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**TABLE OF CONTENTS**  
**MONDAY, OCTOBER 24, 1988**

	<b><u>PAGE</u></b>
<b>Prayer</b>	<b>346</b>
<b>Ministers' Statements</b>	
- 26-88(2) Ministerial Assignments	<b>348</b>
- 27-88(2) Intergovernmental Affairs Activities	<b>348</b>
- 28-88(2) Annual Report on "Choices", A Three Year Action Plan to Address Spousal Assault	<b>349</b>
<b>Members' Statements</b>	
- Mr. Angottitauruq on Appointment of New Minister	<b>349</b>
- Mr. Pudluk on Appointment of New Minister	<b>350</b>
- Mr. Zoe on Concert in Rae	<b>350</b>
- Mr. McLaughlin on Appointment of Minister and Yellowknife Alderman	<b>350</b>
- Mr. Lewis on Defeated Motion 8-88(2)	<b>350</b>
- Mr. Kilabuk on Appointment of New Minister	<b>351</b>
- Mr. Gargan on Appointment of New Minister	<b>351</b>
- Hon. Tom Butters on Ajauqtit Committee and Housing Portfolio	<b>351</b>
- Hon. Titus Allooloo on Suicide	<b>351</b>
<b>Returns to Oral Questions</b>	<b>352</b>
<b>Oral Questions</b>	<b>352</b>
<b>Written Questions</b>	<b>361</b>
<b>Returns to Written Questions</b>	<b>362</b>
<b>Petitions</b>	<b>363</b>
<b>Tabling of Documents</b>	<b>363</b>
<b>Notices of Motion</b>	<b>346,364</b>
<b>Notices of Motion for First Reading of Bills</b>	
- Bill 20-88(2) Supplementary Appropriation Act, No. 2, 1988-89	<b>364</b>
<b>Motions</b>	<b>347,364</b>



**TABLE OF CONTENTS, MONDAY, OCTOBER 24, 1988 (CONTINUED)**

**First Reading of Bills**

- Bill 25-88(2) Write-off of Assets and Debts and Forgiveness  
of Debts Act, 1988-89 370
- Bill 26-88(2) Motor Vehicles Act 370

**Second Reading of Bills**

- Bill 25-88(2) Write-off of Assets and Debts and Forgiveness  
of Debts Act, 1988-89 370
- Bill 26-88(2) Motor Vehicles Act 371

**Consideration in Committee of the Whole of:**

- Committee Report 1-88(2)
- Tabled Document 33-88(2) Amendment to the Formula Financing  
Agreement 373
- Bill 6-88(2) Education Act 380
- Bill 25-88(2) Write-off of Assets and Debts and Forgiveness  
of Debts Act, 1988-89 375

**Report of Committee of the Whole of:**

- Committee Report 1-88(2)
- Tabled Document 33-88(2) Amendment to the Formula Financing  
Agreement 391
- Bill 6-88(2) Education Act 391
- Bill 25-88(2) Write-off of Assets and Debts and Forgiveness  
of Debts Act, 1988-89 391

**Third Reading of Bills**

- Bill 25-88(2) Write-off of Assets and Debts and Forgiveness  
of Debts Act 1988-89 392

**Orders of the Day 392**

YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, OCTOBER 24, 1988

MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Angottitauruq, Mr. Arlooktoo, Hon. Michael Ballantyne, Hon. Tom Butters, Hon. Nellie Cournoyea, Mr. Crow, Mr. Ernerk, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Kilabuk, Mr. Lewis, Hon. Jeannie Marie-Jewell, Mr. McLaughlin, Mr. Morin, Mr. Nerysoo, Hon. Dennis Patterson, Mr. Pollard, Hon. Red Pedersen, Mr. Pudluk, Mr. Sibbeston, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Red Pedersen): Mr. Pudluk.

MR. PUDLUK: I request unanimous consent to stand down the routine for orders of the day and proceed with the notice of motion and motion to deal with the appointment of the new Minister, only. Mr. Speaker, I presume we would then return to Item 2, Ministers' statements.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Thank you, Mr. Pudluk. The honourable Member for High Arctic has requested unanimous consent to proceed with notices of motion and motions and temporarily stand down the routine orders of the day. Do I hear any nays? There are no nays. Mr. Pudluk, proceed.

ITEM 12: NOTICES OF MOTION

Notice Of Motion 14-88(2): Appointment To The Executive Council

MR. PUDLUK: Thank you, brothers and sisters.

---Laughter

HON. MICHAEL BALLANTYNE: You are welcome, Father!

---Laughter

MR. PUDLUK: Mr. Speaker, I give notice that on Wednesday, October 26, 1988, I will move the following motion: Now therefore, I move, seconded by the honourable Member for Iqaluit, that the Assembly recommends to the Commissioner that the honourable Member for Inuvik, Mr. Tom Butters, be appointed to the Executive Council. Mr. Speaker, I will be seeking unanimous consent to deal with this motion today. Thank you.

MR. SPEAKER: Thank you. Mr. Pudluk.

MR. PUDLUK: Mr. Speaker, I seek unanimous consent to deal with Motion 14-88(2) at this time.

MR. SPEAKER: Mr. Pudluk has requested unanimous consent to deal with Motion 14-88(2) at this time. Are there any nays? There are no nays. Proceed, Mr. Pudluk.

**ITEM 14: MOTIONS**

**Motion 14-88(2): Appointment To The Executive Council, Carried**

**MR. PUDLUK:** Thank you, Mr. Speaker.

**WHEREAS** there is a vacancy on the Executive Council due to the resignation of the honourable Member for Nahendeh;

**AND WHEREAS** Members of the Executive Council are appointed by the Commissioner on the recommendation of this Assembly;

**NOW THEREFORE**, I move, seconded by the honourable Member for Iqaluit, that the Assembly recommends to the Commissioner that the honourable Member for Inuvik, Mr. Tom Butters, be appointed to the Executive Council.

**MR. SPEAKER:** Thank you, Mr. Pudluk. Your motion is in order. To the motion, Mr. Pudluk.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Mr. Patterson, as the seconder of the motion, do you wish to speak? Question is being called. All those in favour of the motion? All those opposed to the motion? Let the record show that the motion was carried unanimously.

---Carried

**HON. TOM BUTTERS:** Mr. Speaker, as the House has waived its rules for a few moments, I wonder if we could continue in that condition while I make a few very short remarks.

**SOME HON. MEMBERS:** Agreed.

**MR. SPEAKER:** Are there any nays? There are no nays. Mr. Butters, you have the floor.

**HON. TOM BUTTERS:** Mr. Speaker, I thank Members of the Legislative Assembly for the confidence and their support shown me. Should my performance indicate that your confidence has not been merited, you will not have to ask for my resignation. I shall tender it.

I commit to the Government Leader, the Hon. Dennis Patterson, my loyalty and support and to his difficult and demanding tasks and to my Executive Council colleagues, my co-operation and assistance to them in their respective and individual departmental responsibilities.

To the residents of the Northwest Territories I pledge my best efforts and total energies toward the realization of our mutual goals and objectives and the improvement of the quality of life in our Territories.

Finally, to you, Mr. Speaker, and to all your staff, beginning with our indefatigable Clerk, Mr. Hamilton, my gratitude for the assistance provided me over the past year and for their good humour in responding to my many, probably unrealistic and unnecessary, requests. Thank you, Mr. Speaker.

---Applause

**MR. SPEAKER:** Thank you, Mr. Butters. The Chair at this time would like to recognize in the gallery Mr. Steven Offer, Member of the Parliament of Ontario, parliamentary assistant to the Attorney General, Ian Scott. Welcome.

---Applause

I will now recess the House to permit the swearing in of the honourable Mr. Butters, the new Minister. I request Members to remain in their seats to permit Mr. Justice Richard to conduct the ceremony. Immediately after the ceremony I would invite Members to join our new Minister and Justice Richard and members of the gallery for coffee in the lobby.

---SHORT RECESS

We will return to orders of the day for Monday, October 24th. Item 2, Ministers' statements. Mr. Government Leader.

#### ITEM 2: MINISTERS' STATEMENTS

##### Ministers' Statement 26-88(2): Ministerial Assignments

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I have an announcement to make regarding ministerial assignments. Effective immediately the Hon. Tom Butters has been assigned responsibility for the Department of Government Services and the NWT Housing Corporation. I am happy to report the Hon. Stephen Kakfwi has been appointed Deputy Government Leader.

---Applause

Mr. Speaker, Mr. Butters was first elected to this House as the Member for the Western Arctic in 1970. He was re-elected in 1975 as the Member for the new urban riding of Inuvik and again in 1979, 1983 and by acclamation in 1987. He has held many portfolios including Economic Development and Tourism, Justice and Public Services, Education, Social Services, Natural and Cultural Affairs, Finance, and Energy, Mines and Resources.

Mr. Kakfwi, as you know, was president of the Dene Nation from 1983 to 1987. In October of that year he was elected to the Legislative Assembly for Sahtu and was immediately appointed to the Executive Council. He is presently responsible for the Department of Education and for Aboriginal Rights and Constitutional Development. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Government Leader. Ministers' statements. Mr. Patterson.

##### Ministers' Statement 27-88(2): Intergovernmental Affairs Activities

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I wish to bring the Legislative Assembly up to date on the activities of our Ottawa Intergovernmental Affairs Office, for which I am responsible.

In May, George Braden replaced Bob Pilot as deputy minister of Intergovernmental Affairs in Ottawa and in August Walter Slipchenko became our director of circumpolar affairs. I will report on his role and mandate in more detail later in this session.

In addition to the new circumpolar initiative, the Ottawa office has had its mandate revised to include the following objectives: to improve the level of service provided to Ministers, MLAs and government departments and to provide intergovernmental perspective where it is needed; to develop closer contacts with provincial governments and national native organizations while maintaining our ties with federal departments and agencies in Ottawa; to promote economic opportunities and northern products, goods and services in co-operation with the Department of Economic Development; and to increase the profile of northern issues and concerns through a southern-based communications program in co-operation with the office of the press secretary.

Mr. Speaker, the majority of these new initiatives have been financed from within our existing budget or through transfers of resources from other departments which will make significant use of the services provided by our Ottawa office.



With respect to services provided to the Legislative Assembly, I have instructed our Ottawa office to be more aware of your requirements particularly in providing information about federal activities on a timely basis.

Mr. Speaker, during the past six months our Ottawa office has considerably stepped up its activities. The work has ranged from providing support at federal/provincial multilateral trade negotiation meetings to assisting in the northern energy accord negotiations.

The office has also worked on a number of constitutional issues including the Meech Lake Accord and the status of the Northwest Territories at First Ministers' Conferences and federal/provincial meetings. On the matter of devolution, our office has provided support for the negotiations on the transfer of the Inuit art collection; the scientific affairs program in DIAND; and the overall devolution transfer agreement.

The past six month period has been one of transition to a more active role in territorial, national and international affairs. Thank you.

MR. SPEAKER: Thank you, Mr. Patterson. Ministers' statements. Mrs. Marie-Jewell.

Ministers' Statement 28-88(2): Annual Report On "Choices", A Three Year Action Plan To Address Spousal Assault

HON. JEANNIE MARIE-JEWELL: In 1986, this government approved a three year plan of action entitled "Choices", to address the pressing problem of spousal assault in the NWT. Today, I am tabling the second annual report on progress. It covers the year ending March 31, 1988.

I am pleased to be able to report that our government has made significant progress in addressing spousal assault, again, this past year. The interagency approach to assisting victims continues to operate. It involves the Departments of Health and Social Services along with the RCMP. Treatment programs for batterers are now in place. In addition, the public education and community support efforts of several departments are continuing.

As a result of the implementation of these various initiatives and consultation with community groups, it has become clear that the problem is broader than just spousal assault. The problems of elder abuse, child abuse and, in particular, child sexual abuse, are now emerging as part of family violence. New needs are arising as well, such as second-stage housing, evaluation of programs, long-term family counselling and the special needs of the children of violent homes. The ministerial committee on spousal assault, which monitors progress and prepares reports, will be reviewing this changing situation, and making recommendations to me in the near future.

I would like to thank the community organizations and transition houses which have worked so hard on this matter. They have been key in putting the issue in the public eye and assisting us in designing programs to address it.

In closing, I suggest that while we are actively addressing the issue of family violence, it is not going to go away overnight. I encourage every Member of this House to do everything to combat it in your own constituencies. Thank you.

MR. SPEAKER: Thank you, Madam Minister. Ministers' statements. Item 3, Members' statements. Mr. Angottitauruq.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Appointment Of New Minister

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. As we now have a new Executive Council Member, I would just like to bring greetings from my communities which have known Tom Butters pretty well for a long time. Congratulations are coming from my constituents, and I am their

representative, and I am proud to announce today that the Natilikmiot people are proud that you got a seat on the Executive Council, and they hope to work with you. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Angottitauruq. Members' statements. Mr. Pudluk.

Member's Statement On Appointment Of New Minister

MR. PUDLUK: Thank you, Mr. Speaker. On behalf of ajauqtit, the ordinary Members' committee, I would like to congratulate Mr. Butters on his appointment to the Executive Council. We thank him for his hard work as chairman of the ajauqtit committee. He has given us an example to follow, and I hope ajauqtit will maintain the high standard he has set. Thank you.

MR. SPEAKER: Thank you, Mr. Pudluk. Members' statements. Mr. Zoe.

Member's Statement On Concert In Rae

MR. ZOE: Thank you, Mr. Speaker. Mr. Speaker, I am pleased to inform the House that a well-known native performer, a person that I have known for a number of years, Winston Wuttunee, will be playing in my home community of Rae on Tuesday night. Mr. Wuttunee is well-known for his powerful songs about native heritage and taking pride in who we are. He is also well-known for his sense of humour and his ability to involve his audience in the performances. Mr. Wuttunee's tour is being sponsored by the Royal Canadian Mounted Police and the Solicitor General of Canada. The purpose of the tour is to improve relations between the community and the RCMP, and also to educate people about drug and alcohol abuse. Winston Wuttunee will be playing in Rae at the sportsplex on Tuesday, October 25, at 7:00 p.m. I encourage all Members of the House to attend this particular concert. Thank you.

MR. SPEAKER: Thank you, Mr. Zoe. Members' statements. Mr. McLaughlin.

Member's Statement On Appointment Of Minister And Yellowknife Alderman

MR. McLAUGHLIN: Thank you, Mr. Speaker. I would like to take this opportunity also to formally extend my congratulations to Mr. Butters, and at the same time, on that note, Mr. Speaker, I would also like to mention that during the week while our Members' attention has been focussed on the election that we were holding in this House for that position, a municipal election happened last Monday. I would like to take this opportunity to congratulate Marie Coe, the Editor of Hansard for this House, who was re-elected as an alderman for the City of Yellowknife. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLaughlin. Members' statements. Mr. Lewis.

Member's Statement On Defeated Motion 8-88(2)

MR. LEWIS: Mr. Speaker, while I believe the House chose Mr. Tom Butters out of its great wisdom, I would like to correct a statement about the wisdom of this House which was implied by Mr. Ballantyne on Friday. He indicated that, in fact, this House had defeated a motion to include a Member for Yellowknife South, the selection of an Executive Council Member, because it was angry. I believe that this House is a very adult House. Anger is, in fact, a sentiment of childhood. The reason why that motion was defeated was because Mr. Patterson convinced other Members that their travel plans may be disrupted, there would be a cost involved. It was for those reasons, I believe, that most Members decided that they did not want to have this House adjourn and come back again. I believe also, and this is a humble suggestion to my colleagues, that sometimes on a matter of principle you have to make a personal sacrifice and on this occasion Members decided they did not want to make that sacrifice. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lewis. Members' statements. Mr. Kilabuk.

Member's Statement On Appointment Of New Minister

MR. KILABUK: (Translation) Mr. Speaker, I would like to extend my congratulations to the newly appointed Minister. Mr. Speaker, I would like to show my appreciation on behalf of the NWT residents. When he was an Executive Member it was greatly felt by the residents of the NWT when he did not get re-elected to the Executive Council. I appreciate very much that he was elected. Thank you very much, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Kilabuk. Members' statements. Mr. Gargan.

Member's Statement On Appointment Of New Minister

MR. GARGAN: Thank you, Mr. Speaker. I would like to extend my congratulations on behalf of the constituency of Deh Cho, to Mr. Butters on his appointment to the Executive. One thing I would also like to express to Mr. Butters is that I do appreciate, even though he did not have a portfolio that directly affected the communities, he did go out of his way to travel into my constituency and I appreciate that.

Also, one thing I know about Mr. Butters is that although he is a senior in our Executive, he has a poor lack of judgment with conditions of snow. He did get stuck in the snow on our travels in my constituency and he does not carry a rifle either. Thanks.

---Laughter

MR. SPEAKER: Thank you, Mr. Gargan. For the record of this House, I want to read a letter to you. It is dated today's date, addressed to myself, as Speaker of the Legislative Assembly and reads, "Mr. Speaker, I am pleased to confirm to you and Members of the Legislative Assembly, that I accept the recommendation of the Assembly contained in the formal motion of today's date, that Thomas H. Butters be a Member of the Executive Council. Mr. Butters' appointment is effective today." It is signed by John H. Parker, Commissioner.

We are still on Item 3, Members' statements. Mr. Butters.

Member's Statement On Ajauqtit Committee And Housing Portfolio

HON. TOM BUTTERS: Mr. Speaker, I rise to thank Members for their kind and generous remarks with regard to my elevation to the Executive Council. I must say that I enjoyed, tremendously, the opportunity I had to work with the ajauqtit. I think that it is one of the most positive things that has happened during this year. It is not an opposition. It does not attack. It cautions government and monitors the performance. It assists us to achieve an accountability in the public interest. I thank Mr. Pudluk for his remarks, the acting chairman. That was a very valuable experience and I wish them well in the future even though their comments and questions and criticisms are directed at me. I thank Mr. Gargan as well, since, with a service portfolio, you do not travel much but I am delighted with Housing because it is a program portfolio and while it is a monumental problem and we will probably see no solution in 25 years, I do intend to be in the communities and meet with the people and seek to solve the problems on the ground. Thank you, sir.

MR. SPEAKER: Thank you, Mr. Butters. Members' statements. Mr. Alloo.oo.

Member's Statement On Suicide

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I believe it is a very special day today. We just have a newly-elected Member who is just joining us. I would like the new Member to know that we have a major problem in the NWT with regard to suicide. We have just heard of another tragedy that happened in one of my communities. Those of us who are elected as MLAs and all the other elected people in the NWT have to realize that this is a major problem in the NWT and we have to work together to find ways to get answers for this. The only way to get answers to this problem is by working together. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Allooloo. Members' statements. Item 4, returns to oral questions. Ms Cournoyea.

**ITEM 4: RETURNS TO ORAL QUESTIONS**

**Return To Question O86-88(2): Suspension Of Ferry Service At Mackenzie Crossing At Arctic Red River**

**HON. NELLIE COURNOYEA:** Mr. Speaker, I have a return to Question O86-88(2), asked by Mr. Butters on October 21. I wish to provide a response to the question that was raised by Mr. Butters on Friday, October 21, regarding the ferry operation across the Mackenzie River at the community of Arctic Red River. Mr. Butters mentioned that there had been no notice of the ferry's impending possible stoppage for the winter.

Public Works and Highways officials and our ferry contractors maintain a close watch on ice conditions in rivers where we operate ferries. Our overriding consideration of safety of the vessel and thereby its passengers, crew and cargo must be met at all times.

The Louis Cardinal ferry at this crossing has a strengthened hull that permits operation only in light ice conditions. As ice conditions became increasingly more severe at the beginning of last week, we therefore started announcing since Tuesday afternoon, October 18, on the 24 hour toll-free northern ferry hotline, a taped message indicating that ferry operations could cease at any time. Starting Thursday afternoon, ice floes became very heavy and shore ice on the Fort McPherson landing became very thick. At 2:00 a.m. Friday morning, the ferry made a crossing from the Fort McPherson side to the Inuvik side, taking about four hours for this trip that usually requires 12 minutes. As severe ice conditions existed, the ferry was on stand-by Friday and it could have operated on a day-to-day basis depending on the ice conditions. At that time, the ferry had not been pulled out of the water although even if we were able to cross the river, we would not have been able to reach the shore on the other side because of the ice buildup on the Fort McPherson landing.

As of today, the Arctic Red River ferry must cease operating for the season. It will be removed from the water as soon as possible to prevent its freezing in and conflicting with ice bridge construction. The Peel River ferry must cease operating at noon today and will be removed to safe storage immediately. We have looked at every possible option for continuing operation. There is no practical, safe way to continue. Regarding the Mackenzie River crossing at Fort Providence, notices will be placed soon in the Yellowknifer and News/North, as we have in the past, reminding southern Mackenzie residents of the coming freeze-up. The southern ferry hotline also carries timely notices of the status of Fort Providence and Liard River ferry operations. The Liard River ferry is now operating in daylight hours only with possible intermittent service, and it could close within 48 hours. The Fort Providence ferry is operating from 6:00 a.m. to 12 midnight. The presence of some ice may result in short interruptions.

The Department of Public Works and Highways goes out of its way to keep the trucking industry and travelling public informed. The current conditions on the northern and southern Mackenzie ferry operations are typical for this time of year and all people planning to use the ferries are advised to contact the appropriate ferry hotline for the latest information. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms Cournoyea. Returns to oral questions. That would appear to conclude Item 4 for today. Item 5, oral questions.

**ITEM 5: ORAL QUESTIONS**

**Question O91-88(2): Success Of Community Occupational Programs**

**MR. ANGOTTITAUURUQ:** Thank you, Mr. Speaker. My question will be directed to the Minister of Education. As you know, I was away from this House to finish my unfinished business. I held a

public meeting, and the question was asked in regard to the COP, which is community occupational program, and I was told the government was wasting \$30 million a year for these students, and these students are not getting anywhere. I would like to ask the Minister if he knows how many students, through this program, have been able to get jobs or have improved their skills toward community occupational programs. How many students have gained jobs and how many have been successful toward this program? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Mr. Kakfwi.

Return To Question O91-88(2): Success Of Community Occupational Programs

HON. STEPHEN KAKFWI: Mr. Speaker, the program that the Member is referring to is called the community occupational program. It is a program that is designed, in large part, to offer students who are having difficulty fitting into the grades because of their age, they have missed too much school or have not been able, for whatever reason, to keep up to their peers or their fellow students, and so are unable to fit into the regular school program. This program is, as I recall, intended as a last-ditch effort to make a special effort to provide a program for these students before they fall out of the parameters of elementary school and junior high school. It is a last-resort measure that is only taken after consultation with parents, after a lot of discussion with teachers and with the students themselves. In many parts of the North half of the instruction is taken with academic upgrading and the other half with some sort of training on a job site in communities, that is different businesses or employers take on these students during half of the day to provide them with some sort of training to prepare them for some likelihood that they would enter the work force -- rather early in some people's opinions. In many smaller communities this program is not able to be implemented successfully because of a lack of openings and opportunities and places where they could be provided with some suitable training. That particular program is being evaluated. I do not have the numbers that the Member would like, so I would have to get back to the Member at a later date with specific numbers and other findings we come up with.

MR. SPEAKER: Thank you, Mr. Minister. Part of that question is taken as notice. Oral questions. Mr. McLaughlin.

Question O92-88(2): Non-Residents Using NWT Health Care Services

MR. McLAUGHLIN: Thank you, Mr. Speaker. I have a question for the Minister of Health. I know she is aware that when residents of other provinces move permanently to the NWT that they are covered by their previous province for three months and then become covered by us. It has been brought to my attention, and I wonder if she is aware, that in a lot of cases it appears that non-residents of the NWT, who may or may not have NWT health care card numbers, are taking advantage of services in some of our communities -- in particular dental services to have their teeth fixed -- for free or at very low cost and are still probably in the health plans of the provinces they came from, and are still officially residents of those other provinces and are not paying taxes here but are paying taxes in those other jurisdictions. I was wondering if she was aware of this and, if not, could she look into it and report back. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLaughlin. Ms Cournoyea.

Return To Question O92-88(2): Non-Residents Using NWT Health Care Services

HON. NELLIE COURNOYEA: Yes, Mr. Speaker, it is my understanding that when anyone receives or requests treatment from any nursing station, hospital or medical facility in the NWT they must present a health care card number which is supplied to NWT residents. I will undertake to check into the areas of concern. I am not aware at this time that people are abusing the health care system by not providing that information for proper billing. However, upon more details I will proceed at looking into that particular matter. Thank you.

MR. SPEAKER: Thank you, Madam Minister. Again, part of the question taken as notice. Oral questions. Mr. Ernerk.

Question O93-88(2): Contract For Dental Services, Keewatin Region

MR. ERNERK: Mr. Speaker, I understand that a contract was let out to a Yellowknife company earlier in June of 1988, to serve the Keewatin Region with regard to dental services. I welcome, on behalf of the residents of the Keewatin Region, this service. My question to the Minister is this: What arrangements have been made with regard to this contract work? Is this a permanent or a casual? If it is permanent I support this, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you, Mr. Ernerk. Ms Cournoyea.

Return To Question O93-88(2): Contract For Dental Services, Keewatin Region

HON. NELLIE COURNOYEA: Mr. Speaker, on the discussion of dental service to the district of the Keewatin area, at this time we presently have an existing contract with the University of Manitoba, which runs until March 31st next year. The continuing service of this particular dental therapist is not now on a long-term contract. The issue of dental service is presently being discussed along with the other commitments we have on the carry-over of transfer between the Department of Health and the Keewatin Regional Health Board.

MR. SPEAKER: Thank you, Madam Minister. Oral questions. Mr. Angottitauruq.

Question O94-88(2): Price Of Food, Spence Bay

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. My question will be directed to the Minister of Government Services, and it is regarding the high price of food in Natilikmiot. Everything is quite high, according to the price index rates in the Northwest Territories. One of the communities, which is Pelly Bay, gets subsidies and they are the ones that get nothing by barge. Spence Bay is the next one which has a high price record in the Northwest Territories. Based on the hundreds, Spence Bay is on 200 to 209 and most of the other communities are averaging from 160 to 170. The government surely knows that Spence Bay is one of the highest for the price of food. I would like to know if the government is attempting to do something about the high price in that community.

MR. SPEAKER: Thank you. Mr. Minister.

HON. TOM BUTTERS: Mr. Speaker, I am aware of the subsidy or the assistance provided to Pelly Bay in flying food stuffs into that community, owing to the fact that it does not receive a guaranteed water supply all summer through. I will look into the matter of the Spence Bay situation and consult with my colleagues and respond to the Member in the near future.

MR. SPEAKER: Thank you, Mr. Minister responsible for Government Services. Question taken as notice. Mr. Angottitauruq, supplementary?

Question O95-88(2): Study On Sealift For Pelly Bay

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. In some way it is a supplementary to the question but it is dealing with another community which also has a similar problem. It is Pelly Bay, which I just mentioned.

The Government Leader knows that there has been some testing to see whether the community of Pelly Bay could get a sealift. If the government is still studying the possibility of a sealift in some time in the future, I would like to know whether a test of a ship would be going to Pelly Bay to see if they could start getting a sealift. The subsidy would almost pay the price of an attempt

to see if the government could start saving money, if they could support the idea of Pelly Bay getting a sealift. I hope I made my question clear. I think I mixed it up a little. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Angottitauruq. That question was directed to the Government Leader.

HON. DENNIS PATTERSON: Mr. Speaker, when I see the magnificent efforts being made by the Government of Alaska and the town of Barrow to break a path through the ice to free two grey whales, I am inspired to think that perhaps there might be something that we can do for the community of Pelly Bay as well. I would like to take the question as notice and either reply or have the Minister of Government Services reply. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Patterson. The question is taken as notice. Oral questions. Mr. Ernerk.

Question O96-88(2): Funding For Dock Facility, Rankin Inlet

MR. ERNERK: Thank you, Mr. Speaker. My question is to the Minister responsible for transportation. I understand that the government or a company is going to build a new dock facility in Rankin Inlet next year, in order to benefit Northern Transportation Company Ltd. I am wondering, Mr. Speaker, who is going to pay for this new dock facility. Is it coming out of the supplementary budget and for how much?

MR. SPEAKER: Thank you, Mr. Ernerk. To whom was that directed? I did not catch that.

MR. ERNERK: Mr. Speaker, the Minister responsible for transportation.

MR. SPEAKER: Thank you. The Minister responsible for transportation, Ms Cournoyea.

HON. NELLIE COURNOYEA: Mr. Speaker, on the dock facility scheduled for Rankin Inlet, I would like to take that question under advisement and bring, tomorrow, the details of the cost and whether that money is a transfer from federal to territorial.

MR. SPEAKER: Thank you, Madam Minister. The question is taken as notice. Oral questions. Mr. Pudluk.

Question O97-88(2): Improvement In Mining Safety At Polaris

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. To the Minister of Justice. This summer, as you are aware, you travelled through our region and there were two lives lost in a mine. Are you going to do anything about the act that was in place at this time? I went to the Polaris Mine and you were there just before I went but you did not state to me whether you were going to be going there or not. I was not aware when you were meeting with officials. I am aware that this is being dealt with by the federal government. Is there anything in place on how you can improve the safety of the mines? Thank you.

MR. SPEAKER: Mr. Ballantyne.

Return To Question O97-88(2): Improvement In Mining Safety At Polaris

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I would like to give the honourable Member thanks for giving me some notice about this question. The Member is correct, I had a very useful visit to the Polaris Mine site. I spent a number of hours underground. This was the site of two accidents. I had a long and very positive meeting with the safety committee at the mine. The honourable Member joined us for the latter part of that particular meeting. I intend during this session, to make a statement to outline the steps that I have taken since that meeting

to attempt to improve the situation in the area of mining safety and also in the area of safety generally across the Territories. Before the end of this week I will make the statement.

MR. SPEAKER: Thank you, Mr. Ballantyne. Oral questions. Mr. Morin.

Question O98-88(2): WBC Allowance For Disabled Person, Fort Resolution

MR. MORIN: Thank you, Mr. Speaker. My question is for the Minister responsible for Workers' Compensation Board. Madam Minister, last year in March I asked the Minister responsible for WCB if she would undertake an estimate on one of my constituents to check if he was more disabled than three per cent, as the Workers' Compensation Board had stated before, and to check if he was getting worse. I guess the Minister must have done something at that time because he was instructed to fly to Yellowknife from Fort Resolution for another checkup on his back. After he finished the checkup they did increase his allowance from \$42 to \$43 a month and they did send him a bill for \$235 for the plane fare. So I am wondering if you can take a personal interest in this to see if he can get some sort of justice out of the runaround from the bureaucracy. Thank you.

MR. SPEAKER: Thank you, Mr. Morin. Ms Cournoyea.

Return To Question O98-88(2): WBC Allowance For Disabled Person, Fort Resolution

HON. NELLIE COURNOYEA: Yes, Mr. Speaker.

MR. SPEAKER: Thank you. Oral questions. Mr. Lewis.

Question O99-88(2): Highway Construction Between Hay River And Pine Point

MR. LEWIS: I would like to address this question to the Minister responsible for the Department of Public Works and Highways to which she will give not just a yes or no answer, Mr. Speaker.

AN HON. MEMBER: Yes.

---Laughter

AN HON. MEMBER: No.

---Laughter

MR. ERNERK: Take the question as notice.

MR. LEWIS: This summer, Mr. Speaker, I spent many days checking out our highway system and I found that on highway five, on the stretch between Hay River and Pine Point there were 37.5 kilometres of construction going on and I never found anything going on anywhere else. So my question to the Minister is, why would we now be spending so much money on a road, recognizing that there are people at Fort Resolution and recognizing the people at Fort Smith, but why would she be building a road and spending so much money on it when the major use of that road in terms of industrial economic activity, in other words, the people who live in Pine Point are no longer there?

MR. SPEAKER: Thank you, Mr. Lewis. Madam Minister.

Return To Question O99-88(2): Highway Construction Between Hay River And Pine Point

HON. NELLIE COURNOYEA: Mr. Speaker, I will bring forward to you a review of the construction that took place last year so that the honourable Member can compare the treatment to other roads and highway systems was equitable.



MR. SPEAKER: Thank you, Madam Minister. Oral questions. Mr. Angottitauruq.

Question O100-88(2): Legal Aid Representative For Kitikmeot

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. My question will be directed to the Minister of Justice. I believe the Minister responsible for Justice already knows that the communities in Kitikmeot are requesting a legal aid representative. I guess the hardest part is when a justice of the peace and the RCMP put a trial to a person, the person on trial sits alone all by himself and the communities or the people of the community really do not know what is going on. It is because the accused has to represent himself or herself. And when they are on trial for a crime they sometimes cannot speak as loud as ordinary people can and a representative who knows and who has been trained with those things is very much needed. My question is, when are we going to be expecting some kind of help in that situation?

MR. SPEAKER: Mr. Ballantyne.

Return To Question O100-88(2): Legal Aid Representative For Kitikmeot

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. As the Member knows, this government and the Assembly have made tremendous strides in this particular area in the last three years. In the last three years there has been a law centre put into Tuktoyaktuk, there has been an extra law centre put into the Baffin and I am sure the Member has heard reports that the Legal Services Board has approved in principle, a law centre for the Keewatin. I have been on record in this House supporting these law centres in different regions of the NWT. I have always thought they would follow in a logical progression, the Keewatin has been working on their proposal for a number of years now.

I stated in this House that once the centre went into Tuk and into the Baffin, the next logical place would be Keewatin. Because of the decision of the Legal Services Board, that is where our emphasis and our resources will be spent in the next couple of years. I think that the Kitikmeot area has a very good claim to make to show that they also need this sort of service. What I would ask from them is for them to strongly put together their case, present it to the Legal Services Board, and I can say, as Minister I am sympathetic to fair representation in that particular area. Our next order of priority is the Keewatin but I see no problem with starting in the honourable Member's region, starting a process that will end up with an adequate level of service in his region. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Pollard.

Question O101-88(2): Newspaper Advertising Of Proposed Legislation

MR. POLLARD: Thank you, Mr. Speaker. My question, Mr. Speaker, is to the Government Leader. I would like to ask the Government Leader that in future would the Government Leader consider advertising, in NWT newspapers, the legislation that the cabinet intends to place before the standing committee on legislation, in order that the people of the NWT would be aware of new legislation and potential changes to existing legislation? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Pollard. Mr. Government Leader.

Return To Question O101-88(2): Newspaper Advertising Of Proposed Legislation

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. We are always open to good ideas and that idea seems one well worth considering. The answer is yes. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Government Leader. Mr. Pollard.

Question O102-88(2): Drugs On NWT School Properties

MR. POLLARD: New question, Mr. Speaker, is to the Minister of Education. Is the Department of Education doing anything to ascertain the use and/or trafficking of drugs on NWT school properties? Thank you, Mr. Speaker.

MR. SPEAKER: Mr. Kakfwi.

Return To Question O102-88(2): Drugs On NWT School Properties

HON. STEPHEN KAKFWI: The question is vicarious. Whether or not we are aware and taking action regarding possible use of school facilities or property for the trafficking of drugs. If you want to sound the alarm, I guess we could give a very detailed answer, but the response is that it is an ongoing concern that I think all schools, the teachers and the principals have, and this is relayed to the boards. The Department of Education is aware of the problem or the potential problem. I am not sure what else I could respond except to say that it is not unnoticed.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Pollard.

Supplementary To Question O102-88(2): Drugs On NWT School Properties

MR. POLLARD: Supplementary, Mr. Speaker, to the Minister of Education. Have there been any instances of use or trafficking of drugs on NWT school property brought to the attention of the Minister? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Mr. Minister.

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. I will take the question as notice.

MR. SPEAKER: Thank you. The question is taken as notice. Mr. Lewis.

Question O103-88(2): Improvement Of Highway To Prevent Traffic Fatalities

MR. LEWIS: Mr. Speaker, my question is for the Minister of Public Works and Highways. As the Minister knows, the majority of traffic that comes into the NWT comes into Yellowknife. Over the last two years there have been five fatalities, some of them people that lived in my constituency. I would like to ask the Minister responsible for Highways, what has she done to improve the condition on this highway since, in every case, it was the condition of the highway that caused the fatalities?

MR. SPEAKER: Madam Minister.

Return To Question O103-88(2): Improvement Of Highway To Prevent Traffic Fatalities

HON. NELLIE COURNOYEA: Mr. Speaker, as the Member knows, each year this Legislative Assembly approves certain budgets for the maintenance of various highways on a priority basis. Certainly from time to time it has been recognized, and I fully recognize this as the person responsible for Highways, that we do not have adequate funds to maintain the highways in a manner that we would all appreciate. Certainly when there are concerns arising on an emergency basis, this is reported to Public Works and Highways and we endeavour, as quickly as possible, to make those repairs.

The planning process for highways is an ongoing exercise that this government faces, and we recognize that we can never keep up with all the demands, but I believe sincerely that when a particular issue is brought to the attention of the Department of Public Works and Highways, they do everything possible to make those corrections. The ongoing planning is there, the ongoing maintenance, and the planning for new highways and construction exists. However, when a

special issue arises and is brought to our attention, and for the safety of people, we do everything we can in reallocating funding to fix up those troubled areas. Thank you.

MR. SPEAKER: Thank you, Madam Minister. Supplementary, Mr. Lewis.

Supplementary To Question O103-88(2): Improvement Of Highway To Prevent Traffic Fatalities

MR. LEWIS: Supplementary, Mr. Speaker. Has the Minister increased the number of passing zones as a result of these accidents? Has the highway had more oil put on it as a result of these accidents? Has signage been improved as a result of these accidents? That is my supplementary, Mr. Speaker, for now.

MR. SPEAKER: Madam Minister.

Further Return To Question O103-88(2): Improvement Of Highway To Prevent Traffic Fatalities

HON. NELLIE COURNOYEA: Mr. Speaker, if the honourable Member wishes us to be precise, I believe there is extra signage put up and I believe there has been extra money put into certain trouble spots. However, I will endeavour to bring back, a more detailed review of what we have done. I will attempt to have that information provided tomorrow.

MR. SPEAKER: Thank you, Madam Minister. Part of that question taken as notice. Oral questions. Mr. Ernerk.

Question O104-88(2): Funding For Law Centre For Keewatin Region

MR. ERNERK: Mr. Speaker, my question is to the Minister of Justice. I am really pleased to hear the Minister indicate to the House that he supports the establishment of a law centre in the Keewatin Region. I am wondering, Mr. Speaker, if the Minister is planning to include enough dollars in the 1989-90 main estimates so that we could see the establishment of a law centre in the Keewatin Region during that time.

MR. SPEAKER: Thank you, Mr. Ernerk. Mr. Minister.

Return To Question O104-88(2): Funding For Law Centre For Keewatin Region

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I do not have the official request from the Legal Services Board to be able to respond in a formal way to the Member. I think I have indicated to the House that I am very sympathetic to this particular project and we hope to see it well on its way in the next year. I cannot at this point in time, until the budget session, give a definitive answer. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Kilabuk.

Question O105-88(2): Building Of Pangnirtung School During School Year

MR. KILABUK: (Translation) Mr. Speaker, directed to the Minister of Education. As you are aware, the schools are built during the summer holidays and I was not very happy, in Pangnirtung, that they started the construction of the school building during the school year. The students had to quit school because of that. It would have been a good time to do that during the summer months. Perhaps you could get the employees to come up in the summertime. The building supplies and some of the materials arrived on the ship. I was not very happy about the construction being started during the school year, and perhaps you could plan this a year ahead, and be more organized, so the construction could start during the summer holidays before the school starts. This is my question. I would prefer that you plan well ahead so that the construction may start during the summer months rather than when the school starts.

MR. SPEAKER: Thank you, Mr. Kilabuk. Mr. Minister.

HON. STEPHEN KAKFWI: I will take the question as notice. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. The question is taken as notice. Oral questions. Mr. Pollard.

Question O106-88(2): Highways Patrolled By NWT Highway Patrol

MR. POLLARD: Thank you, Mr. Speaker. My question is to the Minister of Public Works and Highways, more in her capacity in the Highways department. The question being, which highways in the NWT, and what portion of those highways, are patrolled by members of the highway patrol? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Pollard. Madam Minister.

HON. NELLIE COURNOYEA: Mr. Speaker, to be specific I will take that oral question under advisement and present the answer tomorrow.

MR. SPEAKER: Thank you. The question is taken as notice. Oral questions. Mr. Zoe.

Question O107-88(2): Tabling Of Recommendations Of Social Services Internal Committee Structure Review

MR. ZOE: Thank you, Mr. Speaker. Mr. Speaker, on Friday I asked a question to the Minister responsible for Social Services regarding the internal review that was conducted in Social Services. She indicated to me at that time that the review had not been completed formally and she was still anticipating that the recommendations would be provided to her at some date in the future. My question to the Minister is, I realize that the review has been completed at the end of September and it has been three weeks now. Would she be tabling these recommendations in this particular session? Thank you.

MR. SPEAKER: Thank you, Mr. Zoe. Mrs. Marie-Jewell.

Return To Question O107-88(2): Tabling Of Recommendations Of Social Services Internal Committee Structure Review

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. In regard to the specific review the Member is questioning on, number one, for the recommendations to be tabled in this particular session, the recommendations will not be tabled in this particular session. Regarding the time frame of the review, the recommendations of the review are not only going to the Department of Justice for their opinion, but also, taking into consideration the cost implications that this government may have to absorb if any of the recommendations are implemented, costs are also being evaluated. I do not expect the detailed legal and financial implications on the review to be in detail for me to consider bringing it to cabinet somewhere prior to the new budget session. Thank you.

MR. SPEAKER: Thank you, Madam Minister. Oral questions. Mr. Angottitauruq.

Question O108-88(2): Income Criteria For Home-Ownership Assistance Plan

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. My question will be directed to the Minister of Housing. As the people of the NWT know, the home-ownership program is for people who apply for home-ownership and it has a limit of how much you will be able to make, and how much you have to be making, and the way the people of the NWT believe is that it is to assist home-owners in the NWT. But in my communities which I represent, there is one community that never has had a home-ownership program application accepted since the program began. They are making more than the limit, and they believe that they have a limit of how much they are supposed to be making. They are confused because in regional headquarters, or other communities in that area,

some people who are running businesses and making \$100,000 to \$200,000 are eligible to get home-ownership programs. The question is, what is the real purpose of the home-ownership program in the NWT if it is not fair to all the people, especially when you have a limit of so much and you are over that limit, and you are being told by the district office that you have a \$59,000 limit and you cannot get it? But other people with good businesses, who are making \$70,000 to \$100,000 a year, are eligible. What is the purpose of the home-ownership program in the NWT?

MR. SPEAKER: Mr. Butters.

Return To Question O108-88(2): Income Criteria For Home-Ownership Assistance Plan

HON. TOM BUTTERS: Mr. Speaker, the criteria for the HAP program has given many Members in this House problems. The concerns have been raised from the Eastern Arctic, the Keewatin, from the Valley. I think they echo the concern that Mr. Angottitauruq has placed before the House with regard to those criteria. I will commit to examining the criteria, as I know my colleague before me has done, and I will be interested in picking up where he left off. I will look at the anomalies and the equities that currently exist in that program. With regard to the specific question relative to the residents who have had their applications rejected, I do not recall that he named the settlement nor the individuals so I will approach him on an individual basis and discuss with him the criticism he makes of other applicants and others in communities who have received such assistance. So, I will investigate that concern with the Member, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Lewis.

Question O109-88(2): Availability Of Document To Member

MR. LEWIS: This also, Mr. Speaker, will require more than a yes or no answer. It is directed toward the Minister responsible for Social Services. There are people living in my constituency, whom I represent, who have a copy of an affirmative action program, or a policy discussion paper and I find it strange that as the elected person in a consensus government, I cannot have access to this document so that I can see what the intentions are. I find it very difficult to be an elected person in a consensus government and to find that an ordinary citizen in my community, in my constituency, has a document stamped "confidential" which I cannot see. Would the Minister now undertake to make that document available to me, please?

MR. SPEAKER: Madam Minister.

Return To Question O109-88(2): Availability Of Document To Member

HON. JEANNIE MARIE-JEWELL: Maybe, yes, that is a good answer for a politician. Mr. Speaker, in regard to that concern the Member has brought up, I would not be so quick to say "an ordinary citizen". The citizen that has the document is a member of the affirmative action advisory committee and has the document in the capacity of their role, to ensure that they review the draft document for me and consider whether or not we should further pursue and implement such a document and whether this government should adopt it.

I can reconsider, and I may reconsider, whether or not I would allow a copy of that draft document to be forwarded to that particular Member. However, I must indicate that I will not consider tabling the document. Thank you.

MR. SPEAKER: Thank you, Madam Minister. Oral questions. Item 6, written questions. Mr. Nerysoo.

ITEM 6: WRITTEN QUESTIONS

MR. NERYSOO: Thank you, Mr. Speaker. I have a number of written questions to a number of different Ministers. If I could stand and read all of the questions. Thank you, Mr. Speaker.

Question W12-88(2): Incarceration Practices By The RMCP

I wish to ask the Minister of Justice to conduct a review into the incarceration practices being used by the RCMP in the smaller communities. Will the Minister ensure that the constitutional rights of the residents are protected where such incarceration practices are being used? Would the Minister of Justice clarify to this House the process that communities can use to express their concerns about incarceration practices and the manner in which legal rights protected by the Constitution of Canada are being violated, particularly rights that are protected by the Charter of Rights?

Question W13-88(2): Review Of Working Conditions Of CNAs And RNAs

Mr. Speaker, a question to the Minister of Health. Will the Minister conduct a review into the working conditions and responsibilities of CNAs and RNAs and will the Minister include a review of salaries being paid to RNAs and CNAs and consider improvements to these salaries? Can this review consider an assessment of the benefits packages available to RNAs and CNAs?

Question W14-88(2): Federal Native Urban Housing Program

Mr. Speaker, this is a question to the Minister responsible for the Housing Corporation. Would the Minister indicate whether the NWT is utilizing the federal native urban housing program? How much money has been identified for the Northwest Territories? Is the government prepared to advise the public of the existence of this program and will the Minister ensure that the public is advised of the process of how the native people can utilize this program?

Question W15-88(2): Status Of Human Rights Code

A question, Mr. Speaker, to the Minister of Justice. Would the Minister indicate the status and the stage of development of the Human Rights Code?

MR. SPEAKER: Thank you, Mr. Nerysoo. Four written questions filed with the Clerk; two to the Minister of Justice, one to the Minister of Health and one to the Minister responsible for the Housing Corporation. Written questions. Item 7, returns to written questions. Mr. Clerk.

ITEM 7: RETURNS TO WRITTEN QUESTIONS

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, return to Question W3-88(2), asked by Mr. Ernerk to the Minister of Municipal and Community Affairs; return to Question W9-88(2), asked by Mr. Nerysoo to the Minister of Public Works and Highways.

Return To Question W3-88(2): List Of Aircraft Landings Since 1985

Hon. Gordon Wray's return to Question W3-88(2), asked by Mr. Ernerk on October 17, 1988, regarding list of aircraft landings since 1985:

In response to the Member's request for a list of aircraft landings in Rankin Inlet, I have provided the Member with an abstract from the Transport Canada publication "Aircraft Movement Statistics". Information on a daily basis as requested by the Member is not available. I have provided two charts; one detailing aircraft movements by weight category by month, and the other detailing aircraft movements by type by month. Both charts include information from January 1985 to May of 1988 with annual summaries incorporated.

Return To Question W9-88(2): Dempster Highway Granular Contracts

Hon. Nellie Cournoyea's return to Question W9-88(2), asked by Mr. Nerysoo on October 19, 1988, regarding Dempster highway gravel contract:

The question relates to a gravel crushing contract currently under way on the Dempster highway. The contract was awarded to the lowest bidder, Robinson's Trucking of Yellowknife, on August 24, 1988 for \$888,855. The crushing location is on the Dempster highway in the Richardson Mountains, 23.5 kilometres north of the NWT/Yukon border.

The contract's completion date was to be October 15, 1988, but because of poor weather, the contractor has been granted a three week extension to November 4. This is the only contract adjustment that we expect.

As good quality material is a problem in this area, considerable testing occurred over the past two summers toward selecting a site. This particular location is the only one in the general area that meets our specifications. The granular deposits are in an alluvial outwash, an outflow from a former glacier, consisting of hard, dark grey sandstone. Tests confirm that physical characteristics such as fine material content and hardness are well within acceptable limits. When the material is stockpiled, it actually looks much like mud. This appearance is caused by its dark colour, silt content and presence of moisture. The material is being continually tested by an Inuvik engineering consulting company. The testing results show variations in the amounts of sand and silt, but this is to be expected in this kind of deposit. Also, the contractor has been very selective in choosing material to crush, particularly by avoiding seams or areas of very fine materials at the site.

I wish to assure Mr. Nerysoo that gravel quality on the Dempster highway is very important to the department. All efforts will be made to produce a high quality, effective gravel.

MR. SPEAKER: Thank you, Mr. Clerk. Returns to written questions.

Item 8, replies to Opening Address. Item 9, petitions. Mr. Pudluk.

#### ITEM 9: PETITIONS

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I have Petition 7-88(2), requesting to have administration on the liquor order from the outside community, through the hamlet. There are 30 people who signed this petition. Thank you.

MR. SPEAKER: Thank you, Mr. Pudluk. Petitions.

Item 10, reports of standing and special committees. Item 11, tabling of documents. Mr. Angottitauruq.

#### ITEM 11: TABLING OF DOCUMENTS

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I would like to table Tabled Document 35-88(2), a letter from Canada Post Corporation. It is written on October 17, 1988, and it is addressed to me, deputy chairman, committee of the whole. I would like to just read three sentences to identify this letter.

MR. SPEAKER: Mr. Angottitauruq, if you could just apprise us of what the three sentences contain, briefly, and then you can table it. You should not read the thing complete.

MR. ANGOTTITAUURUQ: Mr. Speaker, it announces that Canada Post is going to be in future providing lock boxes and also there is a short one here that says, "We recognize that the Northwest Territories are unique in terms of population distribution...", and that is quite interesting for the Northwest Territories. "We will be looking to extend this concept of working in partnership with local businesses to extend our services in the Northwest Territories." So I will table this and pass it on to the Members.

MR. SPEAKER: Thank you, Mr. Angottitauruq. Tabling of documents. Mrs. Marie-Jewell.

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I wish to table Tabled Document 36-88(2), "Choices", A Three-Year Action Plan to Address Spousal Assault, 1986-89, Second Annual Report to March 1988. Thank you.

MR. SPEAKER: Thank you, Mrs. Marie-Jewell. Tabling of documents. Item 12, notices of motion. Mr. Butters.

REVERT TO ITEM 12: NOTICES OF MOTION

Notice Of Motion 15-88(2): Canada Post Briefing To Legislative Assembly On Postal Services In The Northwest Territories

HON. TOM BUTTERS: Mr. Speaker, I give notice that on October 26 I will move the following motion: Now therefore, I move, seconded by the honourable Member for High Arctic, that this Assembly authorize the Speaker to extend to Mr. Donald Lander, president and chief executive officer of the Canada Post Corporation, an invitation to appear in the committee of the whole during this session to discuss Canada Post's future plans for postal services in the Northwest Territories.

MR. SPEAKER: Thank you, Mr. Butters. Notices of motion. Mr. Ernerk.

Notice Of Motion 16-88(2): Saving The Whales Effort At Point Barrow

MR. ERNERK: Thank you, Mr. Speaker. On October 26, Wednesday, I shall move the following motion: I move, seconded by the honourable Member for High Arctic, Ludy Pudluk, that this Legislative Assembly commends the Government of the United States and the Inupiat of Barrow in their efforts to save the whales from death.

MR. SPEAKER: Thank you, Mr. Ernerk. Notices of motion. Item 13, notices of motion for first reading of bills. Mr. Ballantyne.

ITEM 13: NOTICES OF MOTION FOR FIRST READING OF BILLS

Notice Of Motion For First Reading Of Bill 20-88(2): Supplementary Appropriation Act, No. 2, 1988-89

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Wednesday, October 26, 1988, I shall move that Bill 20-88(2), Supplementary Appropriation Act, No. 2, 1988-89, be read for the first time.

MR. SPEAKER: Thank you, Mr. Minister. Notices of motion for first reading of bills. Item 14, motions. Motion 9-88(2). Motion 9-88(2) has been called twice. This motion has now been dropped from the order paper. Motion 11-88(2). Mr. Ballantyne.

REVERT TO ITEM 14: MOTIONS

Motion 11-88(2): Tabled Document 33-88(2) To Committee Of The Whole, Carried

HON. MICHAEL BALLANTYNE: Mr. Speaker:

I MOVE, seconded by the honourable Member for Hay River, that Tabled Document 33-88(2), Extension Amendment to the Formula Financing Agreement Between the Government of Canada and the Government of the Northwest Territories, be moved into committee of the whole for consideration.

MR. SPEAKER: Thank you, Mr. Ballantyne. To the motion. The motion is in order. Seconder of the motion wishes to speak?



AN HON. MEMBER: Question.

MR. SPEAKER: All those in favour? Those opposed? The motion is carried.

--Carried

Tabled Document 33-88(2) has moved into committee of the whole. Motion 12-88(2). Mr. Gargan.

Motion 12-88(2): Funding For 200th Anniversary Sir Alexander Mackenzie Canoe Trip Pageant

MR. GARGAN: Mr. Speaker:

WHEREAS 1989 marks the 200th anniversary of Sir Alexander Mackenzie's canoe trip down the Deh Cho to the Arctic Ocean;

AND WHEREAS Sir Alexander Mackenzie's entrance to the Deh Cho was 45 miles from Fort Providence;

AND WHEREAS July 9th, 1970, during the centennial of the Northwest Territories, the Sir Alexander Mackenzie canoe pageant started from Fort Providence and went to Inuvik;

AND WHEREAS the Deh Cho Regional Council supports the community of Fort Providence to host celebrations for the 200th anniversary;

AND WHEREAS there are plans to hold the Deh Cho canoe pageant race from Fort Providence to Inuvik with stops at each community along the route;

AND WHEREAS this historic event should be formally recognized;

NOW THEREFORE, I move, seconded by the honourable Member for Inuvik, that this Legislative Assembly officially acknowledge that 1989 marks the bicentennial of Sir Alexander Mackenzie's canoe trip down the Deh Cho to the Arctic Ocean;

AND FURTHER, that the Legislative Assembly recommends that the Government of the Northwest Territories consider providing funding for the planning and implementation of the historic canoe pageant from Fort Providence to Inuvik.

Thank you.

MR. SPEAKER: Thank you, Mr. Gargan. Your motion is in order. To the motion. Mr. Gargan.

MR. GARGAN: Mr. Speaker, just briefly to the motion. Sir Alexander Mackenzie was born in Scotland in 1764 and in 1789, Alexander Mackenzie, in trying to find the Pacific Ocean, entered Lake Athabasca and Fort Chipewyan and from there went down to reach the mouth of the Mackenzie on June 29, and on to the Arctic Ocean. He named the great river after himself, which was the river of disappointment. He did eventually find another route to the Pacific Ocean.

Mr. Speaker, I met with the community of Fort Providence yesterday and at the meeting the community has, with myself and the mayor and the chief, decided to come up with \$300, \$100 each, to come up with a logo for this historic event. I just want to pass a copy of my own version of what the logo should look like and I will just pass it on for Members to look at. It is a logo that is about eight inches in diameter with a cross of paddle and canoes and paddles right in the middle. The bottom half is the river itself. To your left are the trees, to your right are the mountains and the hills and the top part is the sky with the midnight sun reflecting it.

Also, the hamlet of Fort Providence is willing to give seed money of \$4000 for a committee to be established. They have also identified an office where this person, whoever is identified to co-ordinate this whole race, will have an office.

The committee itself would be the Sir Alexander Mackenzie canoe race committee, 1989, and the committee has decided that one member would come from the band, one member would come from the hamlet, myself as a Member, would be on it and we also decided on one member from Inuvik, primarily because it would be co-ordinated between Inuvik and ourselves.

There is a motion done by the band council supporting that we host this special event and also the hamlet council. There have also been letters written to 26 communities, from Fort Smith to Inuvik, that will be participating in this race. There have also been letters written to the Members to support this. Also, a motion supporting it by the regional council. There is also a motion supporting this race by the Dene/Metis leadership too. I have also written to Bill McKnight, Benoit Bouchard and, also, Jean Charest, Minister of State for Fitness and Amateur Sport.

#### Timing And Mileage Scheduled

Mr. Speaker, I also have a schedule which would start the canoe race on July 2nd at 5:00 a.m. in the morning, to arrive at between Fort Providence and Fort Simpson, around 5:30 p.m. The average is about 80 to 90 miles a day, depending on the distance between each community. The race will end on July 19th in Inuvik and at that time they would have paddled 1126 miles.

Mr. Speaker, I believe that the Dene and Metis Assembly is planned around that time too, so that will tie in fairly well with that particular event in Inuvik.

Lakehead University in Thunder Bay, Ontario, is also doing an expedition from Thunder Bay to Fort McMurray up to Fort Chipewyan, on to Fort Smith, on to Slave River and on to Fort Providence. This particular group is also going to be hitting Fort Providence on the 28th or 29th of June and June 29th is when we have decided to start our celebration. Primarily, why we chose June 29 is because Mackenzie entered the river and, also, we wanted to give an opportunity to the schools in the Western Arctic to be a part of this historical event. In other words, a school could do a performance whether it is music or other activities, for an audience.

Also, the second day which is Friday, June 30th, we would like to dedicate for a festival of the arts, performing arts or fine arts. Also, on July 1st, is when we would like to get the races going. There will be 26 communities participating and of the 26 communities, we hope that groups of all ages will be a part of this special event by organizing canoe sprints, etc. We would also like to have a parade at that time too.

#### Invitations To Be Sent

Mr. Speaker, I have also talked with the Commissioner with regard to -- because the royal family was at the 1970 canoe race, we would like to send a special invitation to the royal family to be a part of this historic event. Also, of course, the new Prime Minister, Ed Broadbent.

---Applause

---Laughter

I would like to invite the Prime Minister, at the same time. Because usually the Snowbirds perform in Ottawa on July 1st, we are hoping that if the royal family and the new Prime Minister or the existing Prime Minister are in Fort Providence, they might be able to do that at that time. The race itself will start on July 2nd, which is a Sunday, at 5:00 a.m.

I have also mentioned the point one step beyond doing that. There is also a group from St. John School of Alberta which are re-enacting that whole thing so there is a lot of interest right across the country with regard to this particular race.

I will also be making a presentation, Mr. Speaker, to the tourist association this coming Monday. The Department of Economic Development has also agreed to try to promote this right across the country if and when there is support for this motion.

Just one final note. Of the 26 communities, the community of Fort Providence has looked at prizes and the cost for canoes is somewhere in the neighbourhood of \$2370 times 26 which comes up to about \$61,620.

The spinoff of this is that we are hoping that between the town of Inuvik and Fort Providence we will get into an economic joint venture to do this trip annually once the Mackenzie canoe trip is completed. I would like the Members to support me on that. Thank you.

MR. SPEAKER: Thank you, Mr. Gargan. Secunder of the motion, Mr. Butters. Perhaps you have some brief comments too.

HON. TOM BUTTERS: I heard you, Mr. Speaker, recommend "brief" comments. I support the motion, obviously, and I commend the Member for his vision and his hard work in putting this program together. He has done a lot of research and has contacted a lot of people and I think that type of initiative needs to be recognized and rewarded.

I will work with the new mayor and council in Inuvik to assist in receiving the visitors who come down the river in canoes and other boats. People in Inuvik are always delighted to see them coming because unlike Mackenzie, they never try and paddle back up river, they sell their boats in Inuvik pretty cheap so we get a deal on canoes and boats. We welcome all these owners of canoes and boats down to Inuvik this coming summer.

Levity aside, I would point out that I think the big river, the mighty Mackenzie is a river that has captured the imagination of many nations of the world. It is one of our major rivers, mankind's major rivers, and I think that with proper marketing the trip from Providence to the Arctic Coast would be taken by many.

The river today is not a river, sir, of disappointment or despair. It is a river of hope and opportunity and some day we would expect to see Canada from sea to sea to sea recognized, and a great deal more activity occurring North of 60 by Canadians who want to enjoy the quiet and the wide expanse of beautiful country that the North offers. Likewise, when you travel the Mackenzie, there are fish camps. There are people at work. I would expect the visitors have always received and, I trust, will always receive if they deserve it, that hospitality, the warmth and welcome of the people that work the Mackenzie. To be treated in a fish camp with dried fish or fish chowder or some of the delicacies, and welcomed as a guest and a friend in these various camps is a memory to hold dear. I look forward to a beginning that Mr. Gargan has placed before us. May we see an increase in this type of activity in the future.

MR. SPEAKER: Thank you, Mr. Butters. To the motion. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Speaker. Firstly, as the representative for Mackenzie-Delta, which in 1970 captured first and second place in the...

---Laughter

For those two communities anyway, Fort McPherson and Aklavik, we certainly accept the challenge to participate in an event of this type. I think it was extremely helpful in terms of getting people to travel to other regions and to become aware of the importance of such an event in 1970, and I think that in retracing Mr. Mackenzie's canoe trip again, hopefully people from the Inuit communities can participate as well, because it is an interesting little journey. I wanted to rise to say I supported the motion by the honourable Member and I am prepared to raise my hand in support of the motion.

MR. SPEAKER: Thank you, Mr. Nerysoo. To the motion. Mr. Pollard.

**MR. POLLARD:** Thank you, Mr. Speaker. I think Her Worship Mayor Mary King of Hay River has already accepted the challenge, Mr. Speaker, and I wanted to dispel any rumours that the Kings are trying desperately to mount a jet boat on a canoe where it cannot be noticed. But they certainly intend to go out and try to win this race, Mr. Speaker. The other thing I would like to point out to the Member is that there was no mention of Ed Broadbent before we agreed to participate in this race...

---Laughter

...and it might have been a different story if there had been, Mr. Speaker. I shall be supporting the motion of course, Mr. Speaker. I think it is an excellent event and it is no secret that we have been trying to arrange a jet boat race down the Mackenzie for some years. I will be supporting my colleague, Mr. Gargan, in his venture here. Thank you.

**MR. SPEAKER:** Thank you, Mr. Pollard. To the motion.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question is being called. As the mover of the motion, Mr. Gargan, you have the right to last reply and this will close the debate on the motion. Mr. Gargan.

**MR. GARGAN:** Mr. Speaker, just for interest to the general public, I did send a letter to all the municipalities, but where the municipalities decide that they do not wish to sponsor a team, then it would also be up to the band or an interest group. But the rules right now are one canoe per community. There will be no exceptions. It is six people per canoe, same style canoe, same style paddles, same style life jackets, so that everybody is equal when the race starts -- I do not know when it reaches the end. Also just to mention that if you look at the person himself, Sir Alexander Mackenzie, his first initials end up with SAM. I thought maybe I would mention that. This is a good event. I hope that maybe for the Eastern Arctic Members, eventually there will be a celebration of an event such as Martin Frobisher or Sir John Franklin ...

---Laughter

...but if and when that occurs, perhaps we would give the same kind of support to those people. If they do decide to celebrate. Thank you.

Motion 12-88(2), Carried

**MR. SPEAKER:** Thank you, Mr. Gargan. Are you ready for the question?

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question is being called. All those in favour of the motion? Thank you. All those opposed? The motion is carried.

---Carried

Motions. Motion 13-88(2). Mr. Zoe.

Motion 13-88(2): Land Claims Of The Lubicon Indians Of Alberta, Withdrawn

**MR. ZOE:** Thank you, Mr. Speaker. Mr. Speaker, with the consent of the seconder, I would like to withdraw my motion, but I would like as well to proceed with a similar motion tomorrow. Thank you.

**MR. SPEAKER:** Thank you, Mr. Zoe. Mr. Gargan, as the seconder, are you agreed?

MR. GARGAN: Agreed.

MR. SPEAKER: Thank you, Mr. Gargan. Motion 13-88(2) has been withdrawn. Motions. Mr. Ernerk.

MR. ERNERK: Mr. Speaker, I wonder if I could ask for unanimous consent of the House to read my motion that I introduced earlier for Wednesday.

MR. SPEAKER: The Member for Aivilik is requesting unanimous consent to proceed with his motion concerning whales. There are no nays. Mr. Ernerk, please proceed.

Motion 16-88(2): Saving The Whales Effort At Point Barrow

MR. ERNERK: Thank you, Mr. Speaker. Mr. Speaker, my motion is as follows:

WHEREAS the people of Point Barrow, Alaska, have been working to free three grey whales trapped in the ice off Point Barrow;

AND WHEREAS the Inuit depend on wildlife such as these whales for their subsistence;

AND WHEREAS the efforts of the Inupiat of Point Barrow is an example of how the aboriginal people are able to live in harmony with nature;

NOW THEREFORE, I move, seconded by the honourable Member for High Arctic, Mr. Pudluk, that this Legislative Assembly commends the Government of the United States and the Inupiat of Barrow in their efforts to save the whales from death.

MR. SPEAKER: Thank you, Mr. Ernerk. A copy of the motion has been filed with the Chair. Mr. Ernerk, your motion is in order. To the motion, Mr. Ernerk.

MR. ERNERK: Mr. Speaker, just to indicate that there has been a lot of effort by all parties involved in trying to save these three whales from death off the coast of Barrow. I have been there and I take a particular interest in that region because these people live off these renewable resources for subsistence purposes. Both the Inupiat, and I am sure the government of the State of Alaska, as well as the Government of the United States, have taken a lot of effort to save the whales, so I think it is appropriate to send a message to those involved, the people of Barrow, the government of the State of Alaska and the Government of the United States, and tell them that the Legislative Assembly of the Northwest Territories commends both the people and the government in their efforts to save these whales. Thank you.

MR. SPEAKER: Thank you, Mr. Ernerk. The seconder of the motion, Mr. Pudluk. To the motion. Mr. Nerysoo.

MR. NERYSOO: Thank you. Unfortunately, I did not have a copy of the motion, Mr. Speaker, but one commendation that seems to have been overlooked in terms of expression of commendation has to be, I think, the efforts of Arco Alaska Incorporated, the oil company in the region. They have spent something in the neighbourhood of about \$500,000 in their support. They have been working with the Inupiat of Barrow to save the whales from death and I think, Mr. Speaker, you might express to Arco your commendation for their support of the Inupiat as well.

MR. SPEAKER: Thank you, Mr. Nerysoo. To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Question is being called. Mr. Ernerk, you have the right to close the debate on the question. This will close the debate on this motion.

MR. ERNERK: No, Mr. Speaker.

Motion 16-88(2), Carried

MR. SPEAKER: Question is being called. All those in favour? Thank you. All those opposed? The motion is carried.

---Carried

Motions. Item 15, first reading of bills. Mr. Ballantyne.

ITEM 15: FIRST READING OF BILLS

First Reading Of Bill 25-88(2): Write-Off Of Assets And Debts And Forgiveness Of Debts Act, 1988-89

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HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Nunakput, that Bill 25-88(2), Write-off of Assets and Debts and Forgiveness of Debts Act, 1988-89, be read for the first time.

MR. SPEAKER: Thank you, Mr. Minister. All those in favour? Those opposed? The motion is carried.

---Carried

Bill 25-88(2) has had first reading. First reading of bills. Bill 26-88(2). Mr. Gargan.

First Reading Of Bill 26-88(2): Motor Vehicles Act

MR. GARGAN: Mr. Speaker, I move, seconded by the honourable Member for High Arctic, that Bill 26-88(2), An Act to Amend the Motor Vehicles Act, be read for the first time. Thank you.

MR. SPEAKER: Thank you, Mr. Gargan. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 26-88(2) has had first reading. First reading of bills. Item 16, second reading of bills. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I seek unanimous consent to proceed with second reading of Bill 25-88(2), Write-off of Assets and Debts and Forgiveness of Debts Act, 1988-89.

MR. SPEAKER: Thank you. The Minister has requested unanimous consent to give second reading to Bill 25-88(2). Are there any nays? Proceed Mr. Minister, there are no nays. You have unanimous consent.

ITEM 16: SECOND READING OF BILLS

Second Reading Of Bill 25-88(2): Write-Off Of Assets And Debts And Forgiveness Of Debts Act, 1988-89

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HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Slave River, that Bill 25-88(2), Write-off of Assets and Debts and Forgiveness of Debts Act, 1988-89, be read for the second time. The purpose of this bill, Mr. Speaker, is to write off certain assets owned by and debts owed to the government; and to forgive certain debts owed to the government.

MR. SPEAKER: Thank you. To the principle of the bill.

AN HON. MEMBER: Question.

MR. SPEAKER: All those in favour? All those opposed? The motion is carried.

---Carried

Bill 25-88(2) has had second reading. Second reading of bills. Mr. Gargan, do you want to try?

MR. GARGAN: Mr. Speaker, I would like to get unanimous consent to have second reading of my bill.

MR. SPEAKER: Thank you. Mr. Gargan has requested unanimous consent to give second reading to Bill 26-88(2), An Act to Amend the Motor Vehicles Act. Are there any nays? There are no nays. Mr. Gargan, you have unanimous consent. Please proceed.

Second Reading Of Bill 26-88(2): Motor Vehicles Act

MR. GARGAN: Mr. Speaker, I move, seconded by the honourable Member for High Arctic, that Bill 26-88(2), An Act to Amend the Motor Vehicles Act, be read for the second time. The purpose of the bill, Mr. Speaker, is to amend the Motor Vehicles Act to create a class of highways to be known as "subsistence use roads"; to repeal the application of seat belt provisions to subsistence use roads; to repeal the requirements of seat belts within municipalities unless municipal corporations specifically resolve that they shall apply; to repeal provisions concerning a driver leaving a running vehicle unlocked; to allow persons to ride in the box of a truck travelling at speeds of less than 60 kilometres per hour. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Gargan. To the principle of the bill.

AN HON. MEMBER: Question.

MR. SPEAKER: All those in favour? All those opposed? The motion is carried.

---Carried

Bill 26-88(2) has had second reading. Mr. Clerk, Bill 25-88(2) and Bill 26-88(2) have had second reading and are ordered into committee of the whole. Second reading of bills. Item 17, consideration in committee of the whole of bills and other matters: Committee Report 1-88(2), Tabled Document 2-88(2), Bill 2-88(2), Bill 6-88(2), Tabled Document 15-88(2), Tabled Document 21-88(2), Tabled Document 16-88(2), Tabled Document 10-88(2), Tabled Document 11-88(2), Tabled Document 28-88(2) and Tabled Document 33-88(2), with Mr. Zoe in the chair.

ITEM 17: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER COMMITTEE REPORT 1-88(2); TABLED DOCUMENT 33-88(2), AMENDMENT TO THE FORMULA FINANCING AGREEMENT; BILL 25-88(2), WRITE-OFF OF ASSETS AND DEBTS AND FORGIVENESS OF DEBTS ACT, 1988-89; BILL 6-88(2) EDUCATION ACT

CHAIRMAN (Mr. Zoe): I would like to call the committee to order. Can I get an indication from the Government House Leader as to which item the government wants to proceed with today?

HON. MICHAEL BALLANTYNE: Thank you. With the concurrence of the committee, the government is prepared to proceed with the formula financing agreement, the write-off of assets bill, Bill 25-88(2), the Education Act and then the Northern Accord discussions which is on the order paper for committee of the whole.

**CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree?**

**---Agreed**

**Thank you. We will proceed with Tabled Document 33-88(2) right after we conclude our coffee break. There will be a 15 minute recess.**

**---SHORT RECESS**



CHAIRMAN (Mr. Zoe): I would like to call the committee back to order. We are dealing with Tabled Document 33-88(2), Amendment to the Formula Financing Agreement. I believe it is in your file folders underneath your seat under tab 33. Mr. Minister, would you introduce this particular tabled document?

Tabled Document 33-88(2): Amendment To The Formula Financing Agreement

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. As Members will recall, during the budget session last year I was in process of negotiation with the federal government to get the extension to the formula financing agreement. Actually it was not until two days before I gave my Budget Address that I received an agreement in principle with Mr. Wilson and Mr. McKnight. But it was not until September of this year that I finally had an officially signed document from Mr. McKnight and Mr. Wilson. Under our legislation, I am obligated to lay before the Assembly, amendments to the formula financing agreement which I am now doing, Mr. Chairman.

Mr. Chairman, our government is proposing to extend or we have extended the formula financing agreement between the Government of the Northwest Territories and the Government of Canada for a further two years to March 31, 1990. The proposed amendment agreement will extend the terms of the original agreement with some adjustments. The main adjustment to the agreement is the imposition by the federal government of a ceiling on the escalator, the annual amount by which the Government of the Northwest Territories gross expenditure base is increased. The escalator will be equal to the lesser of the three year moving average of provincial/local government expenditure growth, which is the present criterion, or to the three year moving average of a growth of the national gross domestic product. Current projections do not indicate that the ceiling will be activated during 1988-89 or 1989-90. The extension of the agreement ensures funding levels will be reasonably predictable for the current and for the next fiscal year. So although the federal government has insisted on a clause which limits the escalator, we as a government are still very pleased with the extension we were able to negotiate.

The real crunch will come, as I have brought to the attention of this House on a number of occasions, when we negotiate a new formula financing agreement. All the indications the federal government has given to us is that they are going to be very, very tough when negotiating a new formula financing agreement. I for one would consider it a major victory if we could keep the particular arrangement we have and extend it for another three to five years. I think we would have done very well but I will be expecting some very tough negotiations with the federal government. I will be asking for the support of this House during those negotiations.

With that, Mr. Chairman, I would like to make a motion and perhaps after the motion there can be whatever discussion the committee thinks is necessary for this particular subject.

Motion That Tabled Document 33-88(2), The Extension Agreement To Formula Financing Agreement, Be Approved

Mr. Chairman, I move therefore, that the extension agreement to the formula financing agreement between the Government of Canada and the Government of the Northwest Territories, made pursuant to the Financial Administration Act, be approved.

CHAIRMAN (Mr. Zoe): Mr. Ballantyne, can the Chair get a copy of your motion? Before I make a ruling on your particular motion, maybe I can call upon the chairman of the standing committee on finance for his comments regarding Tabled Document 33-88(2). Thank you.

Comments From Standing Committee On Finance

MR. POLLARD: Thank you, Mr. Chairman. Mr. Chairman, the standing committee on finance reviewed this document on October 19 by itself, and with the Minister on October 20, 1988. The October 20 meeting with the Minister was a momentous occasion, Mr. Chairman, because on that

occasion the Minister of Finance admitted that he had been wrong previously, when he was the chairman of the standing committee on finance, with regard to the agreement. Mr. Chairman, the Finance Minister also said at that time that he would be heaping accolades upon the previous Minister of Finance and admitting in this House that he was wrong and I am still looking for those comments. With regard to the tabled document, Mr. Chairman, the standing committee on finance by way of motion on the 20th of October approved the document and suggests to this House that it ratify its will that the Minister enter into this agreement with the Government of Canada as soon as possible. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Zoe):** Thank you. I have a motion on the floor, proposed by Mr. Ballantyne. Motion reads that he moves: that Tabled Document 33-88(2), the extension agreement to the formula financing agreement between the Government of Canada and the Government of the Northwest Territories, made pursuant to the Financial Agreement Act, be approved. To the motion. Your motion is in order, Mr. Minister.

**HON. MICHAEL BALLANTYNE:** Mr. Pollard would not wait for me to live up to the commitment I made in committee. I just wanted to say again for the record, Mr. Butters, who originally negotiated the first three years of this agreement, deserves a tremendous amount of credit for the agreement. As I have worked with the agreement into the fourth year, I really began to understand how important this agreement is to the government. It was probably, if not the most significant constitutional step this government has taken, certainly among the top two or three constitutional steps this government has taken. Mr. Pollard is right and I have also said this before, that as chairman of the finance committee back in 1985, I had some real concerns then about the agreement and I do not mind at all saying that my concerns have proven to be unfounded and the formula financing agreement has been a tremendous tool for this government and for this Assembly.

It really was not until I had to negotiate the extension of the agreement that I recognized the degree of opposition in Ottawa to this arrangement. So I just want to end by saying that Mr. Butters was right in 1985, and a lot of my concerns were proven to be unfounded. Mr. Butters deserves a lot of credit for negotiating that original agreement. Thank you.

**CHAIRMAN (Mr. Zoe):** Thank you. To the motion. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, just to clarify. On the first page, third to last paragraph "...Vote 40 is based...Vote 45 is based...Vote 50 is based." I just wanted to ask the Minister, what does that mean?

**CHAIRMAN (Mr. Zoe):** Thank you.

**HON. MICHAEL BALLANTYNE:** These are numbers that are given in the federal system to their budget process. Here in our system we have Vote 4, Vote 5, and Vote 8. These are specific votes in the federal system to identify territorial expenditures.

**CHAIRMAN (Mr. Zoe):** Thank you. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Zoe):** The Chair does not recognize a quorum. Mr. Clerk, would you ring the bell for five minutes? Are you now ready for the question?

**AN HON. MEMBER:** Question.

**Motion That Tabled Document 33-88(2), The Extension Agreement To Formula Financing Agreement, Be Approved, Carried**

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CHAIRMAN (Mr. Zoe): All those in favour? Opposed? The motion is carried.

---Carried

This concludes Tabled Document 33-88(2). It being passed by the motion, does the committee agree that Tabled Document 33-88(2) is approved and concluded?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. We will now go to Bill 25-88(2), Write-off of Assets and Debts and Forgiveness of Debts Act, 1988-89. Mr. Minister.

**Bill 25-88(2): Write-Off Of Assets And Debts And Forgiveness Of Debts Act, 1988-89**

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I will give the opening comments because it is my bill. When we get into the bill itself, if I could handle the write-off of assets for Government Services and Ms Cournoyea will handle the write-off of debts for Public Works and the forgiveness of debts for Public Works.

CHAIRMAN (Mr. Zoe): Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Mr. Minister.

**Minister's Opening Remarks**

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. The purpose of this act is to attain Legislative Assembly approval to the write-off of one asset owned by the government and one debt owed to the government. In addition, approval is being sought for the forgiveness of one debt owed to the government.

Individual cases of write-off of assets and debts valued at over \$20,000 require Legislative Assembly approval pursuant to section 24 of the Financial Administration Act.

Individual cases of forgiveness of debts for any dollar value require Legislative Assembly approval pursuant to section 25 of the Financial Administration Act.

The write-off and forgiveness of the assets and debts being proposed in this act would not require any direct expenditure of government funds. These amounts will be charged against the existing departmental budgets. The schedule to the act summarizes the asset and debt being proposed for write-off and the debt being proposed for forgiveness.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Pollard, the chairman of the standing committee on finance.

MR. POLLARD: Thank you, Mr. Chairman. The standing committee on finance has reviewed the bill, Mr. Chairman, and with your permission I will make comments on schedule one, two and three when you get to them, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. General comments. Are there any further general comments? If not, does the committee agree that we go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 1, terms. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 2, write-off of assets. Mr. Pollard.

Comments From Standing Committee On Finance

MR. POLLARD: Mr. Chairman, Schedule I, public stores revolving fund inventory owned by the government, writing off \$29,858.87. I think the Minister had said that when it came into the House, Mr. Chairman, he would be able to give us the previous four years' write-off to that particular account in percentage form, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: My department has not been able to get that information yet, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Mr. Pollard.

MR. POLLARD: Mr. Chairman, the reason that we were asking for the information is that it appears that there is a three and a half per cent write-off on \$654,000 worth of inventory. We are satisfied that the inventory takes place annually and we are also satisfied, Mr. Chairman, that we are not looking at three large ticket items of, say, \$5000, \$10,000 and whatever else the amount may be, \$1000. We are looking at minor items.

We are also satisfied that the losses did not occur in one particular area or region of the Northwest Territories, that it was general across the Territories and the only thing we are questioning and perhaps the Minister can provide it at a later date, Mr. Chairman, is the fact that three and a half per cent, we would like to compare it to the last four years that the government has had to write off. Other than that, we are prepared to proceed on this, Mr. Chairman, thank you.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: I have no problem with that. Once I get the information I will make the information available to the committee. I am told that in last year's territorial accounts, the pluses and minuses of these write-offs pretty well balance out. There has not been overall, historically, a major trend that we are writing off more and more after these sorts of evaluations. We seem to now be fairly close to even but I will make the specific information available to the committee.

CHAIRMAN (Mr. Zoe): Thank you. Schedule I, assets written off, total \$29,858.87. Mr. Ernerk.

MR. ERNERK: Thank you, Mr. Chairman. Is the Minister indicating to us that he does not have the exact information with regard to the issue of assets? Is that what I am hearing? You have the information but what I would just like to know, Mr. Chairman, is what is being written off in terms of assets? This is pretty close to \$30,000. I would like to know what I am voting for.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: My response was to a request from the chairman of the finance committee to look at the historic percentage over the last four years. This year, it is three and a half per cent and I will get that further information. There were a number of things in inventory, including paper and paint. There were no large items. Stationery, writing utensils, and what have you. Basically, what we do is check what we have in hand with what the records show. So, for instance, if the records show that you have 1500 pens and you only had 1200, you would write off the 300. There was no one major item but a number of small items that made up this particular inventory.

CHAIRMAN (Mr. Zoe): Thank you. Assets written off, total \$29,858.87. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 2, write-off of assets. That is dealing with Schedule I. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 3, write-off of debts. Debts written off, Schedule II. Madam Minister.

HON. NELLIE COURNOYEA: Yes, Mr. Chairman, in regard to the co-op write-off for \$90,000, a question was raised why the amount receivable of \$90,000 from the sale of the building in 1981 was not formally reported...

CHAIRMAN (Mr. Zoe): Madam Minister, excuse me but we are not on schedule III yet. We are dealing with Schedule II, debts written off. It is with the Department of Indian Affairs and Northern Development. Schedule II, which refers to clause 3, \$187,307.87. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Yes, I handled this one in the committee. This particular one is a write-off of \$187,307.87 and it has to do with prior transfer responsibility for the highways program from the federal government to the GNWT. Before that, the GNWT would encourage expenditures for highway construction projects and be reimbursed through a contribution agreement.

#### Federal Government Refuses To Pay

The amount to be written off is an amount which the federal government refuses to pay. The refusal is based on the fact that the amounts were outstanding when the highway responsibility was transferred to the GNWT with no reference in the transfer of payment by the federal government of outstanding amounts owing. We negotiated a deal with the federal government. They owed us this amount of money, but in the deal that we signed we did not note that there was money outstanding, so they say that because it was not contained in the agreement they do not owe it to us.

There was a problem then and the defence that we have used since then was that our government and the federal government use different year ends. So, what we considered to be a 1982-83 fiscal year amount became a 1983-84 amount for the federal government. The problem arose when a contribution for the 1983-84 fiscal year was insufficient to provide for this outstanding amount and in 1984-85 the amount was outstanding and the program was transferred to the GNWT. So we incurred an expense in our fiscal year, and when they would have had it paid back

in their fiscal year the transfer happened. So they are saying, "No way, you guys signed the deal and you made no notation of this outstanding amount," so they are not going to pay it.

It is a political issue now more than anything else. We have had a number of meetings at the senior level and essentially they are saying no. Our people have looked at it, in the Department of Public Works and in Finance, and said, "Look, we are negotiating with the federal government for hundreds of millions of dollars and they are not going to pay this one." It is not worth it to push any further, because we are right at a dead end, and the fact is that it will use up lots of political points. It was the feeling of the officials in the department, and also of the cabinet, that it was not worth pursuing this any more. It was taking a lot of time and resources. It costs money to pursue it, and the next step would be to take them to court. For us to take the federal government to court for a small amount like this makes no sense when we are negotiating all sorts of other deals with them. I was not around in 1982, and maybe the negotiations on our part could have been handled better, I do not know. But at this point in time, six years later, we just do not think it makes any sense to pursue it any further.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Pollard.

Comments From Standing Committee On Finance

MR. POLLARD: Thank you, Mr. Chairman. The standing committee on finance has reviewed this item, Mr. Chairman, and recognizes that it is a large amount of dollars to write off. However, in discussions with the Minister, we recognize the point and our concern was, how much money has been spent to date pursuing this \$187,000, and if it were to be continued to be pursued, how much money would we spend pursuing it? I think the committee feels that it would be a loss situation there, Mr. Chairman. We are concerned that at this time, in 1982-83, there was not perhaps a billing done to the federal government, and the same thing is going to happen again, although to a different person, on Schedule III, Mr. Chairman. I think the standing committee on finance would caution the Government Leader and any other Minister that is negotiating with the federal government, or has people indebted to it, that the billings go out just as soon as they can go out, Mr. Chairman. They do not sit around on a desk somewhere and gather dust. Because these things do happen and when they do happen, and in this particular instance there was no billing, there was no mention of it in the agreement, we find ourselves in this year writing off almost \$200,000. So we would caution the government that in future, please be more vigilant or ask your departments to be more vigilant when you are dealing with people that you are doing financial business with. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Schedule II, debts written off. Total \$187,307.87. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 3, write-off of debts. Application of Schedule II. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 4, forgiveness of debts, Schedule III. Madam Minister.

HON. NELLIE COURNOYEA: Mr. Chairman, in 1981, the transient centre and trade shop building in Spence Bay were sold to Paleajook Eskimo Co-operatives Limited for \$90,000 and this was to be used as a co-op facility. According to the conditional bill of sale, the co-op was to make the first payment of \$18,000 by March 31, 1982, and then subsequent annual payments of \$18,000 until the full amount was paid by March 31, 1986. No payments were ever received.

During 1986 and 1987 the Department of Economic Development and Tourism conducted an evaluation of the financial viability of the co-op. It was concluded that in order for the co-op to survive, the forgiveness of this debt would be necessary, based on the economic well-being of the community in which the co-operative is the major employer and supplier of goods and services to the local people and travellers to the community. The Department of Public Works and Highways recommends that the debt be forgiven.

Mr. Chairman, I cannot offer any really detailed explanation to give to the committee of the whole. This was totally an oversight. The time of the sale of the building was 1981 but this was not formally recorded in the government accounts until 1986. The simple answer is that it was an oversight. There is no other explanation for it. The information regarding the sale did not, apparently, reach the department's finance division until early in 1986 when the first request for write-off of the debt was received from Economic Development, who were, at that time, reviewing the financial viability of the co-op. Apparently, the debt was recorded in the co-op records. At that time it was immediately established as an account receivable. Mr. Chairman, there is no other explanation but that this was an oversight.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Pollard, comment from the standing committee on finance.

Comments From The Standing Committee On Finance

MR. POLLARD: Thank you, Mr. Chairman. The standing committee on finance has reviewed this \$90,000 write-off and I think the first thing we have to say is that there should be no blame placed upon the co-operative in Spence Bay because they duly set the amount up in their books, but the Government of the NWT did not send them a bill. I would say it is pretty attractive when you know you owe money but nobody sends you a bill. You say, "Maybe I do not have to pay." As I said before, when we were dealing with the \$187,000, Mr. Chairman, this is another instance when the government concluded an arrangement with a co-operative, agreed on a price of \$90,000, I think the assets were transferred, Mr. Chairman, but no bill was sent. It was not set up as a receivable by headquarters, I am told, and I am pleased that the Minister does not try to skirt around the fact. She admits right off the bat that the government screwed up. There is not very much we can say at this time. If we were to push the government to chase the co-operative for the \$90,000, I think we would drive the co-operative into further financial woe, Mr. Chairman. So the committee, although it places no blame on the co-operative, places all the blame on the government and agrees to the write-off, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Zoe): Schedule III, debts forgiven, total \$90,000. Agreed? Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Just to let the committee know that the government noted after 1982 that there were some problems, and there have been improvements since then. In 1983 there was an Executive policy on disposal of assets developed, and in 1986 a financial administration policy of the Financial Management Board on the process for the disposal of assets. So there is a co-ordinated process now between the Department of Finance and the other departments which was not there in 1982. So I think we can give pretty good assurances that this sort of thing should not happen again. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. That is forgiven. Schedule III, total \$90,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 4, forgiveness of debts. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Does the committee agree that Bill 25-88(2), Write-off of Assets and Debts and Forgiveness of Debts Act, 1988-89, is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Government House Leader, you indicated you wanted to deal with Bill 6-88(2). Has it been reported back into committee of the whole by the legislation committee?

HON. MICHAEL BALLANTYNE: Yes, my understanding with the chairman of the legislation committee is that they are prepared to deal with it in the House today. The Education Act.

Bill 6-88(2): Education Act

CHAIRMAN (Mr. Zoe): All right, we will now proceed to deal with Bill 6-88(2), An Act to Amend the Education Act. Mr. Minister, do you wish to bring in a witness at this time? Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Proceed with your opening remarks and also introduce your witness for the committee, Mr. Minister.

HON. STEPHEN KAKFWI: Thank you. Mr. Chairman, with me from the Department of Justice, is Guiseppa Bentivegna, and the deputy minister of Education on my left, Joe Handley.

Minister's Opening Remarks

Mr. Chairman, I do have a few remarks to make and they will be brief. In the debate on this bill in the committee of the whole on October 18, three issues emerged. One was that the right of appeal should not be to the Minister, as provided in the bill, but to a board from which the Minister would be excluded. Secondly, another concern was that some of the provisions that I proposed for the regulations should in fact be placed in the act. Third, a concern was that without a draft of the regulations to the act, members could not see in a comprehensive manner how I planned to implement these provisions of the act. I have a few words on each of these.

Mr. Chairman, I stated to the standing committee this morning that I cannot support the first request. I feel strongly that the Minister should be the final authority on the appeal of the suspension or cancellation of a teaching certificate. I do not know whether I convinced the committee, but I stand by the decision. It is a policy decision and it is not without precedent in the provinces. If I am to do the job that is expected of me on this issue and if a process is in place to ensure a fair hearing, then in my opinion, the final appeal should be to me. It has been said that the fear on the part of some members of the public and the Legislature is that while there is no feeling that I would be a Minister that could abuse these powers, a future Minister may. But I believe that all possibilities are taken to ensure that due process is followed in these provisions and in my opinion, Ministers in the future will continue to be better and better people than we are today, if that is possible.



Secondly, there are those Members who state that certain provisions that I have proposed to put in the regulations should be in the act. I submit that what is being proposed is fair and reasonable. The act empowers the Minister to suspend or cancel, to make regulations to implement that authority, and provides the teacher with a right of appeal. The rest is implementation and the regulations provide the structure and process.

#### Procedures Proposed Are Reasonable

Finally, Members wanted the regulations at hand when this bill came up for discussion. I now have a draft of the regulations and Members have a copy or should have a copy. They will have it in a moment. In my opinion, the procedures proposed are reasonable and the structures are adequate to ensure that a teacher will be treated fairly in any circumstances that may arise. I am sure that Members are aware that the process for laying a complaint and for the hearing and appeal must meet the test of fairness, whether the provisions are in the regulations or in the act. I might add that our research and our direct contact with provincial Departments of Education and with several provincial teachers' associations shows that our legislation is more comprehensive than theirs and that our hearing and appeal process is equal to or exceeds their provisions. You should note particularly that in the draft regulations, the decision of the hearing committee which hears the complaint against the teacher is now final, subject only to the appeal of the teacher to the Minister. This should remove the concerns of those Members who stated the Minister should not have the authority to make the final decision in both the hearing and the appeal. If Members wish, legislative counsel can describe the process and structure in the regulations in more detail.

Mr. Chairman, I have said it before and I will say it again. This bill, with the draft regulations, is a fair and adequate proposal to help me do what a Minister of Education is supposed to do. That is, to ensure excellent instruction to our children by competent and trustworthy teachers. So I ask Members for support of this bill. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Ernerk, the chairman of the legislation committee, do you have any comments at this time?

#### Comments From Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairman. The standing committee on legislation met on September 27, 1988 to review the bill with the government representatives and the Minister responsible for Education, Mr. Kakfwi. The Minister explained the purpose of the amendments to the bill. The principal amendment to the Education Act provides that the Minister may cancel and suspend certificates of qualification. That is, teaching certificates. The Minister explained the provisions to suspend, cancel or reinstate a permanent teaching certificate were omitted from the act when it was first drafted in 1976. It was the intention of the government to discuss the process that would govern the enforcement of this provision with the NWTTA. The Minister assured the standing committee that the regulations would accompany these amendments, would be made available when the bill was introduced into the House.

Mr. Chairman, some committee Members, however, were of the opinion that the right to appeal concerning the cancellation or suspension of the teaching certificate should be placed in the act. The standing committee recommended that the government amend the bill by placing provisions for the appeal process within the act.

Mr. Chairman, the standing committee on legislation met on October 24, 1988, this morning, to review the changes in the bill, including the proposed regulations, with the Minister of Education and representatives of the NWT Teachers' Association. The Minister, Mr. Kakfwi, explained that the right of appeal amendments have been placed in the bill, and that the draft regulations should ensure that teachers are treated fairly. A member of the standing committee disagreed. He believes that since the Government of the NWT is the major employer of teachers, unlike the provinces there should be a greater arm's length between the Minister and the appointment of members to the appeal committees, and that the final decision should not be left with the Minister. The NWT teachers' representative told the committee that they found deficiencies in

the bill and proposed regulations. The teachers would prefer that appeals and other matters be dealt with by an independent board of reference. The Teachers' Association also requested that the bill be deferred so that it could be studied in greater detail. Mr. Chairman, the committee agreed to proceed with the bill in the House, and the government agreed to introduce the proposed regulations in order that they may be discussed at that time. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. Member for Yellowknife Centre.

MR. LEWIS: Mr. Chairman, this is a very complex issue. We spent a long time this morning to understand it better. In my opinion, the material about teacher certification is included in a whole bunch of other small matters that do not matter very much, but this one about teacher certification needs to be understood far better. I am disappointed that, in fact, the Teachers' Association was not consulted. We were told originally that they had been consulted. What happened, Mr. Chairman, was that they had been informed that it was the intention of the government to introduce this piece of legislation and that they would be consulted later on about the regulations. It was only this morning, for the very first time, that the teaching profession was involved in the consultation process. At the end of that period, it was pretty clear to me that the issue had not been resolved to the satisfaction of enough people in the room.

I do not intend to spend a lot of time this afternoon, Mr. Chairman, going over all the arguments why we should or should not agree to pass this legislation, but my own opinion of it is that there is one great big weakness and the chairman of the legislation committee has pointed out what that weakness is. It is that any teacher can only appeal, if a certificate is taken away by a Minister, to the very same person that took that piece of paper away in the first place. That does not meet the test of fairness.

#### Different Situation In Provinces

We often find our government using the example of what happens everywhere else as the guide for what we should do in the NWT. But there is one huge difference between a Minister in the NWT and being a Minister in a province. If in a province a school board decides that they would very much like to see a teaching certificate removed, then there is a process to get that removed, and there can be an appeal eventually to the Minister. But in this case, the Minister is completely removed from the body that did the first action on this particular problem. Because he does not employ the teachers, that Minister is seen as being objective and fair, and having had nothing to do with the process in the first place. So people see him as a judge, an independent. But in this case, the Minister in our system is part of the whole process and that is what is unfair about it.

This bill would have had no discussion this morning if the Minister had agreed that an appeal could be heard by an independent body consisting of the people that he has suggested -- maybe a better process to determine how those individual people would be picked to be on that committee or board -- but that it would be constituted in such a way that their decision would be final, and that the Minister himself would not have to decide whether to accept or not to accept what they saw to be a fair treatment of a person who had had a certificate removed.

I believe that the major issues that were raised by the Minister and his staff this morning were in the interest of protecting our children from bad people. In my experience, Mr. Chairman, we protect our children from bad people in the hiring process. We make sure that we check on the previous experience of the teacher, we make sure that we get references from people that knew him, and in the case that the Minister has been using to frighten us -- of the three people that are in jail in the South -- the way in which you protect our children from people like that is not to hire them. You check their record, you check where they have been. You find they have been in jail. For example, I used to get police tipping me off that someone was a bad risk to hire as a teacher. You just would tell your people not to hire them.

I do agree, though, that the Minister does need to have something to issue and to take away certificates, but what he is proposing does not meet the test of fairness, and does not protect the teacher. Although I promised not to say very much, I have probably said a bit more than needs

to be said, but I think that this particular legislation should be, in fact, taken back. I will not make a motion on it. It is just my opinion. It should be taken back and discussed again with the NWTTA, the profession that should have been consulted in the first place. I think that it is such a complex issue that it should be discussed much further than it has been to date. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

#### Clarification Of Points

HON. STEPHEN KAKFWI: Thank you. Mr. Lewis was saying something that I think needs to be clarified again. I tried to do it this morning. I do not know how he missed it, but I will do it again. First of all, we have said that it is the Department of Personnel that is considered the employer of teachers, not the Minister. Secondly, the Minister of Education is not the one that takes away the certificates. He suspends or cancels them. It is the hearing committee -- in the regulations -- it is the hearing committee that takes it away. This was said this morning, and I guess it needs to be said again. When he says that teachers can only appeal to the same person who took away the certificate in the first place, that is wrong, dead wrong, and I think the Member should be aware of it. That is what is contained now in the draft regulations, and what I informed the committee about this morning.

The reason for bringing forward the amendments and for outlining the regulations comes from MLAs, from the general public, from parents who want to have something in place to protect the children, to protect the public from teachers that are not competent or qualified to teach. We should note that the union that represents the teachers did not in any loud and aggressive way lobby for provisions to be made to legislation for this. You would almost think they would be content to leave things the way they were, so I think it is important to recognize that they have not suggested any changes. You would think by implication they were happy to leave things the way they are. Any move to change anything, any suggestion that we should make some changes, naturally would be opposed by their representatives.

It is going to be our political judgment to see how much change is required here and we should not be intimidated by the union. As a government, we are accountable for the way that we exercise our authority. When there are kinks in the system or abuses in the system, then ultimately we are the ones that are accountable. The concerns that have been brought up, I feel we have dealt with them. The draft regulations are there, I have told the committee this morning that there is a commitment to continue consultation with the teachers' union, that once we deal with the amendments to the act, then the regulations will be dealt with in a more matter of fact way and that they will be finalized shortly after the amendments are adopted by this Legislature. I understand that the representatives of boards that we have talked to are supportive of the changes that we are recommending here. Thank you.

CHAIRMAN (Mr. Zoe): Mahsi cho. Mr. McLaughlin.

#### Request For Appeal Process

MR. McLAUGHLIN: Thank you, Mr. Chairman. I would just like to say a few things about this legislation. The first thing is that originally clause 10, which deals with the certificate, concerned me when it came to us in the first draft and the department has changed it now so that it is not quite as harsh. Originally it could have been taken that as soon as you lost your certificate or it was suspended, you lost your employment as a teacher immediately. That has been reworded in such a fashion now that it fits in with clause 11, which allows an appeal. The Minister brought in clause 11, basically at the request of Members of committee who wanted to make sure that the appeal process was mentioned in legislation. Now he has produced for us regulations which will accommodate that clause. I realize that regulations can be changed any day of the week but I am satisfied now that the appeal clause has been put into legislation.

I am also fully aware that the last part of clause 11, subsection 83.1(5), says that the Minister can override any decision made by the people hearing the appeal but I agree that that is necessary in this legislation. We have given the Minister the sole authority to issue the certificate in the first place because even though it is recommended to him by an agency, he could decide not to issue it for some reason, if a good reason was given to him. So, after he has heard all the facts and the results of an appeal, and still feels for some significant reason that the certificate should be withdrawn, and I agree, it can be.

Examples of that, I think, are situations where you could have a teacher accused of child abuse. The matter may not go to court because it is decided that they do not want to put the child through testimony situations. Those are examples of where, I think, the Minister's discretion has to be used above and beyond what some appeal committee may decide to do.

I know that we, ourselves, as a jurisdiction have been victims of the fact that people come from other jurisdictions with their certificates and we automatically give them one, not being able to check out past problems they may have had. In almost every jurisdiction in Canada, I know that it has been done at the behest of social services. Ministers in the country who are worried about this issue, and this is one of the reasons, that now the provinces have this type of legislation. I support the principle that the Minister not only has the final say in whether the teacher gets a certificate but also has the final say in whether the certificate should be taken away. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Member for Aivilik.

MR. ERNERK: Mr. Chairman, just a question to the Minister with regard to the boards that his department talks to. I am wondering how many boards he talked to with regard to this bill agreed with the contents of the proposed act?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

#### Consultation With Boards And Superintendents

HON. STEPHEN KAKFWI: Mr. Chairman, we have talked to the chairmen of three school boards and they are in agreement with the suggestions that we are making with regard to change. As well, we have talked for what it is worth, to all of the superintendents and none of them anticipate any problems with the legislation and the draft regulations.

CHAIRMAN (Mr. Zoe): Thank you. Supplementary, Mr. Ernerk.

MR. ERNERK: Mr. Chairman, this act was not widely distributed across the Northwest Territories because I talked to one of the chairpersons of the education society in the Keewatin Region, as a matter of fact last night, from Rankin Inlet, and they were not fully aware of the proposed changes within this act. I am just wondering if the government did not really seek that much input from various committees, societies across the NWT. Is that correct? You have only talked with three school boards who have agreed. Maybe one or two more.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. STEPHEN KAKFWI: The process as I understand it is that the standing committee on legislation is advised of proposed legislation and in my case, this is what I have done. There were some draft papers talking about policies which would follow, which would develop the regulations. As I understand it, maybe it is frowned on but it is not practice for a Minister to trumpet what legislation he is going to propose, across the Territories, before the Members of the standing committee on legislation and this House have an opportunity to look at it. I understand there should be consultation. The way that the changes are made is that in the act we are saying, the Minister has the power to issue a certificate. We are saying let us add a little part in there that says the Minister can take it away or suspend it. There was a suggestion that provisions for appeal be put into the act and that was done.

### Consultation On Regulations

There is a commitment from myself to continue consultation with the Teachers' Association and with everyone that is concerned with the proposed legislation on the regulations that are going to put in place as to how the power to suspend or cancel will be exercised. But there is, first of all, a need to figure out whether or not people agree that a Minister should have that authority or not. I am saying we should. If you do not agree then this legislation is defeated. If you agree then the amendments will hopefully be adopted and I, as a Minister, can go out and get into more serious consultation about how the regulations should be finalized and submitted to the Commissioner for his acceptance.

CHAIRMAN (Mr. Zoe): Mahsi cho. Member for Hay River.

MR. POLLARD: Thank you, Mr. Chairman. Could I ask the Minister if he is prepared to tell us which boards he consulted? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Mr. Minister.

HON. STEPHEN KAKFWI: The chairman of the Keewatin Divisional Board of Education, the chairman of Yellowknife Education District No. 1, plus the chairman of the board of secondary education.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Pollard.

MR. POLLARD: Thank you, Mr. Chairman. I would like to ask our Law Clerk, Mr. Cooper, if he is satisfied that this bill would withstand a challenge under any legal proceedings should somebody decide that the decision of the Minister was not acceptable. Is the bill able to withstand a legal challenge, Mr. Cooper?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Law Clerk.

LAW CLERK: Mr. Chairman, I am not aware of any decision now in law which would be, for instance, right on point where I could say that this legislation would be bound to fall if attacked. I think there is some danger, I suppose -- I would not want to put it more strongly than that -- that a Minister could, under section 83.1(4), ignore a recommendation from an appeal committee to set aside the original decision to cancel the certificate, made by the committee at the original hearing, and confirm that decision to cancel the certificate, even though an appeal committee recommended otherwise. It seems to me that it could come under attack at that stage. But I cannot put it any stronger than that; coming under attack as being a denial of natural justice because you had an independent tribunal set up to consider it and the recommendations were ignored. At that stage, with the power being in the hands of the Minister, it can be an administrative decision after there has been a judicial consideration of it, which, as I say, might bring the process under attack at that stage. But without doing considerably more research I am really not aware of any precedent that would allow me to say that it is defective legislation per se.

CHAIRMAN (Mr. Zoe): Thank you. Government response. Ms Bentivegna.

### Denial Of Process

MS BENTIVEGNA: Mr. Chairman, I just wanted to add to what the Law Clerk was saying, that if there is abuse of process, in that the Minister did not read the report of the appeal committee that he has set up to make recommendations and look at the case -- he has to look at the report and have knowledge of all the facts and then make a decision. Now if all of these things were not done then someone could argue that there was denial of process. But there is nothing in law or administrative law that does not allow someone to set up, and the act would authorize it, this appeal committee to make recommendations. But they would have to take knowledge or they would have to read the report and be cognizant of all the facts before making their decision.

to review any quasi-judicial or judicial decision where natural justice had been denied if anyone felt that way.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. STEPHEN KAKFWI: I wanted to add one comment and that is, since this amendment was brought to the attention of the standing committee on legislation and then discussed here previously in the committee of the whole and again today, there is a real sense from one particular Member that this is providing an opportunity for the present Minister or some future Minister of Education to abuse the power in a terrible way that would inflict all kinds of injustice and suffering and deprivation on some teacher. That has been coming across every which way. Being somewhat new to this system of government, it appears to me, I guess, not frivolous that we should refer to each other as honourable Members. We are here, charged with taking responsibility for the well-being of our citizens and as Ministers we take oaths of office. The legislation under which we carry out our business and our responsibilities and our authorities are not so detailed and do not cover every possible scenario so that, in fact, even with a totally comprehensive piece of legislation, a Minister can abuse his authority in any government. The thing that we ride on, that you have to ride on, is that as Ministers we take oaths. We are charged with carrying out our business in a fair way and in the regulations we say it is going to be done with due process, with fairness.

I think we need to make these amendments to ensure that the public, the parents, the school boards are given some assurance that as government we have acted to ensure that because of the problems that have arisen in the past over teachers that have been or that are in jail now, in federal penitentiaries, and over teachers that have been fired or kicked out of their jobs because they are were convicted of trafficking in narcotics, that these teachers should not have the right to teach in the Northwest Territories any more. As a Minister, I feel my responsibility is that if I have the power to issue certificates, then I will also require the power and responsibility to be able to take them away. Thank you.

CHAIRMAN (Mr. Zoe): Mahsi cho. Mr. Pollard.

MR. POLLARD: Mr. Chairman, it is fairly obvious that the Minister wants the final decision and I would like the Minister to tell the House why he is so bent on having this final and absolute decision and why he would not consider allowing a board to make the final decision. After all, I know it is, shall we say, in another level of government but in municipalities there is a development appeal board whereby a decision of council can be appealed to a development appeal board and that appeal board's decision is binding on the council. So I would like the Minister to tell us why he wants the absolute authority and the final decision. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

#### Minister Not Involved In Hearing Committee

HON. STEPHEN KAKFWI: Mr. Chairman, I just finished saying in the Education Act now, the Minister has the power to issue certificates but nowhere in the act is it possible to remove, cancel or suspend these certificates. It seems to me that since the Minister is accountable for education in the Northwest Territories, for everything else that happens in education, then somewhere in the provisions it has to reflect that the Minister is accountable in the final analysis for these things when his responsibilities, his authority is being called upon or being exercised. We have already agreed to remove the Minister directly from the initial part. When someone lays a complaint against a teacher, then the complaint is lodged with the deputy minister, who makes the decision whether or not it is sufficient to be heard. If he thinks that there is enough reason for a hearing then a hearing, is set up. The hearing committee, which is made up of somebody from the teachers' union, somebody representing the school board and someone from the Law Society of the Northwest Territories, may carry out an investigation and they make a decision. It was suggested that, perhaps, that is not politically wise and so we have agreed that the Minister would

not be involved there, that the decision there would be final. So, in fact, if a complaint against a teacher is thrown out and the teacher is happy, that is the end of it, it is final. The only one who can appeal is the teacher.

CHAIRMAN (Mr. Zoe): Thank you. Are there any further comments? Mr. Angottitauruq.

MR. ANGOTTITAUURUQ: Thank you, Mr. Chairman. I guess what I am going to say is that I was sitting at this committee meeting this morning and hearing other Members that have spoken this afternoon and I have not changed my position. On the one hand, I really do not support the idea of the Minister but, on the other hand, in order to protect the public, the children, I support the idea of the Minister making the final decision because I believe that when you have a number of kinds of people who have certificates as teachers, you could have those who are in a penitentiary. There might be those that are not even convicted yet but in order for a Minister to get an appeal, I believe if the person is denied the certificate that he appealed for, through the committee, he will be recognized by law and judged at the first place that he lost his position is because he was a danger to the public.

#### Minister Should Have Final Decision

The other thing that the other Members might not be really too aware of is because they want to deal with this in a most fair way. For example, look at something else like the people that immigrate with false passports. I do not think that we would want these people, who have been judged and been sent to jails, to be freely able to try and make it through to other provinces with this certificate that the Minister does not have the power to take away. And in the future they may easily do that. They may somehow slip away to those other provinces with the same certificate. That is possible because if you have a passport that you have got the officials to look at very carefully, you could sneak away with it. These people could be just as dangerous to a large majority of the people of the NWT, and to the small children.

When somebody lost a job and they know they could appeal, yes, they are sometimes granted. But I think the Minister, whoever he may be or she may be, should have the power to decide on behalf of the people of the NWT. While I think the government is talking mainly about when the person is already convicted, is he still going to walk around with a piece of paper in the future? He might just do exactly the same thing. But if the certificate was taken away -- there are not very many of these people and I do not think some people should say the Minister is using a scare tactic because I really do not think there are too many of them. I think if we are going to try to keep the NWT safe, that is one good technique, for the Minister to have the power to take away the certificate.

I too, have certificates at home which are not the same as teachers. I dearly hold them and if some way in the future I should be recognized as a criminal using that certificate, not exactly using that certificate but using my work, I surely would not really miss it if they are taking it away from me. The only way I would know is because I have done wrong. I guess this act, this amendment would somehow give the people more security, if these teachers were never to be seen again in the NWT as teachers. They can be seen to walk in the streets in the NWT but if the parents could know that they cannot teach again, they would feel a little safer.

I know the people of the NWT, other corporations and other associations would like to have more time but I think when these bills go to the legislation committee they are supposed to be passed out to the people to whom they are assigned and to the right organizations. I think there is enough notice on this thing. I do not think the Minister is trying to use this bill to abuse people. I think it brings a better system of trying to keep the people of the NWT safe and especially the children. Just for those simple arguments, I support the bill. No one is going to change my mind as I stated in the committee of the whole and that is all. But my arguments should be clearly heard. I guess I really cannot say much further to that because I may just start going back and forth trying to convince other Members to support the act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Any further general comments? Mr. Lewis.

### Consultation With NWTTA Essential

MR. LEWIS: Mr. Chairman, there are several things, then, that I will say which I did not say earlier on. First of all, this morning we received information from the NWTTA, and I quote from what the president said this morning: "At the outset I should like to express concern that our association was not consulted regarding the amendments to the act and only received a copy of the proposed amended material on October 19, 1988 after specifically requesting the draft which had already been tabled. Fortunately, some of the honourable Members saw in the legislation serious flaws that enabled discriminatory application and drew these inadequacies to the attention of the House and the matter was deferred." The point, Mr. Chairman, is that the consultation with the NWTTA did not take place until this morning. I should point out that this consultation is absolutely essential when we are dealing with a professional matter like this.

Every profession, lawyers, govern themselves. They do not have to worry about Ministers and all kinds of other people. They have a tremendous ability to regulate themselves. Doctors have powers to regulate themselves. Accountants have the power to regulate themselves. But in this particular case, we have government regulating a profession and what bothers me an awful lot is that this is a complex matter on which consultation has not taken place. I do not accept the arguments that simply contacting three boards is adequate consultation on a very important matter.

I will tell you why it is important. I really do not worry that much about somebody losing a job. Our government has been pretty poor at trying to prove whether someone was doing a good job or not and taking them away from the job because they should be fired or suspended. But let me tell you this. I spent most of my life trying to get a teaching certificate. I was from a poor family, very poor family. It was my parents' wish that I became a teacher and I eventually got a piece of paper that said I could teach. That is my authority, that piece of paper that allows me to teach and practise my profession. What this act does is to take away that piece of paper that you may have worked all your life to get and it cannot be given back to you. It cannot be reinstated. It is gone. That is what bothers me in this act. I am not worried about a person being fired or suspended in this case. I am worried about the big weakness in this legislation that allows Mr. Kakfwi, if I were working in this system, to take away that piece of paper without my proper right to appeal. I can never, ever get a job again. I can say goodbye to everything that I have ever worked for in my life. I am not talking about a job. I am talking about my right for the rest of my life to be able to be a school teacher. I cannot do it any more.

There is such a huge hole in this particular act and that is the only reason why I am getting a little bit excited. Just a little bit because the House will decide how this will be handled.

### Motion To Defer Bill 6-88(2), Education Act, Until Next Session

But what I am going to propose, Mr. Chairman, is that because it is not a tiny little issue which the Minister said it was, I am going to move that Bill 6-88(2), Education Act, be deferred until the next session of the Legislative Assembly.

CHAIRMAN (Mr. Zoe): Mr. Lewis, I understand that you put a motion on the floor. I did not quite catch it. Could you give me a copy of your motion?

MR. LEWIS: Right. Thank you, Mr. Chairman. My motion reads as follows: I move that Bill 6-88(2), Education Act, be deferred until the next session of the Legislative Assembly.

CHAIRMAN (Mr. Zoe): This is to advise the committee that the Chair will take 10 minutes to review this particular motion. There are some difficulties in ruling on this motion.

---SHORT RECESS



Motion To Defer Bill 6-88(2), Education Act, Until Next Session, Ruled Out Of Order

I will now call the committee back to order. We have a motion on the floor. Mr. Lewis, the Chair rules that your motion is out of order. General comments. Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, if I could just make a few comments. Mr. Chairman, Mr. Pollard asks, basically, why should the Minister of Education exercise this power? Mr. Chairman, ignoring for a minute the role of the Teacher Certification Board and the certificate review committee, which I do think are a very good check and review on the Minister's powers, in my view the Minister is accountable to the public for the quality of education. This certificate is important, so it is awarded by the Minister of Education, and is signed by the Minister of Education, and it is an equally important decision in the rare circumstance where it should be taken away. So I think it is appropriate, because it is a very important decision, that the Minister be the ultimate authority, someone who is accountable to the Legislature, in contrast to an appointed member of a board having that authority.

Mr. Chairman, it disturbs me that it is suggested that it is possible or likely that a Minister would abuse that power. The Teachers' Association has suggested that there could be discriminatory application of the powers. Mr. Chairman, I think a Minister has a position of trust and a position of responsibility and accountability to the Legislature. I think a Minister would abuse that trust at the Minister's peril. Mr. Chairman, I guess I disagree that this is going to be an invitation to abuse. I think the fact that the decision will be taken by someone who is accountable to the Legislature, and not some appointed member of a board that is really not accountable to anybody, is the best check of all; that the decisions will be made extremely carefully and with appropriate integrity. I think the answer to the Member's question is, this is an important decision and therefore it should not be reserved to appointed people; it should be reserved to the ultimate authority and the ultimate accountability of a Minister.

Mr. Chairman, I think that it is, every Member would agree, wrong that there should be no power to remove a teacher's certificate in the very rare circumstance of a teacher that has been convicted of repeated cases of sexual abuse of students. I think every Member would agree that the privilege to teach, however valuable it might be and however hard-earned it might be, should, in the enumerated circumstances, following careful review, be taken away. So I think all we are talking about is whether it should be taken away by a process at arm's length from the Minister or by the Minister himself or herself.

Best Accountability Lies With Minister

Mr. Chairman, I am satisfied that there is a role of independent review in the review committee. I think that modification should satisfy anyone that is concerned about fairness, but more important, Mr. Chairman, I am satisfied that the best check of all, the best guarantee of all that there will be fairness, is that any one of us can ask at any time in the Legislature for justification for that decision and can question the Minister and can hold the Minister accountable for that decision. I think that is even more accountability than removing it to some appointed board. I would argue that this is precisely such an important power that should be reserved to the Minister because there is where the best accountability can lie. I am sure that Mr. Lewis is not applying his exaggerated views of the interference of Ministers in the hiring process to a decision such as this on removal of a teacher's certificate. I do not think with such a grave decision that any Minister is going to say this is a good reason to get rid of someone. I think this is extremely unlikely with the checks and balances that are set out in this complaint process and with the specific grounds that are set out in this complaint process.

So I think we should get on and undo this serious flaw in our legislation, because there are people who are in jail right now for heinous crimes whose teacher certificates cannot be removed unless we make this change. I think it will happen very rarely, but when it happens, the highest authority should be making that decision. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. General comments. Mr. Nerysoo.

### Confidence In Present Minister

MR. NERYSOO: Thank you, Mr. Chairman. I just want to indicate that first of all I do not have any serious problems with the idea of the Minister being given the responsibility, because I am not prepared to question the integrity of a Minister until the time and the need arises. I have enough confidence, I think, in this present Minister that he will portray -- or at least certainly to ensure fairness and justice in his decisions.

I did have a couple of concerns, and I am not clear as to when they should be dealt with, but hopefully within the next few years. More importantly, to respond to concerns that have been raised, I have to say that what is uncertain, despite the regulations, is whether or not the process is going to be fair in terms of the appeal and whether or not it is going to be seen as a just process and just in the decisions that it renders, and the extent to which those decisions are going to be adhered to by the Minister, particularly since you have set up the public process to advise the Minister on a decision. It could be that that decision is in opposition to the initial direction given by the department or officials of the department, or for that matter in opposition to what a Minister might have initially decided.

What I see is, you have a process that is to be so-called "public", then there has to be an assurance that there will be some integrity in terms of the jurisdiction and there has to be some recognition of the ability of that particular committee to make decisions and to make binding decisions, because you do place the individuals in a very difficult position in that they are making recommendations -- as was the argument raised by Mr. Lewis -- on the livelihood of a teacher, in this particular case. That is the same argument, I guess, that was directed at the Minister and could be directed to the appeal process, but I believe that despite what I might have with regard to questions, I am hopeful that we can ensure, as I indicated earlier, that the appeal process has some integrity in that it is recognized and the judgment that it makes is a judgment that is assured and protected by the Minister.

One other thing I did want to say is that I do think it is important for the Minister to begin making decisions with regard to the rescinding of licences and certificates, particularly since he initially approves those certificates, and as such I think he has to be held accountable for the decisions that he makes, even the decision to give them out. I just wanted to make those comments because I think, despite the direction the government is taking, and there are some elements of oversight that we can continue to argue here, but we must work to improve the legislation.

### Legislation Needs Amending

At this particular time, I am not going to stand in the way of a situation that might improve the Education Act, but I do say that there is a need to amend the legislation. I am not sure that we are going to amend it now, but I hope the Minister is open to the process of amending this legislation.

CHAIRMAN (Mr. Zoe): Thank you. Any comments, Mr. Minister?

HON. STEPHEN KAKFWI: Mr. Chairman, as was said, the intent here is to make the process somewhat accountable. We have said it is going to be fair and it is going to follow due process. I have also said it should be accountable, and I get the impression that there are still remnants of people from the days of Commissioner Hodgson who would much prefer that the bureaucracy ran everything, where people that are hired to do certain jobs should carry out all responsibilities. But now that we have ministerial government, when you start to see native people take on ministerial responsibilities and when you see native people sitting in this Legislature that are accountable, just like everyone else, then perhaps it causes some parties to become a little bit queasy and there is sort of inherent lack of faith in the government because before it was the bureaucracy that ran things and once you start to see a little change, then it becomes perhaps a little traumatizing for some people.

I think it is probably a reflection, as well, of the personal experiences of some Members that is colouring and, I think, distorting in a very severe way what it is that we are trying to do here.

I cannot understand why, for instance, in the committee this morning people were continuing to refer the fact that they were not consulted. We told you letters were sent to them, calls were made to them, that the comments we were making this morning were comments that were already dealt with. They were speaking from old notes, old documents that were outdated and we come in this afternoon and it is still the same thing and I do not know what else can be said.

#### Committees Not Really Accountable

The fact is, committees are not really accountable; they are only accountable through due process and that is it. The most accountable committee or forum, if you want, in this country, at least for this particular neck of the woods, is this Legislature. If you are going to give Ministers power then you should leave some integrity in the legislation, in the regulations that reflect that. If you do not trust Ministers, then do not give them any power. If you are going to give them power, then let it be reflected in the legislation and the regulations. I am saying, for me, it would be a real statement of how confident we are in ministerial government and how some sectors of our population feel about...

CHAIRMAN (Mr. Zoe): Thank you, Mr. Minister. The time being 6:00 I will now rise and report progress.

MR. SPEAKER: The House will come back to order, please. Mr. Zoe.

#### ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF COMMITTEE REPORT 1-88(2); TABLED DOCUMENT 33-88(2), AMENDMENT TO THE FORMULA FINANCING AGREEMENT; BILL 25-88(2), WRITE-OFF OF ASSETS AND DEBTS AND FORGIVENESS OF DEBTS ACT, 1988-89; BILL 6-88(2), EDUCATION ACT

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MR. ZOE: Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Tabled Document 33-88(2) and wishes to report that Tabled Document 33-88(2) is approved and concluded.

#### Motions To Accept Reports Of Committee Of The Whole, Carried

Mr. Speaker, I move that the report of the chairman of the committee of the whole be concurred with.

MR. SPEAKER: Thank you, Mr. Zoe. Is there a seconder for the motion? Mr. Arlooktoo. Thank you. To the motion? All those in favour? Thank you. Those opposed? Thank you. The motion is carried.

---Carried

Mr. Zoe.

MR. ZOE: Mr. Speaker, your committee has been considering Bill 25-88(2) and Bill 6-88(2) and wishes to report that Bill 25-88(2) is recommended for third reading.

Mr. Speaker, I move that the report of the chairman of the committee of the whole be concurred with.

MR. SPEAKER: Thank you, Mr. Zoe. Is there a seconder to the motion. Mr. Kilabuk, thank you. To the motion? All those in favour? Thank you. All those opposed? The motion is carried.

---Carried

Third reading of bills. Mr. Ballantyne.

**ITEM 19: THIRD READING OF BILLS**

**Third Reading Of Bill 25-88(2): Write-Off Of Assets And Debts And Forgiveness Of Debts Act, 1988-89**

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HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 25-88(2), Write-off of Assets and Debts and Forgiveness of Debts Act, 1988-89, be read for the third time.

MR. SPEAKER: Thank you, Mr. Ballantyne. The motion is in order. To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Question being called. All those in favour? Thank you. Those opposed? The motion is carried.

---Carried

Bill 25-88(2) has had third reading. Third reading of bills. Item 20, Mr. Clerk, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. A meeting of the striking committee at 6:00 p.m. this evening in the committee room; a meeting of the special committee on the northern economy, this evening at 7:30 p.m. in the caucus room; a meeting of the ordinary Members tomorrow morning at 9:00 a.m. and of caucus at 10:00 a.m. tomorrow.

**ITEM 20: ORDERS OF THE DAY**

Orders of the day for Tuesday, October 25th.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Tabling of Documents

12. Notices of Motion
13. Notices of Motion for First Reading of Bills
14. Motions
15. First Reading of Bills
16. Second Reading of Bills
17. Consideration in Committee of the Whole of Bills and Other Matters: CR 1-88(2), Standing Committee on Legislation; Tabled Document 2-88(2); Bill 2-88(2); Bill 6-88(2); Tabled Documents 15-88(2), 21-88(2), 16-88(2), 10-88(2), 11-88(2), 28-88(2); Bill 26-88(2)
18. Report of Committee of the Whole
19. Third Reading of Bills
20. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Tuesday, October 25th at 1:00 p.m.

---ADJOURNMENT



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