



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

6th Session

Day 18

13th Assembly

HANSARD

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The Honourable **Samuel Gargan**, Speaker

MEMBERS PRESENT

Honourable Jim Antoine, Honourable Goo Arlooktoo, Mr. Barnabas, Honourable Charles Dent, Mr. Erasmus, Mr. Evaloarjuk, Honourable Sam Gargan, Mrs. Groenewegen, Mr. Henry, Honourable Stephen Kakfwi, Mr. Krutko, Mr. Miltenberger, Mr. Morin, Honourable Kelvin Ng, Mr. Ningark, Mr. O'Brien, Mr. Ootes, Mr. Picco, Mr. Rabesca, Mr. Roland, Mr. Steen, Honourable Manikot 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.

HON. SAMUEL GARGAN:

Before we start, I wish to inform the House that I have received the following message from Her Honour the Commissioner of the Northwest Territories.

Dear Mr. Speaker:

I wish to advise that I recommend to the Legislative Assembly of the Northwest Territories, the passage of Supplementary Appropriation Act, No. 4, 1998/1999, during the sixth session of the 13th Legislative Assembly.

This is signed by Helen Maksagak, Commissioner. Orders of the day. Item 2, Ministers' statements. Mr. Arlooktoo.

ITEM 2: MINISTER'S STATEMENTS

Minister's Statement 76-13(6): Premier's Sessional Statement

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I stand before the House today as the Acting Premier of the Government of the Northwest Territories -- a position just days ago that I did not expect to find myself in. However, it is a position I assume with a great sense of humility and responsibility. We are, until March 31, 1999, MLAs and Ministers for all of the Northwest Territories. We must not lose sight of this collective duty as we confront the difficult tasks that await us in the days

ahead. Whatever our position, whatever our title, we are all here to serve the people of our communities.

Mr. Speaker, we have a heavy agenda to deliver over the course of the next few weeks. We have an obligation to ensure we do so in a fair, mature and responsible fashion. Before we can address the complex political issues that must be resolved, we have an extremely busy legislative schedule. There are about 20 different bills that need to be debated and passed. There is a lot of work that must be done and done quickly. We have to roll up our sleeves and get at it.

Mr. Speaker, at the top of our priority list for the eastern Arctic is legislation such as the Division Measures Act and other bills which will:

*permit contracting back under new service arrangements;

*provide for transitional arrangements for both the Workers' Compensation Board and the NWT Power Corporation that will allow them to operate in both territories;

*enable professional organizations to operate in both jurisdictions; and,

*allow for the orderly transition to two new governments.

We must ensure all these critical pieces of legislation are put in place to get two new governments on a good footing. At the same time, we must set the stage for the creation of a new Western Territorial Government. We will continue to actively pursue the agenda for the new Northwest Territories. There are a number of urgent items on the agenda including:

*the ongoing negotiation of land claims and self-government agreements, as well as outstanding governance issues related to the ongoing relationship between public and Aboriginal governments;

*a new economic strategy;

*establishing a more equitable fiscal arrangement with Ottawa that will allow us to gain a greater share of resource revenues as well as an increase in the tax window so we can generate more own-source revenues: and

*ongoing efforts to ensure the federal government finally delivers on its long-standing unfulfilled promise

to allow northerners to take control of northern resources.

These are the keys to building a strong foundation from which the new Northwest Territories can grow and prosper.

Mr. Speaker, we also have a responsibility to select a new Premier - a leader who will be able to carry out the vision for the north that we have developed together during this mandate. Now is the time for leadership. Because our business is the business of governing. It is about ensuring consistency and providing certainty that the people of the NWT will continue to be served by a strong and stable government. It is about delivering the social and economic programs and services that the people of our communities rely on. It is about instilling confidence in the local territorial and national business community that the NWT is a good place to invest. A good place to create jobs and generate economic growth. It is about

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demonstrating to Ottawa that we are a mature and responsible government that can take setbacks in stride. This is a Legislature that can deal quickly and effectively with problems when they arise. A Legislature that will continue to move forward in preparing the new north for the new millennium. Mr. Speaker, these are the things that matter to our communities.

The people of the Northwest Territories fully expect us to honour our commitment to serve their needs and interests. It is a pledge I fully intend to fulfil during my temporary tenure as Acting Premier, and when I return to my ongoing duties as Deputy Premier and as MLA until the end of our term. Serving the people of the NWT is both an honour and a privilege - a privilege that can be taken away as quickly as it is granted.

Mr. Speaker, we face perhaps the most challenging and emotionally charged issue this House has ever had to address. That is to achieve an equitable and ethical resolution of the conflict issue. I want to make it clear to my honourable colleagues that we are obliged to set aside any personal prejudices. Despite all that has been said and reported on, we have a duty to develop a course of action that is both fair and balanced. I am calling on all of my colleagues to approach this work with an open heart and an open mind. It is critical that we not prejudge the outcome of

the proceedings until all voices and all perspectives have been heard. The people of the Northwest Territories are counting on us to do the right thing. We must not let them down. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Ministers' statements, Mr. Todd.

Minister's Statement 77-13(6): Contracting with Former Employees

HON. JOHN TODD:

Thank you, Mr. Speaker. Mr. Speaker, there is a need to set the public record straight and get the facts before this House on the matter of contracting with former GNWT employees. This is not a new issue nor is it just a northern issue. However, it has become a recurring topic in this Legislature and in the media since government went through its major downsizing initiatives of the past few years. There are now many more former GNWT staff out in the private sector trying to make a living in an economy dominated by government contracting and spending.

Mr. Speaker, the current government guideline governing contracting with former employees has been in place since December, 1986. It is contained in the Human Resource Manual Section 003 titled Ethics - Conflict of Interest - Outside Employment, Clause 14, under guidelines which read:

For one year from the date their employment ceases, senior officers may not own, operate, control or be employed by any business enterprise within the community in which they were employed and in which they may be in a position to unduly exploit knowledge they gained while employed by the Government of the Northwest Territories.

This is the guideline that governs contracting with former senior officers. It also governs other situations such as subsequent employment within a specific community. An employee may apply to the Chairman of the Financial Management Board to be exempted from any or all provisions of this section.

The guideline attempts to find a balance between the collective and individual rights and the need to encourage movement of talented people between public and private sector employment. As a collective, the public must be protected from situations where former employees may have an

unfair market advantage in bidding on government work or where government policy restrains competition or trade. As an individual, the former employee has a right to not be unfairly restricted in his or her ability to make a living.

The approach taken in the guideline is to set criteria that guard against former employees gaining an unfair market advantage in securing government contracts. Unfair market advantage in this case can only arise from undue exploitation of knowledge gained while employed. It is assumed this refers to confidential information or knowledge, as public information or knowledge can be exploited by anyone and thus by definition could not be unduly exploited by a former employee. The guideline is premised on several assumptions about what gives rise to unfair advantage.

The first assumption is that only senior officers have access to enough confidential information or knowledge during their employment to have the potential to have an unfair market advantage. This exempts hundreds of former employees who have been laid off or have resigned in the past few years who have not been senior officers. However, approximately 250 current staff meet the definition of a senior officer. Three years ago there were over 330, so there is the potential for many former employees to be subject to this first criterion.

The second assumption is that confidential information or knowledge has a relatively short shelf life. Given the openness with which government operates and the rapid pace with which the environment and government operations change, it is unlikely that confidential information or knowledge carries a market advantage value for more than one year. As a result, the guideline sets a second criterion by specifying a one year time limit on its application.

The third assumption the guideline makes is that confidential information or knowledge is only of value and only gives rise to an unfair advantage if that information directly pertains to the government work in question. For example, knowing the government's internal plans for meeting public housing needs is not going to give rise to an unfair advantage if the government work being contracted is to study potential environmental liabilities. This is the basis for the third criterion, which prohibits undue exploitation of confidential knowledge gained.

Mr. Speaker, it is also important to distinguish between the use of confidential information or knowledge to gain market advantage versus the release or disclosure of confidential information generally. All employees must take an oath of

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secrecy concerning the release or disclosure of confidential information. The secrecy oath continues to apply to all former employees whether or not they are covered by the guideline governing contracting former employees. For example, no one wants former employees releasing or using confidential medical information under any circumstances.

Mr. Speaker, our guideline that governs contracting with former employees is similar to that in other jurisdictions. The practices of other jurisdictions range from no restrictions in Alberta because they prioritize encouraging movement of people between the public and private sectors, to one year cooling-off periods that apply to a very narrow group of employees in Manitoba.

The GNWT guideline balances collective and individual rights and interests and takes a pragmatic approach to this issue. It is structured to prevent former employees from successfully suing the government for unfairly restricting their ability to earn a living. It is intended to give guidance to government staff who are tendering and entering into contracts. It informs both current and former employees what the government believes their rights and obligations are after they have ceased to be employees.

The number of former employees active in the private sector probably reaches into the thousands. Even the hundreds of those defined as senior officers and thus covered by this guideline are too many to allow one organization or individual to police every contract entered into by the government. However, the job of my department and myself is to ensure that a reasonable guideline is in place, that it is widely published and that situations that are called to our attention are reviewed. Each contracting authority is responsible to know the rules set out by the guideline and to abide by them.

Mr. Speaker, although I would always caution on reacting to poorly researched media editorials, I do note that the editorial in the November 30th News/North raised government contracts with a specific former employee, Mr. Roland Bailey. I believe the government should correct the misleading information

and the editorial presented. I will request staff to complete a survey of the practices of other jurisdictions, to research the case law that is relevant and to assess whether any changes to our approach is appropriate. When this review is complete, I will communicate it to the Members of this House. Thank you.

--Applause

MR. SPEAKER:

Thank you. I would like to welcome back the Member from Nunakput. I understand Mr. Steen just came back from the hospital. I also would like to welcome back Mr. Evaloarjuk, who was also in the hospital.

--Applause

The Member for Kivallivik has requested that I recognize his Pages that are with us today. I want to apologize if I do not say your name right. All these names are aboriginal names. I might have a problem pronouncing them, but here goes. John Niakrok, Adrian Pameolik, Brian Suwaksioak and Gloria Arnayuinak. Welcome to the Assembly.

--Applause

I hope I said your names correctly. Ministers' statements. Item 3, Members' statements. Mr. Picco.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement 178-13(6): Contracting with Former Employees

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, I am going to leave my prepared statement and respond to the Minister of Finance's statement on contracting of former senior managers. First of all, Mr. Speaker, I was one of the people who raised this issue many times in this Assembly and I make no apology for it.

Let us review some of Mr. Todd's statements. He infers that, for example, as deputy minister of Health, an individual would not be privy to information, direction or policy for education or public works. That is bizarre. All senior deputy ministers or assistant deputy ministers meet at senior deputy ministers' meetings and are privy to the direction, policy and focus of this government. The fact is, Mr. Speaker, there is a policy in place and the government did not

follow it. Later today, I will ask the Minister about his statement. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statements. Mr. Krutko.

Member's Statement 179-13(6): Aklavik Dedication Ceremonies

MR. KRUTKO:

Thank you, Mr. Speaker, and Members of the Legislative Assembly. I would like to take this opportunity to talk about a special event that took place in my riding of Aklavik.

The mayor and hamlet council hosted an evening of events on Friday, November 20th, starting at 4:00 p.m., with the naming of the airport after pilot Freddie Carmichael, and the hamlet also named the fire hall after the late fire chief, Harry Gordon.

Plaques were presented to Mr. Carmichael for his dedicated long-term service to the community of Aklavik as a well-known pilot and also of the whole Mackenzie Delta. Also, Ms. Gordon

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and her family, for the late Harry Gordon, were also dedicated a plaque for his long-term service as the former fire chief and his many years of service to the people of Aklavik. Also, Ms. Julia Edwards and family on behalf of their daughter, the late Joyce Edwards, for all of her dedication and service to the community of Aklavik as a returning officer for the hamlet in all the elections that took place in Aklavik. Also, Mr. and Mrs. Freddie and Bella Greenland, for encouraging and supporting all their daughters to be educated. All ten graduated from high school, along with their granddaughter.

The community hosted a feast and also an old-time dance that went late into the evening. With that, Mr. Speaker, I would like to congratulate all the recipients and their families and also the people of Aklavik for this event. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statements. Mr. Barnabas.

Member's Statement 180-13(6): Conflict of Interest Inquiry

MR. BARNABAS:

Thank you, Mr. Speaker. I rise today to address what has been on everyone's mind for the past few days, the Conflict of Interest Inquiry. As the result of this inquiry, the residents of the Northwest Territories have understandably become more cynical about their public institutions. If people cannot trust their Members to do the right thing, soon Members will find that their decisions will have less and less legitimacy.

These recent conflicts of interest have taken attention, time and energy away from other important issues. This may potentially incur more than over \$1 million in final costs to the taxpayer. On a sidebar, Mr. Speaker, I wonder if the final costs will be split east and west?

I hope the remaining and new Members of Cabinet will continue to conduct themselves with integrity. I do not dispute that this inquiry was necessary, but this money could have been better spent on more important priorities. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Evaloarjuk.

Member's Statement 181-13(6): Appreciation for the Support of Colleagues and Constituents

MR. EVALOARJUK:

(Translation) Thank you, Mr. Speaker. I do not have a prepared statement today, however, I just want to make a statement to give my appreciation and thanks to Mr. Speaker and my colleagues for welcoming me back into this House. I would like to extend my appreciation to my family as well, who supported me morally. Although they were not able to be with me physically, they have always given me their support. Also, my constituents of Pond Inlet and Hall Beach. I appreciate their sincere appreciation of me being back here in the House. Thank you, Mr. Speaker. (Translation ends)

--Applause

MR. SPEAKER:

Thank you. Member's statements. Mr. Miltenberger.

Member's Statement 182-13(6): Fort Smith Involvement at the Meet the North Conference

MR. MILTENBERGER:

Mr. Speaker, over the weekend I had the good fortune to go to Edmonton to attend the big conference, Meet the North, Build a Vision. Mr. Speaker, there was a significant northern presence at that conference. In particular, I am very proud and I would like to commend the community of Fort Smith who had, in my opinion and in the opinion of many people I talked to down there, one of the best displays at the conference. Mr. Speaker, there were four linked booths put together by the community groups and government, such as the Town of Fort Smith, the Fort Smith Chamber of Commerce, Northwest Air Lease, Taiga Tours, Designer's Den, the Department of RWED, Wood Buffalo National Park, and Mr. Laurie Dexter, all put their efforts together and put together, I think, one of the best booths I have seen. It was definitely a credit to the community.

It is very important for people in the north to recognize that we have to, in fact, sell the many attributes and good things we have up here. Too many of them are a secret to the people in the south. It was a very good conference and I am very happy and proud of the people of Fort Smith. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statements. Mr. Ootes.

Member's Statement 183-13(6): Consideration of the Conflict of Interest Report

MR. OOTES:

Thank you, Mr. Speaker. I would like to speak to the conflict report and the process we are likely to use to debate this issue. Later today, I will move a motion to move the report into committee of the whole for debate and resolution. The conflict report has stirred up a great deal of public debate in the news and in the public media, call-in programs and so forth.

Our geography is very large, Mr. Speaker, but it is obvious our political world is very small. Our moves and comments are the subject of much scrutiny and controversy. Now it is our responsibility to deal with the report, to either accept it or to reject it. The report clearly states we must accept or reject the recommendations.

One part of the act states that nothing in this act affects the inherent power of the Legislative Assembly to control its own proceedings, privileges, or prerogatives, unless expressly provided for otherwise. In other words, there is no express provision limiting the course of action of the Assembly. Since it is the fundamental and inherent right of Members to run this Assembly, therefore, it is also our duty to determine what course of action we deem appropriate.

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It is this Assembly's inherent right to punish its own Members in cases where there is guilt. In my mind, that means punishment as we see appropriate if there is guilt. This is a very unique responsibility. The act is there to promote and maintain public trust and confidence in the integrity, impartiality and objectivity of the Assembly Members and of the process of government.

The Conflict Commissioner saw eight terms of reference that disclosed adequate grounds for proceeding with an inquiry. The report sends a stern message that government must be conducted openly and transparently. Whatever the fate of the report, in my mind, that report is the result and the reasons why the inquiry came about: the lack of openness and transparency. All I can do is reflect back to the many questions I asked on the Lahm Ridge Tower to no satisfaction. No wonder we are at this today. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Member's statements. Mrs. Groenewegen.

Member's Statement 184-13(6): Conflict of Interest Inquiry

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, the Report of the Conflict of Interest Commissioner was tabled in the House one week ago. This report is the result of almost a year of process which culminated in a public inquiry and now this report. As for my role in this process, I was always guided by what I perceived to be the public interest.

Conflict of Interest legislation is relatively new and these proceedings and subsequent rulings have set precedents and benchmarks which will now be used in consideration of future conflict of interest rulings,

not only here, but throughout Canada. Again, in closing, I encourage Members of this Assembly, members of the public service and northern constituents to read and understand this report because there are important issues to be learned for those who now serve and for many who will in the future have the intention to serve the public and, over the course of the next few days, I will have more to say on this matter. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statements. Mr. Rabesca.

Member's Statement 185-13(6): Passing of Pierre Wedzin

MR. RABESCA:

Thank you, Mr. Speaker. Mr. Speaker, I have the unfortunate responsibility to inform this House of the passing of one of our great traditional elders. Today, Pierre Wedzin of Rae-Edzo passed away after a long illness. He has been a very respected member of the Dogrib region and a traditional medicine man for the area for many years. He lived a very traditional life style and knew the importance of teaching the traditional ways to our younger people. His family is very large with a total of 86 grandchildren and great-grandchildren. His family enjoyed his kind and gentle ways and I am sure he will be missed greatly. To his family and friends, I would like to, on behalf of this Assembly, send our condolences. He is a great man and will be missed. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statements. Mr. Erasmus.

Member's Statement 186-13(6): Meet the North, Build a Vision Conference

MR. ERASMUS:

Thank you, Mr. Speaker. Mr. Speaker, similar to Mr. Miltenberger, I too had the opportunity to attend the Meet the North conference in Edmonton this past weekend. It was hosted by Edmonton's mayor, Bill Smith, and organized by his office. Mr. Speaker, the conference had many booths and speakers from all over the north. From the north I mean the NWT, the Yukon, northern Alberta, Manitoba and

Saskatchewan. Of course, the NWT was well represented, there were many speakers and booths from the NWT, such as private individuals like designers, Berna Beaulieu and Karen Wright-Fraser. There were also many companies like the Power Corporation, Deton'Cho Corporation and the Housing Corporation.

Mr. Speaker, I would like to thank the City of Edmonton. Obviously there was a lot of time and energy which went into organizing this conference. I also would like to applaud all the people who made presentations and put up booths for a job well done. Thank you.

--Applause

MR. SPEAKER:

Members' statements. Mr. Henry.

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Members' Statements 187-13(6): Stanton Regional Hospital Foundation Telethon

MR. HENRY:

Thank you, Mr. Speaker and good afternoon. Mr. Speaker, I would like to inform Members of this House and the general public of the very significant and successful event which took place in our capital city this past weekend. I refer, Mr. Speaker, to the first Stanton Regional Hospital Foundation Telethon and hopefully that would be the first of many more to come. The event was held at St. Patrick High School and raised over \$136,000 to go towards the purchase of equipment which will provide better health care services to all residents of the Northwest Territories.

Most of us, Mr. Speaker, got the opportunity to view the telethon from the front of our television screen and it was a fantastic opportunity for Members of my community and for others visiting my community to actually see what goes on behind the scenes. I would like to congratulate the organizers for a very well-organized and successful event. The organizing committee consisted of co-chairs Loretta Foley and Jerome Babyn from my community. There were approximately over 200 volunteers who participated in the event. I would also like to congratulate the public who came out to support the event and most of all the individuals, groups and organizations who contributed funds to the purchase of this equipment.

Mr. Speaker, the Foundation is now much closer to its goal of raising over \$2 million for the purchase of equipment which will provide better health care services to the people of the Northwest Territories. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statements. Mr. O'Brien.

Member's Statement 188-13(6): Recognition of Legislature Pages from Arviat

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, as yourself, I would also like to recognize the four Pages who are present here today in the Assembly from Arviat. Mr. Speaker, they will probably be the future leaders of Nunavut no doubt. Mr. Speaker, Gloria Arnayuinak, John Niakrok, Brian Suwaksiork and Adrienne Pameolik, are probably the first Pages to be here in this Assembly in ten years or more. They will probably be the last group of Pages from Nunavut that will serve in this Assembly. Maybe the last few, Mr. Speaker, I am aware that there may be another group coming in next week.

Mr. Speaker, I would like to thank the teachers at Qitliq school for helping the students prepare for the visit to the Assembly, First Air and Calm Air for providing travel arrangements for the students to come here, Cheryl Voytilla, a staff member here who helped the students get ready today along with Tony Whitford. Thank you.

--Applause

MR. SPEAKER:

Members' statements. Mr. Morin.

Member's Statement 189-13(6): Consideration of the Conflict of Interest Report

MR. MORIN:

Thank you, Mr. Speaker. A week ago today the report of the Conflict of Interest Commissioner was tabled in this House. Mr. Speaker, February of last year is when the complaint was laid against myself as a Member of the Legislative Assembly. Since February of last year, I have been advised by my legal counsel that I was not allowed to talk to the press or the public

and publicly defend myself as a person. I took that advice and I thought it was proper, as well, that I should not do that. Today is a new day for myself. Now, I can stand up and defend myself.

The conflict report will be moved into committee of the whole today, that is my understanding. There is a process and I thank the Members for that process, that I can stand up in this House and speak for 90 minutes to raise my concerns of the whole process from start to finish. I plan on doing that then. I want to let my constituents know to listen on Friday, possibly come and listen because I will be here and I will be speaking my piece for the first time in just about a year, I will be able to stand up and publicly speak what I think and feel of the process.

Mr. Speaker, I encourage the members of the public, as well as all Members of the Legislative Assembly, to read the report. Not just the summary, not just the conclusion, read the report from start to finish and come to your own conclusion, but please do not come to your own conclusion until you hear me speak for 90 minutes on Friday. That is the only opportunity I have had and will have to defend myself. I look forward to working with you, debating the report on the conflict of interest and I look forward to Friday. Thank you.

--Applause

MR. SPEAKER:

Members' statements. Mr. Antoine.

Member's Statement 190-13(6): Opening of the Fort Simpson Community Hall

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, I want to speak on an event that happened in Fort Simpson on November 14th. Mr. Speaker, some time ago through this Legislative Assembly process there was a certain community hall that there was a lot of controversy in this House about. Finally on November 14th we completed it and had an official opening in Fort Simpson.

Even though it is a long struggle working with the Members in this House, I would like to thank all the Members for finally seeing what we are trying to do in Fort Simpson and allowing us to continue building a facility that is going to be enjoyed and utilized by the citizens in Fort Simpson as a community. Finally, we have a space large enough that we can put a lot of people in there collectively and the elders and people

who are handicapped that will have access to a place in Fort Simpson where we all could get together and gather like in so many other communities in the north. With that, I would like to thank the Legislative Assembly for that. Thank you.

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--Applause

MR. SPEAKER:

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

ITEM 4: RETURNS TO ORAL QUESTIONS

Return to Oral Question 157-13(6): Formula Financing Agreement

HON. JOHN TODD:

Thank you, Mr. Speaker. I have a return to oral question asked by Mr. Henry on November 5, 1998 with respect to the Formula Financing Agreement - Impact of Population Decline.

Under the new Northwest Territories/Canada Formula Financing Agreement, the gross expenditure base - a measure of the Northwest Territories' spending needs - is escalated each year by the three-year moving average of the growth in provincial local government spending across Canada, multiplied by the three-year moving average of growth in the western NWT population compared with that of Canada.

The population adjustment factor, as this last term is referred to, reflects the fact that if territorial population is growing at a faster rate than that of Canada, spending needs are also growing, and therefore, funding under the grant increases. However, if territorial population grows more slowly than that of Canada, or even declines, the grant will grow more slowly or in some cases even decline.

This link between population and funding levels is a standard feature of federal/provincial fiscal arrangements. Provincial governments also experience a decline in federal transfers if their populations decrease. Thank you, Mr. Speaker.

MR. SPEAKER:

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

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

HON. JIM ANTOINE:

Mahsi, Mr. Speaker. Mr. Speaker, I would like to introduce Norman Prevost, the mayor of Fort Simpson, he is in the gallery. Mr. Speaker, Fort Simpson, is I guess rightfully, the Liidikue in my own language. Mr. Prevost is returning from Edmonton where he also attended the Meet the North Conference. He is one of the many representatives from the north at this conference and he is one of the main reasons why we finally completed the community hall in Fort Simpson. I would like to ask the Speaker to welcome Mr. Prevost to this chamber.

Furthermore, Mr. Speaker, I also would like to introduce to you Mr. Robert Villeneuve, who has been my constituency assistant in my Nahendeh office in Fort Simpson. He is here at the capital of the Northwest Territories to familiarize himself with the Government of the Northwest Territories and its department, the Legislative Assembly. Please, Mr. Speaker, through you, I would like to welcome them to this chamber. Thank you.

--Applause

MR. SPEAKER:

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

MR. RABESCA:

Thank you, Mr. Speaker. I would like to recognize my constituency members in the gallery. There are 23 students from grade 11 and 12 from Chief Jimmy Bruneau High School of Rae-Edzo, along with their supervisors and teaching volunteers, Odile Haesselin and Jerry Moran, teachers, and Frankie Cansell, the bus driver. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Erasmus.

MR. ERASMUS:

Thank you, Mr. Speaker. I would like to recognize a couple of constituents from Yellowknife North. The first is Mr. Mike Walcer, he is a long-time northerner.

To give you an idea of how long he has been here, I can remember him from when I was a little kid so that is quite a while. He is also the owner and operator of the Green Thumb business.

Also, I would like to recognize Doreen Baptiste. Doreen is an instructor at the Yellowknife campus of Aurora College and she has also just finished the calendar for 1999, which has a lot of important dates from the history of the NWT on it. Thank you.

--Applause

MR. SPEAKER:

Thank you. Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Picco.

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, I would like to welcome to the gallery, Mr. John Quirke, the Clerk of the new Nunavut Legislative Assembly and a resident of Iqaluit. Mr. Dave McCann, who is a well-known best selling Canadian author of the NWT Cargo Cult book and owner of the Treeline Cafe, the best place to get a vegetarian breakfast here in Yellowknife. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Recognition of visitors in the gallery. Mr. O'Brien.

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, I would like to welcome a very good friend of Preston Manning's, and he is known to be a little further right than Attila the Hun, Mr. Dave McCann, a Yellowknife businessman. Thank you.

--Applause

MR. SPEAKER:

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

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr.

Speaker, these are not my constituents but I see two people in the gallery today I would like to recognize. I met these people at the Conflict of Interest inquiry and I think they showed up every day the inquiry was on. Now they must have been bit by the political bug because they are here today. They are two senior citizens, Mr. Bill Powless and Law Gardiner.

--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 someone I have not recognized for a couple of days, Pat Thomas, NWTTA. Hi, Pat.

--Applause

MR. SPEAKER:

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

MR. OOTES:

Yes, Mr. Speaker, I would also like to recognize two of my constituents that Mrs. Groenewegen also recognized, Mr. Powless and Law Gardiner. You are great constituents. Thank you.

--Applause

MR. SPEAKER:

Thank you. Recognition of visitors in the gallery. To the rest of the people who have not been mentioned in the gallery, welcome to the Assembly. Item 6, oral questions. Mr. Ootes.

ITEM 6: ORAL QUESTIONS

Question 227-13(6): Yellowknife Office Space Plan

MR. OOTES:

Thank you, Mr. Speaker. A while ago we learned that the government has made a decision that they would retain the Arthur Laing building for government office space. Just to give a bit of background on this, last February as part of the office-saving space plan it was decided to sell the Arthur Laing building. An RFP was issued last summer to look for replacement office

space. Apparently two responses were received and both of them were disappointing. Now we are at the stage where we are going to retain the Arthur Laing building and renovate it to the tune of some \$3.8 million.

My question, Mr. Speaker, this goes back to the start of the Lahm Ridge Tower problem when it was to be taken off the market and it would have taken off 40 or 50,000 square feet from the vacant office space in Yellowknife, with the Laing building that was supposed to take off 50,000 or so square feet off the market in Yellowknife. I am wondering if the Minister of Public Works, Mr. Antoine, could tell us if he has an up-to-date office space rationalization plan that took this into consideration?

MR. SPEAKER:

The Minister of Public Works and Services, Mr. Antoine.

Return To Question 227-13(6): Yellowknife Office Space Plan

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, we do not have an up-to-date office plan now since we have decided not to go with the sale of the Laing building. The department is still developing a revised office plan at this point in time. We do not have a plan at this time yet. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 227-13(6): Yellowknife Office Space Plan

MR. OOTES:

I am wondering why then, that decision is made to retain the Arthur Laing building. I go back to a year and one half ago when all the kafuffle over the Lahm Ridge started, why do we not have an office space plan that says, this is what we are going to do. We seem to be piecemealing this thing together. My question for the Minister is, when are we going to get an office space plan that we as legislators can also look at? Thank you.

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 227-13(6): Yellowknife Office Space Plan

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, this decision which was made recently, I have shared this information with the honourable Members during the committee hearing last week. At that time I did indicate with my staff, that since the changes, we are revising the plan and as a result of the two bids that came in that were unsatisfactory, we had to relook at the plan and readjust our plan of action and we are working on a new revised plan at the time. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 227-13(6): Yellowknife Office Space Plan

MR. OOTES:

Thank you, Mr. Speaker. It would not have taken a genius to figure out that the Laing building would not sell for much with the conditions that were placed on it. It would be an empty office building and with a five-year moratorium on office space. I wonder if the Minister could tell us why they did not look at this in the beginning, that they did not anticipate this, why was this not anticipated?

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 227-13(6): Yellowknife Office Space Plan

HON. JIM ANTOINE:

Thank you. It was difficult to anticipate the result of the request for a proposal at the time that it was issued, Mr. Speaker, because the appraised value was substantially higher than the two bids that came in. At that point in time with the appraised value, we thought that if we

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could get something close to that it would be satisfactory. As a result of the request for proposal that did not happen. As a result we had to relook at the situation after the request for proposal process

was complete and evaluation done by the department and it was recommended that we have to relook at the plan of action.

Looking at the numbers over the next ten years, it was deemed that the best value for money was to retain the Arthur Laing building and utilize it. After all, Mr. Speaker, we are still in the stage where we are very strapped for cash and it would have been more expensive to sell the Laing building for the price that it would have come in at the same time as trying to get more office spaces in the private sector market. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Ootes.

Supplementary To Question 227-13(6): Yellowknife Office Space Plan

MR. OOTES:

Thank you. We are spending \$3.8 million to upgrade this building, Mr. Speaker, that is money also. My question is with regard to the appraisal, was the appraisal done, if it included the fact that the condition was included that it could not be used for government office space? Thank you.

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 227-13(6): Yellowknife Office Space Plan

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, the honourable Member mentioned a number of \$3.8 million, Mr. Speaker. Mr. Speaker, this figure has not been approved by the FMB yet. It is an estimated value of what the department had come up with and it is still in part of the revised office plan. It has not come for a decision before the FMB yet. This is not approved yet, so it is still in the planning stages. Thank you.

MR. SPEAKER:

Oral questions. Mr. Henry.

Question 228-13(6): Cost of the Conflict Inquiry

MR. HENRY:

Thank you, Mr. Speaker. Mr. Speaker, my question is to Mr. Arlooktoo, the Acting Premier of the Northwest Territories. Mr. Speaker, we have just concluded a conflict of interest commission. It has been noted in the press that there is probably a figure of legal costs of under \$1 million. My question to the Premier is, is there an update on that figure at the present time? Thank you, Mr. Speaker.

MR. SPEAKER:

Yes, this is not under your responsibility, but perhaps you might want to respond? Mr. Arlooktoo.

Return To Question 228-13(6): Cost of the Conflict Inquiry

HON. GOO ARLOOKTOO:

Yes, thank you, Mr. Speaker. You are completely right, the cost for the conflict inquiry, because it was done under the auspices of the Legislative Assembly, is a responsibility of the Management Services Board. I can generally pass on, from just my knowledge, that the actual invoices, I believe, will be for the conflict of interest hearing a little over \$1 million. We are, at this point in time, trying to tally up the costs to government for the work that the government did on behalf of the Conflict of Interest Commission, in terms of requests for information, et cetera, and we do not yet have a complete total. As an estimate and as a round figure, those we expect to be an additional \$1 million or close to that. Thank you, Mr. Speaker.

MR. SPEAKER:

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

Supplementary To Question 228-13(6): Cost of the Conflict Inquiry

MR. HENRY:

Thank you, Mr. Speaker. I thank the Acting Premier for that information. I certainly do understand, Mr. Speaker, it is not part of his responsibility, but as there is no one else within the government that we can ask these questions of, I choose to ask them of the Deputy Premier.

Mr. Speaker, there are a number of the public who are outraged at the costs we have spent to date on this particular action. I would like the Acting Premier to give assurances to this House and to the Members of the public of the Northwest Territories that, indeed,

the costs of this inquiry are finished, that the clocks of the lawyers have been turned off, other than the lawyers who are defending an action that may be brought to the courts. Thank you, Mr. Speaker.

MR. SPEAKER:

Again, I have to remind the Member that the Member cannot make an assurance on behalf of the Assembly. He can only make assurance on behalf of the government. Mr. Arlooktoo.

Further Return To Question 228-13(6): Cost of the Conflict Inquiry

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. Once again, you are correct. On the government side what we are trying to do is, review the process and review the areas that were referred to in the conflict of interest report and see where immediately that the government can make changes or improvements on. That is work that is going on, but we are doing it in a way that will try to ensure that we do not influence in any way the proceedings that will be coming up here in the House. Thank you, Mr. Speaker.

MR. SPEAKER:

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

Supplementary To Question 228-13(6): Cost of the Conflict Inquiry

MR. HENRY:

Thank you, Mr. Speaker. Mr. Speaker, what I was looking for from the Premier was assurances that the legal costs for the Conflict of Interest Inquiry that took place are concluded. I understand that the Management and Services

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Board provides these funds to Members but the Minister is the only one I can ask, regarding that cost. It is a cost to government. There is not anyone I can ask directly on these costs on the Management and Services Board. As the leader of the government, I would ask for assurances to tell me, and this House, that indeed those costs have been spent and that there is are no additional costs going to be incurred by a member. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. I will remind the Member from Yellowknife South, I will rule the question out of order and this is why. A question must not be addressed to the Speaker. Information relating to a matter under the Speaker's jurisdiction must be obtained privately. The question is ruled out of order. Do you still have a supplementary, Mr. Henry? Oral questions. Mr. Krutko.

Question 229-13(6): Contracting Former Senior Managers

MR. KRUTKO:

Thank you, Mr. Speaker. My question is in regard to the guidelines that this government has in place to regulate and also enforce that the public purse is being protected, especially when it comes to employees of this government, who basically find themselves in a situation where they receive lucrative contracts, leases, appointment to high stature boards, where they have influence and control over what goes on within this government. In regard to the guidelines, it has been in place since, I believe, December, 1986.

I believe those guidelines were there to protect the public purse, not an individual in regard to what he did or did not do. It was to ensure that there is some continuity in the government that when these people took office, took those portfolios, took the position of Minister, deputy minister, secretary to Cabinet, whatever, that they knew that leaving office there was a certain time period they were restricted for partaking in government.

I would like to ask the Minister of Finance, regarding his comments that he made where he wants to do a review, in regard to an individual that he stated in a report, Mr. Bailey, where he has received several lucrative government contracts; he has been appointed to certain public boards, and also in regard to certain leases in this government and contracts which he has received through RFPs, I would like to ask the Minister exactly, is there a tribunal or a committee which looks at the legalities of protecting the public purse besides Cabinet?

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 229-13(6): Contracting Former Senior Managers

HON. JOHN TODD:

Thank you, Mr. Speaker. Let me, first of all, say that what I was trying to do earlier was to bring clarity to the rules, to be specific in the policies of this government. I alluded only to Mr. Bailey because he seems to be the only person who seems to be getting public attention these days, for a variety of reasons. I am not aware of any other tribunal, or whether it is even necessary.

What I was trying to explain in a pragmatic way is the policies of the government, how they are policed in terms of individual contractual departments and the criteria, if you want, that is set for public servants who leave office and want to come back and work for this government. There is a fine line here between collective rights and individual rights. That is all I was trying to provide clarity on. If my honourable colleague is asking, is there an independent tribunal that he can go to if he is concerned, like an ombudsman, et cetera, I am not aware of one. Thank you.

MR. SPEAKER:

Questions. Supplementary, Mr. Krutko.

Supplementary To Question 229-13(6): Contracting Former Senior Managers

MR. KRUTKO:

Thank you, Mr. Speaker. My second supplementary, Mr. Speaker, is there, in regard to a process that this government has in place to ensure that when an individual leaves knowingly that there are certain commitments that this government has to the public purse, I am talking about the government here, not the individual leaving, to ensure that there is a process that if we do not like a decision made by Cabinet, that there is an avenue we can go to besides this Cabinet. Is there another mechanism that we can use in the government?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 229-13(6): Contracting Former Senior Managers

HON. JOHN TODD:

Not that I am aware of, Mr. Speaker, but I will look into it.

MR. SPEAKER:

Oral questions. Mr. Todd, did you take it as notice or what?

HON. JOHN TODD:

No, Mr. Speaker. I had better not do that, I want to give my honourable colleague the right to finish his supplementaries. I am not aware of any other mechanism to address the concerns that have been addressed by my colleague, Mr. Krutko.

MR. SPEAKER:

Supplementary, Mr. Krutko.

Supplementary To Question 229-13(6): Contracting Former Senior Managers

MR. KRUTKO:

Thank you, Mr. Speaker. In regard to former Ministers and also principal secretaries who do have a lot of influence and involvement in the decisions and the ongoings of government, day in and day out, I would like to ask the Minister why is it that Mr. Bailey was appointed to basically serve on the Aurora Fund three days after he left office?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 229-13(6): Contracting Former Senior Managers

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HON. JOHN TODD:

Thank you, Mr. Speaker. I think what is important is, again I wish my honourable colleague would really take the time if he will permit me to read my address. Mr. Bailey did not, did not infringe upon any conflict within relationship to the criteria set for the Aurora Fund as he alludes to. The Aurora Fund appointment was done by a board of directors outside of government, government and non-government, and Mr. Bailey, as far as I am aware, and I have double-checked this because I know this an important issue with everybody, did not breach the government guidelines. That is my point I was trying to make in my comments earlier. Repeat, did not.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Krutko.

Supplementary To Question 229-13(6): Contracting Former Senior Managers

MR. KRUTKO:

Thank you, Mr. Speaker. Hopefully, we can get around to resolving this because the point I am trying to make is that there has to be some sort of independence to this board. I would like to ask the Minister, who was on the committee that made that decision? Was yourself, as the Minister, on that board to appoint Mr. Bailey to this particular board and all, who was present in making that decision?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 229-13(6): Contracting Former Senior Managers

HON. JOHN TODD:

I will try and do it from memory but, you know, given that everybody wants to go down to the fine line these days, but I will do it from memory. I believe I was there. I believe some of the deputies were there who sit on this board because that is the mechanism on which we put it in place. I believe the other three members, the outside members, were there. The only person who was not there was Mr. Kakfwi, who at that time was probably not appointed. I want to qualify it by saying that I will check the minutes and the records so we have got it clear, et cetera. I want to reiterate again, he never broke any guidelines as set out in the criteria by the GNWT. I am sorry, but he did not.

MR. SPEAKER:

Oral questions. Mr. Picco.

Question 230-13(6): Contracting with Former Employees

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, just following up on Mr. Todd's earlier statement on contracting of former employees. Mr. Todd, in response to Mr. Krutko's questions, stated that there was no contradiction of the policy. I am wondering why did Mr. Todd not be forced to follow the policy with regard to Mr. Bailey. That is why we have policies in place. Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 230-13(6): Contracting with Former Employees

HON. JOHN TODD:

I thought I had kind of answered it in my statement. There was no requirement to enforce any policy because Mr. Bailey met the criteria and the guidelines set by the GNWT. It is fact. I cannot say it any more than that and that is the reason why I spoke to it today.

MR. SPEAKER:

Again, just to remind the Members with regard to questions about members or people who are not in the House, contain an inference or impute motives or cast aspirations upon any persons; but I would also like to remind the Minister that by mentioning an individual, he has, he did open, so we cannot protect the person since he did make that mention of an individual. Mr. Picco.

Supplementary To Question 230-13(6): Contracting with Former Employees

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, following up on Mr. Todd's statement on the contracting of employees, on page 80 of the tabled document, the Conflict of Interest report by Ms. Crawford, she states that Minister Todd, the Minister of Finance, the Chairman of the Financial Management Board, testified that he did not know it was his responsibility to enforce that policy, nor did he know what was being done about enforcement. Yet, Mr. Speaker, I will quote from Hansard, February 23, 1998, Mr. Picco speaking here, "I would like to suggest that the people should not be able to opt out of the policy by running to the Chairman of the Financial Management Board." I wonder, Mr. Speaker, could Mr. Todd finally set this record straight? Does he indeed understand the policy and does he enforce it? Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Mr. Todd.

Further Return To Question 230-13(6): Contracting with Former Employees

HON. JOHN TODD:

If I did not understand it before, I sure as heck now understand it, Mr. Speaker. I think what is important here is what I tried to say in my comments. This policy affects close to 250-300 people. Each contracting authority is responsible for the rules set up with the guidelines and to abide by them. They have to bring to my attention, if they feel that somebody is not obeying the rules and the regulations and the guidelines that are set. That has not been done and the point I was trying to make with Mr. Bailey and I apologize to him if I brought his name forward again today, is to try and point out that he, in fact, did meet all the guidelines and policies of the government. That is all, nothing else.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Picco.

Supplementary To Question 230-13(6): Contracting with Former Employees

MR. PICCO:

Thank you, Mr. Speaker. That was nice but he did not answer my question. My question was, did Mr. Todd, because of what he had said at the conflict of interest report, that he did not know it was his responsibility to enforce the policy and he did not know what he was doing about it, that

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was my question. So I will repeat it, Mr. Speaker. Mr. Speaker, my question was indeed, does Mr. Todd understand the policy and does he enforce it? Thank you, Mr. Speaker.

MR. SPEAKER:

Again, Mr. Todd. Two questions.

Further Return To Question 230-13(6): Contracting with Former Employees

HON. JOHN TODD:

I understand the policy. If I inadvertently during the hearing said I did not, it was narrow on my part. I understand the policy. I understand my responsibilities and that is what I was trying to explain today in terms of my comment to the House.

MR. SPEAKER:

Oral Questions. Mr. Roland.

Question 231-13(6): New Homeownership Program

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, my question at this time would be directed to the Minister responsible for the Housing Corporation, Minister Arlooktoo. Mr. Speaker, while at the Meet the North, Build a Vision conference, Mr. Arlooktoo announced a program through the Housing Corporation of grants that would be available to people in the Northwest Territories buying a home. I would like to know if the Minister could inform this House as to the program and how it would be implemented? Thank you.

MR. SPEAKER:

The Minister responsible for the Housing Corporation.

Return To Question 231-13(6): New Homeownership Program

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I had the pleasure of informing delegates of this exciting new program and wanted to clarify also that the program was introduced to Members through a letter, an announcement the previous week, that I distributed to all Members.

This program is partly in response to a request by Cabinet to the Department of Resources, Wildlife and Economic Development and all other departments in trying to identify areas where we can stimulate the northern economy and to ensure that the workers we have in the communities stay here in the north and are able to buy homes here.

The secondary part which is just as important, I believe, is the fact that it has been proven that for every existing home that is sold, the economic spinoff is great and that it will, in the end, improve, in general, the economy of the Northwest Territories and provide ownership once and for all for a good number of our residents. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 231-13(6): New Homeownership Program

MR. ROLAND:

Thank you, Mr. Speaker. Could the Minister inform us what would the difference in this program be compared to the EDAP, the Extended Down Payment Assistance Plan that is available right now? Thank you.

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 231-13(6): New Homeownership Program

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. Maybe I would mention first the similarities, the main one being that these are once-in-a-lifetime opportunities that the government will give to our residents. Under the EDAP program, however, we will finance up to 70 percent of the cost of a new or existing home, and to a maximum, I believe, up to \$130,000. These grants, under the new Minimum Down Payment Assistance Program or MDAP, to a maximum of \$10,000 for western Arctic residents and \$15,000 for the residents of Nunavut. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Mr. Miltenberger.

Question 232-13(6): Deputies Working Group on Conflict Issues

MR. MILTENBERGER:

Thank you, Mr. Speaker. My question is directed to the Premier. It is in regard to the working group of deputies he announced that has been struck to look at some of the process issues and administrative issues raised in the Conflict of Interest Report. I think, it is going to be critical, Mr. Speaker, that for this committee to have any credibility and to be seen as doing a fair and objective job that they will require, at least, an outside third party to oversee the workings of this committee. In fact, I have written to the Minister about that concern. Could the Minister or the Premier indicate to the House whether he would be prepared to consider that kind of addition to this very important committee to ensure that it can do good work? Thank you.

MR. SPEAKER:

The Acting Premier, Mr. Arlooktoo.

Return To Question 232-13(6): Deputies Working Group on Conflict Issues

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I did receive the letter from the Member this afternoon and I appreciate the suggestion that the process that I initiated last week be done to ensure the greatest possible credibility and I would agree with that. It is certainly something that I will be bringing forward to the new Premier once he or she is selected next week. Originally, what I had in mind was very similar to the way the government responds to safety inspections or inquests for that matter. That is, that we do not generally wait for the government to give an official response but in areas where we can make changes and improvements right away, we will try and do that. I think that is something we still need to do, but we will also consider the Member's suggestion. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

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Supplementary To Question 232-13(6): Deputies Working Group on Conflict Issues

MR. MILTENBERGER:

Thank you, Mr. Speaker. This is clearly a unique circumstance and the implications in the report involve deputy ministers in a number of departments. To me, it would be perceived, I think, very dimly by the public and by most people to have the people or the positions that may be questioned in a report, to be sitting down to, in fact, review their own actions in a critical light. Could the Acting Premier indicate, are there terms of reference for this working group and would he be prepared to share those to see what kind of terms of reference and what kind of framework they are going to be working within? Thank you.

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 232-13(6): Deputies Working Group on Conflict Issues

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. There are no written terms of reference. What we have are instructions from

myself, as Acting Premier, to the head of the deputies, the secretary to Cabinet, to begin in their own way, the process of reviewing the document and seeing if there are any changes we need to make, or look at making to policies and procedures. This is done without necessarily admitting to any areas that had been done improperly, et cetera. It is just a way of trying to show good faith and the best of intentions in responding to the report. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Miltenberger.

Supplementary To Question 232-13(6): Deputies Working Group on Conflict Issues

MR. MILTENBERGER:

Thank you, Mr. Speaker. My final supplementary to the Minister, to the Acting Premier, is in regard to these good intentions, which I commend the Premier for. Once again, if there is going to be any credibility to this issue, and given the nature of the comments in the report and the significant nature of them, that it would behoove the government to, in fact, take a formal look at this and not just have the deputies sit down over coffee and look at this.

I would ask the Acting Premier if he would, in fact, instruct his officials to put together some terms of reference that would be very clear in terms of what they hope to come out of this review, without as he said, acknowledging that there may be anything wrong, but at least to take a critical look at this process so that, in fact, it is seen to be dealt with fairly, as well as being dealt with fairly? Thank you.

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 232-13(6): Deputies Working Group on Conflict Issues

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. As I indicated earlier, this is an issue that I will bring forward to the new Premier. It is my wish that whatever process, we undertake as much credibility as possible. I am still in the process of reading the Conflict of Interest Report and so are many others. There are areas of concern and things that I do not quite understand in the report. It would be premature at this time to start responding to them

but we could look at ways of how we can start responding. We need the process here in the House to take place and the work that is being done by the deputies be done at that bureaucratic and professional level. We can then ask the new Premier to do what the Members ask. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Mrs. Groenewegen.

Question 233-13(6): Contracting with Former Employees

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. My questions today are for Mr. Todd in response to his Minister's statement today, contracting with former employees. Mr. Todd has laid out here many of the things that the post-employment policy is not intended to do. He said it is not intended to restrict the movement of former government employees from the public to the private sector and he also mentioned that the government is such an open institution that hardly anything that the government does could be considered confidential so that would preclude a lot of these matters from being considered under the post-employment policy. After all of the debate and tension that has been paid to this particular subject, could Mr. Todd please tell the House, what is the purpose of the post-employment policy? Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 233-13(6): Contracting with Former Employees

HON. JOHN TODD:

I thought I had explained it in my statement but the purpose of the policy is one, to protect, if you want, the interest of government to ensure that there is a level of fairness with former employees, whether they be deputy ministers or senior officers, et cetera, to tread very carefully between the collective rights and individual rights.

My point about the economy and the government, we all know the government has a huge impact on everybody's business across the territories and we

need to ensure the policy protects the individual rights of deputies and senior officers who may come back to work for the government. It protects the collective rights of the government and the public purse, if you want, to ensure that individuals are not using, I think the term was undue, what was the term I used, I cannot remember, undue influence, if you want, or using the knowledge they have gained while in government to exploit government contracts. I have said that the policy and the criteria were done in 1986. It clearly, because of this issue, I suspect maybe we should have looked at it earlier, but because of this issue we have to re-address it, that is what I intend to do.

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In summary, I think, it is there, I believe it is there to protect the interests of everyone. To protect the interests of the collective, protect the interests of the individual and to ensure that everybody gets a fair hearing, and the government gets value for money. I think, at the end of the day, the approach we have taken, the criteria we have set, is a valid one. It has been since 1986, but we are prepared to re-examine it, given the current controversy and concerns that has been raised.

MR. SPEAKER:

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 233-13(6): Contracting with Former Employees

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, Mr. Bailey, as the secretary to Cabinet was the most senior bureaucrat in the Government of the Northwest Territories. The deputy ministers of all departments answered to him in a reporting relationship. Is Mr. Todd saying today that the post-employment policy of the Government of the Northwest Territories did not apply to Mr. Bailey? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 233-13(6): Contracting with Former Employees

HON. JOHN TODD:

Mr. Speaker. What I am saying is I was not directly involved with a number of these contracts. I am advised that the government's guidelines, government contracting with former employees was not violated in these contracts. That is what I am saying. That is what I am being told. That is what I am saying.

MR. SPEAKER:

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 233-13(6): Contracting with Former Employees

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, Mr. Todd in his Minister's statement here has laid out a number of very technical differentiations, trying to deflect attention from the issue. These are technical issues. Does Mr. Todd, as the Minister responsible for enforcing the post-employment policy, did he or has he since given any consideration to the public perception that the awarding of these contracts created? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 233-13(6): Contracting with Former Employees

HON. JOHN TODD:

Mr. Speaker, let me assure my honourable colleague this is a very serious matter that had a considerable amount of attention over the last three or four years. I am not trying to deflect anything. I believe my Minister's statement was trying to give clarity to the way in which the government does its duty as it relates to former employees. What I am trying to present here are the facts as they are laid out in the guidelines and policies. Public perception on all issues depends on who you talk to. It depends on who writes the editorial, depends on who is on the radio, et cetera.

What I have said is, in a serious effort to try and re-examine what we are doing, our department right now is going to complete a survey of practices in other jurisdictions. That is important. We are going to research the case law that is relevant and to assess what changes we need to take to the approach my honourable colleague raises. I have also said, once it is done I will communicate to the Members of the

House, either in the House or by letter. It is a genuine effort on this government's part to bring clarity to the issue. At the end of the day, quite frankly, to aid the contracting departments, so they have it clear whether or not a particular person, because there are about 250 of them out there, requires a waiver or does not and do they meet the criteria set under the guidelines. Definitely we have to re-examine them. I would have to say to my honourable colleague, we will do that as quickly as we can.

MR. SPEAKER:

Oral questions. Final supplementary, Mrs. Groenewegen.

Supplementary To Question 233-13(6): Contracting with Former Employees

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Todd also, in his statement, referred to unfair market advantage, in this case, can only arise from undue exploitation of knowledge gained while employed. Mr. Speaker, what does the Minister have to say about the contact gained while employed with the GNWT? The associations, the friendships, the networking, all those sorts of things. He is talking about knowledge. What about the knowledge of the players who award these contracts and who are in positions of authority to see that these people are awarded contracts? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 233-13(6): Contracting with Former Employees

HON. JOHN TODD:

I will try and answer that. If you are talking about a construction contract that is publicly tendered, then the Department of Public Works through whatever mechanism they have in place, makes that award. If you are talking about an RFP for another department, that department makes that award. I do not know anything about associations.

Everybody knows everybody in the north. I know people from Pond Inlet to Tuktoyaktuk. I know people from Grise Fiord to Hay River and they are all my friends, as my colleague says, or used to be. That is a very awkward question to answer. I am sure my

colleague appreciates that everybody knows everybody in the north. I cannot answer that question in manner that would satisfy my colleague. I know the policies,

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the guidelines are clear. Whether it is an RFP, whether it is in tenders, whether it is a negotiated contract, et cetera. That is only the best way I can answer. I cannot define whether somebody who knows Mr. Picco or somebody in this House in the communities is making a decision on something that may affect them. I do not think that is a very fair question, personally. I just cannot do it.

MR. SPEAKER:

Oral questions. Mr Erasmus.

Question 234-13(6): Contracting with Former Employees

MR. ERASMUS:

Thank you, Mr. Speaker. My questions are for the Minister of Finance. They have to do with the contracting with former employees statement he made a little earlier today. Mr. Speaker, we heard that clause 14 from the Conflict of Interest guidelines indicates former employees are restricted from doing business in areas that they have confidential information on. They are restricted for one year. Is there a way to be excused from this policy, such as, for instance, by requesting to be exempted from this clause?

MR. SPEAKER:

The Minister of Finance.

Return To Question 234-13(6): Contracting with Former Employees

HON. JOHN TODD:

Yes, Mr. Speaker, there is. Employees can, if they are in conflict with the guidelines as set out, seek for a waiver of that particular situation. Yes.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 234-13(6): Contracting with Former Employees

MR. ERASMUS:

Thank you. Mr. Speaker, since we began our term, could the Minister indicate were the majority of the requests that have been put in allowed or were they refused?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 234-13(6): Contracting with Former Employees

HON. JOHN TODD:

Well I have to be perfectly candid with you. I have not had a single request across my desk in the time I have been the Finance Minister. Why would that be a shame? I have not had a single request, Mr. Speaker, if I could have the courtesy here of answering a very serious question. I have not had any requests across my desk asking any deputy minister, any senior officer of which we have over 330, for a waiver. I will double-check because my memory these days, as I get older, does tend to get a little forgetful, so I will double-check. I have not, quite frankly.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 234-13(6): Contracting with Former Employees

MR. ERASMUS:

Thank you, Mr. Speaker. Could the Minister indicate what the process is for this request? Does it go to the specific Minister the person was working for or does it go to one? Are they all funnelled through one person? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 234-13(6): Contracting with Former Employees

HON. JOHN TODD:

As I said earlier in my statement, each contracting authority is responsible to know the rules set out by the guidelines, to abide by them. It is impossible for one person to police all that. I want to make sure I

get it exactly right because I know this is an important issue, I will ask my colleague if he will allow me to check with my deputy to see exactly what the process is. As I have said earlier, I have not had one come across my desk. My point is, each contracting authority is responsible to know the rules set out in the guidelines. I will double-check with my department and give my honourable colleague the answer tomorrow.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Erasmus.

Supplementary To Question 234-13(6): Contracting with Former Employees

MR. ERASMUS:

Thank you, Mr. Speaker. Could the Minister please provide us with information since our term began three years ago, with not necessarily the names of people involved, but the requests for exception and how many were granted and how many refused? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 234-13(6): Contracting with Former Employees

HON. JOHN TODD:

Yes, I would be only too happy to do that. I appreciate what my honourable colleague is asking. I also appreciate the manner in which he is asking it. I will provide that, if I can, tomorrow morning. Thank you.

MR. SPEAKER:

Oral questions. Mr. Picco.

Question 235-13(6): Contracting with Former Employees

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, just following up on these questions on Mr. Todd's statement earlier today. Mr. Speaker, and I quote from February 23, 1998, from the Hansard. Mr. Picco speaking, "Mr. Speaker, thank you. Mr. Speaker, I just want to follow up on my questions earlier on the personnel policy. I

did not intend to imply any type of motive in my questioning. No, I did not, Mr. Todd. My question, Mr. Speaker, is that the Premier said he reviewed the personnel policy and thought it was good".

Mr. Todd just said in a question to Mr. Erasmus that maybe we

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would have to look at and review this policy. It has already been reviewed. I am wondering, Mr. Speaker, there does not seem to be anything wrong with the policy. I am wondering why the policy is not being followed? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 235-13(6): Contracting with Former Employees

HON. JOHN TODD:

I am not sure. I do not have Hansard in front of me like my honourable colleague does. I am not so sure what personnel policy it was relating to. When he says, I wonder why the Minister cannot answer the question, why the policy has not been followed, I wonder if he could be specific? I thought I had in a very succinct, disciplined way, explained today that the policy, in fact, is being followed. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 235-13(6): Contracting with Former Employees

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, this is a bit bizarre. Since November, 1995, the Minister has been Chairman of the Financial Management Board. In questioning in this House today, we have just found out that indeed, Mr. Todd says not one employee has come forward to declare a conflict of interest on any contract they have received after leaving the employment of the government or indeed have been opted out by the FMB. I am wondering, could Mr. Todd clarify that statement, Mr. Speaker?

MR. SPEAKER:

Mr. Todd. To your point of order.

HON. JOHN TODD:

Mr. Speaker, I have never done this before, but I believe that my comment was, I have never had one of the requirement for exemptions come across my desk. I believe that was how I answered the question earlier.

MR. SPEAKER:

Mr. Todd, you do not have a point of order, but there was a question there. Mr. Todd.

Further Return To Question 235-13(6): Contracting with Former Employees

HON. JOHN TODD:

Well, in answer to your previous question, what I did indicate, and I will have to check Hansard tomorrow, is that I have not had across my desk any requests for exemptions. I qualify that by saying I will check with my staff to make sure that my comment is accurate. That is all I was saying. Nothing more, nothing less.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 235-13(6): Contracting with Former Employees

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, well if nothing has come across his desk, across his floor, window, rug, table, I would wonder, Mr. Speaker, in the last three and a half years as Chairman of the Financial Management Board, if the Minister would look and review the contracts given in the last 12 months to see if former senior managers of this government have indeed received contracts and indeed may have been in violation of that policy? Thank you, Mr. Speaker.

Further Return To Question 235-13(6): Contracting with Former Employees

HON. JOHN TODD:

Flamboyant as ever, my colleague from Iqaluit, in a serious issue. Mr. Speaker, I would be only too happy to check and determine who, if any, deputy ministers have got an exemption on any contracts in

relationship to this government and report to the House on that matter.

MR. SPEAKER:

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

Supplementary To Question 235-13(6): Contracting with Former Employees

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, indeed I do take the questioning seriously. As I said before, Mr. Speaker, we are here to be accountable for public spending and the public purse. I would ask, Mr. Speaker, not just deputy ministers that Mr. Todd replied with. I would ask that senior managers, which are covered under the guideline and policy, be covered under the request I made about the contracts over the last 12 months. Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 235-13(6): Contracting with Former Employees

HON. JOHN TODD:

I never questioned my honourable colleague's seriousness. I questioned his flamboyancy. I would be only too happy, Mr. Speaker, to provide this House with a complete, detailed listing of who has received exemption with respect to contracts with this government, both deputy ministers and others. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Mr. Miltenberger.

Question 236-13(6): Collective Bargaining Negotiations

MR. MILTENBERGER:

Thank you, Mr. Speaker. My question is addressed to the Minister responsible for the FMBS and it is regarding the collective bargaining pay equity issue. I understand that the local 12 of the UNW in Fort Smith is contemplating taking its own executive to court because they do not have anything to vote on. I was just wondering, since we last gathered in this House,

could the Minister update us as to has anything changed in regard to the collective bargaining process and the discussions on pay equity? Thank you.

MR. SPEAKER:

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

Return To Question 236-13(6): Collective Bargaining Negotiations

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HON. JOHN TODD:

Thank you, Mr. Speaker. My honourable colleague is correct. I did get a copy of the letter. There is a small organization in Fort Smith that is asking the UNW to allow their members, as I have consistently said and others have, to vote on the collective agreement. We are going back to the table, I believe, around the 10th or 11th of December. I am optimistic and hoping that common sense will prevail. The offer we have put on the table is a fair and reasonable one and I hope that the union will give its membership the democratic right to vote on what we have placed before them. I hope that the UNW executive will see the merit in our offer and will provide, as I have said, the membership its chance to vote yea or nay.

On the pay equity issue, as I indicated earlier in comments at the last session, we have taken that off of the table, that is at the request of the UNW and others. We are in discussions with them right now about other possible scenarios as to how we can advise the staff who are covered under the pay equity issue what kinds of benefits or fiscal rewards they would get should the pay equity settlement be settled. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 236-13(6): Collective Bargaining Negotiations

MR. MILTENBERGER:

Thank you, Mr. Speaker. This issue understandably is of great importance and interest to the people in my constituency and I am sure to many others across the north. In regard to the pay equity issue, is it possible to, in fact, ask employees two separate questions: one, should, knock on wood, a collective agreement

be reached, but also possibly a separate one on pay equity so that they can at least have a chance to say yes or no on that as well? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 236-13(6): Collective Bargaining Negotiations

HON. JOHN TODD:

I want to be a little careful in answering the pay equity issue because it is a very sensitive one obviously. It does not just have territorial implications, it has national ones, but we are in discussions right now with the UNW in an effort to see if they are prepared to assist us in sending out to each of our individual employees a synopsis, if you want, of the pay equity arrangement that we have tabled for our employees. This is under negotiations right now. I do not know how it will unfold.

Mr. Hunt, our leading negotiator, has written to Ms. Simpson explaining that we hope they will work in cooperation with us and if, in so doing, we may be able to come to conclude both the collective agreement and separately the pay equity. It is still very much in the discussion stage at this time.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 236-13(6): Collective Bargaining Negotiations

MR. MILTENBERGER:

Thank you, Mr. Speaker. My supplementary to the Minister then would be, could the Minister indicate whether this approach, which seems to be somewhat out of the norm, is it based on solid legal ground so that we can in fact move ahead in a way that it will not end up back in court for one reason or another? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 236-13(6): Collective Bargaining Negotiations

HON. JOHN TODD:

Well, of course when you ask for a legal opinion, if you ask two lawyers you may get two different opinions, but our legal advisors are fairly confident that we can provide the members of the UNW who are under the pay equity issue, we can go to them and advise them what offer we are putting on the table. As I said, right now discussions are underway and I am hopeful that we can an agreement on both. I certainly would like to see that before I leave office.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Miltenberger.

Supplementary To Question 236-13(6): Collective Bargaining Negotiations

MR. MILTENBERGER:

Thank you, Mr. Speaker. My final supplementary is in regard to the collective bargaining process. If all goes well on mediation on December 9th and 10th, could the Minister indicate once again, the expected time-frame? It is fairly obvious there is not going to be any Christmas goodies in the children's stockings and such because it is still tied up. Could the Minister indicate when he would hope to have this very important issue resolved?

MR. SPEAKER:

Mr. Todd

Further Return To Question 236-13(6): Collective Bargaining Negotiations

HON. JOHN TODD:

Thank you, Mr. Speaker. Hopefully by March.

MR. SPEAKER:

Oral questions. Mr. O'Brien.

MR. O'BRIEN:

Thank you, Mr. Speaker. I seek the Members' consent to extend the question period. Thank you.

MR. SPEAKER:

The Member for Kivalliviq is seeking unanimous consent to extend question period. Do we have any nays? We have a nay. There is no unanimous consent. Oral questions. Item 7, written questions. Item 8, returns to written questions. Mr. Dent.

ITEM 8: RETURNS TO WRITTEN QUESTIONS

HON. CHARLES DENT:

Thank you, Mr. Speaker. I have a

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reply to a written question asked by Mr. Krutko on November 9, 1998, regarding resources to address the needs of FAS/FAE students.

Return to Written Question 6-13(6): Resources to Address the Needs of FAS/FAE Students

In response to the question asked by the honourable Member, later today, I will table a document containing the information requested.

MR. SPEAKER:

Thank you. Returns to written questions. Mr. Clerk.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker. Return to written question 7-13(6) asked by Mr. Krutko to the Minister of the Executive on the affirmative action statistics.

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

1. How many positions in the government, overall, have been filled through the Affirmative Action Initiative in the past three years?

The GNWT is committed to a public service that is qualified and representative of the people that it serves. The Affirmative Action Policy is used to accomplish this goal by providing priority hiring preference to the identified groups of indigenous aboriginal, indigenous non-aboriginal, resident disabled people and women in non-traditional occupations and management.

For the reporting period of January 1, 1996, to October 31, 1998, the GNWT has hired or re-hired the following number of people:

Aboriginal 898

Indigenous Non-Aboriginal 145

In addition, employees have been hired or re-hired under the following Affirmative Action Policy categories:

Women in Non-traditional Occupations 57

Women in Management 20

Resident Disabled People 16

Responses to the remaining three questions asked by Mr. Krutko have been provided to all Members this morning.

MR. SPEAKER:

Thank you. 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. O'Brien.

ITEM 12: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS

Bill 17, Division Measures Act

MR. O'BRIEN:

Thank you, Mr. Speaker. I wish to report to the Assembly that the Standing Committee on Government Operations has reviewed Bill 17, Division Measures Act, and wishes to report that Bill 17 is now ready for the committee of the whole as amended and reprinted. Mr. Speaker, I seek unanimous consent to waive Rule 70(5) and have Bill 17 ordered into the committee of the whole for today.

MR. SPEAKER:

Thank you. The Member for Kivalliviq is seeking unanimous consent to waive Rule 70(5). Do we have any nays? Mr. O'Brien you have unanimous consent. Bill 17 is ordered into committee of the whole for today. Report of committees of the review of bills. Mr. Ningark.

Bill 14, Nunavut Judicial System Implementation Act

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, I would like to do a report on three bills. Mr. Speaker, I wish to report to the Legislative Assembly that Special Committee on Nunavut Legislation has reviewed Bill 14, Nunavut Judicial System Implementation Act, and wishes to report that Bill 14 is now ready for the committee of the whole as amended and reprinted. Mr. Speaker, I seek unanimous consent to waive Rule

70(5) and have Bill 14 ordered into committee of the whole for today. Thank you, Mr. Speaker.

MR. SPEAKER:

The Member for Natilikmiot is seeking unanimous consent to waive Rule 70(5). Do we have any nays? There are no nays. Mr. Ningark, you have unanimous consent. Bill 14 is ordered into committee of the whole for today. Reports of committees on the review of bills. Mr. Ningark.

Bill 15, Nunavut Statutes Amendment Act

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, I wish to report to the Legislative Assembly that the Special Committee on Nunavut Legislation has reviewed Bill 15, Nunavut Statutes Amendment Act, and wishes to report that Bill 15 is now ready for committee of the whole as amended and reprinted. Mr. Speaker, I seek unanimous consent to waive Rule 70(5) and have Bill 15 ordered into committee of the whole today.

MR. SPEAKER:

The Member for Natilikmiot is seeking unanimous consent to waive Rule 70(5). Do we have any nays? There are no nays. Mr. Ningark, you have unanimous consent. Bill 15 is ordered into committee of the whole for today. Reports of committees on the review of bills. Mr. Ningark.

Bill 16, Nunavut Statutes Replacement Act

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, I wish to report to the Legislative Assembly that the Special Committee on Nunavut Legislation has reviewed Bill 16, Nunavut Statutes Replacement Act, and wishes to report that Bill 16 is now ready for consideration of the committee of the whole. Mr. Speaker, I seek unanimous consent to waive Rule 70(5) and have Bill 16 ordered into committee of the whole for today.

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MR. SPEAKER:

The Member for Natilikmiot is seeking unanimous consent to waive Rule 70(5). Do we have any nays? There are no nays. Mr. Ningark, you have unanimous consent. Bill 16 is ordered into committee of the

whole for today. Item 13, tabling of documents. Mr. Dent.

ITEM 13: TABLING OF DOCUMENTS

Tabled Document 38-13(6): Resources to Address the Needs of FAS/FAE Students

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, I wish to table the following document entitled Resources to Address the Needs of FAS/FAE students. Thank you, Mr. Speaker.

MR. SPEAKER:

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

ITEM 14: NOTICES OF MOTION

Motion 12-13(6): To Move Tabled Document 37-13(6) Report of the Conflict of Interest Commissioner into Committee of the Whole

MR. OOTES:

Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Friday, December 4, 1998, I will move the following motion.

Now therefore, I move, seconded by the honourable Member for Keewatin Central, that Tabled Document 37-13(6), Report of the Conflict of Interest Commissioner, be moved into committee of the whole for consideration as the first item of business for Friday, December 4, 1998. And further, that notwithstanding Rule 79(1), the following process is adopted for consideration of Tabled Document 37-13(6):

1. That the debate in committee of the whole will be restricted to the sitting days of Friday, December 4, 1998, and Monday, December 7, 1998;
2. That the Member for Tu Nedhe is permitted up to 90 minutes for initial comments on Tabled Document 37-13(6);
3. That all Members are each permitted up to 45 minutes for initial comments on Tabled Document 37-13(6);

4. That at the conclusion of Members' initial comments, each of the recommendations will be moved as separate motions; and,

5. That for the purposes of debate on each motion, Members will be restricted to a maximum of ten minutes each to speak to the motion.

Mr. Speaker, at the appropriate time, I will be seeking unanimous consent to deal with my motion today.

MR. SPEAKER:

Thank you. Notices of Motion. Item 15, notices of motion for first reading of bills. Item 16, motions. Mr. Ootes.

ITEM 16: MOTIONS

MR. OOTES:

Mr. Speaker, I seek unanimous consent to deal with my motion regarding Tabled Document 37-13(6).

MR. SPEAKER:

The member for Yellowknife Centre is seeking unanimous consent to deal with motion 12-13(6). Do we have any nays? There are no nays. Mr. Ootes, you have unanimous consent.

Motion 12-13(6): To Move Tabled Document 37-13(6) Report of the Conflict of Interest Commissioner into Committee of the Whole

MR. OOTES:

Thank you, Mr. Speaker.

WHEREAS Tabled Document 37-13(6), Report of the Conflict of Interest Commissioner, has been laid before the Legislative Assembly in accordance with Section 83(3) of the Legislative Assembly and Executive Council Act;

AND WHEREAS Section 84(1) of the Legislative Assembly and Executive Council Act directs that the Legislative Assembly shall consider the report within 30 sitting days after it is laid before the Assembly;

NOW THEREFORE, I move, seconded by the honourable Member for Keewatin Central, that Tabled Document 37-13(6), Report of the Conflict of Interest Commissioner, be moved into committee of the whole for consideration as the first item of business for Friday, December 4, 1998.

AND FURTHER, that notwithstanding Rule 79(1), the following process is adopted for consideration of Tabled Document 37-13(6):

1. That debate in committee of the whole will be restricted to the sitting days of Friday, December 4, 1998, and Monday, December 7, 1998;
2. That the Member for Tu Nedhe is permitted up to 90 minutes for initial comments on Tabled Document 37-13(6);
3. That all other Members are each permitted up to 45 minutes for initial comments on Tabled Document 37-13(6);
4. That at the conclusion of Members' initial comments, each of the recommendations will be moved as separate motions; and,
5. That for the purposes of debate on each motion, Members will be restricted to a maximum of ten minutes each to speak to the motion.

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. Item 17, first reading

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of Bills. Item 18, second reading of bills, consideration in committee of the whole of bills and other matters. Bills 14, Bill 15, Bill 16, Bill 17, with Mr. Ningark in the Chair.

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

CHAIRMAN (Mr. Ningark):

I would like to call the committee to order. In committee of the whole, we have Bill 14, Nunavut Judicial System Implementation Act, Bill 15, Nunavut Statutes Amendment Act, and Bill 16, Nunavut Statutes Replacement Act, as well as Bill 17, Division Measures Act. What is the wish of the committee? Mr. Ootes.

MR. OOTES:

Thank you, Mr. Chairman. We proceed with Bill 17, Bill 16, Bill 15 and Bill 14 in that order.

CHAIRMAN (Mr. Ningark):

Mr. Ootes is recommending that we deal with Bill 17, Bill 16, Bill 15 and Bill 14 in this order. Do we have a concurrence of the committee?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. We will take a break. Thank you.

--Break

CHAIRMAN (Mr. Ningark):

I would like to call the committee back to order. We are dealing with Bill 17, Division Measures Act. I would like to recognize Mr. Todd.

HON. JOHN TODD:

Thank you, Mr. Chairman. I am pleased to be here today to introduce the Division Measures Act. This Bill, Mr. Chairman, and its companion bills, the Nunavut Statutes Replacement Act, and the Nunavut Statutes Amendment Act, are essential legislative initiatives to allow for a smooth transition to division.

Part 1 of this bill can be divided into two main types of amendments. The first deals primarily with Northwest Territories professional associations that have expressed a desire for their associations to maintain a relationship between their Northwest Territories and Nunavut members after division.

CHAIRMAN (Mr. Ningark):

Mr. Evaloarjuk.

MR. EVALOARJUK:

(Translation) I was not receiving interpretation, but I am receiving it now.(Translation ends)

CHAIRMAN (Mr. Ningark):

Mr. Evaloarjuk had indicated earlier that he was not getting the interpretation. Mr. Todd, please start again from line one.

HON. JOHN TODD:

Thank you, Mr. Chairman. I am pleased to be here today to introduce the Division Measures Act. This

bill, Mr. Chairman, and its companion bills, the Nunavut Statutes Replacement Act, and the Nunavut Statutes Amendment Act, are essential legislative initiatives to allow for a smooth transition to division.

Part 1 of this bill can be divided into two main types of amendments. The first deals primarily with Northwest Territories professional associations that have expressed a desire for their associations to maintain a relationship between their Northwest Territories and Nunavut members after division. These amendments have resulted after extensive consultation with professional organizations to review their post-division options.

The result was that nurses, chartered accountants, certified general accountants, management accountants and NAPEGG, the association representing engineers, geologist and geophysicists, all expressed a desire for their associations to maintain a regulatory role in Nunavut.

Mr. Chairperson, these amendments will allow these associations to continue to regulate their professions in both territories until there are sufficient numbers in Nunavut to warrant the creation of a separate professional organization.

Once this has occurred, Mr. Chairperson, these amendments provide for the assets and liabilities of the current association to be divided on a pro rata basis or, in most cases, any alternate formula that is agreed upon. This bill will ensure that the regulation of professions designed to protect the interests of the public and the professions themselves continue without interruption in both territories.

Mr. Chairperson, the second section of Part 1 deals generally with the consequences that arise with the division of the NWT on April 1, 1999. I want to go briefly through these amendments.

Amendments to the Legislative Assembly Retiring Allowances Act and the Supplementary Retiring Allowances Act will provide for the establishment of an advisory body to make recommendations to the Management and Services Boards of both territories respecting the administration of the Legislative Assembly Retiring Allowances Funds.

Changes to the Payroll Tax Act are designed to ensure that employees are not subject to double taxation by the two territories after division.

The Charter Communities Act has been amended to provide that the act will not apply in Nunavut; this will prevent the duplication of the act in Nunavut.

The Interpretation Act has been amended through the addition of definitions of 'province' and 'territory' for the sake of greater clarity.

The Statute Revision Act has amendments which will allow statute revisions prepared for the NWT to include statutory material enacted before March 31, 1999, in order that it can coincide with the deadline for the completion of the consolidated Statutes of Nunavut, 1999.

Finally, the Education Act has been changed to enable one conseil scolaire francophone to ask the Minister to establish a commission scolaire francophone de division.

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In closing, Mr. Chairperson, I want to commend the work that has been done by the GNWT's Department of Justice and professional associations in the development of this legislation. As well, I would like to point out the important role of the Office of the Interim Commissioner and the Nunavut Tunngavik in the companion bills. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Todd. I would like to recognize now the Member of the Standing Committee on Government Operations, which reviewed the bill, Mr. O'Brien, for their reply.

MR. O'BRIEN:

Thank you, Mr. Chairman. Mr. Chairman, the Standing Committee on Government Operations reviewed Bill 17, Division Measures Act, at its meetings on November 16 and 17, 1998. The committee would like to thank the Honourable John Todd and his officials for presenting the bill and responding to the issues raised by the committee.

Bill 17 would amend several acts and regulations so they may be duplicated in effect for both the Northwest Territories and Nunavut after division. The bill also amends some acts that will not be duplicated. Instead, a new act for Nunavut, corresponding to the NWT act, is included in Bill 16, Nunavut Statutes Replacement Act, together with the amendments in the two bills allowing several existing professional associations to continue to regulate their professions

in both the Northwest Territories and Nunavut after division. The associations may choose to divide at any time. Any assets and liabilities at that time will be divided as set out in the act, unless the Nunavut members and the NWT members agree otherwise. Generally, the divisions of assets and liabilities will be based on the ratio of members in each territory. As well, this bill would amend the Legislative Assembly Retiring Allowances Act to allow Nunavut and the future Northwest Territories to establish an advisory body to make recommendations to the management and services board of each territory with respect to the administration of the Retiring Allowances Funds. That act and the Supplementary Retiring Allowances Act will be amended to clarify that Nunavut members have the same entitlements to pensions as the western members.

As well, under the proposed amendments to the Statute Revision Act, the Statute Revision Act will be moved back to include all acts enacted up to March 31, 1999, rather than those up to July 1, 1998. Mr. Chairman, some technical amendments were made to the bill in the committee. Otherwise, Members of the standing committee were satisfied that the amendments proposed in this bill are appropriate to be made in preparation for division. This concludes the Standing Committee's comments on Bill 17, Division Measures Act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. O'Brien. Following the process, I would like to ask the honourable Minister Todd if he would like to bring in witnesses before we get into general comments. Mr. Todd.

HON. JOHN TODD:

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Do we have concurrence of the Membership to allow Mr. Todd to bring in the witnesses. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Proceed please. Thank you. Mr. Todd is obliged by the rules to introduce the witnesses to the committee. Mr. Todd.

HON. JOHN TODD:

Thank you, Mr. Chairman. On my immediate right is Mr. Mark Aitken from the Legislative Division of the Justice Department. To my immediate left is Mr. Richard Bargery, who is in charge of the Division Secretariat. Thank you.

CHAIRMAN (Mr. Ningark):

Welcome to the committee. We are reviewing Bill 17, Division Measures Act, and the floor is now open for general comments. Detail, according to procedure, we will stand down clauses one to 12 and return to those once the schedules have been considered and agreed to. We will start with page four, schedule A of Bill 17, part 1, Amendments to Legislative Assembly Retiring Allowances Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Part 2, Amendments to Supplementary Retiring Allowances Act, item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 6, item 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Page 7, item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

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CHAIRMAN (Mr. Ningark):

Page 7, item 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Schedule B, Amendments to Certified General Accountants Act, item 1. Mr. Dent.

Committee Motion 10-13(6): Motion to Amend Item 1 of Schedule B of Bill 17, Division Measures Act

HON. CHARLES DENT:

Thank you, Mr. Chairman. Mr. Chairman, I move that item 1 of Schedule B of Bill 17 be amended by:

(a) deleting "Loi sur l'Association des comptables generaux licencies (Nunavut)" in the French version of proposed section 37 and by substituting "Loi sur les comptables generaux licencies (Nunavut); and

(b) deleting "subsections (2) and (3)" in proposed subsection 41(5) and by substituting "subsections (2), (3) and (4)".

CHAIRMAN (Mr. Ningark):

Merci, Monsieur Dent. 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. Item 1, as amended. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Page 11, schedule C, Amendments to Institute of Chartered Accountants Act, item 1. Mr. Dent.

Committee Motion 11-13(6): Motion to Amend Item 1 of Schedule C of Bill 17, Division Measures Act

HON. CHARLES DENT:

Thank you, Mr. Chairman. Mr. Chairman, I move that item 1 of Schedule C of Bill 17 be amended by deleting "Loi sur l'Institut des comptables agrees (Nunavut)" in the French version of proposed section 46 and by substituting "Loi sur les comptables agrees (Nunavut)".

CHAIRMAN (Mr. Ningark):

Thank you. I am informed that the motion is being circulated. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Schedule C, Amendments to Institute of Chartered Accountants Act, item 1, as amended. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 14, schedule D, Amendments to the Payroll Tax Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 15, schedule E, Amendments to Society of Management Accountants Act, item 1. Mr. Dent.

Committee Motion 12-13(6): Motion to Amend Item 1 of Schedule E of Bill 17, Division Measures Act

HON. CHARLES DENT:

Thank you, Mr. Chairman. Mr. Chairman, I move that item 1 of Schedule E of Bill 17 be amended by deleting "Loi sur la Societe des comptables en management (Nunavut)" in the French version of proposed section 46 and by substituting "Loi sur les comptables en management (Nunavut)".

CHAIRMAN (Mr. Ningark):

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. Item 1, schedule E, Amendments to Society of Management Accountants Act, item 1, as amended. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 18, schedule F, Amendments to Charter Communities Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 19, schedule G, Amendments to Nursing Profession Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 4, schedule G. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 22, schedule H, Amendments to Engineering, Geological and Geophysical Professions Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 25, schedule I, Amendments to Interpretation Act, item 1. Agreed?

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SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Page 26, schedule J, Amendments to Statute Revision Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 9, schedule J. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 27, item 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 11. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Item 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Page 28, item 13. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 29, schedule K, Amendments to Education Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 30, schedule L, part 1, Regulations That Will Apply Only in the Northwest Territories. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 52, part 2, Regulations That Will Apply Only in Nunavut. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Now we return to page 1, Bill 17, Division Measures Act, part 1, amendments to statutes, Legislative Assembly Retiring Allowances Act, Supplementary Retiring Allowances Act, clause 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Certified General Accountants Act, clause 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Institute of Chartered Accountants Act, clause 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 2, Payroll Tax Act, 1993, clause 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Society of Management Accountants Act, clause 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Charter Communities Act, clause 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Nursing Profession Act, clause 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Engineering, Geological and Geophysical Professions Act, clause 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 3, Bill 17, Interpretation Act, clause 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Statute Revision Act, clause 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Education Act, clause 11. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Part 2. Application of Regulations after Division, clause 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Does the committee agree that Bill 17, is ready for third reading as amended. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Bill 17, is now ready for third reading as amended. I would like to thank Mr. Todd and the witnesses for appearing before the committee of the whole. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

We will proceed now in committee of the whole with Bill 16, Nunavut Statutes Replacement Act, and I would like to ask Minister Arlooktoo if he would please introduce the bill. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you. I am pleased to be here today to introduce the Nunavut Statutes Amendment Act. Before I outline the content of the bill, it is important to note the unique and unprecedented nature of the amendments before this committee. Under section 76.05 of the Nunavut Act, the Legislative Assembly has been given the authority to amend or replace the laws of Nunavut before they come into force on April 1, 1999. This unique authority can only be used on the recommendation of the Interim Commissioner and after consultation with Nunavut Tunngavik.

I am pleased to say that this bill has been developed cooperatively with the Office of the Interim Commissioner and Nunavut Tunngavik. The recognition of this cooperative approach and the support of the Interim Commissioner was confirmed with the reading of the Interim Commissioners' letter in the Legislative Assembly formally recommending the bill prior to its introduction in this House.

At the same time, Nunavut Tunngavik has been consulted on all aspects of this bill as it was developed. The President of Nunavut Tunngavik provided confirmation of this consultation in a letter to myself that was tabled in the Legislative Assembly.

Clearly, the exercise of this kind of authority by the Legislative Assembly is historic and unprecedented. Great care was taken to draft this bill in a collective and cooperative way. I want to thank the Interim

Commissioner and his staff, Nunavut Tunngavik, the Department of Indian Affairs and Northern Development and Justice Canada for their hard work and cooperation that made this unique bill possible. I would also like to pay tribute to the efforts made by the professional associations to assist the parties in developing amendments to the legislation that governs them. Their input was invaluable to this process.

The Nunavut Statutes Replacement Act deals primarily with Northwest Territories professional associations that have indicated their desire to maintain a relationship between their Northwest Territories and Nunavut members after division. Considerable effort was made to consult with professional associations to review their post-division options.

The result was that the members and boards of associations representing Certified General Accountants, Chartered Accountants, Management Accounts, Nurses, and Engineers, Geologists and Geophysicists as represented by NAPEGG all expressed a desire for their association to maintain a regulatory role in Nunavut.

As a result, the Nunavut Statutes Replacement Act contains provisions that will allow these associations to continue to regulate their professions in Nunavut until there are sufficient numbers in Nunavut to support a stand alone professional association.

As soon as Nunavut members choose to take on these responsibilities, these amendments provide for the assets and liabilities of the current association to be divided on a pro rata basis or, in most cases, any alternate formula that is agreed on.

Madam Chairperson, this bill will ensure that the regulation of professions designed to protect the public and the professions themselves continues without interruption in Nunavut. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. Mr. Ningark, as the chair of the Special Committee on Nunavut Legislation.

MR. NINGARK:

Thank you, Madam Chairperson.

The Special Committee on Nunavut Legislation reviewed Bill 16, the Nunavut Statutes Replacement Act, at its meetings on November 23 and 26, 1998.

The committee would like to thank the Honourable Goo Arlooktoo and his officials for presenting the bill and responding to issues raised by the Committee.

Bill 16 enacts five replacement laws for Nunavut. These acts will be substituted for the NWT laws that would otherwise be duplicated for Nunavut. The amendments will come into force April 1, 1999.

These amendments are 'partnered' with amendments to NWT statutes contained in Bill 17, Division Measures Act. Together, the two bills ensure that existing professional associations may continue to regulate their professions and discipline members in both the NWT and Nunavut after Division.

The NWT has the legislative authority to replace laws for

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Nunavut under section 76.05 of the Nunavut Act. However, as Members know, the NWT may only do this on the recommendation of the Interim Commissioner of Nunavut after consulting with NTI. The OIC has recommended this bill to the Northwest Territories Legislative Assembly and NTI has confirmed that it was consulted with respect to the bill and the bill is appropriate for Nunavut.

Madam Chairperson, under this bill and Bill 17, the professional associations may choose to divide at any time and the assets and liabilities at that time will be divided as set out in Bill 17 unless the Nunavut members and NWT members agree otherwise. Generally, the division of assets and liabilities will be based on the ratio of members in each territory.

This bill also duplicates provisions in the Northwest Territories acts that protect the use of the designations or acronyms of the professions.

Madam Chairperson, the standing committee was generally satisfied that the replacement acts proposed in this bill are appropriate for Nunavut.

Madam Chairperson, members of the committee may have additional comments on the bill as we proceed.

This concludes the special committee's comments on Bill 16, Nunavut Statutes Replacement Act.

Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Ningark. Would the Minister like to bring witnesses into the Chamber?

HON. GOO ARLOOKTOO:

Yes, thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Master Sergeant-at-Arms. Mr. Arlooktoo, could you please introduce the witnesses for the record?

HON. GOO ARLOOKTOO:

Yes, thank you, Madam Chairperson. I have with me Mr. Mark Aitken, head of the Legislation Division in the Department of Justice, and Mr. Richard Bargery, the Assistant Deputy Minister of the Division Secretariat.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. Are committee Members ready to proceed to general comments? Okay. We will proceed to clause by clause. Because of the nature of this bill, we will stand down clauses 1 through 6 and proceed first with consideration of the schedules. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Page 4, schedule A, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule A, item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Schedule A, item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule A, item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule A, item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule B, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule C, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 2.

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Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule D, part 1, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 11. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 13. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule D, part 2, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule E, part 1, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

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CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule E, part 2, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Now please turn back to page 1 of Bill 16, Clause 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. To the preamble. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. To the bill as a whole. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Everyone is very agreeable. Does the committee agree that Bill 16 is ready for third reading? Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Bill 16 is now ready for third reading. I will just ask the Minister and his witnesses to stay in place for the next bill, which will be Bill 15, Nunavut Statutes Amendment Act. I would like to call on Mr. O'Brien, who was a Member of the committee that reviewed the bill. Oh, I am sorry. Mr. Arlooktoo, I am sorry.

HON. GOO ARLOOKTOO:

Yes, thank you, Madam Chairperson. Perhaps I could start off with Bill 15. If you so wish and it is acceptable, I could also do the opening remarks for Bill 14. Would that be acceptable? Yes.

CHAIRPERSON (Mrs. Groenewegen):

Okay, thank you.

HON. GOO ARLOOKTOO:

Before I begin, I would like to acknowledge the presence of Ms. Margot Engley in the Gallery, who has helped us tremendously. She is one of the legal counsel with Nunavut Tunngavik Incorporated and I would like to acknowledge their support and thank you.

Bill 15, Nunavut Statutes Amendment Act

Madam Chairperson, I am pleased to be here today to introduce the Nunavut Statutes Amendment Act. I would like to state again my appreciation to the Interim Commissioner and NTI for their cooperative efforts with respect to this bill.

The Nunavut Statutes Amendment Act is a combination of a comprehensive review of NWT legislation that was begun in 1996 when GNWT departments were asked to examine the division-related consequences of the acts they administered

when they are duplicated in Nunavut. The legislative issues identified in this initiative and the resulting drafted amendments were provided to officials of the Interim Commissioner and NTI for consideration. This bill is a result of these consultations. It includes the amendments that will ensure an orderly transition for the new government of Nunavut. It is important to stress the amendments contained in this bill are technical in nature and in essence this bill provides statutory solutions to the consequences of division.

CHAIRPERSON (Mrs. Groenewegen):

I am sorry. We were informed, Mr. Arlooktoo, by the clerk that in fact, we have to do the introductory remarks separately for each bill. I am sorry. Although the committee was agreed, it is not proper procedure. Thank you. At this time on Bill 15, I would ask Mr. O'Brien to bring the committee's remarks on the overview of the bill. Mr. O'Brien.

MR. O'BRIEN:

Thank you, Madam Chairperson. The special committee on Nunavut Legislation reviewed Bill 15, Nunavut Statutes Amendment Act, at its meeting on November 23 and 26, 1998. The committee would like to thank the Honourable Goo Arlooktoo and his officials for presenting the bill and responding to wishes raised by the committee.

Bill 15 amends the Nunavut revision of eight acts that will be duplicated for Nunavut. The amendments will come into force April 1, 1999. The NWT has the legislative authority to amend laws for Nunavut under section 76.05 of the Nunavut Act. However, as Members know, the NWT may only do this on recommendations of the Interim Commissioner of Nunavut. After consultation with NTI, the OIC has recommended this bill to the Northwest Territories Legislative Assembly. NTI has confirmed that it was consulted with respect to the bill and the bill is appropriate for Nunavut.

The bill amends the Legislative Assembly and Executive Council Act to ensure the act complies with the Nunavut Act and orders made under the act. The amended act will provide that there are 19 electoral districts in Nunavut and will set out a new schedule for the Nunavut electoral boundaries. As well, a Nunavut Assembly may continue for up to five years. The bill also updates the references to the amounts of Members' indemnities, allowances, expenses and

deductions and sets out a schedule of maximum permissible constituency expenses for Nunavut.

The Western Canada Lottery Act is amended to allow Nunavut to make agreements with the NWT and the Yukon, as well as the provinces, to carry out western Canada lotteries. It also allows Sport North to continue to manage the lotteries for Nunavut. Amendments are also made to several other acts to ensure that the provisions are appropriate for Nunavut.

Madam Chairperson, some technical amendments were made to the bill in the committee, otherwise the standing committee was generally satisfied with the amendments proposed in this bill and they are appropriately made in preparation for division. Madam Chairperson, Members of the committee may have additional comments on the bill as we proceed. This concludes the special committee's comments on Bill 15, Nunavut Statutes Amendment Act. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. On Bill 15 we can proceed to general comments. There are no comments. Moving on to the detail of the bill. Clause by clause. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

We will stand down clauses 1 through 9 and proceed with consideration of the schedules. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule A, Item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule A, Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Schedule A, Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 9. Agreed?

SOME HON. MEMBERS:

Agreed.

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CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 11. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 13. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 14. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 15. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 16. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 17. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 18. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 19. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 20. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Schedule A, appendix A. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule A, appendix B. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule B, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule C, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule C, item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule D, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule D, item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule E, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule E, item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 7. Agreed?

Page 470

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 11. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule F, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule F, item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule G, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule H, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Please turn back to page one of Bill 15, clause 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. To the preamble. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. To the bill as a whole. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Does the committee agree that Bill 15 is ready for third reading? Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Bill 15 is now ready for third reading and we will proceed now to Bill 14. Mr. Arlooktoo, opening comments.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. I am pleased to be here today to introduce the Nunavut Judicial System Implementation act.

This act provides for the operation of a single-level trial court for Nunavut to be known as the Nunavut Court of Justice. The new court will be a merger of the Supreme Court and the Territorial Court and will assume the total jurisdiction presently carried out by these two courts. The act is a companion legislation to federal Bill C-57, An Act to Amend the Nunavut Act, with respect to the Nunavut Court of Justice and to amend

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other acts in consequence, which is currently before Parliament.

I have just provided a submission and support of this bill to the parliamentary committee reviewing it. As Members will be aware, the Nunavut Implementation Commission first raised and gave its support to the concept of the unified court system for Nunavut in its Footprints 2 report. The decision to establish a single-level court system in Nunavut was made by the parties to the Nunavut Political Accord following a justice conference held in Iqaluit in November 1997, which indicated overwhelming support for this proposal.

The development and drafting of this bill was coordinated by the Office of the Interim Commissioner through the Nunavut Department of Justice in a cooperative effort with the Department of Justice in both the GNWT and the Government of Canada. The process also included post-consultation with NTI and

the Department of Indian and Northern Affairs and Justice Canada. Extensive consultation on the legislation also took place with northern judges, lawyers and other interested parties, including the Nunavut Social Development Council.

This bill, which is the product of a highly cooperative and collaborative effort among all the parties, will help to make the administration of justice in Nunavut simpler and more accessible to the people. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. Bill 14, Judicial System Implementation Act. I believe Mr. Picco has remarks from the committee. Mr. Picco.

MR. PICCO:

Thank you, Madam Chairperson. The Special Committee on Nunavut Legislation reviewed Bill 14, Nunavut Judicial System Implementation Act, at its meetings on November 24 and 26, 1998, here in Yellowknife.

The committee would like to thank the Honourable Goo Arlooktoo and his officials for presenting the bill and responding to issues raised by the committee.

Bill 14 establishes a single-level trial court system for Nunavut. It replaces the Judicature Act and Territorial Court Act with a new Nunavut Judicature Act, and replaces the Justices of the Peace Act with a new Nunavut Justices of the Peace Act. It also makes consequential amendments to several other Nunavut statutes.

The current court system in the Northwest Territories, and indeed in the rest of Canada, has two levels of trial courts, Madam Chairperson. In the Northwest Territories these are the Territorial Court and the Supreme Court. The other components of the NWT justice system are the Justice of the Peace Program and, Madam Chairperson, the Court of Appeal.

This bill, Madam Chairperson, will combine the functions of the Territorial Court and the Supreme Court into one court - the Nunavut Court of Justice. Nunavut will also have justices of the peace and we will also have a Court of Appeal.

Related amendments are also being made by the federal government in Ottawa to federal statutes. The federal statutes, the Nunavut Act, the Criminal Code, the Judges Act and the Young Offenders Act

specifically for Canada are also being amended to change.

Key of the single-level trial court are:

* All of the judges would be superior court judges appointed by the federal government;

*A judge of the Nunavut Court of Justice would have the jurisdiction to hear all matters currently heard by the Territorial Court and the Supreme Court;

*The Nunavut Court of Justice would hear minor and major criminal offences, all civil matters and all aspects of family law cases.

Madam Chairperson, it is hoped and expected that a single-level trial court will reduce delay in the administration of justice in Nunavut, as well as reducing administrative and travel costs.

Committee members recognize that another consequence of this bill may be that justices of the peace will deal with more matters at the community level. That should be a good thing, Madam Chairperson.

Madam Chairperson, this bill implements a system that will be new to Nunavut, and also new and unique to Canada. Committee members realize that much hard work and preparation has gone into the development of this bill. At the same time, there is much yet to be done to ensure that the new court system is implemented smoothly and works well for the people of Nunavut.

Madam Chairperson, Committee members support this bill and look forward to seeing a justice system put in place for Nunavut that can deal with matters quickly, comprehensively and expeditiously in a manner that respects the culture and values of the people of Nunavut.

This concludes the special committee's comments on Bill 14, Nunavut Judicial System Implementation Act. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Picco. Mr. Arlooktoo. If you would like to introduce your witness that just joined you, for the record, please.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. I have once again with me Mr. Mark Aitken, the Director of the Legislation Division with the Department of Justice, and also joining is Shannon Gullberg, our legal counsel. Thank you.

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CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. General comments on Bill 14. Clause by clause. Because of the nature of this bill, we will stand down clauses one through four and proceed first with consideration of the schedules. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Page 8, schedule A, Judicature Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

We are going to continue now up to Item 92. Was that three we just did? Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

I will just give Members a chance to catch up here. Thank you. Item 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 11. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 13. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 14. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 15. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 16. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 17. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 18. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 19. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 20. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 21. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 22. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 23. Agreed?

Page 473

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 24. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 25. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 26. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 27. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 28. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 29. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 30. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 31. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 32. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 33. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 34. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 35. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 36. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 37. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 38. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 39. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 40. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 41. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 42. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 43. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 44. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 45. Agreed?

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 46. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 47. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 48. Agreed?

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SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 49. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 50. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 51. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 52. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 53. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 54. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 55. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 56. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 57. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 58. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 59. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 60. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 61. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 62. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 63. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 64. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 65. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 66. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 67. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 68. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 69. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 70. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 71. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 72. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 73.

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Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 74. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 75. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 76. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 77. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 78. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 79. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 80. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 81. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 82. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 83. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 84. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 85. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 86. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 87. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 88. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 89. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 90. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 91. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 92. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Page 38, schedule B, Justices of the Peace Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

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CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 11. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 13. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 14. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 15. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 16. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 17. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Item 18. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Schedule C, Access to Information and Protection of Privacy Act, item 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Business Corporations Act, item 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Child and Family Services Act, item 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Page 47, Childrens' Law Act, item 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Page 49, Corrections Act, item 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Creditors Relief Act, item 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Dog Act, item 7. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Elections Act, item 8. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Environmental Protection Act, item 9.
Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Evidence Act, item 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. On page 50, Fair Practices Act, item 11.
Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Family

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Law Act, item 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Insurance Act, item 13. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Interpretation Act, item 14. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Interprovincial Subpoenas Act, item 15.
Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Jury Act, item 16. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Legal Profession Act, item 17. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Legal Services Act, item 18. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Liquor Act, item 19. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Local Authorities Election Act, item 20.
Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Maintenance Orders Enforcement Act,
item 21. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Mental Health Act, item 22. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Mine Health and Safety Act, item 23.
Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Minors Act, item 24. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Motor Vehicles Act, item 25. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Payroll Tax Act, item 26. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Plebiscite Act, item 27. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Property Assessment and Taxation Act,
item 28. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Real Estate Agents Licensing Act, item
29. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Residential Tenancies Act, item 30.
Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Securities Act, item 31. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Seizures Act, item 32. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Summary Convictions Procedures Act,
item 33. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Victims of Crime Act, item 34. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Young Offenders Act, item 35. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. We will now return to page 1 of Bill 14, clause 1. Agreed?

SOME HON. MEMBERS:

Agreed.

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CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

To the preamble. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. To the bill as a whole. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Does the committee agree that Bill 14 is ready for third reading. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Bill 14 is now ready for third reading.

--Applause

I would like to thank Minister Arlooktoo and his witnesses. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madame Chairperson. I just wanted to express my appreciation to you and all the Members here for your support over the last few months in this process and allowing these acts to go through the House in this way. I would also like to once again to say thank you very much to our own staff and the staff of NTI, the OIC and the Legislative Assembly staff for all their hard work. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. There is no further business before the committee, so at this time I will rise and report progress. Thank you.

MR. SPEAKER:

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

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 17, Division Measures Act, Bill 16, Nunavut Statutes Replacement

Act, Bill 15, Nunavut Statutes Amendment Act, and Bill 14, Nunavut Judicial System Implementation Act, and we would like to report progress with three motions being adopted and that Bills 16, 15, and 14 are ready for third reading and that Bill 17 is ready for third reading as amended. Mr. Speaker, I move that the report of the committee of the whole be concurred with. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, seconded by Mr. Arlooktoo. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried.

--Applause

Item 21, third reading of bills. Item 22, orders of the day. Mr. Clerk.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

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

Orders of the day for Thursday, December 3, 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 Bills

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18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
20. Report of Committee of the Whole
21. Third Reading of Bills
 - Bill 14, Nunavut Judicial System Implementation Act
 - Bill 15, Nunavut Statutes Amendment Act
 - Bill 16, Nunavut Statutes Replacement Act
 - Bill 17, Division Measures Act
22. Orders of the Day

MR. SPEAKER:

Thank you. This House stands adjourned to 1:30 p.m., December 3, 1998.

--ADJOURNMENT