



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

7th Session

Day 26

13th Assembly

HANSARD

WEDNESDAY, JULY 28, 1999

Pages 661 - 692

Page numbers reflect printed Hansard

The Honourable **Samuel Gargan**, Speaker

MEMBERS PRESENT

Honourable Jim Antoine, Honourable Charles Dent, Mr. Erasmus, Honourable Sam Gargan, Mrs. Groenewegen, Mr. Henry, Honourable Stephen Kakfwi, Mr. Krutko, Honourable Michael Miltenberger, Mr. Morin, Mr. Ootes, Mr. Rabesca, Honourable Floyd Roland, Honourable Vince Steen.

ITEM 1: PRAYER

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

SPEAKER (Hon. Sam Gargan):

Thank you, Mr. Miltenberger. Good afternoon. Orders of the day, item 2, Ministers' statements, Mr. Steen.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 76-13(7): Consultations on Financing for Community Governments

Thank you, Mr. Speaker. Mr. Speaker, the Department of Municipal and Community Affairs is reviewing the way it funds community governments to run basic municipal programs and services. This review has been undertaken in partnership with the NWT Association of Municipalities and has involved elected community councillors and senior staff of a number of communities.

I have shared with Members some of the discussion papers that have been developed as part of the municipal finance review. These documents contain a number of proposals for changes to the way the department funds communities and we are anxious to receive comments on these proposals.

Plans are now being made for visits to communities to discuss these proposals. During August and September consultations will be held with community governments in every community in the Northwest Territories. As I have indicated, schedules for these visits are being arranged at this time.

In keeping with the partnership for reviewing the financing of community governments, MACA has established a number of regional consultation teams.

Each regional consultation team will include a member of the NWT Association of Municipalities Board of Directors from that region and a senior administrative officer of one of the communities in the region, as well as senior MACA staff. MACA's regional superintendents are leading these consultation groups and they are contacting communities now to set up meetings with councils and their staff.

Mr. Speaker, consultations are a key part of the process in bringing change to the way we fund community governments. The steering committee for the municipal finance review will make its final recommendations to me as the Minister responsible, based on the input received from the consultation meetings held with communities.

I am informing Members of these plans for consultations, so they may participate in the meetings, which are scheduled in their communities. I look forward to sharing with you the times for these meetings when they are set.

Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Ministers' statement. Mr. Kakfwi.

Minister's Statement 77-13(7): Alberta and TransCanada Pipeline Agreements

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. Mr. Speaker, yesterday I updated Members on the increased oil and gas development activity in the Northwest Territories, and the government's intention to ensure northerners benefit from it. Today, I am pleased to advise Members that I will be signing two documents which will set the groundwork for gas development in the Northwest Territories.

First, I will sign a memorandum of understanding with the Government of Alberta. This agreement will commit our two governments to work together to realize the development of the Western Canada Sedimentary Basin. I am pleased to welcome the Honourable Mike Cardinal, Alberta Associate Minister of Forestry, to Yellowknife for the signing of this agreement. Mr. Cardinal is signing on behalf of the Honourable Steven West, Alberta Minister of Resource Development. It is our intention that the two governments act in concert for the benefit of all

producers in the basin and for the benefit of all residents of Alberta and the Northwest Territories.

I will also be signing, with Mr. Rob Reid of TransCanada Pipelines, a memorandum of understanding committing both parties to work together as industry and government to realize the development of the gas reserves of the Northwest Territories.

Mr. Speaker, these two agreements will help set the tone for the present and future economies of the Northwest Territories. The signing of these agreements will take place today during the break in the Legislative Assembly's media room. Mr. Speaker, I take this opportunity to invite all Members of this House to attend. Thank you.

--Applause

MR. SPEAKER:

Thank you. Ministers' statements. Mr. Miltenberger.

Minister's Statement 78-13(7): Supporting Students Attending Post-Secondary Programs

Page 662

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. Mr. Speaker, most NWT residents are aware of how challenging it can be for northern students to attend post-secondary education. Historically, students had to leave the NWT to pursue degrees, diplomas and trades courses. In recent years, we have developed more opportunities through Aurora College for students to either take their complete program in the NWT or to take the first year or two of a degree program. However, even with Aurora College's expanding role, most post-secondary students still leave home, moving within the NWT or to the south to pursue their choice of courses.

The Department of Education, Culture and Employment is trying to make that move easier. Through the Student Financial Assistance Program, Northerners are eligible for one of the most generous grant and loan systems in the country. The cost of attending college and university continues to climb at most campuses so we are looking at options for increasing the level of support available to each student. The department is working on the details and hopes that changes can be made for the 2000

school year. This in addition to the millennium scholarships which I announced earlier this week.

The department is also making a number of changes to improve service to students and streamline the SFA system. These changes include:

- establishing a website to provide the details on SFA that students need along with a chat page so students can contact each other;
- improving access to SFA officers for students;
- simplifying and clarifying the application form so students have a better understanding of what they will receive;
- implementing an improved computer system which will allow better record keeping and timely access to student information;
- increased information to students about the funding, including timing of cheques and what is included in each cheque; and,
- providing options for students who prefer to have a slight delay in their January payment in order to receive funds in the new tax year.

Mr. Speaker, early this summer, a group of post-secondary students gathered together to talk about their experiences with the SFA Program. They shared their issues and ideas with the department and we are trying to address their concerns. While we may not be able to address everything immediately, this type of constructive feedback from students on the program is very helpful in improving our services. I would like to thank the organizers of this group for their efforts to make the system better for all students.

Some of the concerns raised by the students were a lack of information about SFA and having no effective way for students to connect with other NWT residents at the same college or university. In an attempt to address some of those difficulties, the department is sponsoring a series of pilot events for post-secondary students over the next three weeks. In cooperation with local MLAs and community representatives, the department will be holding SFA information barbecues in Yellowknife, Inuvik, Hay River, Fort Smith and Fort Simpson.

At each of these events, department staff will be on hand to answer specific questions about the Student Financial Assistance Program. This will include

information about the millennium scholarships. We are also inviting students who are entering their final year to share their career interests and resumes with career development officers who will be available as a first step towards finding employment in the NWT after graduation. As well, there will be opportunities for students to connect with other students who are also attending the same college or university. This is particularly helpful for first year students who may have questions that only a seasoned student can help answer.

We hope many NWT students will take advantage of this chance to get ready for school and get the additional information they might need. In closing, Mr. Speaker, I would like to wish each of our NWT post-secondary students good luck with the coming year's studies. Leaving your home, families and friends is not easy but the end result in terms of career choices will make it all worthwhile. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Ministers' statements, Mr. Steen.

Minister's Statement 79-13(7): 1999 Western Canada Summer Games

HON. VINCE STEEN:

Thank you, Mr. Speaker. Mr. Speaker, I am pleased today to speak about the 1999 Western Canada Summer Games which were recently held in Prince Albert, Saskatchewan. Our team included 131 NWT residents from 18 communities. They joined almost 2000 other competitors from Manitoba, Saskatchewan, Alberta, British Columbia and the Yukon.

Mr. Speaker, there are many special stories about Team NWT that I would like to share with you. First, I would like to congratulate all the team members for their performance. Our athletes were excellent ambassadors of our northern spirit.

Team NWT took home three medals. Jonathan Kurszewski of Fort Smith won a gold medal in the javelin by throwing his personal best distance.

--Applause

In wrestling, Peter Houweling and Aziz Ahmed, both of Yellowknife, won silver and bronze medals.

--Applause

Mr. Speaker, there are two other stories about Team NWT that

Page 663

I would like to share. Our first ever wheelchair athlete, Vital Manuel from Fort Good Hope, competed in tennis. He represents a movement to include persons with disabilities in mainstream sports. Dawn Tremblay, of Yellowknife, competed in wrestling. She represents the successful promotion of female athletes in non-traditional sports.

--Applause

Mr. Speaker, I again would like to congratulate all members of Team NWT for their fine performance. I am sure that the Members would join me in saying that we are proud of them and wish them the very best as they progress in their chosen sports. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Ministers' statements. Mr. Kakfwi.

Minister's Statement 80-13(7): Career Development Program for Law Students

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I am proud to announce that the Department of Justice has created a bursary program for qualified NWT aboriginal law students. It is called the Department of Justice Career Development Program and will be available to resident aboriginal students who have been accepted or conditionally accepted in a Bachelor of Laws program at a recognized Canadian University Faculty of Law. The program will offer \$10,000 bursaries for a maximum of four law students. These law students will also have the benefit of a summer job with the Department of Justice, and mentoring from department lawyers throughout the summer and school year. The department will assist each bursary student in an effort to get an articling position. At least one student each year will have the opportunity to article in the department's legal division. If more than one bursary recipient graduates in the same year, the students will be provided the opportunity to compete for the articling position.

The Deputy Minister of Justice will appoint a selection committee to screen and select the successful students. The committee will include department officials from legal division, legislation division, personnel services and the directorate.

These \$10,000 bursaries will be awarded each year and must be used in the year awarded. A student wishing to obtain a bursary for a second or third year will have to reapply before the start of the next school year and must have successfully completed each year of study and had a satisfactory performance appraisal. The committee will develop criteria which it will use to evaluate applications for the bursary, but priority will be given to students who wish to practice law with the Government of the Northwest Territories.

This program demonstrates our commitment to encourage aboriginal students to pursue careers as lawyers in the Northwest Territories and to one day assume professional and senior management positions within the Department of Justice. Anyone wanting to learn more about this opportunity or to submit an application for the 1999-2000 school year can contact the manager of personnel services at the Department of Justice. Thank you.

--Applause

MR. SPEAKER:

Thank you. Ministers' statements. Item 3, members' statements. Mr. Krutko.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement 187-13(7): Concerns Regarding Yellowknife Correctional Facilities

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, my statement today falls in line with the questions that have been raised in this House about an increase in developing a brand new correction facility here in Yellowknife at a cost of over \$30 million. Mr. Speaker, I find it awfully offensive at this time, after going through the cuts we made in this House in regard to having to cut alcohol and drug programs, closure of the Tl'oondih Healing Centre in my riding, Delta House in Inuvik, cuts to alcohol and drug specialists in our different communities, and also cuts to the youth initiatives that we have taken in this House. In regard to where we are going with this idea, it floors me. We talk about developing our youth, developing our communities, community justice, community wellness. We talk

about community empowerment, taking care of problems in the communities at home in the communities. But here we are again, developing a major institutional structure to institutionalize the people of the Northwest Territories in bigger jail facilities, bigger young offender facilities.

Basically the people in the North have been institutionalized since they were born. Either through the hostel systems or the school systems, they were taken away from the communities. We had to go away to go to school. We are doing the same thing again with the youth of this territory by putting them in a facility, a joint facility at that, with criminals who are adults. That I question on the basis, is it constitutionally right for this government to be taking such an action knowing that there is the possibility of legal parameters that we may have to follow to realize that these individuals, these youth, have to be protected against other criminals? This government decides to go ahead and put two institutions into one, have the youth on the one side of the building and have the basically hard-core criminals on the other side. I just cannot get at where this government is coming from when they tell us, we are trying to help the communities take on more responsibilities and take on more control of what happens in your communities. You deal with your problems in your communities. We give you the resources. But what do we do? We take the resources away from the communities. We build more correction facilities and institutions, and then that is the answer for the people in our communities. Is it this government's way of running the government by taking everything away from the communities? Thank you.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Ootes.

Member's Statement 188-13(7): Comprehensive Approach to Adult Education

MR. OOTES:

Thank you, Mr. Speaker. On another subject, I along with the Minister of Education, Mr. Miltenberger, and the other Yellowknife MLAs, attended a meeting with Yellowknife

Page 664

adult educators. This group included representatives from eight organizations, such as Aurora College, the

Yellowknife Association for Community Living, Tree of Peace, and the FOCUS Program of the YWCA to name just a couple of them. Many concerns were raised including the lack of federal and territorial government funding for education and training programs for income support recipients, policy changes within the federal Ministry of Human Resources Development Canada, which now provides no training support for individuals who face employment barriers, and inconsistent and non-standardized program delivery in communities.

Overall, this translates into significantly reduced training and support services for individuals with limited literacy skills. It also points to a lack of overall vision and comprehensive approach to adult education here in the territories. The Minister recently was able, and I commend him for this, to fund community literacy projects through the Yellowknife Association for Community Living, the YWCA, and the Neshda Child Care Centre. But funding commitments like that are badly needed, and we also need to address some fundamental issues. The adult educators have asked the Minister of Education, Culture and Employment to evaluate the department's strategic approach to adult education, to review and implement core funding to appropriately support its vision on adult education, to make multi-year funding available for adult education programs and services, and to work collaboratively with community-based organizations which have experience in adult education service delivery.

Mr. Speaker, investment in adult education and literacy upgrading will pay off many times down the road, with savings in such areas as justice and income support. We need to work and continue to refine a vision and a plan for a comprehensive approach to adult education here in the Northwest Territories. Thank you.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Erasmus.

Member's Statement 189-13(7): Concerns of Post-Secondary Students

MR. ERASMUS:

Thank you, Mr. Speaker. I wish to speak today about students as well, so I was very pleased to hear the two Ministers making some good news statements

about bursaries and support for students. Mr. Speaker, I just finished a meeting with a couple of very, very frustrated students. They had a complete list of problems that they with other students have identified. This includes inadequate funding, late arrival of funding, issues concerning approval for funding, funding being revoked without notification and/or explanation, no funding for third semesters and the summer sessions, no explanation for funds given or confirmation of deposits. The spirit of the transition allowance is inconsistent, in fact with funds for 1999 arriving in 1998. There is no funding for books, lack of funding for graduate studies, and accountability issues. There are clerical errors. There is no way to change a student officer if you are having a problem. There is lack of flexibility with travel. You are locked right into whatever you get. There is no emergency loans process, no money management support. There are poor appeal mechanisms. When they are phoning in, they are getting voice mail. There is insufficient contact information. Student officers are going on vacation in August and, worse, in September.

There is a whole list of things here, Mr. Speaker, so I was very pleased to hear the Minister indicate that they are going to be making a number of changes to improve service to students and streamline the student financial assistance. I would like to congratulate him on making these changes, but, Mr. Speaker, where is the major change that is needed to address the student financial assistance, the insufficient amount of funding that our students are getting? Right now they are getting about half of what is required for tuition. Student allowances are low, the whole works. Mr. Speaker, I seek unanimous consent to conclude my statement.

MR. SPEAKER:

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

MR. ERASMUS:

Thank you, Mr. Speaker. As I was saying, the biggest problem is the insufficient amount of student financial assistance. This government has been sitting on a plan for two years now that was going to be put forward and passed so that students could get funding this year. Where is it? The other thing is that students need some type of association, a students' union, and this government should help them to

achieve that, in fact provide some funding so that there is consistency. We know that students come and go as soon as they have their degrees. Mr. Speaker, I would like to thank everybody for allowing me to conclude my statement, and I will be having some questions for the Minister of Education later. Thank you.

MR. SPEAKER:

Thank you. Members' statements. Mr. Morin.

Member's Statement 190-13(7): Cabinet Decisions to Construct Yellowknife Correctional Facilities

MR. MORIN:

Thank you, Mr. Speaker. Today I talk about the Yellowknife Correctional Centre once again. It is with a heavy heart that I heard about this decision, Mr. Speaker, by the Minister of Justice. Ultimately it was the Minister of Justice that sent this proposal forward to Cabinet and his Cabinet colleagues. They in their wisdom decided to build a new facility in Yellowknife, not to renovate an old facility but to build a new facility in Yellowknife. It is also public knowledge that the majority of the dollars are going into Yellowknife at this time. Everything announced recently coming out of this government has been Yellowknife, Yellowknife, Yellowknife. Yellowknife's economy is bad, so they have to shore it up with a housing program. Yellowknife's gold mines are being threatened, so we have to help them out. Yellowknife's diamond polishing needs help, so we help that out. Now we take the government money and we spend it in our great city of Yellowknife again. I wonder whatever happened to places like Inuvik, Hay River, Fort Smith, Fort Resolution. Maybe they do not exist anymore. Maybe because they are outside the boundaries of the city of Yellowknife, they are not qualified anymore to put in proposals to this government. This government has shut the door on other regional centres to even bring forward a proposal to build a new correctional centre for the Northwest Territories. They have shut that door. They never even had the door open. The Minister in

Page 665

his wisdom felt no one else was qualified. It is here. We will keep it here.

They even carried on further, Mr. Speaker. Before the money for that budget was approved in this Legislative Assembly, they put an ad in the Globe and

Mail. That was a week ago today, an ad in the Globe and Mail. I tabled that in this House. I checked through all the newspapers in the Northwest Territories. Now they are shutting the door to northern businesses because they have not even put an ad in a northern newspaper. They have given southern businesses a hand-up against northern businesses. Maybe there are no northern businesses qualified. Maybe they have made that decision already. I do not know. But what I do know is that the government of the day and especially the Minister of Justice has forgotten that anything exists outside this Legislative Assembly and Yellowknife. They are a government for Yellowknife, not the people of the Northwest Territories. Thank you.

--Applause

MR. SPEAKER:

Members' statements. Mrs. Groenewegen.

Member's Statement 191-13(7): Purchasing Policies of the GNWT

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, I am going to speak again today about something that I have brought up in this House before, and that is the purchasing policies of this government. Purchasing policies have been developed and implemented by the GNWT to provide incentive for the establishment and sustainability of northern businesses. With the advent of community empowerment, there was a shift to devolving responsibility to communities, band councils, local development corporations, et cetera, for the delivery of programs, services and capital projects. In this shift, my concern is with what happened to government policies such as the Business Incentive Policy and the Manufacturing Directive Policy. Has the enforcement or implementation of these policies been lost in this shuffle?

Northern businesses have made investments on the basis of these policies and now rely on happenstance to learn the projects and who is delivering them. I have said before in this House and I will say it again, every project funded directly and delivered on behalf of this government by various departments, local or regional governments, should be made known through a central information source such as a government Web site. Mr. Henry has spoken about the need to make Nunavut aware of what we have to

offer by northern contractors, suppliers, and manufacturers, and I think this is a good idea. But before we run off to Nunavut, I submit to you, Mr. Speaker, that we need to make more efforts to make our own western communities, development corporation, government departments, and agencies aware of what we have to offer here in the North. Then we need to make sure that contracts funded by this government adhere to our own purchasing policies in order to realize maximum benefits from our limited government expenditures to northern businesses, and these northern businesses in turn employ northerners.

Hay River has a largely self-reliant manufacturing sector but yet, over and over again, I hear of government contracts going out specifying southern suppliers. Just today, I got another fax from another manufacturer in Hay River where it is not even left open. A southern supplier of a product which is manufactured here in the North is actually specified in a government contract. A call had to be made again to the deputy minister, to the regional people, and now this has been corrected. But the business only heard about this just by circumstance. This is not satisfactory.

We do have a limited number of capital dollars, and if we cannot take and make maximum benefit of these to the benefit of Northerners, well then we are not doing our job. I do not know how we can look further afield when we cannot even take care of making this information known and enforced right here in our own territory. Later on, I will have questions again for the Minister of Public Works and Services regarding this. Thank you.

--Applause

MR. SPEAKER:

Members' statements, Mr. Rabesca.

Member's Statement 192-13(7): Support for the Aspirations of Native People

MR. RABESCA:

Thank you, Mr. Speaker. Mr. Speaker, I would like to take this opportunity to make a comment about how, over the last few years, this government and the federal government both have changed their thinking in relation to the needs and aspirations of our native population. As many of you may remember, it was not long ago that our native population were not elected

and totally forgotten. Many various concerns were being raised over the years. Many concerns have been addressed and others are still being worked on.

This is the point that I am saying, today we have land claims set in only three areas of our territory and one more in the final stages. Recently, on the federal level, many more claims are being worked on and many have finalized agreements. This, I believe, is a complete change in thinking than it was only a few years ago. I would also like to say this is the way of the future, and all departments should see this positive move as one of the opportunity for a strong partnership, investment, and strong human resources. The native population needs the support of the federal government and the territorial government for the initiative to ensure our voice is heard and our aspirations for self government are made a reality. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

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

ITEM 4: RETURNS TO ORAL QUESTIONS

Return to Oral Question 230-13(7): Yellowknife Correctional Centre

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I have two returns to oral questions, first in response to Mr. Krutko who asked a question on July 26th in regard to the Yellowknife Correctional Centre.

The Financial Management Board reviewed and approved the

Page 666

Department of Justice's proposal to reprofile the Yellowknife Correctional Centre capital project from enhancement and renovation project to a replacement project on June 4th, 1999.

Ferguson, Simek and Clark, a Yellowknife engineering and architectural company had been retained earlier in the year to complete the functional plan for the proposed enhancement and renovations project. They concluded that it would be cheaper and more efficient to build a completely new facility over a shorter period of time. It was also concluded that

further savings could be achieved by sharing plant and services between the Yellowknife Correctional Facility and new male young offenders facility. Savings were estimated at \$1.34 million in capital costs and \$262,000 annually in on-going operations and maintenance.

The department accepted the consultant's conclusions and proceeded to the Financial Management Board with a recommendation to revise the capital project. According to agreed procedures by advising MLAs and the Standing Committee on Government Operations on capital project changes, the government was obligated to forward information on this Financial Management Board decision of June 4th, 1999. Information was forwarded on July 14th, 1999. An apology has been forwarded to the chair of the Standing Committee on Government Operations for the delay.

Return to Oral Question 226-13(7): Yellowknife Correctional Facility

Mr. Speaker, I have also a return to oral question asked by Mr. Morin on July 26th, also in regard to the Yellowknife Correctional Facility.

The Member from Tu Nedhe asked when the decision was made to reprofile the Yellowknife Correctional Facility capital project from a renovation to a replacement project. This decision was approved by the Financial Management Board on June 4th, 1999. The Standing Committee on Government Operations was provided a draft of the supplementary appropriation bill on June 14th, and the Minister of Finance appeared before the committee on July 16th to discuss this matter. Thank you.

MR. SPEAKER:

Returns to oral questions, Mr. Antoine.

Return to Oral Question 231-13(7): GNWT Tendering Process

HON. JIM ANTOINE:

Mahsi, Mr. Speaker. I have three returns to oral questions, the first one here was asked by Mr. Morin and is in regard to the GNWT tendering process.

The Member from Tu Nedhe asked about the expression of interest advertisement that appeared in the Globe and Mail on July 21st, 1999. This ad was designed specifically to solicit interest from registered architectural firms who possess extensive experience

in designing podular direct correctional institutions. It was placed after consultation with the NWT Architectural Society. For clarification, I can inform the Member that subsequent to a thorough evaluation process, the Government of the Northwest Territories will provide the northern consultant community with a registry of qualified sub-consultants with a proven background in the complexities of such a program specific facility. In his question, the Member inquired about the tender that was placed in the Globe and Mail. It is important to note that an expression of interest process is different from a tender and does not commit the Government of the Northwest Territories to any contractual obligation whatsoever.

With respect to the sequence of events leading to the placement of the advertisement, I note that the Standing Committee on Government Operations was provided a draft of the supplementary appropriation bill on July 14th, and Minister Dent appeared before the committee to discuss this matter on July 16th, and the ad appeared on July 21st. The Minister of Finance, the Minister of Resources, Wildlife and Economic Development and myself have all noted that the committee should have been notified of the change in this project a few weeks earlier and have apologized for this inadvertent mistake. We intend to do better in this regard in the future.

Return to Oral Question 233-13(7): Consultation Process on Capital Changes

The second return is to an oral question, Mr. Speaker, asked by Mr. Krutko regarding the consultation process on capital changes.

The Member from the MacKenzie Delta inquired about the process for informing Members of major changes to the capital plan. Section 4.3 (b) of the Financial Administration Manual states that the respective Minister will advise the appropriate MLA and standing committee when a department makes any adjustment to a capital project that significantly affects the scope, for example, \$100,000 or 20 percent of the project budget, whichever is greater or timing, for example, a year or more delay, and no time period is specified. While no time period is specified, normal practice is that letters are sent out within two weeks of such a change.

Return to Oral Question 241-13(7): Capital Funding for Correctional Centre

Mr. Speaker, my final return, to oral questions asked by Mrs. Groenewegen on July 27th. It is in regards to capital funding for the correctional centre.

All cash outlays to fund government operations and infrastructures are financed from a combination of existing working capital, future revenues, borrowing through short-term credit lines, issuing long-term debt instruments, or financing arrangements such as leases. Except for specific facility leases, financing arrangements are normally based on overall government cash requirements as opposed to borrowing for specific activities or projects.

The \$30 million cost of the YCC replacement project will require a cash outlay over the four year project. During this same period, we expect revenues from the exchange of service agreement with Nunavut to be about \$18 million. The \$12 million difference will have to be temporarily funded from a combination of working capital, other revenues, and short-term debt. Revenues received under the exchange of service agreement after the four year construction period, will replace these financing sources. The interest cost to accelerate the cash flow for this project will be more than offset by the savings that will be realized through the facility replacement approach.

Page 667

This is why FMB approved the change. The change to the project will not be detrimental to other capital needs. As the Evan's Report clearly established, the YCC project is critical and urgent. It is a significant infrastructure investment that would have to be a priority whether or not offsetting revenues are available. Mahsi, Mr. Speaker.

MR. SPEAKER:

Thank you. Returns to oral question. Mr. Miltenberger.

Return to Oral Question 237-13(7): Aboriginal Languages and Cultural Specialists - Aklavik

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. This is a return to an oral question asked by Mr. Krutko, and it is in regards to aboriginal language and cultural specialists in Aklavik.

In addition to teachers, there are three categories of staff who may be employed in schools to work with students. First, there are aboriginal language and cultural specialists who are covered by the Northwest

Territories Teachers' Association collective agreement. Specialists must be certified at the time of hire and are required to take ongoing training. These employees are considered teachers under the Education Act and are certified to provide an education program in an aboriginal language.

Second, there are classroom assistants who are covered by the Union of Northern Workers Collective Agreement. Under the Education Act these employees must work under the direction of a teacher.

Third, the district education authority can hire people to instruct local programs as allowed for under section 118 (k.1) of the Education Act. These people are hired on short-term arrangements through the DEA and are not covered by the NWTTA or the UNW contract. The type of compensation available to any staff members depends on which category they were hired under and the type of work they are doing.

The Department of Education, Culture and Employment contacted the Beaufort Delta Divisional Education Council in May about the situation in Aklavik. This is an issue to be resolved between the Divisional Education Council and the District Education Authority. The department commits to raising the issue with the Divisional Education Council and ensuring it is resolved before the beginning of the school year. Thank you, Mr. Speaker.

MR. SPEAKER:

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

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I wish to recognize the visitors we have from TransCanada Pipeline Executive as well as the Minister from the Government of Alberta. First the Honourable Mike Cardinal, the Associate Minister of Forestry.

--Applause

Also, from TransCanada Pipeline Executive, Bob Reid, the senior vice-president of Northern Development; Ton Turner, the senior vice-president and president international; Jake Epp, the senior vice-president of Government and External Affairs; Brian McNulty, the associate general counsel for Energy

Transmission and Robert Day, the vice- president for the public sector relations. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

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

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize a former Member of this House, Mr. Pete Fraser of Yellowknife.

--Applause

MR. SPEAKER:

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

MR. OOTES:

Thank you, Mr. Speaker. I would like to take the opportunity to recognize our Pages and to thank them for the excellent work they are doing here with us this particular week. First of all I would like to introduce Lindsay McIvor, Gwendolyn Birch, Kyla Schauerte, Kyla Wright, Leann Bussell, Richard Walsh, Brian Sosiak and Erin Olovson-Cleveland. I would also like to recognize the Sergeant-at-Arms, Mr. Joseph Oullette, for the good work he is doing with the Pages. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. I do have a problem with the Pages being recognized in the Chamber, it is not recognizing visitors in the gallery, so just to remind the Members that these types of statements could have been better served by doing it in a Member's statement as opposed to recognizing them on the Chamber floor. I would like to remind the Members of that.

Recognition of visitors in the gallery. Mr. Morin.

MR. MORIN:

Thank you, Mr. Speaker. I would like to recognize Mrs. Esther Braden who is the chairperson for the NWT Seniors' Society. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Welcome to the Assembly. Recognition of visitors in the gallery. I would like to recognize the rest of the people in the gallery, welcome to the Assembly. Item 6, oral questions. Mr. Morin.

ITEM 6: ORAL QUESTIONS

Question 243-13(7): Consultation on Correctional Facility Change

MR. MORIN:

Thank you, Mr. Speaker. My question will be to the Minister of Justice. In previous sittings of this Legislative Assembly as well as when we all came here a little over three years ago, Mr. Speaker, we had agreed on a process, we had agreed on a consultation process of developing policies,

Page 668

developing programs, any major changes. I believe our government in the past have been censured for changes to the capital budget before but what I am wondering, Mr. Minister is, when did you meet with the social programs committee to consult with the social programs committee on change of renovation to the Yellowknife Correctional Centre compared to a brand new building? Thank You.

MR. SPEAKER:

The Minister of Justice, Mr. Kakfwi.

Return To Question 243-13(7): Consultation on Correctional Facility Change

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. Mr. Speaker, I think it is important to recognize that the decision to locate the young offenders facility was made last year under the previous Premier. The decision was made by Cabinet and FMB to locate a young offenders facility here in Yellowknife, this brand new facility. That decision was made here at that time. I think it is important for the public to know that the decision to do major renovations to the adult facility was also made in the previous Premier's tenure in the amount of \$30 million, no different than what we are talking about today. So we should be clear about that.

As a new Minister of Justice since April, I have taken the time to revisit the decision by the Cabinet made

last year to locate the young offenders facility here. I visited some of the facilities down south. I have revisited all the arguments made as to why it should be made here. And I have decided that it is not in the interest of the inmates or the staff of this government or the public for me to ask Cabinet to revisit that issue.

On the adult facility, the adult facility is located here. Again, last year, Cabinet decided to spent \$30 million renovating this particular facility. It was such in scope that you could say we were trying to build a brand new car piece by piece, and it got to the point where after the decision was made, budgeting this project at \$30 million, we contracted a firm to do more detailed costing of what it would cost this government to build such a facility, and it actually came in. This was done after the decision was made. Over the course of the winter, the consultants came back and said, in fact, it would cost you \$35 million to do major renovations such as you are proposing. It is, in fact, cheaper to build a brand new facility over four years at \$30 million. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Morin.

Supplementary To Question 243-13(7): Consultation on Correctional Facility Change

MR. MORIN:

Thank you, Mr. Speaker. The Minister, in his long-winded speech passing the buck and taking no responsibility for decisions he makes, it is completely amazing to watch. But the question was, and I will try to keep it simple so he can understand it, the question is very clear, when did you meet with the social programs committee to consult with the major change of a renovation to a new capital project? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 243-13(7): Consultation on Correctional Facility Change

HON. STEPHEN KAKFWI:

Mr. Speaker, perhaps the catcall is preventing me from finishing my response, but it does get rather winded because there need to be corrections all the time to some of the rhetoric from the other side. Let me make the point. The idea to locate a new facility

here in Yellowknife was made last year. It was made last year. The idea to piece by piece replace the existing adult facility, the Yellowknife Correctional Facility, was also made last year. As a new Minister, I felt my job was to revisit those decisions to make sure that they were made in the best interest not only of the MLAs and their little constituencies but also the government, the inmates, many of whom are our own people, coming from our own communities, who have a right, I believe, to have adequate facilities provided to them during their incarceration, who have and we have an obligation to provide adequate services and support to them.

All things considered, these decisions made during Mr. Morin's time as a Premier, I think are good decisions. As to why he is saying they are bad decisions is beyond me. There is no need in making the point. There is really no need for me to consult on decisions that have been made over a year ago to these committees, but still we are building these facilities within the financial commitments made by this Legislature, this \$30 million spread out over seven years, plus over \$6 million committed through a PY financing scenario to build a young offenders facility. We can do both within that scope.

MR. SPEAKER:

Mr. Morin, your point of order.

MR. MORIN:

I thank you, Mr. Speaker. Yesterday yourself, Mr. Speaker, laid the rules down in this Legislative Assembly very clear. Ministers are to answer their questions directly. We, when we ask our questions, are supposed to use our questions in the proper way. We have done that. I have listened to this Minister grandstand and pass the buck for the last five to ten minutes. I would like him to answer the question and follow your ruling to be direct and answer the question. Thank you.

MR. SPEAKER:

Mr. Morin, I did not make any rulings except to remind the Members regarding their questions and their preambles and also requesting the Ministers to be as brief in their response as possible. Also, if there is a clarification that is required, then we have to allow the Ministers to make those clarifications and also allow the Members, if they wish, to clarify, then allow that to happen too. But there is no point of order. The time is still on. Mr. Kakfwi, to the question.

Further Return To Question 243-13(7): Consultation on Correctional Facility Change

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. We have indicated, through the statement from the Premier and myself that as soon as possible after the June 4th decision, to reprofile the major renovation to a replacement project that we had undertaken to advise the Standing Committee on Government Operations of this, but the decision, as I said, was made in June, 1998, and September, 1998, to locate the male young offenders facility here in Yellowknife and the adult male correctional facility that is presently located here was never intended to be moved, there has never been any discussion or consideration to move it. We simply decided to renovate it. An interesting point is, why

Page 669

it never occurred to the previous Ministers or the Cabinet of last year, why the price tag of \$30 million, who did not consider the time just to build a whole new project, but that is afterthought. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Morin.

Supplementary To Question 243-13(7): Consultation on Correctional Facility Change

MR. MORIN:

Thank you, Mr. Speaker. As one of the MLAs that represent one of those little constituencies, as the Minister said, I do have a concern about the Minister's approach saying not necessary to consult because we are doing the same as previous decisions of previous governments. Well, he should stand on his own two feet and take possession of the decisions he makes, but he lacks that political will or backbone. As far as the consultation process goes, the Minister said in this House previously, he made the decision that this building could not be built in any other community. He made that decision, so maybe now he can tell this House how he came about to make that decision. What process did the Minister use to consult with other regional centres or other communities of what they would put forward to this government, of what they would offer to this government in order to get this facility in their communities that would help them out economically? Thank you.

MR. SPEAKER:

Mr. Kakfwi

Further Return To Question 243-13(7): Consultation on Correctional Facility Change

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. Mr. Speaker, as I have said, the Cabinet, in June, 1998, and September, 1998, I suppose, on the Financial Management Board Meeting, decided and made certain decisions and made certain financial commitments which were approved in the Main Estimates this year. It is not my prerogative to unilaterally revisit every decision made by Cabinet under my portfolio, but I have the prerogative to review decisions periodically to ensure they are current, that they take into account the circumstances in which we find ourselves sometimes six months or a year after a decision and, and I have done that. That is what resulted in my going back to Cabinet and FMB asking to reprofile this project from a renovations project to a replacement project. I must say that I did take time to look at the young offenders facility and asked why did the previous Minister of Justice and the Cabinet at that time, what basis on which did they make a decision to locate the young offenders facility in Yellowknife. I had extensive discussions and debate with my officials about it.

I have decided, in the end, that there are not sufficient arguments to be made that would enable me to ask Cabinet to reconsider this decision. It was never in my prerogative to ask Cabinet to consider relocating the male adult facility from Yellowknife to another one, but the Member asked and so I can say that there are many compelling arguments that can be made which will be supported by many of his constituents and mine as well. All of these people who are incarcerated require support programs and services, medical services, services which are available here in Yellowknife and most of which are not available in other places. The courts are located here. This is the central transportation hub for most of our communities. Inmates want that it be easy for friends, families, and relatives to visit them. They want to ensure that there is good program space and facilities for the young offenders and for adult male offenders as well.

I know they are getting impatient but, Mr. Speaker, the question was asked, what compelling reasons that we have to ensure that the facilities are located in Yellowknife. It was not I who raised the debate here.

We could have a more extensive and relaxed conversation if it comes up in the standing committee. I can shorten by simply saying I have reviewed the arguments and the reasons, and in the interests of the inmates, the young offenders, the benefits that would flow to them that would not flow to them if this was located elsewhere and also the time constraints that we have by order of the fire marshal, our agreement to provide services to Nunavut that we proceed on the basis that FMB and Cabinet have approved recently. Thank you.

MR. SPEAKER:

Thank you. I again would like to remind the Members and the Ministers, a question must not seek information about matters which are secret such as decisions or proceedings of Cabinet but to remind Cabinet that when they respond on the proceedings of Cabinet which could be considered secret, then they have opened themselves to Cabinet process in which they must not respond to. I know the Members cannot seek it, but if Cabinet opens that opportunity, then they must respond to it. Oral questions. Final supplementary, Mr. Morin.

Supplementary To Question 243-13(7): Consultation on Correctional Facility Change

MR. MORIN:

Thank you, Mr. Speaker. It was interesting to listen to that long-winded speech with very little substance. The Minister said and the question was very clear, it was never answered in his little speech, but it was interesting what he said. Medical services, in Hay River, for example, are not good enough for YCC correctional people. I wonder if they are good enough for the people of Tu Nedhe. Are they good enough for the people of Hay River? I would think so. But the question was, and God forbid, if you ever had to have hardship on people in YCC or the staff of this government, that they would have to draw on the services applied south of the lake and move down there. But the question is, was there any process, within the Minister's review, of changing this from a renovation to a capital project, was there any process available for any community in the Northwest Territories, other than Yellowknife, to submit what they had to offer to attract that to their region or their community? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 243-13(7): Consultation on Correctional Facility Change

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I disown whatever the Member had credited to me for having said it. I did not say those things, that is just what he twisted out of the good words that I provided to him as a Member of this House. But in response to his question, the answer is, there was no process. The decisions that were made by Cabinet were not for the Minister to change unilaterally, so I only enhanced them and

Page 670

carried out the decisions made by Cabinet and FMB last year within the scope and the financial commitments made by this government and this Legislature. Thank you.

MR. SPEAKER:

Oral questions. Mr. Ootes.

Question 244-13(7): Update on Adult Education Initiatives

MR. OOTES:

Thank you, Mr. Speaker. I would like to get on to another subject which is very important to our community, and that is in the area of adult education. I spoke earlier today about this area. We had a meeting with the Minister, Yellowknife MLAs and a group of adult educators who are providing services through various organizations. They are concerned about a number of areas, and I have referred to those. They would like to see the government have a strategic approach to adult education. They want to see the implementation of core funding to properly support the vision in adult education and to make multi-year funding available. Could the Minister provide us with an update, since that meeting, what he and the department have in plans to address these particular issues? Thank you, Mr. Speaker.

MR. SPEAKER:

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

Return To Question 244-13(7): Update on Adult Education Initiatives

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. I would like to commend my colleague for his continued interest in adult basic education and literacy and such. He is right that he and three of his colleagues from Yellowknife, and I did meet with the folks in Yellowknife on May 14th. There was a subsequent meeting on June 25th to follow up to the commitment made. Out of that particular meeting came the plan to coordinate a workshop that is being looked after by the North Slave Career Centre for August, at which time they are going to map out the plan for Yellowknife and where they go from here in terms of partnerships and better coordinating their resources.

On the broader issue of adult basic education there is, in fact, as we speak, a review being done and a plan being pulled together to lay out the priorities and direction and review where we have been, where we are, where we should be going as a government and a territory and how do we work with the colleges and the communities and the non-government organizations. That is being worked on. It is a working group made up of government people as well as people from non-government organizations. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 244-13(7): Update on Adult Education Initiatives

MR. OOTES:

I want to thank the Minister for following up on that action. He is well aware it is an important issue for a lot of people here in Yellowknife. There are a lot of people from the communities and our community, so it directly affects all of us here because they are our community people from throughout the North. My question, Mr. Speaker, is with regard to the multi-year funding which not only applies here but in other areas, not just in the adult education area. I wonder if the Minister can address that for me, in general terms, if the government will look at multi-year funding for specifically the adult education groups that may extend further and is that under discussion? Thank you.

MR. SPEAKER:

Mr. Miltenberger.

Further Return To Question 244-13(7): Update on Adult Education Initiatives

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. The issue of multi-year funding is being reviewed with schools, with all projects that are yearly funded, Healthy Children's Initiative and such, as well as adult basic education. I would like to point out to the Member that the majority or the bulk of funding for adult basic education at this juncture is funnelled through and delivered through the colleges and the learning centres in the communities and the campuses in the larger centres. The issue of non-government organizations is one that is still unresolved, but it is something that there is discussion and review on as well. It is a fundamental issue and how can we provide greater certainty to these organizations so that, in fact, they can plan more than six months or a year at a time. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 244-13(7): Update on Adult Education Initiatives

MR. OOTES:

Thank you, Mr. Speaker. In the course of the Minister initiating action by his officials and to look at this within concert with other organizations, does he have a time frame that he has set for his officials to provide a report or certainly to address this issue? Thank you.

MR. SPEAKER:

Mr. Miltenberger.

Further Return To Question 244-13(7): Update on Adult Education Initiatives

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. In fact, the work that has been done is well along, and I would suggest that within the next two months we should be complete and we should be able to show progress.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Ootes.

Supplementary To Question 244-13(7): Update on Adult Education Initiatives

MR. OOTES:

Thank you, Mr. Speaker. There seems to be an urgent need to address this issue and I appreciate that it will take that time. I guess my concern lies with the next step of the process. Will the Minister be then in a position to make some recommendations for the future budget for the year 2000-2001? No doubt multi-year funding and so forth will have to be taken into consideration, but possible increased funding as well. Can the Minister tell me if he will be able to initiate some action regarding the funding? Thank you.

MR. SPEAKER:

Mr. Miltenberger.

Page 671

Further Return To Question 244-13(7): Update on Adult Education Initiatives

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. Very clearly the department will be paying very careful attention to the recommendations coming out of this work. In those recommendations, along with others in other areas, like the strategic plan in the Minister's forum. We will be attempting to incorporate the recommendations where we can and to the best of our ability for the upcoming budget and business planning process.

MR. SPEAKER:

Oral questions. Mr. Krutko.

Question 245-13(7): Pension Assistance to Former MLAs

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Finance. It is in regard to former Members of this House who are finding themselves in financial difficulties because of their age or medical conditions and also not having the ability to generate an income. I would like to ask the Minister of Finance what is he doing to try and find a workable solution for former Members of this House to be able to retain their pension either by a buyout or being able to assist them because of the financial difficulties that they find themselves in now because of not being employed or not having the financial ability to be able to take care of themselves?

MR. SPEAKER:

Mr. Krutko, I am going to rule the question out of order because it is not within the Minister of Finance's responsibility. The question is ruled out of order. Oral questions. Mrs. Groenewegen.

Question 246-13(7): Rationale for Correctional Centre Decision

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, I would like to direct my questions to the Minister responsible for Corrections with respect to the anticipated and planned new facilities for Yellowknife here. In his comment the Minister has said that there were compelling arguments and these arguments were reviewed. In fairness, I have to say that I do not believe that when we are talking about delivery of programs and services to Northerners that political considerations should overshadow what makes good sense in terms of serving the clients. In this case the inmates and the young offenders, but I am curious when we keep hearing that this was cheaper and there were compelling arguments, were these arguments only put forward and were these prices only put forward? We know that prices put forward by departments on capital projects can be very subjective. When you get out there and you actually go to tender, sometimes it can be substantially different. It sounds like this is the basis. It sounds like it was price, availability of services, it seems like the young offenders facility we are putting that in with the adult facility has helped to shore up the whole viability of the new construction. Are the arguments that came forward only arguments that were presented by senior bureaucrats within the Department of Justice? Thank you.

MR. SPEAKER:

The Minister of Justice, Mr. Kakfwi.

Return To Question 246-13(7): Rationale for Correctional Centre Decision

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. The decision, as I have said earlier, to locate the young offenders facility for young males, for that facility to be located in Yellowknife was made a year ago by this government, by this Cabinet and approved by the Financial Management Board. That, in my view, is a decision that I as a Minister am compelled to support and try to implement. A decision to do major renovations to the tune of \$30

million over seven years to the adult correctional male facility was also made 11 months ago or ten months ago, September of 1998, by Cabinet and FMB. Again, as a Minister, I am compelled to carry out the decisions of Cabinet and the Financial Management Board and this is what I have done.

I have also, as a new Minister of Justice, met with my deputy minister a week after I was assigned this portfolio and the very first thing I asked him were questions about the plans to do major renovations to the adult facility here, the reasons why decisions were made to locate the young female offenders facility in Inuvik and why a young male offenders facility was going to be located in Yellowknife. As a Minister, I took the opportunity to revisit those decisions, why the decisions were made in the first place, when they were made and the reasons on which the Cabinet and the Financial Management Board of the day made their decision.

I took into account that we have also been served notice that we have shrinking financial resources as a government. We have a fire marshal order that must be met within two years. We have a service agreement with Nunavut that must be honoured and complied with. We also have a desire to increase the number of federal inmates, most of whom are aboriginal from our constituencies, who we would like to have the flexibility to take into our correctional facilities. Right now that number is capped at 20, it means of all federal inmates who are sent down south, a maximum of only 20 can be taken by our correctional facility. We are seeking to lift that so that we can, in fact, take more of northern federal inmates back into our correctional facilities.

Those are the reasons in general terms as to why I have chosen as a Minister, not to have the audacity to ask Cabinet to make decisions that could unravel a whole range of other capital projects just so I would have the satisfaction of presenting my arguments. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 246-13(7): Rationale for Correctional Centre Decision

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, I am hearing somewhat of a contradiction here because the

Minister does not believe that he would have the audacity to suggest that a bad decision be changed. The renovation decision, obviously, was a bad decision because now we are going with a capital project. It was an incorrect decision made by a previous government right? But maybe the decision to locate the young offenders facility in Yellowknife instead of Hay River was also a bad decision. How do get input into that? To be honest, I agree with the Minister, the decision was made

Page 672

by the previous government and a previous Minister and I took exception to the fact that a Nunavut Minister was making decisions on such major long reaching, we were going to live with these decisions for years to come. I was not in a good position to appeal to that Minister and, if it had been a bad decision, I had hoped that it could be revisited with all the compelling arguments.

We are hearing about, again, services available, cost, how it complements the other facility, those arguments can be made for other communities as well. I am hearing somewhat of a contradiction here because a bad decision was changed but the location on the young offenders could not be changed. What I am asking the Minister now is, was there, and I know this sounds repetitive as Mr. Morin may have asked this too, but was there an opportunity for anyone outside of Cabinet and the bureaucracy to make those compelling arguments which would have made good sense? Thirty million dollars is a savings, savings to what? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 246-13(7): Rationale for Correctional Centre Decision

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. One of the things I like about the idea of combining the two facilities is that the young offenders not only get the gymnasium, because under the original plan there was no gymnasium made available to the young offenders. The decision to combine the two also will deliver the two projects within a four year period instead of seven and within the financial commitment made by Cabinet and this Legislature. As you know, there was a commitment of about \$28 million made by this

government to be expended over seven years for the adult facility and a little over \$6 million was committed for the construction of the young adult facility. We know now that by combining it can be done within the financial commitments made by this government.

I know that there is no time to ask and consult MLAs and communities about where else we could possibly locate this one facility let alone two facilities. We are under a commitment to construct facilities that are urgently required by our young male offenders. We have an order by the fire marshal and we are compelled to provide good, decent, adequate accommodations and facilities for our adult male offenders who are now housed in substandard, inadequate, overcrowded facilities. Members have taken the time to see for themselves and that it is urgent to do it and I would say that the general public is in support of keeping those facilities here because it makes many things much more possible for the people who are going to be incarcerated in those facilities. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 246-13(7): Rationale for Correctional Centre Decision

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, the Minister says that he likes the location of Yellowknife because they can have a gymnasium. There is no law against building gymnasiums in other communities. As a matter of fact, land costs and construction costs, the cost of building a gymnasium is substantially less in Hay River than it is in Yellowknife. But, leave the adult facility here, okay, and I agree it is urgent now to build this facility. It should have been urgent a long time ago, I have seen that facility, it is bad, I have been there. As a matter of fact, Mr. Speaker, I had a person from Yellowknife call me as an MLA asking me how they could get their relative into the Hay River Correctional Facility because they did not want them going into this one here because it was so bad. They were going to have to travel to Hay River to visit this relative, had no problem with that.

Anyway, my question to the Minister is leave the adult facility here, why cannot the issue of where the young offenders facility be revisited and perhaps look at attaching it with a gymnasium to a minimum security facility as opposed to a medium facility such as you

have here in Yellowknife? I cannot see any reason why this facility has to go in Yellowknife. Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 246-13(7): Rationale for Correctional Centre Decision

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I have asked Cabinet if they were prepared to revisit these decisions and whether or not they were still in support of the original decisions made by Cabinet and FMB last year, and the answer is yes, the Cabinet supports the decisions and the direction that I have taken as a Minister and the decisions that we have made on June 4. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mrs. Groenewegen.

Supplementary To Question 246-13(7): Rationale for Correctional Centre Decision

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. For clarification then, Mr. Speaker, what the Minister is saying is that the Cabinet is willing to revisit the bad decision made about the renovation and replace it with a new capital project but they are not willing to revisit the bad decision made to locate the young offenders facility here in Yellowknife as opposed to Hay River where it was supposed to be. They are not willing to revisit that regardless of any good and compelling arguments, cost-saving services, all those things which would be good for the inmates, good for the children which are going to be in this facility. What they are trying to say and what the Minister is confirming to me is that they are absolutely not interested in hearing any of the arguments, that it is a political decision. It is going in Yellowknife. Is that what the Minister is saying? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 246-13(7): Rationale for Correctional Centre Decision

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. What I am saying is that I have looked at the decisions made, and I feel that I support the Cabinet decisions and the decisions by FMB and the decisions made by this Legislature to go ahead with the construction of these facilities together. We have to do it now.

Page 673

We cannot keep revisiting every decision that is made, because everything else ties to it. For instance, there was a decision made to build a young female offenders facility in Inuvik. Do you want to revisit that too? I have not heard anybody say that yet. Are some things sacrosanct and others are not? Is there a level playing field here?

I come from a small community, much smaller than most of yours, so I take great interest in knowing why decisions are made the way they are, especially in capital projects. But I do know that there is no way that Fort Good Hope could ever rationally ask for a facility like this to be built, because there are no services there, because of the cost, because of the kind of support that inmates would require. In the interests of the inmates themselves, it has to be located in a place like this where it is accessible, where there is access to programs. Also, we need to build these things now. We cannot keep revisiting it. As I said, I have taken the personal liberty as a Minister to review these decisions, and I have taken a lot of time to do it. I have made a point to travel to Lethbridge, to Calgary, to Red Deer to visit facilities, to see what arguments could be made to support those that were being made by my officials. Very reluctantly, in the latter part of May, I conceded that these were good points that were made. The time to revisit decisions is long gone. We are compelled by government to act and to be decisive about it, and that is exactly what we are doing. Thank you.

MR. SPEAKER:

Oral questions. Mr. Erasmus.

Question 247-13(7): Support for Post-Secondary Students

MR. ERASMUS:

Thank you, Mr. Speaker. My questions are for the Minister of Education, Culture and Employment. It is in relation to his statement today about supporting students attending post-secondary programs. Mr.

Speaker, I notice that in the area of increasing the level of support available to each student of student financial assistance dollar wise, the department is working on the details and hopes that changes can be made for the 2000 school year. Mr. Speaker, I was at a conference in the Metis Nation annual assembly of September of last year where the then Minister of Education talked about a master plan that he had which was basically finalized. They just had to draft the legislation, and we would have had more money in the hands of students for this year. I would like to know what has happened. Why has this not come forward, the increases to student financial assistance? Why has that not come forward for this year? Thank you.

MR. SPEAKER:

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

Return To Question 247-13(7): Support for Post-Secondary Students

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. Mr. Speaker, the issue and the proposal that the Member talks about is once again being reviewed and some adjustments being made to it and will be brought back to Cabinet, hopefully by the August Cabinet meeting. It is fundamentally the same master plan that the former Minister of Education, Culture and Employment referred to. It is my hope that at that time, upon Cabinet review in August, we will be able to come to a consensus or an agreement on how to move forward. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 247-13(7): Support for Post-Secondary Students

MR. ERASMUS:

Thank you, Mr. Speaker. I could not quite hear what the Minister said. There was a side conversation here. But I think he said he hopes they come to their senses and approve the plan. Does that mean that legislation will be introduced in the next session if we have one in September? Thank you.

MR. SPEAKER:

Mr. Miltenberger.

Further Return To Question 247-13(7): Support for Post-Secondary Students

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. I know the issue of census was brought up for accurate numbers with Bill 15, looking at the number of seats. However, in regard to Cabinet and our senses, we tend, I have discovered, to have our wits about us just about all the time. The hope is that I will be able to report back to this House in September should we have a session, as the Member indicated, with a clear plan of action finally as to what the steps are going to be in regard to student financial assistance. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 247-13(7): Support for Post-Secondary Students

MR. ERASMUS:

Thank you, Mr. Speaker. Further along in the Minister's statement he indicates that they are going to establish a Web site to improve details on student financial assistance that students need along with a chat page so students can contact each other. Mr. Speaker, when I was a student, we had a very difficult time getting information on other students from the department. We formed a students union, and we could not even get the names of other students in the same city because of privacy regulations and so forth. I understand the Premier had the same problem this year when he went to visit some students. What I am wondering is, if this problem still exists, can the Minister move to put some sort of a line on the forms that the students fill out consenting that their names and addresses can be provided for certain instances like when people are forming students unions and that type of thing? Thank you.

MR. SPEAKER:

Mr. Miltenberger.

Further Return To Question 247-13(7): Support for Post-Secondary Students

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. I would like to commend my colleague for his continued keen interest in education in all its aspects and his attention to the detail. The suggestion he made is a good one that seems to me to have merit. As he is aware, as we speak, people are listening to every word in this House in regard to the debate, the questions and answers and commitments given. I will commit

Page 674

to taking a serious look at that. We have met with the students that the Member referred to in his letter when he made his Member's statement today, and we plan to have a formal response out of that in the next couple of weeks. That will be one issue that I think we hope we can address. I will commit to look at the Member's suggestion. It is a good one. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Erasmus.

Supplementary To Question 247-13(7): Support for Post-Secondary Students

MR. ERASMUS:

Thank you, Mr. Speaker. Another area that the Minister had spoken about was timely access to student information and increased information and communications. One way of doing these types of things, Mr. Speaker, is to have an overall student body of NWT students that could help to disseminate information and provide concerns, that type of thing, to the department. Would the Minister also commit to assisting the students to form an overall NWT students association? This would probably mean monetary as well because students come and go. When they graduate, there is nobody left to carry the ball. Would the Minister also look at this? Thank you.

MR. SPEAKER:

Mr. Miltenberger.

Further Return To Question 247-13(7): Support for Post-Secondary Students

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. Mr. Speaker, once again this is an issue that has come up as a result of discussion with the students. While we are interested in working with the students on a lot of these issues, on this one in particular there are certain things we

can do in regard to allowing and tying the students into our government-wide and community-wide information systems with the Web page and chat pages that I referenced in my statement.

As well, the broader issue that the Member raised about sort of a pan-territorial students union or association is an issue, once again, that I will commit to look at. I will also see if the students themselves have any idea and any sense of how that could possibly work and to see what is possible under the systems that we do have and if we can in fact resource it within existing budgets. Thank you.

MR. SPEAKER:

Oral questions. Mr. Henry.

Question 248-13(7): Correctional Agreement with Nunavut

MR. HENRY:

Thank you, Mr. Speaker. My question is to the Minister of Justice, Mr. Kakfwi, regarding the new facility that is going to be built in Yellowknife. The Minister informed us that the present Yellowknife centre is overcrowded. He also mentioned that we have a contract with Nunavut to provide services to inmates from Nunavut. Also, he talked about repatriation of some of the inmates from federal penitentiaries back to the North. I understand these are lucrative contracts. Could the Minister advise me if the contract with Nunavut is called a service agreement, or is it called another type of agreement? The reason I ask this question, Mr. Speaker, is I have a copy - I believe it is complete - of all the service agreements between the Government of Nunavut and the Government of the Northwest Territories, and it is laid out by department. I do not see a contract to provide inmate housing services to the Government of Nunavut, so could the Minister tell me if the agreement with Nunavut is registered under a different name other than a service agreement? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister of Justice, Mr. Kakfwi.

Return To Question 248-13(7): Correctional Agreement with Nunavut

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I cannot tell you what it is called, but I will provide a copy to the Member so that we will both know not only what it is called but in great detail what is in it. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Henry.

Supplementary To Question 248-13(7): Correctional Agreement with Nunavut

MR. HENRY:

Thank you, Mr. Speaker. I was taking my time. I was not prepared for such a concise answer, but I thank the Minister for that. The present facility, Mr. Speaker, is called the Yellowknife Correctional Centre. I was wondering if the Minister, now that the new facility is going to be built here, would consider changing the name of the new facility to reflect a more territorial institution? Thank you.

MR. SPEAKER:

I am sorry, but I will rule the question out of order. It is a new question. Oral questions. Mr. Krutko.

Question 249-13(7): Impact of Correctional Capital Spending

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, my question is to the Premier. It is in regards to what I feel is happening here where we have all these initiatives in place to try to assist the regions, the communities to take on more responsibility and authorities for their programs and services and also for the people and residents in those communities. Regarding community justice, we have programs there so that they can get more involved in the justice system, a community wellness program to try get people off alcohol and drugs, making them more independent and have a more positive outlook in regards to life and going ahead with being educated, getting jobs and being productive to society. Also, we have the self-government negotiation process which is looking at all aspects including justice, which includes the question about policing and other aspects that they are looking at through the self government negotiation process.

It is important that we realize that one of the most important aspects of any culture is its youth, we have to develop those programs and services around how

to benefit our communities. In my region, the Tl'ooondih Healing Society was established by the Gwich'in, which invested almost \$2 million to build this facility. At the present time, it has been shut down because of lack of funding and resources for programs and services. The same thing applies to the Delta House. All these initiatives were put there on the basis of stimulating communities and regions to take on more responsibilities for programs and services. One of the biggest problems we have in our communities and the

Page 675

regions are the alcohol and drug problems that we see with the youth. What I see here is there is no ambition by this government to basically ensure that there will be adequate resources in place to have those communities become more sustaining and able to deal with their problems but having the resources to do so. The concern I have is we are taking \$30 million, building a capital project. What effect will that have on programs and services that we are committed to in the communities and region?

MR. SPEAKER:

The Premier, Mr. Antoine.

Return To Question 249-13(7): Impact of Correctional Capital Spending

HON. JIM ANTOINE:

Mahsi, Mr. Speaker. Mr. Speaker, as I indicated in return to oral questions to Mrs. Groenewegen today, that the \$30 million is the way this is going to get funded from the services we provide to Nunavut over the next four years, plus we will look at the existing capital that we have within our system, perhaps look at some borrowing initiative. In our Main Estimates this spring, we also allocated for the Yellowknife Correctional Centre the total of \$4 million this year to do design only with anticipated future costs of an additional \$24 million for a total cost of \$28.33 million that we have allocated in the five year capital project for the Yellowknife Correctional Institute. We have also passed, in this Legislative Assembly, during the Main Estimates, the male young offenders facility for Yellowknife for January, 2001, for \$6.332 million. So we have a total of \$34.662 million that this Legislative Assembly has allocated to these two initiatives. We have already, through this House, agreed to spend that amount. This is not going to have any impact on the concerns the honourable Member has in regards

to impacts on other programs and services. Thank you.

MR. SPEAKER:

Thank you. Question period is over. We will take a 15 minute break. I believe there is a signing ceremony happening in the Great Hall.

--Break

MR. SPEAKER:

I will call the House back to order. Item 7, written questions. Mrs. Groenewegen.

ITEM 7: WRITTEN QUESTIONS

Written Question 9-13(7): Update on Education Funding

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. I would like to ask the Minister of Education to please provide an update to the House on how his search for the \$5 million for education is coming.

Written Question 10-13(7): Application of BIP and Manufacturing Directive

To the Minister of Public Works and Services, my question is, is the Business Incentive Policy and Manufacturing Directive applied to contracts funded by GNWT and delivered by a third party?

Written Question 11-13(7): Application of BIP and Manufacturing Directive re: P3 Projects

My question to the Minister of Finance is, how many of the P3 projects identified in the initial approval process are now proceeding? Does the Business Incentive Policy and Manufacturers Directive apply to contractors successful in winning P3 contracts? Thank you.

MR. SPEAKER:

Thank you. Written questions. Item 8, returns to written questions. Item 9, replies to opening address. Item 10, petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Item 14, notices of motion. Mr. Erasmus.

ITEM 14: NOTICES OF MOTION

Motion 24-13(7): Dissolution of the 13th Legislative Assembly

MR. ERASMUS:

Thank you, Mr. Speaker. I give notice that on Friday, July 30th, 1999, I will move the following motion.

Now therefore, I move, seconded by the honourable for Yellowknife Frame Lake, that this Legislative Assembly requests that the Governor-in-Council dissolve the 13th Legislative Assembly by October 21st, 1999, to permit a general election for the 14th Legislative Assembly of the Northwest Territories to be held on December 6th, 1999. Thank you.

--Applause

MR. SPEAKER:

Notices of motion. Item 15, notices of motion for first reading of bills. Item 16, motions. Item 17, first reading of bills. Mr. Miltenberger.

ITEM 17: FIRST READING OF BILLS

Bill 25: An Act to Amend the Workers' Compensation Act

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. I seek unanimous consent to proceed with first reading of Bill 25, An Act to Amend the Workers' Compensation Act.

MR. SPEAKER:

The Member of Thebacha is seeking unanimous consent to deal with Bill 25. Do we have any nays? There are no nays. Mr. Miltenberger, you have unanimous consent.

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nahendeh, that Bill 25, an Act to Amend the Workers' Compensation Act, be read for the first time. Thank you.

MR. SPEAKER:

Thank you. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? Motion is carried. First reading of bills. Item 18, second reading of bills. Mr. Miltenberger.

ITEM 18: SECOND READING OF BILLS

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. I seek consent to proceed with second reading of Bill 25, an Act to Amend the Workers' Compensation Act. Thank you.

Page 676

MR. SPEAKER:

The Member of Thebacha is seeking consent to proceed with the second reading of Bill 25. Do we have any nays? There are no nays. Mr. Miltenberger, you have consent.

Bill 25: An Act to Amend the Workers' Compensation Act

HON. MICHAEL MILTENBERGER:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nahendeh, that Bill 25, An Act to Amend the Workers' Compensation Act, be read for the second time.

Mr. Speaker, this bill amends the Workers' Compensation Act to protect the co-workers of a worker and the employer of a worker from lawsuits in respect of transportation accidents arising out of and during the course of the worker's employment. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the principle of the bill. Question has been called. All those in favour? All those opposed? Motion is carried. Bill 25 has had second reading and, accordingly, the bill stands referred to a committee. Second reading of bills. Mr. Dent.

Bill 22: Access to Information and Protection of Privacy Statutes Amendment Act

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Nunakput, that Bill 22, Access to Information and Protection of Privacy Statutes Amendment Act, be read for the second time.

Mr. Speaker, this bill amends ten statutes to address the paramountcy of the Access to Information and

Protection of Privacy Act over other statutes that contain provisions that are inconsistent or in conflict with it as of December 31, 1999. The bill also amends the Archives Act and the Access to Information and Protection of Privacy Act.

The Access to Information and Protection of Privacy Act is amended to clarify the permitted public access to records in a registry includes access to original records.

The Archives Act is amended to provide a new definition of government body consistent with the definition of public body and the Access to Information and Protection of Privacy Act, to clarify that a notice of the destruction of public records may be general in nature to increase the amount the penalty for an offence under the act, and provide the Commissioner with the regulation-making authority to designate certain bodies as government bodies.

The Consumer Protection Act is amended to ensure that the provisions that limit access and provide for the security of information collected during investigations under the act continue to apply despite the Access to Information and Protection of Privacy Act.

The Disease Registries Act is amended to ensure that the provisions for access to, accountability for, and control of records contained in the reportable disease registry continue to apply despite the Access to Information and Protection of Privacy Act.

The Education Act is amended to ensure that the following prevail despite the Access to Information and Protection of Privacy Act, provisions dealing with conditions of access to and the process for the release of information from a student record, specific and detailed provisions for the correction of students records, provisions dealing with the requirement that disclosures by a student to a school counsellor be kept strictly confidential from the student's parents, teachers, and others, as well as from the student himself or herself where necessary, and provisions setting out the circumstances when a school counsellor's notes or information contained in the notes may be disclosed and requiring that written notice of any disclosure be given to the student where reasonably possible.

The Environmental Rights Act is amended to repeal the access to information provisions contained in Section 3.

The Insurance Act is amended to ensure that the provisions dealing with the access to information about an insured or about a party to an application under the act continues to apply despite the Access to Information and Protection of Privacy Act.

The Labour Standards Act is amended to ensure that the provision dealing with the disclosure of personal information continues to apply despite the Access to Information and Protection of Privacy Act.

The Motor Vehicles Act is amended to ensure that the specific access to information and protection and privacy provisions contained in the act continue to apply despite the Access to Information and Protection of Privacy Act and to allow additional officials or organizations to access limited information from records contained in the Motor Vehicles Registry either with or without a fee, allow public or private agencies to access information from records contained in the Motor Vehicle Registry except personal information for research purposes for a fee, and clarify that the Young Offenders Act and the Young Offenders Act of Canada govern the control and release of reports of convictions in respect of young persons.

The Payroll Tax Act, 1993, is amended to ensure that the conditions of disclosure of information collected pursuant to the act continue to apply despite the Access to Information and Protection of Privacy Act.

The Securities Act is amended to ensure that the specific circumstances of an investigation conducted under the act and the protection of the information collected as a result continue to apply despite the Access to Information and Protection of Privacy Act.

The Tobacco Tax Act is amended to ensure that the conditions of disclosure of information collected pursuant to the act continue to apply despite the Access to Information and Protection of Privacy Act.
Mahsi, Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the principle of the bill. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 22 has had second reading and, accordingly, the bill stands referred to a committee. Second reading of bills, Mr. Dent.

Bill 24: An Act to Amend the Access to Information and Protection of Privacy Act

HON. CHARLES DENT:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nahendeh, that Bill 24, An Act to Amend the Access to Information and Protection of Privacy Act, be read for the second time.

Mr. Speaker, this bill provides for the appointment of a special Information and Privacy Commissioner to act where the Information and Privacy Commissioner has determined that he or she should not act in a particular matter.

MR. SPEAKER:

Thank you. The motion is in order. To the principle of the bill. Question has been called. All those in favour? All those opposed? Motion is carried. Bill 24 has had second reading and, accordingly, the bill stands referred to the committee. Second reading of bills. Item 19, consideration in committee of the whole of bills and other matters. Committee Report 2-13(7). Tabled Document 31-13(7). Bill 15, Bill 19, Bill 20, and Bill 23, with Mrs. Groenewegen in the chair. By the authority given the Speaker by Motion 23-13(7), committee of the whole may sit beyond adjournment until it is prepared to report.

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

CHAIRPERSON (Mrs. Groenewegen):

I call committee of the whole to order. As directed yesterday we are going to be dealing with Committee Report 2-13(7), Report on Bill 15: An Act to Amend the Legislative Assembly and Executive Council Act. I am going to turn the floor now over to the chairman of the Government Operations Committee for his remarks.

MR. ERASMUS:

Thank you, Madam Chairperson. As you are aware, yesterday the Standing Committee on Government Operations released its report on Bill 15, An Act to Amend the Legislative Assembly and Executive Council Act, following public hearings in several communities in the NWT. You all heard what the committee is recommending and you all have a copy of the report so I will not take any time today restating

the committee's findings and the rationale for our recommendations.

However, I just wanted to comment briefly on this difficult and emotional issue. The committee recognizes that we have to find a solution -- the legal constraints require us to proceed within the parameters of the September 1st deadline and the Supreme Court decision. We know we need a solution that is not divisive and does not create an atmosphere that pits rural communities against urban communities.

All Members of the Legislature now have a responsibility to act in a manner that brings Northerners together. We must not further divide our peoples and our communities. We ask all Members to approach the debate on our motions with open minds. Nation building is never an easy process but we know that Members are up to the task.

With that, Madam Chairperson, my colleagues and I are prepared to hear general comments on our report. We will attempt to answer any questions Members may have or provide additional clarification if it is required. At the appropriate time we will introduce motions to effect the recommendations that are proposed in the report. As well, some of the Members might be making general comments. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Are there any general comments on the report? Mr. Ootes.

MR. OOTES:

Thank you, Madam Chairperson. I would like to say a few short words in response to Bill 15. I would like to speak about the history of where we come from and where we are at. Over the last few years efforts to develop the constitution for the Northwest Territories, the new constitution, have been unsuccessful. We spent two and a half years as part of the constitutional working group. A lot of effort was put into that, but unfortunately that process was halted.

Division recently focused on the issue of representation in the Legislature and specifically on the discrepancy between the rural ridings and urban areas. People in the urban areas such as Yellowknife feel the burgeoning population in their ridings is depriving them of their right to equitable representation in the Legislative Assembly. Many

people feel the discrepancy between the size of the urban and rural ridings has become too great and are out of balance. It was therefore felt there must be relative parity or equality of voting power so that each person's vote has similar power. It was further the opinion and feeling that we are legally obligated to ensure everyone's vote is equally represented in this House. The definition of representative government is tied to the electoral system and begins with the right to vote in section 3 in the Canadian Charter of Rights and Freedoms. Section 3 of the Charter states that every citizen of Canada has the right to vote in an election of Members of the House of Commons or of a Legislative Assembly and to be qualified for membership therein.

The Supreme Court of Canada has held that the purpose of the right to vote is effective representation, that every citizen is entitled to be represented in government. Supreme Court has also addressed the conditions of effective representation and Madam Justice McLaughlin considered this question in respect of Saskatchewan constituencies in reference regarding provincial electoral boundaries, Saskatchewan. The first condition was found to be relative parity or equality of voting power and she stated:

"A system which dilutes one citizen's vote unduly as compared with another citizen's vote runs the risk of providing inadequate representation to the citizens whose vote is diluted. The result will be uneven and unfair representation."

Madam Chairperson, this became an issue, as was the issue of effectiveness of the Legislature with only 14 Members. This Legislature subsequently voted to establish an Electoral Boundaries Commission. In the summer and fall of 1998, the boundaries commission conducted a review of electoral ridings through a community consultation process. This commission was composed of two people from rural NWT communities and one Supreme Court justice from Yellowknife. Despite the fact that the commission stated it was within its mandate to recommend an increase in the electoral districts up to a maximum of 25 Members of this House, they resisted this broad approach and decided to recommend minimal changes with the addition of only two seats for Yellowknife. To address the potential changes that may come about in the future because of land claims and self-government and the constitutional process,

the boundaries commission recommended that a further boundaries commission be established when the current process, meaning land claims and self-government processes, have resulted in a resolution to the constitutional framework and structure of government for the Northwest Territories. The justification to proceed with the commission's report were many beyond the various legal precedents that are out there. One such issue is the effective functioning of the Assembly. Quite simply, 14 Members are not enough for an effective Legislature run on a Cabinet consensus parliamentary model. The boundaries commission review noted the unfair disparity between urban and rural ridings. The commission therefore recommended the creation of two additional seats for Yellowknife. Unfortunately, this recommendation was defeated in this Legislative Assembly and a subsequent motion to create only one additional seat in Yellowknife was also defeated.

In turn, the decision to keep the NWT down to 14 ridings was then challenged in court by the Friends of Democracy. In early March, Justice Mark de Weerd declared three of the NWT ridings, Yellowknife South, Yellowknife North, Hay River, to be invalid because the population of these ridings was more than 25 percent higher than the average population of all the ridings. Justice de Weerd upheld the Friends of Democracy position that the under-representation of certain constituencies was contrary to section 3 of the Canadian Charter of Rights and Freedoms. He rejected the position put forth by the Government of the Northwest Territories and supported by the intervenors, that section 3 is subject to section 25 which guarantees aboriginal and treaty rights. Justice de Weerd noted that 20 percent of the voting population of Yellowknife consists of aboriginal people whose right to affective representation in the Legislative Assembly is effected equally with that of the non-aboriginal population by the existing maldistribution of seats in the Assembly.

Justice de Weerd also concluded that removing the basis for the existing gross numerical under-representation in the Assembly of citizens of Yellowknife need not in any really significant way alter the existing balance of political power in the Assembly. Justice de Weerd declared the three ridings of Yellowknife North, Yellowknife South and Hay River invalid but did not tell us how to fix the problem. At first it seemed possible to solve the problem by splitting each of the invalid ridings to create three more seats. But as soon as additional seats are created the average population of each

riding changes and other ridings come into dispute. Once we added two seats to Yellowknife and one to Hay River then the other ridings, one in Yellowknife and one in Inuvik, were under-represented by more than 25 percent so more seats had to be added to solve the problem.

Other configurations to our solution here of adding five seats are possible. The five seat option is the only one that maintains the cultural and geographic integrity of the ridings. An alternate proposal for one more seat in Yellowknife to make only a 15 Member House would, for example, involve redrawing electoral boundaries of a number of existing ridings. Members have not seen fit that this is an acceptable alternative proposal.

To summarize, we had the opportunity for a political solution through the boundaries commission. If the Members were concerned about how many seats Yellowknife had, or the urban/rural balance, then they could have passed that particular motion to add two seats to Yellowknife or alternatively, one seat to Yellowknife. Additionally, we could have gone with 15 seats adding only one seat to Yellowknife, but it requires the redistribution of other ridings.

I would like to comment on the committee consultation process. I did not participate in the community consultation for several reasons, with the major one being that in my opinion the Constitutional Working Group conducted community tours and community consultation two times during the two and a half years that the working group was in existence at a great expense to the territory, but they did very extensive consultation, much of which concerned the representation in this House. Reports of that were prepared and were readily available.

Today we have their report before us along with the bill and their recommendations to consider. When the recommendations and motions are made I will make further comments on those particular motions. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Ootes. General comments on the report? Mr. Antoine.

HON. JIM ANTOINE:

Thank you, Madam Chairperson. To begin, I would like to commend the Members of the Standing Committee on Government Operations for the work

they have done in the preparation of the report on Bill 15. While it seems that the content of the report may not reflect the views of all Members of the committee, it is apparent that a great deal of time and effort has gone into developing the final report.

Madam Chairperson, I would like to comment briefly on the process leading to consideration of the individual recommendations of the committee. It is common practice in this House for Cabinet to abstain from voting on recommendations from the standing committee unless those recommendations are expressed in an amendment to a government-sponsored bill. It is our intention to follow this practice as such, and as a result, Cabinet will only vote on the

Page 679

committee's motion to amend Bill 15 to include a sunset clause. However, given the importance of Bill 15 and the work of the committee, it is important to ensure that the view of Cabinet on each of the individual recommendations is clearly expressed for the record. To this end I will be providing comments on behalf of Cabinet on each of the motions as they arise.

As we move through the report, Members will see that we concur in large part with the recommendations. We do, however, have some different perspectives on the process to implement some of the suggestions put forward by the committee. Mahsi, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Antoine. General comments? Mr. Erasmus.

MR. ERASMUS:

Thank you. Madam Chairperson, I was not going to make general comments other than my introductory remarks. However, since the process of the consultation was brought up, I feel I have to comment as well. This whole process with Bill 15, the court case by the Friends of Democracy which compelled the government to come forward with Bill 15, in order to comply with the 25 percent variance, has created tremendous animosity from the people living in the smaller communities towards the larger communities and, in particular, to the community of Yellowknife, in which I reside. Reflecting back on my campaign four years ago, people commented to me that they were afraid that Yellowknife would become an island by

itself, that with constitutional development and whatnot, Yellowknife would become isolated from the rest of the communities. I saw this process bringing that isolation further. Having been born and raised in the Northwest Territories, not planning on going to retire in Kelowna or someplace like that, I felt it would be disrespectful of myself not to go to the smaller communities to listen to the people. I am glad I went. I know it was not a popular thing to do. There has been a lot of press about how it is a junket and a waste of money, all the rest of that. But to the 30 other communities out there who are not getting MLAs are very, very concerned.

It is not a matter of aboriginal people versus non-aboriginal people. In the communities that we went to that were not receiving more MLAs, particularly in Fort Smith and Fort Simpson, there were a great deal of non-aboriginal people who made presentations as well. They are just as concerned as the aboriginal people. They are very concerned that their voices will no longer be heard, that the scarce resources will not be fairly distributed anymore, that the larger communities will totally dominate this Legislative Assembly and the money, the budget that the Legislative Assembly gets.

I think it has to be stated as well that we heard in those communities that the people from the larger centres from the committee not coming to the smaller communities to hear their concerns was a reflection, a justification of their fear, because it was showing their contempt for the smaller communities in not even bothering to come and listen. That is what we heard out there. As I say, I think for me it was good to go, because just listening to and hearing aboriginal leaders saying that they did not like this -- we get that all the time. People say, well, that is Gary Bohnet, that is George Kurszewski, of course he is going to say that. But when we went there, we heard the ordinary people expressing their fears of what may happen in the future. We heard from aboriginal as well as non-aboriginal people. I think that while there may have been some work done in the past, there was never this situation before that was being discussed. People were more concentrated in their comments on this particular issue.

With that, Madam Chairperson, I must say that I am glad to hear that the Cabinet agrees with a lot of our recommendations, and I hope that they are going to implement them. There has been a great deal of animosity created towards Yellowknife in particular, not only by Bill 15, as I say, but by the Friends of Democracy's court case, to begin with. Living in

Yellowknife, I do not want to be living on an island myself. I certainly hope that we can do the few things that we have suggested to bring some measure of relief, some measure of comfort to the smaller communities, to the people living in the regions out there who are very, very frightened by this bill that we are going to pass in the next little while. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Any further general comments on the report? Mr. Morin.

MR. MORIN:

Thank you, Madam Chairperson. I, too, had the ability and the time to go and visit communities up and down the valley this summer on Bill 15. As Members are well aware, previously I sat in Cabinet for seven years, and you do not have a lot of time when you are a Cabinet Minister to do a lot of other things other than be a Cabinet Minister and take care of those duties. I remember when living back in Fort Resolution, there was always a cautious approach to Yellowknife and what it represented, but I did not realize what people really thought of our capital city until you went and listened to what they had to say. I told a lot of them that I have lived here going on seven years now, and there are a lot of good people in Yellowknife. There are a lot of good people who are very, very interested in the future of the North. They are very, very interested in the development of the North. They are strong supporters of the inherent right of self-government, aboriginal government. There are good people here. I know a lot of them. So never judge a place only on the actions of a handful of them that are very vocal or on the actions of some of their elected representatives. You cannot judge a complete community.

Definitely people out there see very clearly the power shift that is going to happen in this Legislative Assembly. Those that say it is not, have either run out of fingers to count or they do not have the ability to embrace reality. When you have 11 of 19 Members that come from major centres and seven of them from our capital, you do have power. Ultimately everything comes through this House. The final decisions are made in this House. You may not be able to tell that the way the government of the day operates, but ultimately that is the way it should operate. Things should come through this House, and that is where the final decision should be made. People up and down the valley that we have heard, regardless whether they were aboriginal or non-

aboriginal, are very concerned about the power shift. I have heard everyone say they want a political solution. Every last one of those people said the judges overstepped their boundaries, they entered the Legislative Assembly, made decisions - political decisions instead of justice decisions.

The Legislative Assembly Cabinet, after the decision was made,

Page 680

chose not to come up with a solution, but to take the advice and not appeal the decision and bring this bill forward, Bill 15. Everyone, even in that debate, was saying they have to come up with political solutions. Now everyone knows that we are all in the dying days of the 13th Legislative Assembly. Everyone knows that, but we are all still being paid as well. We are all still being paid to make decisions on behalf of the people of the whole Northwest Territories. Nobody wants to see a lame duck government. It is one of the worst things to watch.

People have to remember where they come from. People have the responsibility to stand up for what they believe in. If people believe that there is no hope to hold the Western Territory together, then they should say that. But if Members believe that we should show some leadership and supply the glue that holds the fabric of the new Western Territories together, then you should make bold decisions and move ahead.

As far as our report goes, there will be recommendations and motions. Some are useless without the other ones passing. But we went out, we have heard the people and we are repeating what people have said to us. I know the government of the day has already shown, regardless of a motion passed in this Assembly giving it direction, does not have to listen to that. I hope that it never stoops to the level of not listening to the people because we have, went out there and listened to the people. We agree with what the people are saying. You have to come up with a political solution. It should be a solution that carries, or a process for that solution, that carries the same weight as the legislation you are introducing today. It is your committee of the whole as well, Bill 15.

The two have to be equal because, if they are not, then you end up giving nothing. It is not the time to pass the buck onto the 14th Assembly. It is not the time to shrink from our responsibilities. It is a time to

make decisions and it is a time to offer solutions. So with that, Madam Chairperson, I will be happy to hear other solutions than the ones we brought forward, but we do need a solution. Or the Members of the 13th Assembly and the Members of the Cabinet of this day, they will be the ones that go down in history and said we have given up, we can do nothing. Or we will not do anything, or we will not do anything or we do not have the political will to do something.

We are all elected by our people to come here and vote. We are all elected to do what is right for all of the Northwest Territories, not just a selective few. So hopefully you will all think of that when it comes time to vote and I hope that, in those cases where it does not include spending money, that you will not only allow a free vote of the Cabinet Members, but allow free debate on this issue. On an issue of this importance, no elected Member should be allowed to hide behind their chair. They should all speak so the voters know what you really feel. With that, I look forward to the debate, questions and motions. Mahsi Cho, Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Morin. Further general comments, Mr. Krutko.

MR. KRUTKO:

Thank you Madam Chairperson. I would like to thank the people that did come forth regarding the public presentations that were made in all the different communities and regions. I believe that this is the turning point. I always thought that division was going to be a bright light for the Western Territory. What has happened within the last three months, I think it is a pretty sad time in history that we have to sit here and deal with this decision which was put in front of us with no real options to weasel your way around by using different wording, taking the time to find a workable solution, and also have the ability to sit down with all interested parties and work out a solution to this problem.

I think the biggest losers in all of this is the relationship that has been worked on for 20 years, regarding aboriginal people's desires, expectations and goals of some day being able to deal with their own problems, programs and services and be a positive light in the society of building of a new Northwest Territories. The reason I say that is because I have been involved in the land claims process going on almost 15 years. I started off as a

young man with lots of ambitions and hopes that I would see something positive come out of doing something for the people I represent. To be able to see those people being proud people as they were in the past and having the ability to take on their own healing programs, developing their own human resources by being independent, by owning their own construction companies, building companies and by having an economic base that they can depend on without depending on the government and Yellowknife.

The problem I see here is that we have mechanisms that are in place for this government and the future governments that will have the ability to change the path for aboriginal people. Being in this House almost four years, I have not seen anything that I can say is positive. We have a Northern Accord process which we put as one of the priority items of this governments. We had community development programs for community wellness. I raised a lot of issues, a lot of concerns from my riding. We have some major problems in our aboriginal communities. We have some major health problems with the people in our aboriginal communities. We have some major problems when you have six, seven people in one house. You look at the statistics of where the aboriginal people are versus the non-aboriginal people when it comes to jobs, when it comes to life expectancy, when you come to realizing that we as a government represent the aboriginal people just as much as the non-aboriginal people.

What I see this government doing is that there is a wall up between aboriginal initiatives and the Government of the Northwest Territories. Every time aboriginal people want to take two steps forward, they are pushed back three steps. I mean that in the context of where we have gone and our progress in land claims negotiations, where we are going with self-government negotiations and where we are going with the Northern Accord process that this government is involved in all three aspects. There is no positive process in those areas.

Something that just popped out of the sky one day and gave us the diamond mines. It did not take long for this government to come up with the resources to develop policy in diamonds and also having the resources to develop training programs around that industry. The communities are crying out for developing drug and alcohol programs, such as the ones I have raised in the last four years in regard to the TI'oonidih program. Community initiatives regarding Aklavik, wanted to look at the Knute Lang

Camp. We did it with 24 Members in this House which had the majority of rural Members from the eastern Arctic

Page 681

and also the west. In regard to making any progress on those areas, it was awfully difficult. And we can see in regards to this House on issues, where people stand. We can use issues such as negotiated contracts. Negotiated contracts are more in the context of aboriginal communities and giving them that ability to eventually be competitive. What has happened to negotiated contracts? Basically, it has come to a point now where there are memos being passed around saying that so and so does not support negotiated contracts so there are no more negotiated contracts. That was a positive thing that this government could have continued to do with aboriginal people, but instead they decided to sweep it under the rug.

The same thing comes in regards to the issue of health care. Aboriginal people, in a lot of the smaller communities who have petitioned this House, who have gone on public radio, television, raising the issue of health care in aboriginal communities. Look at where we are today. I feel that after this formation of a 19 seat Assembly, we are going to have some very dire times still ahead for the small rural aboriginal communities. We will be 20 years back to where we were when you had appointed a commission for representing the government of the Northwest Territories from Ottawa. Because it is the same concept, you can take Yellowknife or you can take Ottawa. It is the same mentality that is always going to be there.

Talk about developing programs and services in our communities and our regions and what I see happening with this bill is that when will those issues come to this table to be debated regarding the economic benefits, negotiated contracts and policies, housing initiatives, the rural communities will be outvoted every time on any issues. Easy. They will not have the ability to deal with rural issues and vote on it and have the support behind you to get them through because the resources will all be based in the larger centres.

I, for one, feel the aboriginal community will pull themselves together. Maybe now it is time for aboriginal people to really stand up for themselves and pull away from the central government and develop the regional institutions of government and

fund and get away from the notion that they support a strong central government and start supporting strong regional government because, at the end of the day, that is the only place I see you getting anything. This bill, the way it sits right now, will drive a wedge between those aboriginal communities, the rural communities and the urban centres because of numbers. It is such a drastic change in numbers and the biggest impact that is going to be felt is going to be in the smaller rural communities. I think we have to look at differences between those communities to say, "Where are you going to be after the 14th Assembly?" Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Krutko. General comments. Now perhaps I could ask Mr. Krutko to take the chair.

CHAIRMAN (Mr. Krutko):

Good afternoon. We are dealing with Bill 15. We are under general comments, Committee Report 2-13(7). General comments, Mr. Henry.

MR. HENRY:

Thank you, Mr. Chairman. In the recent hearings on Bill 15, I also chose not to participate or to participate in the writing of the report that is before us today. I would apologize to anyone who is offended by that, by my refusal to participate. However, Mr. Chairman, I still believe that my refusal to participate was a correct decision. I believe that the Standing Committee on Government Operations made a decision to have public hearings and tried to do the impossible. The simple fact is, Mr. Chairman, the Supreme Court of the Northwest Territories made a decision that we as a legally constituted Legislative Assembly of all peoples of the Northwest Territories had to comply with. The government, based on its own legal advice, decided not to appeal that decision. We knew this before the committee started the public hearings into Bill 15. Once the NWT Court of Appeal refused to grant intervenors the leave to appeal, the options available to the committee to effect change to Bill 15 were minimal.

Mr. Chairman, we have no choice but to comply with Justice de Weerd's ruling. I understood that then and I understand it now, so that is why I chose not to participate. I did not see any merit in going to public hearings to receive input and ideas into something that we could not change, and I could not in good conscience spend tax dollars on public hearings

which, as I said, would not influence the outcome of the decision. I sat in this Legislative Assembly for close to four years, and what I hear from the leaders in the communities, what I hear from people in the Northwest Territories, are more concerns about having financial and personnel resources available to take care of their medical needs and their educational needs. That is where I hear community leaders talking about putting resources.

The democratic principles that led Justice de Weerd to make his decision are based on the model of one person, one vote, with all votes being equal in value. This principle is fundamental to democracies throughout the world. These same democratic principles are used to elect leaders in the communities in aboriginal organizations. Mr. Chairman, as an MLA, I have learned to listen to both sides of an argument and make realistic decisions based on the information provided. I will still continue to do that. Mr. Chairman, I believe that I have more faith in residents of the Northwest Territories than some of my colleagues do. I believe that people in the territories understand the democratic principles and the rights that are granted to all citizens with the passage of this bill are also granted to people who are complaining about a power shift. These democratic principles are tried and proven, and they will protect each and every person in the Northwest Territories.

Regarding a political solution, Mr. Chairman, I believe that this House had the opportunity to provide a political solution and chose not to do so. I personally am not interested in receiving any criticism for a court decision doing something that this House was not able to do, and I share a part of that responsibility as should every Member of this Legislative Assembly share the responsibility in the court having to do what this House was not able to do. I will have further comments as the debate continues. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko):

Thank you, Mr. Henry. General comments. Mrs. Groenewegen.

MRS. GROENEWEGEN:

Thank you, Mr. Chairman. Mr. Chairman, like some others have already said, I had not planned on making general comments. I think that there are so many things that a person could take the time to address as contained in this report under general comments that we could be here a

long time. My main concern is that there not be any misunderstanding with respect to where I as a Member stand with regard to some of the events that have taken place and some of the comments that have been made. Someone has suggested here today that as a Member who also did not participate in the public hearings, this could have been viewed as contempt for the smaller communities. I want to say that I did not personally choose to participate in the hearings, I did not want to spend that much time doing that. I have a fairly large riding, and as every Member in this House knows, we spend a lot of time here in Yellowknife and a lot of time away from our constituencies. I felt that my time was best spent talking to my constituents through various forums and getting up to date with them on not only this issue of electoral boundaries but many other issues and I valued that time very much that I was able to spend at home this summer. It was not intended as a reflection.

I have had the opportunity as well to sit on the Constitutional Working Group for the last several years, and to be perfectly honest, it has been kind of frustrating. We have gone out to community consultation through that process as well and have had quite limited response from people on the issues of representation. It was my prediction that we would have limited input through this round of community consultation as well, and I think for the most part that has proved to be the case. However, that does not diminish that the people, the other members of Government Operations who went out certainly had the right to do that, and the people who attended made their comments. Opinions are good. Input is wonderful. I just feel that when people say that the voices of those people are not heard, then I have to wonder if their Members are not speaking up for them in this Legislature. I feel very strongly that it is my job as much as I can to make sure the voices of my constituents are heard through my position here in the Legislative Assembly.

Through the CWG and now through this process, people may have their own opinions, but I have tried to be as creative and as accommodating as possible when it comes to ideas and solutions. I look back now to the report of the Electoral Boundaries Commission that came to this House. I remember that day very distinctly. I was late. I came in just as the vote was being made, I was just in time to make comments. I had been caught up in weather on the drive back. Many times I have reflected back to that

day. I voted against giving Yellowknife any additional seats, knowing full well that there was a threat of a court challenge. I was doing so in response to the community leaders who had spoken out in Hay River against changing the status quo of 14, and if I could turn back the clock now, I would certainly have voted differently and would have tried to address the size of the ridings in Yellowknife on our own, through our own political remedy, as opposed to going to the courts. If that had happened and if Yellowknife residents had been satisfied, there would have been no Friends of Democracy and there would have been no appeal to the courts. We would not be facing two MLAs in Hay River, which is another thing for the record. Although the community of Hay River, if Bill 15 passes, will be receiving two MLAs, I want to say that I have not heard one single voice of support for that concept in Hay River. Not one person has come up to me and said, Jane, I think we need two MLAs, I am really happy that Bill 15 is going to proceed and we are going to have them. If there could have been a way to address the situation in Yellowknife without implicating Hay River and Inuvik, I think it would have been all the better, but now we are bound by these numbers and this percentage. As I said, I now dearly wish that we had dealt with this ourselves before we had to be forced into a remedy.

The 14 Member proposal and the 15 Member proposal put forward by some Members were not acceptable to Hay River either, because in re-jigging the ridings, it looked like the only way we could do that would have been to take quite a substantial number of constituents out of our riding and put them into an adjoining riding, and we could not do that either, so it came down to an issue of the lesser of two evils. I have to support the 19 Member model, the 19 Member proposal as proposed in Bill 15. This is the way we are going to address it for now. As I said, I have been trying to think of ways that we could diminish the impact of the fears out there about the shift in the balance of power. I think that some of the comments that are being made that are scaring people are worthy of some kind of response or rebuttal, because I think that some of the projections, or anticipations, are rather wildly overestimated. For example, the shift in this Legislature between aboriginal and non-aboriginal Members makes the assumption that none of the new five Members will be aboriginal, and I think that is an erroneous assumption. I think that very likely from Hay River and from Inuvik and probably Yellowknife as well, with the large aboriginal constituency here, you would see

aboriginal Members included in that increased number.

I also think it is erroneous to assume that urban communities and Members representing urban communities are necessarily going to band together for any kind of efforts to use that power base and those numbers to in any way negatively affect the small communities. I know that in the past there has been a majority in the House of Members from larger centres. That is the way the population pans out and that is the way it works in democracy. I have never been a part of any conversation or heard of any effort since I have been in this Assembly in the last four years where larger communities wanted to get together and do anything that would prohibit development in the smaller communities. I do not think that is a natural alliance. I do not think that it is there. Certainly your larger regional centres like Fort Simpson, Fort Smith, Hay River and Inuvik, have some things in common as larger communities, but I do not think there is as much to fear about urban communities versus rural communities. I do not see that actually coming to something that people should be worried about.

As far as the balance now between aboriginal and non-aboriginal Members in the Legislature, I think there are two ridings in the North which are very close and very much on the verge of being over that 25 percent average as well. I think that sometime in the near future we may see an expansion of the Legislature again to accommodate those which are predominantly rural and aboriginal ridings. I think there is much to be lost when we make remarks and take positions that are counter to pursuing unity and working together in the west. I agree with Mr. Krutko's comments from earlier that I think we all had high hopes for the west, and I think we have a responsibility as leaders to not say and do things which will tear down the prospects of that working together in that relationship in the future. For that reason, I will be looking forward to speaking to the recommendations that the committee has brought forward and, in any way possible, being as flexible and as accommodating as possible to make sure that people's concerns are alleviated. Thank you, Mr. Chairman.

Page 683

CHAIRMAN (Mr. Krutko):

Thank you, Mrs. Groenewegen. General comments. Mr. Rabesca.

MR. RABESCA:

Thank you, Mr. Chairman. I too, I guess, have had the chance to make a tour at the community levels. We have heard a lot of very interesting subjects. I certainly would like to appeal to my colleagues to give good, long thought to this recommendation that we are making hoping that they will be able to support us. Certainly there is great animosity within the communities we have visited, including my home community. Making a Member's statement the other day, I made an illusion as to what might happen in the future if the bill passes on as it is, and that it was going to be a dark day in the history of the Northwest Territories. Making some illusion to my Member's statement today too, regarding the same issue surrounding it, my intention was to give a compliment to the Government of Canada, the federal government, and the territorial government as well. I certainly believe that both governments are obligated to work with aboriginal people that they serve. Certainly, they do it well to a certain extent. In most cases, I guess, aboriginal people do not agree with them. However, overall they are well in line with what they are mandated to do.

The reason why I made my Member's statement today regarding both the territorial government and federal government living up to their obligations and then believing that most of the other smaller communities and including specifically the city of Yellowknife, I guess, are not in tune or in line to work with the rest of the government, although they are a municipal government. I assume they are not totally interested in aboriginal issues or supporting it in any way. I feel that they are out there just more or less for power grabs or giving more power to the city of Yellowknife.

In our travels into the communities, I heard one time or another that some Member said that maybe the extra seats that the city of Yellowknife are acquiring through the courts, are not justifiable. It should not be. They felt that maybe the extra power should be given to the City of Yellowknife as to the aldermen, not to the extra Member, to the City of Yellowknife. I kind of believe it too, but I guess after the court ruling I guess it is not going to be likely to happen. I, along with the other aboriginal descent as I promise, I support the aboriginal intervenors such as the Metis Nation and the Dene Nation because they are my own current organization that I belong to. I certainly had to support them. That is the reason why I have defended them to a certain extent and then I came along with the committee to listen to their views out

into the communities. After saying that, knowing all the comments and the pressures that we have been getting from here, and what was expressed here in this House, we certainly do not really come from our own personal point of view. It certainly has come from the people that we do represent. I, for one, do not feel that I am just out here just to represent my own personal feelings. Certainly, on behalf of the aboriginal groups out there and the organization, the last four years that I have sat here, and I have voted, freely the way I wanted, in some cases I must have voted against the government. In some cases I did not side with my colleagues as well.

However, in consultation with my community leaders such as the community chiefs and the community municipal governments, with proper consultation with those people, that is where I did my voting so that, like I said, the decision that I come to or make some conclusion to, is not simply coming from myself but actually right from the community. Like I said, I do not really speak only on my personal beliefs, but I more or less rely solely on the community representations that I have been assigned to. With that, like I said earlier on, I was just hoping that since the aboriginal organization tried their best to appeal the structure of this whole Electoral Boundaries Commissions Report and mandate, but since that is not going to be likely, so I guess with the tour that we have made, we came out with a few recommendations and then the hope that since most of the territorial government seems to be agreeing with us, and I hope that most of our colleagues will be able to accept the recommendation as we present it to you. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko):

Thank you, Mr. Rabesca. Are there any other general comments? Mr. Erasmus, can you proceed with your motions.

Committee Motion: 34-13(7): Development of a Workplan For a Political Accord With Aboriginal Governments

MR. ERASMUS:

Thank you, Mr. Chairman. I move that this committee recommends that the Government of the Northwest Territories develop a work plan with clear timelines of the negotiation of a political accord with NWT aboriginal governments for review by the Standing Committee on Government Operations by September 1st, 1999.

CHAIRPERSON (Mrs. Groenewegen):

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

MR. ERASMUS:

Thank you, Madam Chairperson. The government and the aboriginal governments had, some time ago, wanted to develop a political accord along with the federal government. We actually passed a motion in this House that this should occur. It was supposed to have been completed by now, but for one reason or another, one of them being, of course, that the federal government said that they did not want to be involved. This has not occurred to date. I was supposed to be involved in negotiating, helping to put together a political accord, but I have come to realize that there is very little sense for me to be involved in this because there does not seem to be the will, on the other side of the table, other side of the hall here, to complete this. There has been very little support provided to the Aboriginal Summit to get this done. We have only had one meeting and really, the government has kind of taken off on their own, so they may as well continue on their own.

It is imperative that a protocol be developed and for that reason, we are making this motion. The protocol is needed to go along with Bill 15, although, of course, it is not a companion document, but it should go almost hand in hand so that there is some method for the aboriginal governments to work with this government on policies and various issues like that. But the problem is that there does not seem to be a clear plan or a clear timeline in which to achieve this political accord. If there is, we have not been provided with it. What we are asking now is that the government actually develop a work plan with clear timelines and to provide us with that by September 1st so that we can see what is being done and what is being proposed to be done.

Page 684

Thank you.

CHAIRPERSON (Mrs. Groenewegen):

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

MR. OOTES:

Thank you, Madam Chairperson. I am in support of this motion. We did pass a motion in this House, as has been referenced earlier, that we work towards a

political accord with the aboriginal groups of the Northwest Territories. I must comment, however, that we have been in several meetings, and I have not seen a lot of progress. I am not sure that it is the total fault of this government that, that is the case.

Certainly, I think there is a desire, from what I have seen on our government, to proceed with the political accord and I believe that it does need some priority. In the scheme of things of some of some of the recommendations coming forward, this is one that I can support. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Ootes. Mr. Antoine.

HON. JIM ANTOINE:

Mahsi, Madam Chairperson. Madam Chairperson, as indicated, I will be making remarks on every one of the recommendations that the committee is putting forward. As a result, Madam Chairperson, there has been a great deal of discussion, over the past several years, concerning the political accord between the Government of the Northwest Territories and the aboriginal governments. While the Members of this Assembly and Cabinet have consistently supported the negotiations of a political accord, previous negotiations have not met with success.

I am very familiar with this issue because early in my tenure as Minister of Aboriginal Affairs, I led negotiations on behalf of this government with members of the Aboriginal Summit on a statement of political relations. While several representatives of aboriginal governments initialled a draft agreement, we could never reach a final agreement that met the interests of all parties. More recently, Mr. Erasmus, Mr. Dent, and myself were tasked by Caucus to make another attempt at an accord with the Aboriginal Summit but still with no success. For this reason, the government has invested its time and resources, over the past several months, to build support for an intergovernmental forum. Such a forum would bring together representatives of the public, aboriginal governments to discuss issues of common interest. We are beginning to see support for this process built. In the spring, Dene chiefs passed a motion forming an intergovernment chiefs committee to pursue discussions on an intergovernment forum. In May, we met with the Dene chiefs in Yellowknife to discuss a vision for the Northwest Territories, as set out in the agenda for the new North.

We also discussed, in detail, the need for an intergovernmental process where all governments could sit together to discuss these issues. At the recent Dene National Assembly in Jean Marie River, we were encouraged to see the chiefs adopt another motion reaffirming their commitment to an intergovernmental process. We have met with representatives of other aboriginal governments over the past several months and are encouraged by the support that seems to exist for such a process. The Minister of Indian Affairs and Northern Development has also been a strong proponent of such a process. It is through this multilateral process that the government would prefer to pursue the negotiations of a political accord and other arrangements that better clarify the ongoing relationships between public and aboriginal governments in the Northwest Territories. On that basis, the government is prepared to provide a work plan setting out our views as one participant in the intergovernmental process concerning the negotiations of a political accord. Mahsi, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Antoine. Just before we have any more comments on the motion -- I should have done this before -- I would like to recognize Sue Cooper, who is with the Nunavut Legislative Assembly. She is the law clerk there, and she has joined us today at the table with her colleague, our law clerk, Ms. MacPherson. Welcome to the Assembly, Ms. Cooper.

--Applause

To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Mr. Erasmus.

MR. ERASMUS:

Thank you, Madam Chairperson. The committee had made a recommendation on page 15, section 11.6, in our report that Bill 15 be amended to provide for a sunset clause that would see the 19 Member Legislature repealed upon dissolution of the 14th Assembly. Rather than having a motion at this time to effect this recommendation, we will wait until the clause by clause consideration of Bill 15, at which time a motion to amend the bill to achieve this will be moved. I mention this simply to clarify the process that we intend to follow. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Would you please proceed.

Committee Motion 35-13(7): Supreme Court Legal Preference to Clarify Sections of the Constitution and Charter of Rights

MR. ERASMUS:

Thank you, Madam Chairperson. I move that this committee recommends that the Government of the Northwest Territories urge the federal government to commence a legal reference without delay before the Supreme Court of Canada;

And further, that the court be requested to clarify the interpretation of section 25 of the Canadian Charter of Rights and Freedoms and section 35 of the Constitution Act, 1982, in relation to other provisions of the Charter and the Constitution of Canada, and in particular, section 3 of the Charter;

And furthermore that the Government of the Northwest Territories provide the Standing Committee on Government Operations with a proposed question to be provided to the federal government by October 1, 1999.

CHAIRPERSON (Mrs. Groenewegen):

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

MR. ERASMUS:

Thank you. Madam Chairperson, in the recent court case brought forward by the Friends of Democracy, Justice de Weerdts made a comment -- I do not have it here -- which inferred that in dealing with or defining Charter rights, they

Page 685

did not have to be read in concert with section 25 of the Canadian Charter and section 35 of the Constitution Act. This is simply not the proper way to look at the Charter and the Constitution. While this might not be what he meant, it may be that he meant that in this instance he had not been supplied with enough information or evidence that this should apply. It may be left to interpretation that the Charter sections, like the right to vote and those types of things, are not to be read together with section 25 and section 35. We feel that it is very important for this to be clarified, and since the government did not appeal Justice de Weerdts's decision, they have no right to appeal to the Supreme Court in order to clarify this

particular area. They would have to ask for a legal reference, and the only way it can be done is through the federal government. This government would have to ask the federal government to do it. This is what this is trying to do. This is trying to clarify this area of the law in the Northwest Territories and probably all over Canada, because I do not know if there have been any Supreme Court of Canada decisions exactly on this point.

Madam Chairperson, this is the intent of this motion. This was one of the large fears or a great deal of the impetus, I think, in appealing Justice de Weerdts's decision as well by the Aboriginal Summit members who did. I think that people are afraid that this particular court case will sit there, and whether or not this is what Justice de Weerdts intended, it is open for interpretation the way I explained. We would like to have that clarified. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

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

MR. OOTES:

Thank you, Madam Chairperson. The Government of the Northwest Territories decided not to appeal Justice de Weerdts's decision, and it was based on recommendations by its advice received from the Department of Justice. I can support this motion because I believe that clarity to this situation would be of value for all concerned down the road. The motion is a situation where it urges the federal government to commence a legal reference. Based on that, I do want to point out that this government had advice that it should not appeal to the court with de Weerdts's decision. There is some concern as to the success of it. However, as I said, I will support this particular motion. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

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

MR. HENRY:

Thank you, Madam Chairperson. Madam Chairperson, the Chairman of Government Operations in his opening comments, I believe, stated that for most of the motions there would not be a cost involved. I believe that the Government of the Northwest Territories has spent a considerable number of dollars on court cases, especially over this particular issue. If the mover of the motion could clarify in his closing comments on this particular

motion that indeed he is not intending the Government of the Northwest Territories to be spending money on this, I certainly could find the will to support this motion, and I do believe it would add clarity to the issue. If there is a stone unturned to ensure that democratic rights and each person's rights are made known to them, I certainly have no problem in encouraging that. If the mover of the motion could clarify that the expenditures on behalf of this motion would be federally incurred, I would appreciate that. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Henry. To the motion. Mr. Antoine.

HON. JIM ANTOINE:

Thank you, Madam Chairperson. Madam Chairperson, this recommendation requests the government to pursue the issue of a legal reference to the Supreme Court of Canada on a matter that has already been decided by a lower court. Frankly, given the complex legal issues involved in putting such a reference before the Supreme Court of Canada, we have only had the opportunity to do a cursory review of the recommendations in the short time available. Our earlier reviews raise more questions than answers. Madam Chairperson, if this motion passes, we will provide a more formal and detailed response to Members of this House after we have the opportunity to do a thorough legal review.

While I have the opportunity, I would note for the record that this government has already invested a great deal of time and financial resources on this matter. In addition to our own costs, we have agreed to contribute funding to both aboriginal intervenors and the Friends of Democracy from both the original hearing and the appeal. We did so in the belief that both sides of this debate deserve a full and fair hearing. Mahsi.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Antoine. To the motion. Mr. Erasmus.

MR. ERASMUS:

Thank you, Madam Chairperson. I am not really sure what the Premier said. I heard the part about spending a lot of money. I guess they are going to get more legal advice. Anyway, I hope it is not equivalent to the legal advice that said that the

Summit members would be able to get leave to appeal, because that was dead wrong.

On the spending of money, I do not imagine that this government would not be able to spend any money, because they would have to make legal presentations if this was going to proceed. I suspect they would anyway because they have a fiduciary obligation to protect the interests of aboriginal people, and they could not leave such a ruling that is so -- I cannot find the right word. It is not really clear, I guess. It is not clearly worded. It is an obligation on this government to clarify this issue because we do have a fiduciary obligation to protect the interests of aboriginal people. We cannot allow future lower courts to follow an improper interpretation of Justice de Weerd's comments, if it is improper. It is very easy to take it that way, that those sections should not be read together. I cannot say that voting in favour of this motion would not incur money, because I do not see how they could do it unless they urge the federal government to do it, but then they did not make any presentation themselves. I would expect that we would make a presentation but it would likely cost money. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Mr. Morin.

MR. MORIN:

Thank you, Madam Chairperson. Indeed this motion would cost the territorial government dollars for sure, but it is money well invested. The aboriginal governments cannot do this. Only this government can do this and with the federal government. If you believe in aboriginal people's rights, then

Page 686

there should be no question that you would do that. It is publicly stated that this government supports the inherent right of self-government, that it supports aboriginal governments. Well, it should appeal to the federal government to take this issue and this question to court on behalf of the aboriginal people. There is too much of a cloud being left out there hanging over aboriginal people's heads because of a court decision made in the Northwest Territories. To clarify the issue, to be responsible as a government, you should go to the federal government. I have no doubt in my mind there will be a thousand reasons from the Justice department why you should not. Then it boils down to making a political decision

again, your decision. It is a political decision. That is what you are, is politicians. You have to make a decision on whether you are going to represent all the people or just accept it and represent a few.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Morin. I have Mr. Krutko to the motion.

MR. KRUTKO:

I, too, support the motion on the principle that, because of the de Weerdts decision, basically there is a real cloud over exactly what the clarification or definition is of the section 35 rights for a lot of the land claim agreements and self-government agreements in regard to section 25 and how aboriginal people have special rights in regard to the Constitution of Canada. Also through those rights flow the treaties which presently exist in the Northwest Territories. We have land claim agreements which have been basically settled under section 35. Also, the self-government agreements, once they are concluded, will have to be protected somehow through the Constitution. I think if you only read it in the context of the Charter of Rights, there is definitely a grey area that is going to be there because there will be aboriginal institutions established through land claim agreements and there will be institutions established through the self-government agreements. There will be the question about delivering programs and services and whose rights override other people's rights.

I think if you use the precedent that has been set in this court case, there is no real protection there for aboriginal people if this is the reading of the law as it stands right now. I strongly encourage the government to move on this as soon as possible and get the clarity that everybody wants in the North, to see exactly what is meant by aboriginal treaty rights and also what protection aboriginal people have with the land claim agreements and self-government agreements they are going to negotiate. I, for one, feel that it is imperative that this not only needs clarity for the Northwest Territories but for other places in Canada, including the Yukon and the provinces, where there are now aboriginal claims being settled. I think this could have a long-term implication if it is not clarified as soon as possible. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Krutko. To the Motion. Question has been called. All those in favour of the motion? All

those opposed? Thank you. The motion is carried.
Mr. Krutko.

Committee Motion 36-13(7): Regional Representation on Cabinet (2-2-2 Proposal)

MR. KRUTKO:

I move that this committee recommends that the government introduce legislation to amend the Legislative Assembly and Executive Council Act to provide that the Executive Council of the Northwest Territories consists of six members;

And further, that the amendment to the Legislative Assembly and Executive Council Act require that there be regional representation on Cabinet as follows:

- two Cabinet Members selected from the constituencies of Nunakput, Inuvik West, Inuvik East, Mackenzie Delta, Sahtu, North Slave;
- two Cabinet Members selected from the constituencies of Nahendeh, Deh Cho, Hay River North, Hay River South, Thebacha, Tu Nedhe and,
- two Cabinet Members selected from the constituency of Yellowknife;

and furthermore, that the government introduce the amendments to the Legislative Assembly Executive Council Act to implement regional representation on Cabinet and to specify the size of Cabinet for passage before dissolution of the 13th Legislative Assembly.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. The motion is in order. To the motion.
Mr. Ootes.

MR. OOTES:

Thank you, Madam Chairperson. In principle I am not against the idea of establishing a recommendation to have the so-called 2-2-2 for our Executive Council. There is some concern in my mind that there may be a desire to have a Cabinet of larger size, and if this was a recommendation, even a strongly worded recommendation, then I could support it, but I cannot support a recommendation that would put this into legislation. I feel that we should not bind a future Legislature as to how it should govern itself or how it should be made up. As I say, I could accept this if this was a recommendation and I would support it, but because the motion is to change the Legislative

Assembly and Executive Council Act, for that reason I cannot support the motion. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

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

HON. JIM ANTOINE:

Thank you, Madam Chairperson. Madam Chairperson, the committee proposes the implementation of legislative amendments to provide for regional representation on Cabinet. Cabinet concurs with the review of the committee that the regional representation based on the 2-2-2 model, set out in the committee report allows for a good balance between all regions of the Northwest Territories. Such a model would ensure that all regions have an adequate voice in decision-making at the Cabinet level. Traditionally, decisions concerning the size, composition and selection of Cabinet have fallen within the purview of incoming Members of the Legislative Assembly. In most jurisdictions, reference to the Premier and the Executive Council are not even set out in legislation. In our system, Madam Chairperson, this type of representation has always been established by convention.

Prior to division, this Legislative Assembly established a convention that ensured four Ministers would be elected from

Page 687

amongst the 14 Members of the western caucus and four Ministers from the ten Members of Nunavut caucus. This was a convention established and honoured through several Assemblies and the terms of office of many different Members. During the clause by clause review of this Bill in committee, it was suggested to me that the 2-2-2 model could not be established in this manner because no such convention exists at this time. Another argument put forward was that under the proposed electoral boundaries, one region could essentially control the Cabinet selection process. Cabinet has considered these arguments and those set out in the committee's report. In our view, the convention must begin somewhere, and a good place to start is the beginning of the 14th Assembly.

With respect to the argument that one region can control the selection process, this is of course possible. I would note that it was also possible during previous Assemblies for the western caucus to

dominate the Cabinet selection process based purely on numbers. This never occurred. Madam Chairperson, whether this was the result of goodwill of Members or because in our system, Members are elected as individuals with individual political views, is a question open to debate. In truth, there was probably a little of both. We believe that future Members of the Legislative Assembly would continue to ensure that regional interests are represented in Cabinet. Members of Cabinet fully endorse the 2-2-2 model proposed by the committee and are of the view that such a model will be adopted as the convention for the Legislative Assembly of the Northwest Territories. Madam Chairperson, we believe that a political convention based on the 2-2-2 model of regional representation could be achieved through a formal motion of this House recommending this proposal to the 14th Assembly. This motion and the report of the Standing Committee could be provided to Members of the 14th Assembly in the transition report traditionally prepared for incoming Members. Madam Chairperson, the committee also proposed to enshrine the size of the Cabinet at six Members. We feel that this is a determination that incoming Members of the 14th Assembly should make. Mahsi Cho.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Antoine. To the motion. Mr. Krutko and then Mr. Henry. Mr. Krutko.

MR. KRUTKO:

Maybe go to Mr. Henry. I will do the closing comments.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Mr. Henry.

MR. HENRY:

Thank you, Madam Chairperson and thank you, Mr. Krutko. Madam Chairperson, I will not be able to support this motion. As I look across the room presently, I see Mr. Kakfwi, who is from Sahtu, Mr. Steen from Nunakput, and Mr. Roland from Inuvik. I believe these gentlemen have represented their constituents and all people of the Northwest Territories fairly and equally. I think under the present situation it would be wrong to not have these people in the government just because three of them happen to be from an area where it says by legislation we can only have two. I think they have represented the

people of the Northwest Territories fairly and equally. From that perspective, I would be more interested in the Members of this Legislature electing the best people they can, the fairest people they can to represent all people in the Northwest Territories. From that perspective, I understand where some of the committee Members are coming from. It is a lot more difficult to change legislation than it is to convention, but in the situation where there may be a requirement for an increase to cabinet, I think it ties the hands of future governments to have some flexibility in this regard. So from that perspective, I will not be supporting the motion. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Mr. Morin.

MR. MORIN:

Thank you, Madam Chairperson. It was interesting to listen to the father of open government, public government, open decision-making, bring it to the public forum, Mr. Ootes, talk about keeping the decision-making behind closed doors. That is what convention is, when you talk about convention. Everybody here fully knows what happens when the 14th Legislative Assembly comes back in. They are all going to gather up in the caucus room and make the deal up there. The public is not going to hear the debate or anything. They are going to come out, and we might have an eight Member Cabinet, a seven Member Cabinet, or a six Member Cabinet. No one knows, and not one person of the public will be able to hear any of that debate because it will be carried out in the caucus room.

It is interesting to sit here and listen to the government pass the buck to the next government. We agree, good principle, but we will not make a decision. We do not want to bind into the next Legislative Assembly. Well, why do we not all go home now? What are you drawing the pay cheques for? You have legislation on the floor right now that is going to bind the next Legislative Assembly. Not much substance, but an interesting comment. The reason our committee made this motion is to ensure that there is a public process. This only binds the 14th Assembly until they choose to change it. They can change it. They can come right into this Legislative Assembly and put a motion on the floor and say, no, we change our minds, the 13th Assembly, Members of the 13th Assembly were not quite in their right minds when they were thinking of

this. They can do that. There is going to be 19 of them, five more of them. The majority of them will come from Yellowknife, but that will happen in the public.

Passing the buck to the 14th Assembly is totally unacceptable. Either you agree with it or you do not. It is very straightforward. You agree with the principle of regional representation into Cabinet, then put it in legislation. If you do not, then do not put the legislation forward. You are the government. You are the one that is going to be answerable to the people. This is a fair split. Six from the north, six from the south, and seven from Yellowknife. Nobody can have a constitutional challenge on that one. What it does, it is part of a political solution. Your government has talked about political solutions. Was that just talk? That is what I am starting to think, just plain talk, no substance to back it up. Was anybody really interested in a political solution?

I have seen Mr. Henry, I have seen Mr. Ootes stand up in this House and say we want a political solution. They did not even have the decency to go listen to the people to get a political solution. Then they sit there and say, well, committee report is this and this, it costs too much money. But at least we went out and looked for a political solution and were willing to take the political lumps that we will take when the voters go to the polls. Whether they are going to vote for you or not, at least you stand

Page 688

up and stand for what you represent. Everybody knew in this Assembly how much the previous convention was manipulated, how much it was. Everybody knows that. That is just a convention.

This committee motion would impel them to do something at least. It would make them do it in public. You are going to have 19 Members. The bigger communities are going to control this Assembly, control the Caucus. Is that what you want to come back to, without some legislation in there to protect our regions, to protect our smaller communities, or are we willing to sell those guys out too?

By moving ahead without coming ahead without coming up with political solutions, this government and this Legislative Assembly is not going to be known for the good things it has done. It is going to be known as a government in the Legislative Assembly that has torn the Western Territories apart.

So I urge you to quit sitting on your hands, quit hiding behind your seats and at least get out there and do something so that we can have a public process. Everybody talks about it, but no one wants to do it. That is the bottom line. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Morin. To the motion. I believe Mr. Krutko would like to make closing remarks before we vote. Anyone else to the motion? Mr. Erasmus.

MR. ERASMUS:

Thank you, Madam Chairperson. For the last little while we have been hearing our Finance Minister, our Premier, and the Minister of RWED going around telling people that we are going to be in a deficit here pretty soon if we do not come up with some kind of a resource revenue-sharing agreement which involves getting all the aboriginal governments on side. It seems to me that if I was on the other side of this hall and I wanted to try to get all the aboriginal governments on side on such an important issue that I would be trying to provide those aboriginal governments and the smaller communities that they represent, that I would be trying to provide them with some comfort. What kind of comfort is that being provided by this government when all they are going to do is say well, we will recommend to the next Legislative Assembly that they start another convention which does not have to be followed, does not have to be started. Even if there is a convention, convention does not have to be followed. Convention is nothing. Practice, that is all it is. People have gone to the courts to try to have convention followed, and they have lost. Convention is really nothing, just another word that means nothing in the courts. It does not have to be followed. And as been indicated before, it can be very simply discussed in the backrooms, come back out here, and there may not be regional representation on Cabinet. That is what people are afraid of.

That is what people in every community we went to, told us they are afraid. What they are saying is that people from the south, every community, I am saying every community we went to said this. People come from the south, serve in the Legislative Assembly, go back to the south, not all of them, go back south and retire and they do not have to live with their decisions. Every community we went to including Yellowknife, Hay River, and Inuvik by non-aboriginal people as well. I think it is imperative on this government to review their decision not to pass legislation. Sure, it is

going to bind another Legislative Assembly, but for how long? How long will it bind them? All it will bind them for is for the first election.

Two days after the Cabinet is selected, they could come back with another bill, take out an amendment. If they think that Cabinet is too small, simply change it. Select another Cabinet Member. But to begin with, it would ensure regional representation at least. This is not only for the smaller communities. There have been times when Yellowknife has not had one Member on Cabinet. It is conceivable that it can happen again even if there are seven Members. So it works both ways. I think there has only been once when there were two Cabinet Members. This would guarantee two seats for Yellowknife as well.

Binding another Legislative Assembly, when we came here we had a bill, an act, I think it was called the Deficit Elimination Act that was passed by the previous Assembly. We are talking about convention, precedent. The precedent is there.

We all learned recently about perception. There is a great perception here, there is a great perception, that the regions are going to get shafted. There will be another perception that this government is failing to act to try to protect the regions. Whether it is a fair perception or not, that will be there. I know that, particularly, when we are trying to come up with a Northern Accord, we have to give some measure of comfort to the communities, to the regions. I do not think that some recommendation from this government to the next incoming one is much of a comfort to those people out there. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. To the motion. Mr. Krutko.

MR. KRUTKO:

Thank you, Madam Chairperson. What we are hearing around the table, I believe it is more critical than ever that we do have a clause in there that gives comfort to all regions and most of the communities in the western territory. I think that is what this motion does is to ensure that there is comfort that people can live with the decision of the 19 seat legislature and that with Yellowknife having seven seats, there is going to be an accountable Cabinet which will be made up of Members from all the new Western Territory. I believe that this gives us that comfort and is a mechanism that people can live with and are able to live with Bill 15, knowing that they will have

representation either from the regional centres in regards to the north, the south, and also in regards to Yellowknife. I think it is more important now than ever that we try to find some workable solutions to carry us through the 14th Assembly until we complete the constitutional process and find a mechanism that we can all eventually vote on and live with. I encourage that the Members, the House, and also Members of Cabinet that also gives comfort to people here in regards to the riding I represent, there are three members in the Sahtu, the Beaufort and Delta Region, we have three Members on Cabinet, but in this case we are going to have two. We have to give and take on this motion, but I believe it is fair as we can be and also it gives the comfort that the residents of the Northwest Territories can live with.

I think there has been a precedent set in the past where there have been motions passed and changes in regard to different acts to ensure that these things are carried out. In regard to the question about conventions, conventions can be changed.

Page 689

Legislation is a little different. It is not as easy. I know that we have heard from a lot of communities and a lot of different presenters but I think this is something that they feel they can live with. A lot of people do not agree with Bill 15 as it sits, but we had to try and find a compromise or workable solution to the ideas that we heard of how we can put something forth that we can all live with and I believe that it is critical that ourselves as Members of this House but also politicians for the people we represent, that we have to realize what this House is going to look like after the 14th Assembly. So with that, Madam Chairperson, I ask for a recorded vote.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Krutko. A recorded vote has been requested. Question has been called. All those in favour of the motion please stand.

DEPUTY CLERK (Mr. Schauerte):

Mr. Krutko, Mr. Rabesca, Mr. Morin, Mr. Erasmus.

CHAIRPERSON (Mrs. Groenewegen):

Those opposed to the motion, please stand.

DEPUTY CLERK (Mr. Schauerte):

Mr. Ootes, Mr. Henry.

CHAIRPERSON (Mrs. Groenewegen):

Those abstaining from the motion, please stand.

DEPUTY CLERK (Mr. Schauerte):

Mr. Miltenberger, Mr. Kakfwi, Mr. Antoine, Mr. Dent, Mr. Roland and Mr. Steen.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. For the motion, four. Against, two. Abstentions, six. The motion is carried. Proceeding with our next motion. Mr. Morin.

Committee Motion 37-13(7): Establishment of Constitutional and Electoral Reform Commission

MR. MORIN:

Thank you, Madam Chairperson.

I move that this committee recommends that the government introduce legislation for passage during the 13th Legislative Assembly to establish a Northwest Territories Constitutional and Electoral Reform Commission.

And further, that the Legislation give the commission a broad mandate and require the commission to develop a comprehensive constitutional and electoral reform proposal for consideration by the public at a constitutional conference by June 30, 2002.

And, furthermore, that the legislation require that recommendations for reform be submitted for approval by all Northwest Territories voters in a binding referendum.

And, furthermore, that the legislation required that any electoral or constitutional legislative changes approved by the Northwest Territories voters in a referendum be introduced for passage prior to the dissolution of the 14th Assembly. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Morin. The motion is in order. To the motion. Mr. Morin.

MR. MORIN:

Thank you, Madam Chairperson. One of the common themes up and down the Mackenzie Valley when Justice de Weerd made his ruling was that we have to come up with a political solution. These are items

of constitutional change for the Northwest Territories that have to be decided by politicians, elected people and the people. That is the reason why this committee motion is in place. No one needs a history lesson around this, some have made a livelihood on the development of a constitution for the past 20 years. Politicians of the day have all tried, including the leaders of the aboriginal governments, to build a constitution that truly reflects all the people's needs in the Northwest Territories. What people have said up and down the valley is that we need something else. We total disagree with Bill 15 but the judge has said you have to do that. We need something to accompany that. Bill 15 is legislation. You need companion legislation. You need something else that is as powerful as that to convince us that you want to work with the people of the Northwest Territories to build a constitution. That is the reason this committee has brought this motion forward. You cannot leave this up to the 14th Assembly.

There is nothing stopping the 13th Assembly from doing this to show the people in the Northwest Territories that they are committed to building a constitution and a new Western Territory. The government are the only people that can do this. They have the resources, they are mandated to bring forward legislation. We cannot bring forward an ordinary Member's bill. Only the government can action this request by the people. I will hear soon whether the government decides to action the request by the people or reject it. I will hear that soon when the Premier speaks, but I would encourage, for once, to listen to what the people are saying and action the request. It is a process that involves all the people in the Northwest Territories. Some will say, I know that already, and it is too costly. It is going to cost money. Well it is going to be far more costly to do nothing. Far more costly.

You will get such division, so much mistrust, that when you talk to the aboriginal governments there is no way they are going to work with you unless you show some good faith. Madam Chairperson, one of my jobs through this process was to consult with the aboriginal leadership, that was my job, to phone every one of them to see if this was an acceptable solution and they have all said yes, it is acceptable. The Aboriginal Summit is going to meet tomorrow as well, to discuss this, and they made it very clear that they are surprised when the Premier mentioned through the media this week that this intergovernmental forum is now taking the place of constitutional development. No one knew that. This is the forum, this is the

process. It you are going to develop a constitution, you cannot do it on an ad hoc basis. This is the first time in our history that we are actually putting a timeline, you are getting people to buy in and they are trying to meet it. So with that I would be interested in hearing the government's comments as well as other Members, but my time is up.

CHAIRPERSON (Mrs. Groenewegen):

Actually, your time is not up. I forgot to reset the time. You have about seven minutes left. To the motion. Mr. Ootes.

Page 690

MR. OOTES:

Madam Chairperson, I would like to move a motion that we extend sitting hours to conclude this item and conclude Bill 15.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Ootes. The Speaker, before he left the House, used his authority to put us into the committee of the whole for as long as we want until we bring forth a motion to report progress. That is accepted by the majority. Thank you, but I do not think we need a motion. I think we are here until someone makes a motion to report progress that is carried. Thank you. To the motion. Mr. Antoine.

HON. JIM ANTOINE:

Thank you, Madam Chairperson. Madam Chairperson, on the Constitutional Electoral Reform Commission, the final recommendation is for the establishment of a Constitutional Electoral Reform Commission. While Cabinet agrees with the need for a process to work in constitutional and electoral reform in the Northwest Territories this process will require a wide-reaching consensus from across the Northwest Territories to be successful. Another constitutional process driven solely by the Government of the Northwest Territories will not be successful. It is our view that the best forum for pursuing consensus on constitutional development is through an intergovernmental forum and this is for pursuing consensus. Such a forum would allow for a candid exchange of views between all governments in the Northwest Territories on the issue of constitutional development.

More importantly, it will allow for wide-ranging input into the process that would be put in place and the

development of a broad consensus on the issues that need to be examined. Cabinet concurs with the intention of this recommendation and we are committed to raising this issue of a priority basis in the intergovernmental forum process. The development of a consensus from amongst all stakeholders would allow for a broadly supported recommendation on a constitutional and electoral forum process to the 14th Legislative Assembly. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Antoine. Mr. Henry.

MR. HENRY:

Thank you, Madam Chairperson. Madam Chairperson, I will not be able to support this motion. This recommendation has been available for just a few days and the mover of the motion has suggested that he has talked to all the aboriginal leaders or a number of aboriginal leaders and they all agree, I would like the same courtesy extended to talk to my constituents to see how they feel about the rather large spectrum that this motion would encompass. I believe that it has wide-ranging implications and I feel all people in the Northwest Territories should have input into it and not be making a decision on something that has been before this House or committee for less than a week now. I thank you for that, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

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

MR. OOTES:

Thank you, Madam Chairperson. I too will be voting against the motion. The motion does have very wide implications and requires, in my opinion, a consensus of all peoples of the Northwest Territories and I do not believe that everyone has been consulted on this. I concur that the objective should be this, but to again put it within legislation I do not believe is at this time appropriate and therefore I will be voting against it. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

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

MR. ERASMUS:

Thank you, Madam Chairperson. I have heard that this should be something that all of the people should

be involved in. That is precisely what we are trying to do. We are trying to get all of the people involved in this. We are recommending equal representation on this commission. By that I mean an equal amount of aboriginal people to an equal amount of non-aboriginal people. I do not think this has ever happened before. The last constitutional process that we went through, the vast majority of people on there were aboriginal people. If that was one of the problems, and that will probably continue to happen if something like this is not put in place, and this was one of the recommendations that came from an aboriginal leader which we have adopted. This is not something that we have concocted out of the blue. Politicians have been trying to do this for years and years and years. There has never been a deadline. There has never been anything put in place, such as legislation, to say how it will be done. One of the problems with the last process too was that it was like a revolving door. One day one group or one government would be represented by someone. At the next meeting they would be represented by someone else. At the next meeting it would be a different government that would be represented by someone else. How can you try to work consistently when you are always explaining things to new people?

This is another thing that we are saying. You have to have dedicated people. When we went around, this is what people were telling us. They want something put in place immediately. They want this government to act and to show that they are doing something. It has taken almost two years now to work on this political protocol, and there is nothing there. Why should anybody think anything else is going to happen out of this other process? This will be taking things out of the hands of the politicians. You would have dedicated people working on this, an equal amount of aboriginal people, an equal amount of non-aboriginal people. Maybe the two sides could select a chairperson they agree on. Whatever they come up with, you bring that to a constitutional conference. You have people from all over the Northwest Territories at that conference. From there the conference comes up with something that the whole of the Northwest Territories votes on. Then you implement it. Now, that is involving the people of the Northwest Territories. But, no, I guess it is not meant to be, because we certainly cannot implement it. There is only one group of people in the Northwest Territories that can, six people, and they are not sitting over here.

Madam Chairperson, I do not know if the Cabinet understands just how deep of a division, rifts, I should say, amongst the peoples of the Northwest Territories through Bill 15 and the court cases. People need to be assured that something is in place, something concrete, not a promise that something is going to happen. They need something they can actually hang their hat on, and that is why we want legislation, not only for this but for the 2-2-2 proposal as well. Promises or inferences, speeches

Page 691

that something will be done in the future, hopefully by the next Legislative Assembly, I do not think that cuts too much mustard with those people out there. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. To the motion. Mr. Krutko.

MR. KRUTKO:

Thank you, Madam Chairperson. I think that one of the points that came out during our review -- it came from, I believe, someone from Fort Simpson -- really hit on exactly, what has this government been doing? We pull up an issue. We work on it for a while. We drop it, and we go work on something else. We drop that. We work on a different process. We have been working on processes but never completing the process. I think that is the problem that we have run into with everything in the North, the Northern Accord, the constitutional process. Now we are looking at self-government. There is talk about community empowerment initiatives. That sort of slid off onto the back burner. Then basically we formulate a constitutional process on one hand, and we formulate a boundaries commission on the other hand. So everybody is sort of running around not really realizing exactly who is doing what and who is pulling it all together.

Basically, what this does is, it establishes a mechanism where everybody will have an opportunity to deal with the two issues which are probably the most sensitive issues in the North right now, the constitutional question and the boundaries question. This group will deal with the two issues which are probably the most crucial issues that we will probably see in this territory going into self-government agreements and all the land claim agreements being settled. We go around spending hundreds of thousands of dollars on economic strategies and

education forums. Yes, we have spent money on constitutional processes, but there are materials that have been catalogued, collected, and it is available to basically start the forum off.

We have terms of reference in place. We have an existing constitutional development committee structure in place already. We are not starting from ground zero. We are basically forcing what people are asking for, a process to deal with, the roadblocks that we find ourselves in now, to move over to the side, get past the roadblocks, and start focusing ourselves in taking a new direction and getting this thing concluded. That is more than what this government has put forth or a judge has put forth. This is the compromise where basically people can finally say, this process is a process we can trust. It is not a government process. It is not an aboriginal process. This process will be there strictly to work on a constitution and election reform commission. They are the ones that at the end of the day will make a package for everyone in the Western Territory to vote on. Once the ratification has taken place, it is binding. It is binding on the government, and it is binding on all the other people in the Western Territory, the residents. So what else can you ask for? I strongly urge those six Members on the other side of the House to support this initiative. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. To the motion. Mr. Morin.

MR. MORIN:

Thank you, Madam Chairperson. Madam Chairperson, I can clearly remember the debate in this Legislative Assembly on urging the government to appeal Justice de Weerd's ruling. I can clearly remember the government's view, and we quoted the government's view in our report. It was one of the most troublesome and diverse issues that we had to deal with in this Legislative Assembly. It was one of the hardest things for the government and Members to deal with. A complete change in the political structure of the Northwest Territories is what we are dealing with. I can remember very clearly this government saying, we need a political solution, we need a political solution, we need a political solution. Where is the political solution? Do you know where the political solution is for this government, Madam Chairperson? We will pass the buck to the 14th Assembly. A great political solution. It completely astounds me that elected people to the Legislative

Assembly, our government -- you are supposed to be leaders. Is that how you lead? You pass the buck.

No wonder many people are calling this a lame-duck government, that will not make a fundamental decision on the basic principle of a political solution. You have the opportunity to supply the glue, the fabric to hold the Western Territory together. I have never been so disgusted in my life to see people sit on their hands and offer no solution. We are Ordinary Members. We have very limited resources. We have very limited staff. Yet we went out and tried to create a political solution. We knew from day one that you cannot change Justice de Weerd's ruling, and this government knew it too. But what we also knew was there was a political commitment by this government to look for a political solution. So what did we tell the people of the Northwest Territories when we went out to see them? We said, we have come to hear you, we want your advice. We are looking for a political solution that we can take back and offer. But the bill is in the House. The judge made his ruling, they said. Can you really do something. Oh, the government has assured us. They assured us publicly that they were looking for a political solution. But all they were looking for was time in order to pass the buck to the next Assembly, so you have to make no decision, no decision.

There are those, Madam Chairperson, that criticize the Members for going to listen to the public. They said it was a waste of time and a waste of money. Well, you know what? Today I say I agree with you and I apologize to them. I apologize to the public of the Northwest Territories because I misled them. I went out there and told them that government was going to listen to them. I went out there and told them that the government was looking for political solutions to this issue. But alas, it was a waste of time. It was a waste of money because the government was not looking for any political solution. All they were looking to do was pass the buck to the next Assembly.

I apologize, Madam Chairperson, to all those people that took the time to come and make presentations to our committee, and I am deeply sorry that we wasted their time. I was being paid to do it, they were not. I honestly thought, when the government stood up and said they were looking for political solutions, they meant it. But alas, they did not. All they wanted was time so that could pass the buck, and that is what they are doing. There is no other process. Intergovernmental forum, this is going to go through an intergovernmental forum to buy us time so we do

not have to make a decision, is basically what you are saying. This is a dark day.

This is a dark day in the history of the Northwest Territories and

Page 692

a dark day for this 13th Legislative Assembly. But it is going to be very clear to the people of the Northwest Territories what this government stands for. It stands for doing nothing. It stands for passing the buck. So I hope you are all proud of yourselves that you stood up for what you believed in, passing the buck. With that, I will request a recorded vote. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Morin. Mr. Morin has requested a recorded vote. The question has been called. All those in favour of the motion, please stand.

CLERK OF THE COMMITTEE (Mr. Inch):

Mr. Morin, Mr. Erasmus, Mr. Krutko, Mr. Rabesca.

CHAIRPERSON (Mrs. Groenewegen):

All those opposed to the motion, please stand.

CLERK OF THE COMMITTEE (Mr. Inch):

Mr. Ootes, Mr. Henry.

CHAIRPERSON (Mrs. Groenewegen):

All those abstaining from voting on the motion, please stand.

CLERK OF THE COMMITTEE (Mr. Inch):

Mr. Miltenberger, Mr. Kakfwi, Mr. Antoine, Mr. Dent, Mr. Roland, Mr. Steen.

CHAIRPERSON (Mrs. Groenewegen):

The results of the voting are four for the motion, two against, six abstentions. The motion is carried. Does the committee agree that consideration of the report concluded? Mr. Morin.

MR. MORIN:

Thank you, Madam Chairperson. I move we report progress.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. The motion is in order. It is not debatable. All those in favour of the motion? All those opposed to the motion? The motion is carried. I will now 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 committee report 2-13(7) and would like to report progress with four motions being adopted. Mr. Speaker, I move that the report of the committee of the whole be concurred with. Thank you.

MR. SPEAKER:

Seconded by Mr. Henry. The motion is in order. To the motion. Question is being called. All those in favour? All those opposed? Motion is carried. Item 21, third reading of bills. Item 22, orders of the day.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, meeting of the Standing Committee on Government Operations at 9:30 tomorrow morning. Orders of the day for Thursday, July 29th:

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 Motion for First Reading of Bills
16. Motions
17. First Reading of Bills
 - Bill 18, Loan Authorization Act, 1999-2000
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
 - Committee Report 2-13(7)
 - Tabled Document 31-13(7)
 - Bill 15, An Act to Amend the Legislative Assembly and Executive Council Act
 - Bill 16, An Act to Amend the Supplementary Retiring Allowances Act
 - Bill 19, An Act to Amend the Labour Standards Act
 - Bill 20, Municipal Statutes Amendment Act
 - Bill 23, Supplementary Appropriation Act, No. 2, 1999-2000
20. Report of Committee of the Whole
21. Third Reading of Bills
22. Orders of the Day

MR. SPEAKER:

Thank you. This House stands adjourned to Thursday, July 29th at 1:30 p.m.

--ADJOURNMENT