, which has a loan limit identified in the schedule to the Student Financial Assistance Act. The present limit is set at \$21 million. Without this amendment, we will exceed this limit this year with the steady application of students seeking loans.

Since the revolving student loan fund was established in 1982, the number of students requesting loans have increased annually. For example, the number of students receiving loans has grown from over 600 in 1990-91 to over 1,700 in 1997-98.

The limit for the loan fund was set at just under \$1 million in 1982-83 and over \$7 million for 1986-87. Since then, the limit has been increased a number of times to provide more working capital to meet the demand for loans.

With continual increases in the number of students receiving loans, the total value of loans issued continues to increase. The value of loans issued also continues to exceed the value of loans repaid, remitted and written-off each year.

The last time the loan fund limit was increased was in 1997. Bill 10 is proposing an increase in the loan fund limit from \$21 million to \$22 million for 1998-99 and subsequent years.

An increase in the limit now is necessary to continue to provide loans to eligible students this year and next year. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Dent. I ask the Member responsible for the Standing Committee on Social Programs, Mr. Miltenberger, if he would provide general comments from the committee?

MR. MILTENBERGER:

Thank you, Mr. Chairman. Mr. Chairman, the Standing Committee on Social Programs reviewed Bill 10, An Act to Amend the Student Financial Assistance Act, at its meeting of November 9, 1998. The

committee would like to thank the Minister of Education, Culture and Employment and his officials for presenting this bill. Bill 10 is necessary because the current Student Financial Assistance Act, limits the amount available in the SFA fund to \$21 million. The department will not be able to meet the student loan requirements for the next semester if the maximum available in the fund is not increased to \$22 million. Mr. Chairman, the standing committee has no difficulty with Bill 10. Committee members have always placed a high priority on post-secondary education. Committee members may have questions or comments on the bill as we proceed. This concludes the standing committee's comments on Bill 10, An Act to Amend the Student Financial Assistance Act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Miltenberger. Mr. Minister, do you wish the opportunity to bring in witnesses?

HON. CHARLES DENT:

Thank you, Mr. Chairman. This is a very short bill with just one clause. I think we can proceed from where we are.

CHAIRMAN (Mr. Steen):

I open the floor to any general comments on the bill by Members. Are there any general comments? Are we prepared to go clause-by-clause?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. Bill 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Page 1, Clause 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. On the title, An Act to Amend the Student Financial Assistance Act. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. The Bill as a whole. Agreed?

Page 361

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

The committee agrees that Bill 10 is ready for third reading. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. Bill 10 is now ready for third reading. I thank the Minister for presenting the bill. We will now move on to the next item on our agenda, which is consideration of Tabled Document 26-13(6), Report of the NWT Electoral Boundaries Commission 1998. I will now open the floor to general comments or questions on this particular document and I remind Members you have ten minutes for general comments. If you have questions, they can only be directed towards our legal advisor. Committee agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. I recognize Mr. Ootes.

MR. OOTES:

Thank you, Mr. Chairman. I just wanted to deal with a question of process. It is my understanding that we will have general comments and questions today, we will not conclude today, and that we will continue on Thursday and, if required, we will sit after-hours to conclude the matter at-hand. That is, after Members have had the opportunity to have general comments,

we may then proceed from there with dealing with the disposition of the report. That is my understanding. Could I just get confirmation of that?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ootes. Does the committee agree with this process as outlined by Mr. Ootes?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Agreed. I would encourage members to keep their presence in the House, so we can have a quorum as we discuss this important item. Mr. Ootes, general comments?

MR. OOTES:

Mr. Chairman, I have a number of questions. I have no problem if other Members wanted to present general comments first, but at some point today, I would like to address some general questions of the law clerk.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ootes. I will recognize you whenever you feel it is necessary to bring your questions forward. Are there any Members who wish to make general comments? Mr. Henry.

MR. HENRY:

Thank you, Mr. Chairman. Earlier this spring, the Legislative Assembly passed a motion to form the Electoral Boundaries Commission. One of the reasons for the formation of the commission was because the Western Caucus wanted to ascertain whether or not all residents of the Western Territory would be fairly represented in the new Assembly.

Mr. Chairman, in carrying out their work, the Electoral Boundaries Commission was required to follow guidelines. When the commission formed their recommendations, they were to be mindful of direction hailed within the Northwest Territories Electoral Boundaries Commission Act. In fulfilling the intent of the act, each individual member of that commission had to set aside personal agendas and regional preferences, as difficult as that may be, to make recommendations that are in the best interests of the new Western Territory. The commission also

knew that the Legislative Assembly must establish boundaries that meet the Charter of Rights of every resident of the Northwest Territories for effective representation. Every resident is entitled to the rights guaranteed by the Charter. If this Assembly does not establish boundaries that comply with the Charter, we can be sure our legislation will be challenged in the courts, and I say, successfully challenged. If individuals of this House deny the right to equal representation for one community, it may be your turn tomorrow. Democracy demands a higher standard and should not be negotiable.

Mr. Chairman, I would point to a report prepared by Madam Justice McLaughlin in regard to the Saskatchewan Electoral Boundaries Report. Reference was made to the court getting involved in the review of legislation. I would like to present a quote from that legislation, and it says: "The courts ought not to interfere unless it appears that reasonable persons applying the appropriate principles could not have set the electoral boundaries as they exist." Mr. Speaker, I would point to the members of the Electoral Boundaries Commission, Mrs. Virginia Schuler, who is currently a Justice of the Supreme Court of the Northwest Territories, Mrs. Lucy Kuptana, who is a resident of Tuktoyaktuk and former president of the Tuktoyaktuk Community Corporation, Mr. Nick Sibbeston, who is a resident of Fort Simpson and has been the government leader of the Government of the Northwest Territories. These were members of the Electoral Boundaries Commission. I would challenge any Member of this House or any resident of the Northwest Territories to show me why these individuals did not in their report comply with that. They are, indeed, reasonable persons and they applied the appropriate principles that they came up with the results that they did in their report. I think that each and every one of the members are to be commended for the report that they presented to this House.

Mr. Chairman, a challenge to this legislation would be expensive, time consuming and embarrassing, since we would not, as a government, be able to say we were not warned. This would be a waste of taxpayers' money and would reflect an abrogation of the responsibilities we have as legislators. It is now time for Members of this Legislative Assembly to do what the Electoral Boundaries Commission did. It is time to go beyond our ridings and consider the directions given within the Electoral Boundaries Commission Act, and our responsibilities under the Charter of Rights and Freedoms. We must look at

what is fair and do what is in the best interests of the new Western Territory.

Some Members of this Assembly may wish to keep Yellowknife under-represented. I often hear the excuse that since the Legislative Assembly is located in the City of Yellowknife, Yellowknife receives representation from all MLAs. I would ask each non-Yellowknife Member in this House to look into their memories. When was the last time

Page 362

that they represented the interests of Yellowknife in this House? Did they do so as they would their own riding? Mr. Chairman, Yellowknife will have 44 percent of the population of the future Northwest Territories. Presently, we will only have four out of 14 Members to represent our interests in this House. It is a small wonder why the people of the City of Yellowknife want, need, and are willing to pursue more MLAs for the city in the next legislature.

Again, Mr. Chairman, I would like to take the opportunity to thank the Members of the Commission for an extremely difficult job, but a job well done. Later, I shall have questions that I believe would be appropriately responded to by the law clerk. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Henry. General comments on the document Electoral Boundaries Commission Report. Any further general comments? Mr. Ootes.

MR. OOTES:

Thank you, Mr. Chairman. I would like to present some questions and I would like to keep my ability open to make general comments on Thursday with further debate and I presume that can be done.

SOME HON. MEMBERS:

Agreed.

MR. OOTES:

Agreed, everybody says. I will start on the basis of asking a question to Madam Law Clerk, if she could explain to us what is found in section 3 of the Canadian Charter of Rights, and what that section means, and how does it affect the decisions that we make with respect to the electoral boundaries. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ootes. Before I ask the law clerk to respond, I would encourage as many Members as possible to put forward their statements and comments today because we may end up with a whole pile of them on Thursday or Friday. Part of the planning process here is that we will deal with as many comments as possible today. Ms. MacPherson, would you like to respond to the questions of Mr. Ootes?

LAW CLERK (Ms. MacPherson):

Certainly, Mr. Chairman. Mr. Chairman, section 3 of the Charter provides that every citizen of Canada has the right to vote in an election of Members of the House of Commons or of a Legislative Assembly and to be qualified for membership in either the House of Commons or in a Legislative Assembly. The courts have held that this section, which enshrines the right to vote, does not mean that there must be absolute parity or equality in voting power between individual citizens. In other words, it is not one person, one vote. It is not incorporating that concept. The courts have held that the purpose of that section is that each citizen in this country has a right to effective representation in a legislature and that one of the conditions of effective representation is a relative equality of voting power.

There are a number of other factors that the courts have set out when they have looked at what section 3 means, Mr. Chairman. Those factors include geography, the need for representation of minority groups, a commonality of community interests, the community history. Those are all factors that the courts have considered when they have looked at what the right to vote means. The primary purpose of that section is, that each citizen is entitled to effective representation. One of the main conditions of effective representation is, there is relative equality of voting power and that one citizen's vote is not unduly or unfairly diluted by belonging in a very large constituency. As a consequence of that section of the Charter, every time we look at our boundaries, we have to be very aware of that section of the factors that the courts have considered and take all of those factors into consideration in ensuring that our electoral boundaries meet the rights that have been set forth in the Charter, and hopefully, try to address the factors that the courts have specified. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Mr. Ootes, do you have further questions?

MR. OOTES:

Thank you, Mr. Chairman. I appreciate Madam Law Clerk's explanation and the concerns about voter parity, which is one of the issues we have to remember as legislators here. This is why the report came through as it did. My second question for Madam Law Clerk is, if the boundaries remain the same and if the report is turned down, what is the likelihood of a challenge to the courts on section 3 of the Charter of Rights and Freedoms?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ootes. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. One of the concerns that have been expressed throughout the Electoral Boundaries Commission process was the wide variance in constituency makeup in the western Northwest Territories. A number of people, I understand, throughout that commission process have indicated that if the boundaries were to remain the same, their intention was to launch a challenge. If those individuals go ahead, if the boundaries do remain the same, I suspect that one or more of the individuals who stated their intention would probably go ahead and launch a court challenge.

One of the primary concerns that seems to have been mentioned in the commission hearings, and it has certainly picked up in the case law, in this issue is, the discrepancy in the size of various ridings in the Northwest Territories. Some of the case law points to a rule of thumb of plus or minus 25 percent. We do not know if that rule of thumb would be applied in the Northwest Territories. We simply do not know if the Northwest Territories, as has often been said before, has unique characteristics and features that may argue for a deviation from this plus or minus 25 percent rule of thumb that has been expressed in some of the case law.

I think that Members would see from the report of the Commission that is under consideration today, that the variances in some of the existing boundaries is significantly greater than plus or minus 25 percent, indeed, even plus or minus 50 percent. I would suggest, Mr. Chairman, that the likelihood of a challenge if the boundaries remain the same

Page 363

would be substantial.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Further questions, Mr. Ootes?

MR. OOTES:

Thank you, Mr. Chairman. I appreciate the law clerk's comments on it, that the norm is a 25 percent plus or minus deviation, but in our particular case, it is much more substantial in many cases. Moving on from there, if the law clerk could advise us, how would a court challenge be launched by individuals?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ootes. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Mr. Chairman, anybody in a riding which is affected by what they perceive as an unequal or an unfair distribution would have the right to commence court action. As long as they have an interest in the subject matter, a person would be entitled to commence court action. It could be any voter in a riding in which the voter feels that their vote has been unduly diluted or that they do not have effective representation. They would launch a court challenge and they would have to serve the Attorney General of Canada and the Northwest Territories. They would simply argue in court that the existing electoral boundaries are unconstitutional and violates section 3. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Mr. Ootes.

MR. OOTES:

Thank you, Mr. Chairman. That leads me to a question of time frame and perhaps, Madam Law Clerk could indicate to us what kind of time frame may be involved here if a court challenge is launched, and how would that affect the election that may be forthcoming for this legislature next fall?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ootes. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. Mr. Chairman, it is difficult to say with any certainty how long a court action would take. A court action could be launched relatively quickly, however, the length of time that it would take the court to consider the matter would be very dependent on the types of arguments that were made in court. For example, under section 3 of the Charter it enshrines the right to effective representation and, as I have indicated, that does not always mean one citizen, one vote. There can be times when effective representation means that one constituency has to be bigger or larger than another because of the people who live in that constituency, or the distance away from another community, or the transportation links.

Anytime that you have an argument where you are justifying an unequal division or an unequal representation in the Assembly, it would be the obligation of the government to defend that unequal representation. That means the government might have to call evidence as to why they chose to have one constituency to be larger or smaller than another constituency. Anytime you get into calling evidence, you could be looking at a lengthy period of time. In other words, if a legal argument could probably be dealt with relatively quickly and within a matter of months, and hopefully, a few months at that, but if there were evidence called to justify the existing boundaries, that could prolong the process and take longer than a few months to deal with.

If that is the case, Mr. Chairman, there could be a problem in the sense that the present Elections Act, does provide that, knowing then, that to any provision regarding electoral boundaries is effective unless it is made six months before a general election is held. The exception to that is, if the Chief Electoral Officer agrees with the amendment and publishes a notice in the Gazette. The purpose behind that section is to ensure that the Chief Electoral Officer has the time, adequate time, to deal with amendments to electoral boundaries when he or she is running an election. There is this six-month time frame that is contained within the legislation and that six-month time frame can be waived, but there are still very practical considerations to running an election and there is the desirability to having voter enumeration take place in advance of an election, which our act provides for, to having electoral maps printed up, to doing a lot of advance preparation for an election. If we were to possibly get an adverse court decision and had to perhaps, change our boundaries, we would be running into the period of time in which it would be

desirable to be preparing for an election, rather than changing the boundaries. The short answer is, it could take a few months. The longer answer is, depending upon the evidence, it could take quite a long time and that could interfere with the smooth running of the next election, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Perhaps, before we proceed further here, I note Mr. Ootes' ten minutes expired. I wonder if the committee would agree that we do not count questions to the legal law clerk as part of the statements. Obviously, the answers are going to be to the benefit of all the Members. Could we agree then that we should deal with the legal aspects of any questions to the legal law clerk at this point, and afterwards, we could then perhaps revert back to general comments. I would also like to note that in fairness to all the Members, I cannot guarantee that on Thursday, Members speaking today in general comments are going to be allowed another ten minutes. We are keeping a record of those who speak towards the document and the rule says ten minutes per Member. It does not say on which day. With that in mind, I hope that Members will agree that before there are any further general comments by Members, that other Members would first have an opportunity to speak and utilize their ten minutes. Could I get agreement from the committee that we deal with the legal questions at this point in time?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Steen):

Thank you. I see a general consensus in agreement. I recognize Mr. Henry. You may have legal questions to the law clerk, Mr. Henry.

MR. HENRY:

Thank you, Mr. Chairman. For all intents and purposes, it is reasonable to say that the Report of the

Page 364

Electoral Boundaries Commission was a unanimous report with regard to the number of Members they were recommending to this legislature. I admit there was a minority report submitted with that document, but with regard to how the area should be split up and the number of members, the report was unanimous. I

listened to the law clerk explain how a challenge would be handled and I would refer back to a comment I made in my opening statement that was made by Madam Justice McLachlin, the statement, and I quote is, "The courts ought not to interfere unless it appears that reasonable persons applying the appropriate principles could not have set the electoral boundaries as they exist." My question to the law clerk is, what did this government, as you referred to having to defend a legislation, would this government have to make a case that the individuals that were members of the Boundaries Commission, in fact, were not reasonable persons and that they did not apply appropriate principles? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Henry. Ms. MacPherson, do you wish to respond?

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. Mr. Chairman, the government would not be required to defend the reasonableness of the commissioners who drafted the report. What they would be required to defend in court would be the reasonableness of any electoral boundaries that are chosen by this Assembly. If, for example, the existing electoral boundaries were to remain the same, then the government would have to say, a reasonable person, a reasonable man or woman on the street, would think that it is important that this community have its own MLA, as in contrast with sharing with another community.

What the court would be looking at is not the reasonableness of the commissioners who made the recommendations, but they would be looking at whether your average person thinks that is a departure from one person, one vote can be justified in these circumstances and based on these facts. The onus would be on the government to justify any departure from the general principle, one person, one vote. It would be up to the government to say, this is why we did this in this community. This is why we decided to reject this recommendation, this is why we decided not to split into two. The onus is on the government to say that there are factors here that we considered to justify a departure of what might be considered the norm. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Mr. Henry, a further question?

MR. HENRY:

Thank you, Mr. Chairman. I have seen demonstrated a number of times a reasonableness that does exist in this House. On a number of occasions I would on the premise that reasonableness will prevail and that the boundaries commission will be accepted. A question from that perspective would be, how successful would a challenge be to the present make-up of the Legislative Assembly when, in section 3, an individual or a person looks at the facts and some of the numbers that we deal with in the Legislative Assembly where, the smallest riding in the present Assembly has approximately 800 residents. The largest riding has approximately 7,000. With regard to a challenge, how successful would something like that be, or is it the complete picture that is looked at? How successful and how fair would the court look at that type of disparity in representation for individuals? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Henry. Mr. Henry, I have a couple of points where, I think, the Members agreed that we would have a question period towards the legal aspects of this issue. We did not agree that we are going to preempt our questions with statements. I believe you had an opportunity to make statements earlier, so I would caution Members about making statements before the question.

I am also advised that your question is hypothetical and it is not fair to the legal law clerk to ask her to respond to hypothetical situations. Furthermore, I am of the opinion that you are asking her for an opinion, rather than a legal ruling of the issue. If you are asking for an opinion based on previous case law, that is one thing. Therefore, I will ask Ms. MacPherson to respond, but I would caution Members about asking hypothetical questions and opinions of the law clerk. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. Mr. Chairman, as you pointed out, it is difficult to tell what would happen in the event of a court challenge being launched. There has been wide reference to this simple rule of thumb of plus or minus 25 percent. Some cases have suggested you can have deviations within constituency boundaries of up to plus or minus 25

percent in order to accommodate community interests, geography, minority representation and other factors, the list of which is not closed. We do not know if a court would apply that same rule of thumb to the Northwest Territories.

I have often heard in this House, Members have said the Northwest Territories has uniqueness apart from the rest of Canada and we live in a unique territory. I cannot say with any degree of certainty that the court would apply that rule of thumb that has been applied in other jurisdictions to appropriate electoral boundaries. What I can say is, the case law very clearly states it would be up to the government to justify any departure from the norm. If there were significant departures from the norm, and as Mr. Henry has pointed out some of the significant departures, the onus is very much on the government to justify why there is such a significant deviation in the riding size in the Northwest Territories. As to success, I can not preempt the court, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. I have for the Members' information, Mr. Dent, Mr. Erasmus and Mr. Roland with questions. Mr. Henry, you would like a subsequent question?

MR. HENRY:

Thank you, Mr. Chairman. I would just ask a final question. Hopefully it will be within the bounds you have set. Does the Supreme Court have a rating as to cases they will hear? Do they only hear cases that affect the Charter of Rights and Freedoms? Do they rate in order of priority and

Page 365

sort of the timing that may be required by circumstances such as an election? Do they rate cases they will hear? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Henry. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. Mr. Chairman, the Supreme Court of the Northwest Territories would hear any matter that was properly brought before it by a voter or a person who was interested in this issue. They may give it short shrift and dismiss it or they could take a long time to consider it, but they would

certainly hear any matter brought before it. In terms of the timing, I have found, when necessary, the Supreme Court will often go to great extent to try to accommodate matters felt to be somewhat pressing, and of great public interest and urgency, to have them resolved quickly. They will often make every effort to accommodate council and to accommodate the needs of various litigants to have matters resolved quickly and expeditiously.

With respect to any appeal, however, flowing from a decision of the Supreme Court, there would be an automatic right-of-appeal to the NWT Court of Appeal. There is no automatic right-of-appeal from the NWT Court of Appeal to the Supreme Court of Canada, which means the court gets to pick and choose which cases they will hear. The Supreme Court of the Northwest Territories will hear any case that is properly put before it, I believe. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. I recognize Mr. Dent. Do you have questions or comments, Mr. Dent?

HON. CHARLES DENT:

Thank you, Mr. Chairman. I have some questions for the law clerk, if I may. Mr. Chairman, given the law clerk's examination of relevant case law, if the Assembly fails to adopt the recommendations of the Commission, is it possible that an applicant in a Charter case would likely be successful if they were to ask the courts to order the delay of the next election until a decision can be rendered?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Dent. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. I do not think the court would actually order a delay in the election, Mr. Chairman. That would involve some fairly significant issues of parliamentary privilege and democracy, the right to control the timing of elections. As well, we have certain time frames under the NWT Act, in which an election must be held.

The difficulty, of course, would be if there were a challenge to our electoral boundaries and that challenge was a successful challenge. The question would then arise whether this legislature could convene an Assembly, a meeting, in sufficient time to

make the necessary changes to the electoral boundaries for an upcoming territorial election. This in itself, the practical reality of a court decision in itself, might delay an election because if a court decision were rendered very late in the process it might be very difficult for this Assembly to meet, change the electoral boundaries to accommodate the needs of the court decision, and to do all of the work that is preparatory to an election, such as enumeration, having electoral maps available, having all the administrative structure in place, so that every single constituency is set up to effectively run a fair and proper election. That would be the result.

I doubt the court would actually delay the holding of an election, but we would run the risk that a court decision would come close to the election, which might impair our ability to effectively have an election, or alternatively, any election we had might subsequently be found to be based on boundaries, which the court orders changed. This of course, would lead to a new election. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Mr. Dent do you have further questions?

HON. CHARLES DENT:

Thank you, Mr. Chairman. Just following up on that. This may require the deputy clerk to provide some advice, too. As I understand it, it would not be possible to apply for an order before a decision came out to delay an election, but the result of a decision could, in fact, delay an election. Would there be any impact on the courts, if for instance, I believe under the rules we operate the election could be delayed for up to a year. Perhaps I am not right. If the courts were to make the decision so close to the time the election is now planned, what is the chance that the election could potentially be delayed?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Dent. Ms. MacPherson, do you wish to respond?

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. Unless there is an amendment to the NWT Act I am not aware of, the NWT Act provides that every Assembly shall continue for four years from the date of return of the writs, for a general election, and no longer. That is unlike the

provisions in the Nunavut Act, which allow the Nunavut Assembly to continue for a period of up to five years. That is very much the Canadian norm in legislatures. We still have the provisions that say we shall continue for four years and no longer. There could be some real chaos if a decision came down very close to the end of this 13th Assembly and there was insufficient time to meet and address the consequences of the decision. It appears there is no statutory framework, Mr. Chairman, to permit an extension. The court would very much, if they were to delay the election, be relying on non-statutory, non-legislative powers and their own inherent jurisdiction. I am not quite sure they would have that inherent jurisdiction to do so. It would be a tricky issue, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Mr. Dent.

HON. CHARLES DENT:

Thank you, Mr. Chairman. One other point I would like to get clarified by Madam Law Clerk, if I could? In a previous answer to me, she talked about a decision being rendered perhaps, after the election, which said

Page 366

the boundaries were not acceptable. Could I get a sense of what the possible ramifications of that might be? It sounded to me like Madam Law Clerk felt there could be a serious implication here, but she did not really outline what that might be.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Dent. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. Mr. Chairman, there are a number of cases which have dealt with challenges to electoral boundaries in other jurisdictions. In those cases, some of them have made it to court by way of reference from the government seeking to know if their boundaries are appropriate. Other cases have made it to the courts as a result of individual voters bringing cases to the court.

Generally speaking, in the cases that have considered the issue of electoral boundaries, the courts have permitted the legislation to remain in force even where they have found it to violate the right to effective representation. They have allowed

the legislature to keep the existing electoral boundaries for a period of time, pending the legislature convening to change those electoral boundaries. In some cases, the courts have been asked to give time deadlines to a legislature, a time frame in which they must make the necessary changes to their boundaries. The courts have, generally speaking, declined to issue those types of orders saying we expect a legislature would do what is right and what is constitutional. We are not going to say they must do that within a certain time frame.

Those are the comments in the few cases dealing with boundaries that have made it to Appellate Courts in this country. The concern, however, would be how long a court would give this legislature to remedy any problem, if a problem were found. Would they give this legislature four years to remedy a problem or would they say to this legislature, we expect that you will make changes within a reasonable time period and conduct a new election. That is the real issue. Would the courts basically give this legislature another full session? That is a difficult one to predict, Mr. Chairman.

Precisely this very debate is occurring, and if the court were, in its wisdom, to decide that existing electoral boundaries were unconstitutional, they might not be inclined to give four years to remedy that problem. There are a lot of assumptions, but the difficulty, of course, would be that the court would have full knowledge of this debate, would have knowledge of the Boundaries Commission Reports and some of the submissions that went on. They might not permit boundaries they feel are unconstitutional to stay in place pending another general election. Again, Mr. Chairman, I cannot predict the future and I cannot predict how a court would react.

We do have a substantial body of case law out there which alerts legislators to the factors they have to take into consideration. We do have the report of the commission which has indicated it has taken those factors into consideration.

The court may view that as sufficient warning to a legislature and not give a long grace period to remedy a problem in light of the past debate on this issue in this House and in the Northwest Territories. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. I recognize Mr. Erasmus.

MR. ERASMUS:

Thank you, Mr. Chairman. Most of my questions have been answered. However, I just wanted to clarify, the law clerk had indicated that the government would have to justify every significant departure, was that correct?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Erasmus. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

That is correct, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Mr. Erasmus.

MR. ERASMUS:

Thank you, Mr. Chairman. In other words, it would not only look at the Yellowknife seats, it would look at, for instance, Tu Nedhe, which is 70 percent less than the norm with two communities that have to be travelled to by air. Perhaps Deh Cho, as well, which has a few communities which are all accessible by road, that is 63 percent under the norm as well. Would that be a fair assessment? They would have to look at those as well?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Erasmus. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. In determining whether the population in one constituency was reasonable or could be justified, a court would almost certainly look of the makeup in other ridings and compare and comment on the makeup in other ridings. In other words, they could not, I suggest, rule on an issue affecting Yellowknife South without considering other ridings in the Northwest Territories, the population in those other ridings, and the reasons in which other ridings might be a different size. It would be very difficult to consider one riding in isolation of all of the ridings when addressing the issue of whether the boundaries in one riding are appropriate or fair. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Mr. Erasmus.

MR. ERASMUS:

Thank you, Mr. Chairman. I know we have to rely on previous cases and I am not sure how specific they were. Would they indicate the ridings that have to be adjusted? For instance, if they found that there was an abnormality, could they indicate, for instance, the Tu Nedhe and Deh Cho would be too small and they would have to be changed, as well as perhaps, the Yellowknife ridings, if they found that these were out of line?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Erasmus. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Mr. Chairman. I do not

Page 367

know what type of order a court would give specifically. In other words, I do not know if a court would, say in dealing with an application involving Yellowknife, that you have to adjust another riding. The difficulty that a court would be faced with is that the court itself is not going to adjust the ridings. They are going to give guidance and you cannot deal with one riding in Yellowknife without affecting other ridings. The court would most likely make comment on the overall population makeup of the ridings and remit the matter back to the legislature for consideration if it felt that it were a problem.

I do not know if they would specifically order that other ridings be dealt with, but they may well comment on the population makeup of other ridings other than the specific one that they are dealing with. They would most likely send the entire matter back to the legislature for legislation if it felt that there were a problem with the boundaries. In other words, they would not do the actual boundary change themselves. They would send it back to this legislature.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Mr. Erasmus.

MR. ERASMUS:

Thank you, Mr. Chairman. If I have it correctly, they would comment on certain abnormalities and then, they would give general parameters within which they would expect the Legislative Assembly to compile it? Is that correct?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Erasmus. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. I cannot predict what would be in the decision, but that is what I would expect a court would do, would be to provide guidance and direction to the legislature in the event that it felt there were a problem with the boundaries, so we would have some assistance in debating this issue. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. I have indication from Mr. Roland that he wishes to make general comments, but I would just like to know if we are through with the questions here? Mr. Henry.

MR. HENRY:

Thank you, Mr. Chairman. If I may have another question, I would appreciate it. It is rather short and it came out of some of the responses of the law clerk regarding a challenge of the structure to the Supreme Court of the NWT. The question to the Law Clerk, is, how many judges presently sit on the Supreme Court of the Northwest Territories?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Henry. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. There are three resident Supreme Court Judges, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Mr. Henry.

MR. HENRY:

Thank you, Mr. Chairman. I also note that a requirement of the NWT Boundaries Commission Legislation is that a Member of the Supreme Court has to chair that particular committee. Would Ms. Schuler have to declare a conflict of interest in any application that would go before the Supreme Court? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Henry. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. I am not aware of what conflict rules govern the Judges of the Supreme Court, but I would expect, given that she was a Commissioner involved in making a recommendation to this Assembly, that she would not deal with any court case flowing from the issue of appropriate electoral boundaries. It would be my expectation that we would have a pool of two resident Supreme Court Judges that could hear this case, Mr. Chairman. As well, the Supreme Court also has a number of non-resident deputy judges that they draw upon from time to time to hear matters. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. Any further questions? If not, I will recognize Mr. Roland for general comments.

MR. ROLAND:

Thank you, Mr. Chairman. Back in May of this year, I moved a motion to establish the Electoral Boundaries Commission. Some of the arguments I used in putting it forward were the fact that we wanted to hear from residents of the Northwest Territories to see if they felt that they were under or over represented. One of the conditions that was on the motion was that the commission had to strive to maintain a balance between urban and rural populations when recommending the boundaries of constituencies, as well as the consideration of cultural and linguistic interest in the territories and its present land claim boundaries when recommending boundaries again of constituencies.

Mr. Chairman, the report to some degree does recognize the cultural and geographical diversities that exist in the Western Territory. As I went through the report I was disappointed to see the results. I also stated during my time that I had allotted in speaking to the motion that the Beaufort Delta leaders on two occasions had put forward motions to establish new seats in the Beaufort Delta area. Again, this report as it states now lists only two seats to be established and both in Yellowknife.

I have some concern, when it comes to a new assembly and 14 Members, as we say, will carry on after March 31, 1999. I believe the workload will be heavy, but as well, I have to go back to what I stated during the support of the motion, is that we have to listen to what the people of the territories say. If they

feel that they are under-represented or over-represented, we have to bring forward that message. As the commission did its work, I heard numerous times of let us not create more government. We have enough government. The cost of government is high, so let us continue with what we have and work with the system that we will have in place.

Some concerns, as we heard Mr. Henry speak of the fact that

Page 368

excuses were made on the fact that the residents of Yellowknife could access government easier than residents of other communities, is very real. The fact that residents of Inuvik have the ability to go and talk to a superintendent, for example, of income support, but here in Yellowknife, they can reach the director of income support. They can reach the deputy minister much easier than a resident of Inuvik can.

One of the other things raised or I heard during the boundaries commission's work, was the fact that the comparison of the Yukon to the NWT as to how many residents of the Northwest Territories did not want to see a situation of what they view in the Yukon as being a centralized government. That is already said to a large degree about the existing system we have but by creating this, it would further establish that in the minds of the people of the territories.

Under the existing system of the Government of the Northwest Territories there are four of 24 seats in Yellowknife. After March 31, 1999, there are four of 14 potential seats. One could say that there is actually an increase in the representation when it comes to the number of Members in the Legislative Assembly.

As I said, I have concerns with the work load, but also I have to go back and listen to the people that put me here in the first place. Although there was some support out of Inuvik for more seats, generally the feeling out of my community was enough government, let us just do the work. Let us provide programs and services. On those lines, as a report is presented to us, giving two more seats to Yellowknife alone, I cannot support it based on the fact that the Beaufort Delta leaders, when the motion went out, called for seats in that region. This is not recognized, so that further puts us at a distance. As the concerns came forward and as I mentioned myself, the fact if you look at the Western Territory on a map and you look at the northern region of the Western Territory, there are

four Members of this Assembly currently for the Sahtu and Beaufort Delta region. There would be ten south of that. This further increases that disparity.

One can argue the fact that if you go one vote per person then there is a concern there. As we heard earlier, that parity, that absolute parity is not necessarily the measurement used. As well, I believe I heard the law clerk mention that in a case there was a possibility, or there was a case of 50 percent plus or minus. I need to check Hansard and double-check on that, but when we look at the motion to establish or look at a boundaries commission, as well, was the fact that cultural differences was one of the things that was mentioned. Right now, the Inuvialuit of the Beaufort Delta region, as a whole in the whole territories, have some links to those of the east, the Inuit. In the Western Territory, as Inuvialuit or Inuit, they will be the only aboriginal group of Inuvialuit. I think that should have been recognized to some degree in the report. For whatever reason, it was not and I cannot go back and try and guess why, but I go back to the fact that if you establish two more seats in the Yellowknife area, the numbers will come down for the people in Yellowknife, if they do a comparison per person per vote. There is actually a concern here that by doing that you would further push the envelope when it comes to the concern of representation by larger communities versus smaller communities because that exists today as we know it.

We hear many concerns being raised in this Assembly how small communities have a more difficult time being heard or having concerns dealt with in comparison to larger communities. Myself, I can be considered to be one of the larger communities in the Western Territory and I do hear that raised as well, not only in this setting, but as well, for example, the Beaufort Delta Leaders setting. There is always a concern of larger constituencies hoarding the power, so-to-speak, from smaller communities. We have heard a number of times, as well as when the debate was on the motion itself, and now with the questions many questions with a threat of a court action, definitely when you looked in the past, four of 24, there was probably more of an argument there of representation. I do not know if that is the same balance of four of 14.

In reading the report, I see also that there is a lot of emphasis paid to the 25 percent ruling that most jurisdictions stand by on the existing system that is used today. For example, if we took what is existing today and redistributed or rebalanced within the Yellowknife constituencies, that number would come

down. The high number in one riding of over 7,000 would come down and be balanced out more, to a degree. I believe that is a potential opportunity to lessen the concern there. I believe that not just the process of setting up seats, but the idea of representation, when right now there is, and I think everybody could agree that there is, an anti-sentiment to Yellowknife as being the capital, where everything comes into the centre, because it is the seat of government. If this report was to go as it is, it would further entrench that and that would make for a very difficult operation of a government because you would potentially set up a Yellowknife caucus versus the rest of the Western Territory sort of thing. I think that is potentially there. In closing, Mr. Chairman, I hope that Members will look at all the concerns and look at what the people said. I believe the majority of people said, enough government. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Roland, Member for Inuvik, for his general comments. Are there further general comments on this item? I recognize Mr. Kakfwi.

HON. STEPHEN KAKFWI:

I move we report progress.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Kakfwi. We have a motion on the floor to report progress. The motion is not debatable. Unfortunately, I do not recognize a quorum so I will ring the bell. I recognize a quorum. We have a motion on the floor to report progress. All those in favour? All those opposed? The motion is carried. I will now rise and report progress.

MR. SPEAKER:

The House will come back to order. We are on item 20, report of committee of the whole. Mr. Steen.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

MR. STEEN:

Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 11, An Act to Amend the Workers' Compensation Act, Bill 10, An Act to Amend the

Student Financial Assistance Act, and Tabled Document 26-13(6), Report of the NWT Electoral Boundaries Commission 1998. I would like to report that Bill 11 and Bill 10 are ready for third reading. Mr. Speaker, I move that the report of committee of the whole be concurred with.

MR. SPEAKER:

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

ITEM 21: THIRD READING OF BILLS

BILL 13, Supplementary Appropriation Act, No. 3, 1998/99

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Baffin South, that Bill 13, Supplementary Appropriation Act, No. 3, 1998/99, be read for the third time. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 13 has had third reading. Third reading of bills. Item 22, orders of the day. Mr. Clerk.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, there is a meeting of the Special Committee on Western Identity immediately after adjournment today. Meetings for Thursday at 9:00 a.m. of the Standing Committee on Government Operations and at 11:00 a.m. with the Ordinary Members Caucus and 12:00 noon with the Nunavut and Western Caucuses.

Orders of the day for Thursday, November 12, 1998:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions

5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills
16. Motions
17. First Reading of Bill
 - Bill 14, Nunavut Statutes Replacement Act
 - Bill 15, Nunavut Statutes Amendment Act
 - Bill 16, Nunavut Judicial System Implementation Act
 - Bill 17, Division Measures Act
 - Bill 18, Access to Information and Protection of Privacy Statutes Amendment Act
 - Bill 19, An Act to Amend the Public Highways Act and the Motor Vehicles Act
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
 - Tabled Document 26-13(6), Report of the NWT Electoral Boundaries Commission 1998
20. Report of Committee of the Whole
21. Third Reading of Bills
 - Bill 10, An Act to Amend the Student Financial Assistance Act

- Bill 11, An Act to Amend the Workers'
Compensation Act, No. 2

22. Orders of the Day

MR. SPEAKER:

Thank you. This House stands adjourned until
Thursday, November 12, 1998 at 1:30 p.m.

--ADJOURNMENT