



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

3rd Session

11th Assembly

HANSARD
Official Report
Day 13

Friday, October 28, 1988

Pages 550 - 596

Speaker: The Hon. Red Pedersen, M.L.A.

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

Speaker

The Hon. Red Pedersen, M.L.A.
 General Delivery
 Coppermine, N.W.T.
 XOE OEO
 (403) 873-7629 (Office)
 (403) 873-5788 (Home) (Yellowknife)
 (403) 982-5788 (Coppermine)
 (Kitikmeot West)

Allooloo, The Hon. Titus, M.L.A.
 5024 - 57th Street
 Yellowknife, N.W.T.
 X1A 1Y6
 (403) 873-7113 (Office)
 (403) 873-4813 (Home)
 (Amittuq)
 Minister of Culture & Communications
 and Renewable Resources

Angottitauruq, Mr. Michael, M.L.A.
 General Delivery
 Gjoa Haven, N.W.T.
 XOE 1J0
 (403) 360-6600 (Office)
 (403) 360-6704 (Home)
 (Natilikmiot)
 Deputy Chairman
 Committee of the Whole

Arlooktoo, Mr. Joe, M.L.A.
 General Delivery
 Lake Harbour, N.W.T.
 XOA ONO
 (819) 939-2363 (Home)
 (Baffin South)

Ballantyne, The Hon. Michael, M.L.A.
 P.O. Box 1091
 Yellowknife, N.W.T.
 X1A 2N8
 (403) 873-7658 (Office)
 (403) 920-2963 (Home)
 (Yellowknife North)
 Minister of Finance and Justice

Butters, The Hon. Tom, M.L.A.
 P.O. Box 1069
 Inuvik, N.W.T.
 XOE OT0
 (403) 979-2373 (Office)
 (403) 979-2373 (Home)
 (Inuvik)
 Minister of Government Services and
 NWT Housing Corporation

Cournoyea, The Hon. Nellie, M.L.A.
 P.O. Box 1184
 Inuvik, N.W.T.
 XOE OT0
 (403) 873-7128 (Office)
 (403) 977-2405 (Tuktoyaktuk)
 (403) 979-2737 (Inuvik)
 (Nunakput)
 Minister of Health and Public
 Works & Highways

Crow, Mr. Charlie, M.L.A.
 General Delivery
 Sanikiluaq, N.W.T.
 XOA OWO
 (819) 266-8940 (Home)
 (Hudson Bay)

Ernerk, Mr. Peter, M.L.A.
 Box 182
 Rankin Inlet, N.W.T.
 XOC OGO
 (819) 645-2800
 (819) 645-2500
 (Aivilik)

Gargan, Mr. Samuel, M.L.A.
 General Delivery
 Fort Providence, N.W.T.
 XOE OLO
 (403) 873-7999 (Office)
 (403) 699-3171 (Home)
 (Deh Cho)
 Deputy Speaker and Chairman,
 Committee of the Whole

Kakfwi, The Hon. Stephen, M.L.A.
 P.O. Box 1320
 Yellowknife, N.W.T.
 X1A 2L9
 (403) 873-7139 (Office)
 (403) 873-8215 (Home)
 (Sahtu)
 Deputy Government Leader
 Minister of Education, Government
 Services and Housing

Kilabuk, Mr. Ipeelee, M.L.A.
 General Delivery
 Pangnirtung, N.W.T.
 XOA ORO
 (819) 437-8827 (Home)
 (Baffin Central)

Lewis, Mr. Brian, M.L.A.
 P.O. Box 1320
 Yellowknife, N.W.T.
 X1A 2L9
 (403) 873-7999 (Office)
 (403) 873-5549 (Home)
 (Yellowknife Centre)

Marie-Jewell, The Hon. Jeannie, M.L.A.
 P.O. Box 1051
 Fort Smith, N.W.T.
 XOE OPO
 (403) 873-7959 (Office)
 (403) 872-2940 (Home)
 (Slave River)
 Minister of Social Services and
 Personnel

McLaughlin, Mr. Bruce, M.L.A.
 P.O. Box 2637
 Yellowknife, N.W.T.
 X1A 2P9
 (403) 393-2939 (Office)
 (403) 393-2226 (Home)
 (403) 920-3166 (Office)
 (403) 873-6220 (Home)
 (Pine Point)

Morin, Mr. Don, M.L.A.
 General Delivery
 Fort Resolution, N.W.T.
 XOE OMO
 (403) 394-3471
 (Tu Nede)

Nerysoo, Mr. Richard, M.L.A.
 Fort McPherson, N.W.T.
 XOE OJO
 (403) 979-2668 (Home) (Inuvik)
 (Mackenzie Delta)

Patterson, The Hon. Dennis, M.L.A.
 P.O. Box 310
 Iqaluit, N.W.T.
 XOA OHO
 (403) 873-7112 (Office)
 (819) 979-5993 (Office)
 (403) 873-2802 (Home)
 (Iqaluit)
 Government Leader,
 Chairman of Executive Council,
 Minister of Executive

Pollard, Mr. John D., M.L.A.
 Box 1095
 Hay River, N.W.T.
 XOE ORO
 (403) 874-2345 (Office)
 (403) 874-2600 (Home)
 (Hay River)

Pudluk, Mr. Ludy, M.L.A.
 P.O. Box 240
 Resolute Bay, N.W.T.
 XOA OVO
 (819) 252-3719 (Home)
 (High Arctic)

Sibbeston, Mr. Nick, M.L.A.
 P.O. Box 560
 Fort Simpson, N.W.T.
 XOE ONO
 (403) 873-6215 (Home)
 (Nahendeh)

Wray, The Hon. Gordon, M.L.A.
 Baker Lake, N.W.T.
 XOC OAO
 (403) 873-7962 (Office)
 (819) 793-2700 (Home)
 (Kivallivik)
 Minister of Municipal & Community
 Affairs and Economic Development
 & Tourism

Zoe, Mr. Henry, M.L.A.
 P.O. Box 1320
 Yellowknife, N.W.T.
 X1A 2L9
 (403) 873-7999 (Office)
 (403) 873-4136 (Home)
 (Rae - Lac la Martre)
 Deputy Chairman,
 Committee of the Whole

Officers

Clerk
 Mr. David Hamilton
 Yellowknife, N.W.T.

Clerk Assistant
 Mrs. Rhoda Perkison
 Yellowknife, N.W.T.

Law Clerk
 Mr. Don Cooper, Q.C.
 Yellowknife, N.W.T.

Editor of Hansard
 Ms Marie J. Coe
 Yellowknife, N.W.T.

Sergeant-at-Arms
 Mr. Harry Finnis, B.E.M., C.D.
 Fort Smith, N.W.T.

TABLE OF CONTENTS
FRIDAY, OCTOBER 28, 1988

	<u>PAGE</u>
Prayer	550
Ministers' Statements	
- 35-88(2) Justices of the Peace Task Force Report	550
- 36-88(2) Community Government Week	551
Returns to Oral Questions	551
Oral Questions	555
Returns to Written Questions	562
Tabling of Documents	564
Notices of Motion	564
Motions	565
First Reading of Bills	
- Bill 7-88(2) Engineering, Geological and Geophysical Professions Act	566
- Bill 19-88(2) Statute Law (Public Officer) Amendment Act	566
- Bill 23-88(2) Victims of Crime Act	567
Second Reading of Bills	
- Bill 7-88(2) Engineering, Geological and Geophysical Professions Act	568
- Bill 19-88(2) Statute Law (Public Officer) Amendment Act	568
- Bill 23-88(2) Victims of Crime Act	567
Consideration in Committee of the Whole of:	
- Committee Report 1-88(2)	
- Bill 7-88(2) Engineering, Geological and Geophysical Professions Act	569
- Bill 19-88(2) Statute Law (Public Officer) Amendment Act	576
- Bill 23-88(2) Victims of Crime Act	582

TABLE OF CONTENTS, OCTOBER 28, 1988 (CONTINUED)

- Tabled Document 10-88(2) Public Housing Rent Scale Discussion Paper II	592
- Tabled Document 11-88(2) NWT Housing Corporation Rent Scale	592
Report of Committee of the Whole of:	
- Committee Report 1-88(2)	
- Bill 7-88(2) Engineering, Geological and Geophysical Professions Act	593
- Bill 19-88(2) Statute Law (Public Officer) Amendment Act	593
- Bill 23-88(2) Victims of Crime Act	593
- Tabled Document 10-88(2) Public Housing Rent Scale Discussion Paper II	593
- Tabled Document 11-88(2) NWT Housing Corporation Rent Scale	593
Third Reading of Bills	
- Bill 7-88(2) Engineering, Geological and Geophysical Professions Act	594
- Bill 19-88(2) Statute Law (Public Officer) Amendment Act	594
- Bill 23-88(2) Victims of Crime Act	595
Orders of the Day	595

YELLOWKNIFE, NORTHWEST TERRITORIES

FRIDAY, OCTOBER 28, 1988

MEMBERS PRESENT

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

ITEM 1: PRAYER

---Prayer

DEPUTY SPEAKER (Mr. Gargan): The Chair does not recognize a quorum. Would the Clerk call for the Members? The Chair will now recognize a quorum. Orders of the day for Friday, October 28, 1988. Item 2, Ministers' statements. Mr. Ballantyne.

ITEM 2: MINISTERS' STATEMENTS

Ministers' Statement 35-88(2): Justices Of The Peace Task Force Report

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. Mr. Speaker, in 1987 I appointed a task force to conduct a comprehensive study of justices of the peace in the Northwest Territories. The task force consisted of the chairman, Mr. R. Peter Baril, president of the Northwest Territories Justice of the Peace Association; and members Mr. T. Dialla, justice of the peace and coroner, Pangiirtung; Mr. Stien Lal, QC, who was the former deputy minister of Justice; Mr. Peter Shaw, coroner, of Fort Simpson; Ms Evelyn Storr, justice of the peace and coroner, Aklavik; and Mr. Tony Whitford, justice of the peace and coroner, of Yellowknife. His Honour Judge R.W. Halifax, of the territorial court of the Northwest Territories in Hay River, was the special adviser to the task force. The members of the task force were asked to consider the issues of independence and tenure, qualifications and training, remuneration, and responsibilities of justices of the peace.

The original mandate of the committee included consideration of the Coroners Act as well. As its work developed, through public hearings and internal discussions, the task force found it impractical to deal with the two topics together, and the focus shifted solely to justices of the peace.

The report of the task force has been received, and I will be tabling it in the Legislative Assembly today. It contains 14 specific recommendations aimed at improving the training of justices of the peace, and increasing their judicial independence. Although some particular points require further consideration before implementation, I have accepted the general thrust of the recommendations. I will be moving quickly to carry out the principal recommendation by appointing a justice of the peace administrator who will report directly to the chief judge of the territorial court.

Justices of the peace are a very important part of the legal system in the Northwest Territories. They are local people who dispense justice at the community level, with a minimum of delay. I am pleased that the task force recommendations will enable us to strengthen and improve the effectiveness of the justice of the peace program in the Northwest Territories. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. Item 2, Ministers' statements. Mr. Patterson.

Ministers' Statement 36-88(2): Community Government Week

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. On behalf of the Hon. Gordon Wray, I am pleased to announce to Members of this House that I am proclaiming the week of November 7 to 11, 1988, as community government week. The event celebrates the contribution of elected council members and appointed officials to community life in the Northwest Territories.

This year's theme is "Community Government - Get Involved". To help our citizens achieve that involvement, my department has produced and sent a package of information and a newsletter to every community office and every school in the Northwest Territories. Copies of the newsletter will be distributed to Members for their information and interest. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Item 2, Ministers' statements.

Item 3, Members' statements. Item 4, returns to oral questions. Mr. Ballantyne.

ITEM 4: RETURNS TO ORAL QUESTIONS

Further Return To Question O54-88(2): Tabling Of Plan Re RCMP

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I have a return to Question O54-88(2), asked by Mr. Zoe on October 18th. It has to do with the plan for RCMP satellite offices. The satellite office is an RCMP innovation developed in consultation with the Department of Justice. It attempts to provide enhanced policing services at the community level with minimal additional costs to the taxpayers. Satellite offices are being located in small communities which would not normally warrant establishment of an RCMP detachment. By the use of leasing arrangements, the capital costs and long-range planning required for federal government built housing units is sometimes avoided.

A satellite office is a unit smaller than a detachment, usually staffed by only one officer, and established to provide policing services on a full-time or seasonal basis to an area within the boundaries of an existing permanent RCMP detachment. The satellite office is accountable for its operations and administration to the commander of the host detachment. The RCMP consider a number of factors in determining whether to recommend to us the establishment of a satellite detachment. Taken into account is the population of the community and the crime rate; the time required to respond to complaints and the distance from the host detachment are also considered.

The RCMP consulted with the Department of Justice in the preparation of the plan for establishing satellite offices. At the appropriate time today I will table the plan for establishing satellite offices. It must be remembered that this plan covers a four year period. The factors which determine whether a satellite office should be established may change. Accordingly, this plan should not be viewed as a definitive document, but as a plan based on current conditions and trends. Over the next four years modifications to this plan may be required, but I believe it is a good start. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. Item 4, returns to oral questions. Mr. Patterson.

HON. DENNIS PATTERSON: Yes, Mr. Speaker, if I may, I have three returns to oral questions on behalf of Mr. Wray.

Return To Question O80-88(2): Community Centre For Clyde River

The first is a return to a question asked by Mr. Kilabuk on Friday, October 21, concerning a community centre for Clyde River. Mr. Speaker, as established during the capital planning

process, Clyde River is presently scheduled to receive a large community hall and large arena according to the following forecasted schedule: 1990-91, planning and geotechnical work; 1991-92, design; 1992-93, construction of hall; 1992-93, construction of arena.

Return To Question O73-88(2): Timing Of Response To Question O67-88(2)

Also, a return to a question asked by Mr. Arlooktoo on October 20, concerning Lake Harbour airstrip. Mr. Speaker, presently Transport Canada's five year plan for the Quebec region arctic airport sites shows a major runway overlay project scheduled over two years beginning in 1990. Engineering studies and design for the project are scheduled for 1989.

Since the recent removal of the rock outcrop, Transport Canada officials have indicated a willingness to review the potential of slightly realigning the existing runway so that it may be lengthened. I should caution the honourable Member that there has not been an agreement to lengthen the runway by Transport Canada, only a willingness to review the potential. Until such time as this review has been completed and the long-term plans of Transport Canada are known, I am reluctant to recommend any further expenditures on the Lake Harbour airport. We definitely want to continue to work with the honourable Member and the council of Lake Harbour to see future improvements, but we must work, as well, with Transport Canada, which retains the necessary capital dollars and the authority for major expansion of an existing facility.

The rock blasting project was unique in that we, as a government, undertook to remove a safety hazard with the help of the hamlet council. Extension of a runway or major improvements to an airport remain the responsibility of Transport Canada, and I will ask my officials to keep you informed of further developments in this area.

Return To Question O15-88(2): Status Of Petition Re Kakisa Lake Becoming A Settlement

Finally, Mr. Speaker, a reply to a question asked by Mr. Gargan on October 14, concerning status of petition for settlement status for Kakisa. Mr. Speaker, after the community of Kakisa presented a petition of settlement status in 1985, the then Minister of Local Government, the Hon. Nick Sibbeston, directed his department to help the community meet this goal.

Since 1985, the department has provided a per capita grant, a recreation administration contribution and certain capital expenditures, such as a half ton pickup truck and a solid waste site. Funding is also provided for other programs and services, including a part-time community clerk, and for municipal services such as water delivery and garbage pickup. Under the minor additional facilities program, funding has been provided for an outdoor rink and ball park.

In February 1986, I indicated that there were no formal criteria for recognizing a community as a settlement, but that it was hoped that the new local government legislation would address this issue. The Settlements Act came into effect January 1, 1988. Prior to this act there was no legal mechanism for recognizing a community as a settlement, although I indicated in February 1986, Kakisa is being treated as a settlement.

Under section 3 of the Settlements Act the Minister may by order declare an unincorporated community to be a settlement and fix its boundaries. In view of the fact that three years have passed since the 1985 petition, once I have received reconfirmation from community residents that they wish to have the community of Kakisa declared a settlement, I will proceed to establish a settlement by order. The department will continue to provide such municipal services and programs to the residents of the settlement as appropriate to its needs, conditions and political organization. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Item 4, returns to oral questions. Ms Cournoyea.

Return To Question O135-88(2): Tendering Of Highway Snow Removal, Arctic Bay

HON. NELLIE COURNOYEA: Mr. Speaker, I have return to an oral question asked by Mr. Ludy Pudluk on October 26, concerning the privatization of Arctic Bay to Nanisivik highway maintenance beat. Mr. Pudluk inquired about the privatization of the Arctic Bay to Nanisivik highway maintenance beat.

Although I cannot give him a firm date as to when this operation may be privatized, the matter is now being considered by the Department of Public Works and Highways. Privatization of this highway was first evaluated in 1985, but was then considered to be inappropriate because of the substantial upgrading required. Reconstruction and upgrading have been completed over the past few years.

Various options are now being studied with respect to converting the current own-forces operation to a contract basis. Factors under review include the capability of contractors in the area, other employment prospects for the current government staff, and the disposition of the highways equipment. A report will be completed by highways officials for representation to the Executive Council by March 1989.

Return To Question O144-88(2): Repairs To Clyde River Dock

I have a reply to a question asked by Ipeelee Kilabuk on October 26, concerning the Clyde River dock. Mr. Kilabuk asked whether we would look into the problem of the dock in Clyde River. The department will look into this problem. The Government of the NWT initiated a community wharves program in 1984 in response to an expressed need for such facilities in the majority of our communities. This need was not being met by federal agencies. Since the program was initiated, Public Works and Highways has constructed 10 facilities at a total cost of \$1.7 million. The program is continuing with an annual budget of some \$500,000.

In July 1985, representatives of Public Works and Highways visited Clyde River. At that time the hamlet indicated that they were proceeding with dock construction on their own and it was agreed that no action was required by Public Works and Highways. The community subsequently constructed a dock and breakwater. Since there are, apparently, problems arising with the dock, we will contact hamlet officials now to determine the exact nature of these problems. We will also have to visit Clyde River next spring after break-up to inspect the dock and meet with the hamlet. We will then be able to assist in designing remedial measures, or if necessary, add this work to our wharf program or seek funding from the federal government.

Return To Question O136-88(2): Cost Of WCB Announcement In Globe And Mail

I have a return to a question asked by Sam Gargan, concerning a Workers' Compensation announcement in the Globe and Mail. The announcement in the national edition of the Globe and Mail of the appointment of a general manager cost the Workers' Compensation Board \$3000. It was not put in the northern newspapers because the board sent out individual notices of the appointment to employers in the NWT and to workers' unions and associations. It costs \$4500 to advertise a competition for this position in northern newspapers and the Globe and Mail. Thank you.

MR. DEPUTY SPEAKER: Thank you, Ms Cournoyea. Item 4, returns to oral questions. Mr. Alloo.oo.

Return To Question O57-88(2): Location Of Stored PCBs

HON. TITUS ALLOOLOO: Mr. Speaker, I have a return to an oral question asked by Mr. Ernerk on October 19, regarding PCBs in garbage dump sites. This government has investigated all community garbage dumps and other abandoned sites to determine if there was any material containing PCBs. Abandoned or unused electrical transformers were specifically searched for. Any materials located were immediately removed and transported to safe storage areas, either by

officials from this government or by the owner, under our supervision. PCBs were located and removed from communities of Eskimo Point, Iqaluit, Inuvik, Spence Bay, Cambridge Bay and Pine Point. Mr. Speaker, all Members have received a listing of storage sites in the NWT. Our department will continue to co-operate with all levels of government and individual communities to locate and eventually eliminate all PCBs within the NWT. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Allooloo. Item 4, returns to oral questions. Mr. -- I am sorry, Ms Cournoyea.

Further Return To Question 027-88(2): Deaths From Consumption Of Caribou With Brucellosis

HON. NELLIE COURNOYEA: Thank you, Mr. Speaker. You look different this morning, as well. A return to an oral question asked by Mr. Kilabuk, concerning deaths resulting from consumption of caribou infected with brucellosis.

Brucellosis as a direct cause of death is not common. It would appear that there would have been no direct deaths from brucellosis for many years. Brucellosis is a reportable disease under the Public Health Act, and statistics of cases are compiled on a regular basis. To date we have recorded three confirmed cases in 1988, while in 1987 and 1986, seven cases were confirmed each year. In the past, unpasteurized milk, butter and cheese were often responsible for the transmission of brucellosis. Brucellosis may also be passed from animals to humans. If diagnosed early, most brucellosis infections respond well to drug therapy.

Further Return To Question 092-88(2): Non-Residents Using NWT Health Care Services

I have a response to an oral question asked by Mr. McLaughlin, concerning eligibility for receiving insured hospital and medical services in the Northwest Territories. Mr. McLaughlin has suggested that new residents of the Northwest Territories who have not yet met the eligibility criteria for the Northwest Territories health care plan to receive insured health and medical service may, in fact, be obtaining the services at the expense of the Government of the Northwest Territories.

I wish to advise this House that the NWT Department of Health has a reciprocal billing arrangement with other provinces and with the Yukon Territory to cover new residents during their first three months of residency. Insured hospital and physician services received by new residents will be charged back to the appropriate jurisdiction's health care plan, until the three month residency requirement has been met.

With respect to dental services, the hospital and medical insurance plans across the country do not provide a dental insurance benefit. Any dental insurance program would be either private, corporate or targeted toward a specific group, for example, seniors or children. Therefore, residents transferring to the Northwest Territories are not covered for dental services because the interprovincial reciprocal agreement, which provides for three months of coverage, applies only to the hospital insurance and medical plans.

Once residents reach the Northwest Territories, they may access any dental services provided in the community. In many communities, services are provided by dental therapists whose primary role is providing dental care for all children regardless of status. Dentists providing services in the community either bill the Department of Health for Inuit or status Indians, under the Indian health policy program, or the department, under the new extended benefits for seniors. Otherwise, the patient or the employer plan is billed directly.

If the Member, or any other Member, is aware of any specific instances, I would appreciate it if he would bring that to my attention. Thank you.

MR. DEPUTY SPEAKER: Thank you, Madam Minister. Item 4, returns to oral questions. Item 5, oral questions. Mr. Zoe.

ITEM 5: ORAL QUESTIONS

Question O169-88(2): Tabling Of Regional And Tribal Councils Report

MR. ZOE: Thank you, Mr. Speaker. My question is directed to the Government Leader. Is the Government Leader going to table the tribal and regional councils report and the government response today?

MR. DEPUTY SPEAKER: Mr. Patterson.

Return To Question O169-88(2): Tabling Of Regional And Tribal Councils Report

HON. DENNIS PATTERSON: Mr. Speaker, I had indicated that I plan to table the regional and tribal councils report and the government response, in the context of a political and constitutional development paper which is just being finalized. I expect it can be tabled early next week.

MR. DEPUTY SPEAKER: Thank you. Mr. Zoe.

Supplementary To Question O169-88(2): Tabling Of Regional And Tribal Councils Report

MR. ZOE: Supplementary, Mr. Speaker. Mr. Speaker, the Government Leader has made a commitment to this House at the latter part of last week, on October 20th, and the Government Leader, quoted, said, "To answer the Member's question specifically, I do not expect that we can table the report before the middle to latter part of next week." It appears, Mr. Speaker, that the Government Leader is always delaying this particular report and it is not going to be tabled this week again. Is the Government Leader going to live up to his commitment that he makes in the House?

MR. DEPUTY SPEAKER: Mr. Patterson.

Further Return To Question O169-88(2): Tabling Of Regional And Tribal Councils Report

HON. DENNIS PATTERSON: Yes, Mr. Speaker, I certainly intend to table this paper once translation has been completed during this session. As I indicated to the honourable Member, it was quite an ambitious task to produce a paper covering such a complicated number of subjects as is presented by the very complicated situation we have in the NWT today, with land claims, regional bodies, local bodies and the whole question of the future of political evolution of the Government of the Northwest Territories. I apologize if we have not been able to prepare this paper as expeditiously as possible, but I can assure the honourable Member that we have been working extremely hard to get it finalized, including the translation, and there is no intention to prevent it from being tabled this session. I am disappointed that it is not ready for today, but I can assure the honourable Member that we will have something to table next week. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Item 5, oral questions. Mr. Pollard.

Question O170-88(2): Vacant Positions In Departments

MR. POLLARD: Thank you, Mr. Speaker. My question is for the Minister of Personnel. Yesterday, Mr. Speaker, we heard that there were 19 vacant positions in headquarters for the Department of Culture and Communications. I wonder if the Minister of Personnel could indicate, is that typical of the other departments as well? Are they suffering as bad a loss by having as many vacant positions by percentage of their full positions in headquarters, Mr. Speaker? Thank you.

MR. DEPUTY SPEAKER: Mrs. Marie-Jewell.

Return To Question O170-88(2): Vacant Positions In Departments

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, that appears to be one of the problems. For a number of positions that are vacant in the Department of Culture and Communications, their competitions expire, I believe, November 4. However, there are a number of competitions that have not been filled. There are a number of competitions that have gone out twice for advertisement, and there is sometimes the problem of filling the positions.

MR. DEPUTY SPEAKER: Thank you. Mr. Pollard.

Supplementary To Question O170-88(2): Vacant Positions In Departments

MR. POLLARD: Thank you, Mr. Speaker. To the same Minister. My question was Culture and Communications has 19 vacant positions. On a percentage basis, do the same vacancies exist in other departments in headquarters, and I am talking about all the departments of this government? Are we looking at major vacancies in the other departments as well? Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Mrs. Marie-Jewell.

Further Return To Question O170-88(2): Vacant Positions In Departments

HON. JEANNIE MARIE-JEWELL: The departments differ as to the number of vacancies that are available. I believe there are at least 80 positions that are vacant in headquarters, and they vary between departments, Mr. Speaker. They vary between as low as maybe four per department and anywhere up.

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

Supplementary To Question O170-88(2): Vacant Positions In Departments

MR. POLLARD: Supplementary, Mr. Speaker. I realize the Minister probably does not have the information now, but I wonder if the Minister could provide to this House the numbers of those positions, the departments they belong to, and the titles of those positions please, Mr. Speaker.

MR. DEPUTY SPEAKER: Mrs. Marie-Jewell.

Further Return To Question O170-88(2): Vacant Positions In Departments

HON. JEANNIE MARIE-JEWELL: I did have the information yesterday, but yes, I will make the information available. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 5, oral questions. Mr. Nerysoo.

Question O171-88(2): Vacant Positions In Regions

MR. NERYSOO: Thank you, Mr. Speaker. A supplementary to Mr. Pollard's question. Could the Minister of Personnel provide the information with regard to the vacancies in the regions, indicating the positions and also whether or not these positions are located in the communities and which communities?

MR. DEPUTY SPEAKER: Mrs. Marie-Jewell.

Return To Question O171-88(2): Vacant Positions In Regions

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. The information that I had did reflect the outstanding competitions here in headquarters. However, as to the information the Member is requesting, I can ensure that we can get a status report on the outstanding positions that are

available in the regions, in conjunction with the other honourable Member's request of getting information on headquarters. Thank you.

MR. DEPUTY SPEAKER: Thank you, Madam Minister. Item 5, oral questions.

Question O172-88(2): Reason For Number Of Headquarters Vacancies

MR. ZOE: Thank you, Mr. Speaker. My question is directed to the same Minister, the Minister of Personnel. The Minister indicated that there are 80 positions vacant in Yellowknife, here in headquarters. What appears to be the problem that they cannot fill these particular vacancies? Is it because of a lack of housing, or other problems that we do not know of?

MR. DEPUTY SPEAKER: Mrs. Marie-Jewell.

Return To Question O172-88(2): Reason For Number Of Headquarters Vacancies

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, probably lack of housing could be one of the reasons along with many other reasons. There are, at times, problems just being able to process the positions and competition requirements. As I had indicated, some of the outstanding competitions, have closing dates in November, depending on the type of positions. There are some that have gone out for advertisement twice, possibly for not being able to recruit a successful candidate or for a number of other reasons. I can check further into the matter to see why it is taking the length of time it is to fill the positions. But I think one of the main reasons is not being able to provide housing or being able to obtain housing on the part of the employee.

MR. DEPUTY SPEAKER: Thank you, Madam Minister. Item 5, oral questions. Mr. Pollard.

Question O173-88(2): Decentralization Of Vacant Positions To Areas With Available Housing

MR. POLLARD: Thank you, Mr. Speaker. To the Government Leader, in view of the fact that there are 80 positions vacant and the Minister of Personnel says that possibly the lack of housing could be a contributing factor, is the Government Leader prepared to look into decentralizing some of these positions and sending them out to places that do have housing? Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Mr. Patterson.

Return To Question O173-88(2): Decentralization Of Vacant Positions To Areas With Available Housing

HON. DENNIS PATTERSON: Mr. Speaker, I have indicated publicly as a result of the last strategy session of cabinet held this summer, that indeed that is the direction in which we wish to move. We as a government, particularly feel that where new positions are created and new functions are taken on by the government, that we should make every effort to locate those new functions and new positions outside Yellowknife in light of the serious housing shortages that exist in the city. I also indicated that we are going to be carefully developing a policy on decentralization which will permit us carefully and incrementally to look at the possibility of decentralizing existing headquarters functions. We do not plan to do anything radical and we do not plan to move with undue haste but we are working on a policy which will permit us to develop guidelines including cost and recognizing the importance of continued service delivery to the public which would permit those very objectives the Member has referred to, to be realized.

In summary, Mr. Speaker, that is the direction we are moving in with the development of guidelines for decentralization. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Mr. Pollard. Supplementary.

Supplementary To Question O173-88(2): Decentralization Of Vacant Positions To Areas With Available Housing

MR. POLLARD: Supplementary, Mr. Speaker. The Government Leader talked about the direction we wish to move in, that he is going to make the effort, look at the possibility, doing nothing radical. I suggest to this House that a little better commitment from the Government Leader is in order here. Either this government has the will to do it and is going to do it or they should stop making statements like, "wish, make every effort, look at possibility". So I am asking for a commitment from the Government Leader right here and right now that this is the direction this government is going to go in. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Mr. Patterson.

Further Return To Question O173-88(2): Decentralization Of Vacant Positions To Areas With Available Housing

HON. DENNIS PATTERSON: Mr. Speaker, I have heard the honourable Member who asked this question, publicly criticize the government for the way in which decentralization was handled in the Fort Smith Region. The fact that decisions were taken hastily which caused anxiety and dislocation in the community of Fort Smith. We are committed to decentralization, Mr. Speaker. I provide that commitment without hesitation. However, we are going to do it based on proper guidelines which consider efficiency of government services and which consider cost and which respect the rights of employees who may be involved. The commitment is there, Mr. Speaker, but we are going to exercise that responsibility based on reasonable guidelines. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Item 5, oral questions. Mr. Ernerk.

Question O174-88(2): Proclamation Of Amendment To Jury Act

MR. ERNERK: Thank you, Mr. Speaker. Some important amendments to the Jury Act allow people such as native people to sit on juries. The question is to the Minister of Justice. I am wondering as to when these amendments to the Jury Act will be proclaimed.

MR. DEPUTY SPEAKER: Mr. Ballantyne.

Return To Question O174-88(2): Proclamation Of Amendment To Jury Act

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. We intend to have the amendment proclaimed January 1, 1989, and the amendment as the honourable Member knows, will permit unilingual people who speak an aboriginal language, for the first time in Canada, to sit on a jury. This will allow many native people to participate in the justice system in a way that was not open to them before. This amendment was passed in the Legislative Assembly in 1986 but the proclamation was delayed pending a thorough review of its legal implications. The NWT committee on law reform was asked to study the amendment. The law reform committee released a working paper on the Jury Act amendment which was tabled in this House, June of 1987. The working paper recommended implementation of the amendment.

Overall, the response to this amendment has been very positive and the final report of the committee on law reform is expected by Christmas. That is why we have chosen January 1, but we have been told already that there will not be any obstacles in this final report to proclaim the act. They have some technical comments to make which will assist us in making sure that we are successful.

Another very important initiative that went along with this act was the legal interpreters training program. Members will recall that 17 government and free-lance interpreters graduated from the six week course which was given this summer through the Department of Justice and the Department of Culture and Communications. For the first time in North America's history, the interpreters were given formal instruction in court procedures and the meaning of legal terms.

So the trained interpreters will play an important role in the courts by providing accurate interpretations for aboriginal parties and witnesses. We in the Justice department of the government are very proud of this initiative. We think that even though there has been some criticism of late of the justice system, that we are leaders in the country and I think we have made many innovative contributions in improving the justice system here in the Territories. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. Item 5, oral questions. Mr. Kilabuk.

Question O175-88(2): 1989-90 Funding For Community Hall, Clyde River

MR. KILABUK: (Translation) Thank you, Mr. Speaker. My question will be directed to the Government Leader. With regard to getting a community hall in Clyde River, I understand it is going to be quite far away in the future and this community has never had a community hall. I wondered if it would be possible if we could move the funding to 1989-90. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Mr. Patterson.

Return To Question O175-88(2): 1989-90 Funding For Community Hall, Clyde River

HON. DENNIS PATTERSON: Mr. Speaker, it would be possible to move that project ahead if other communities agreed that their projects would be cancelled or delayed. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Mr. Pollard.

Question O176-88(2): Use Of Surplus Funds For Projects

MR. POLLARD: Supplementary, Mr. Speaker. Again, we are constantly told we are getting played off against one another. If you are prepared to wait, you can go ahead before. You know, this is like a little chess game on the other side there. So my question to the Government Leader would be, how about using some of the surplus to do some of these projects? Education is one of those areas. Mr. Kilabuk raises his question about Clyde River, what about using some of the \$57 million you are sitting with? Thank you, Mr. Speaker.

---Applause

MR. DEPUTY SPEAKER: Mr. Ballantyne.

Return To Question O176-88(2): Use Of Surplus Funds For Projects

HON. MICHAEL BALLANTYNE: Thank you. The question from Mr. Pollard I have to admit was not a surprise to me. I think Mr. Pollard asked a fundamental question. How does this government in a prudent, responsible way manage its financial affairs? If Members will recall two years ago exactly the same debate took place. At that point, two years ago, this government decided to do what Mr. Pollard suggested, to expend \$50 million of a \$60 million surplus. I was sitting in this House for two months as we were ripped to shreds on that very issue by Members on the other side. Members said that we were in a way threatening the legacy of their children by doing exactly that. I was told, and we were told as a government, that a balanced budget was demanded by the standing committee of finance, by this Legislative Assembly. As you know, right now we have a projected surplus of some \$57 million which is not a large amount if you look at close to a billion dollar budget. It is one-time only money and we have to be very careful how we introduce that money into the system because our capital plan is not just a chess game. I thought, and we have worked on the assumption that it is well thought out, based on the needs of communities over a period of time. One has to be very careful not to upset that very delicate balance. We recognize right now we are expecting to have a surplus at the end of this year. During the Budget Address I will be making a statement to the House of how we intend to manage that surplus, keeping in mind that we will not always have the same sort of economic climate we

have now. I think that as Minister of Finance I have got to say to this House, we have to maintain some margin of safety to prepare us for that eventuality.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. I believe you did answer the question. Item 5, oral questions. Mr. Pollard.

Supplementary To Question O176-88(2): Use Of Surplus Funds For Projects

MR. POLLARD: Supplementary, Mr. Speaker. I suggest to the Minister of Finance that two years ago, obviously the House was much more unreasonable. We are reasonable people now. If you want to spend that surplus, we will help you.

--Laughter

Secondly, the Minister of Finance, Mr. Speaker, is constantly saying if we have too much money in the bank the federal government will not keep giving us money, so if we are increasing the amount of money we get from the federal government it looks too good to have this much money in the bank. So I would ask the Minister of Finance, is he prepared to entertain suggestions from this side of the House and that corner right there, Mr. Speaker, on how to spend that surplus?

MR. DEPUTY SPEAKER: Mr. Ballantyne.

Further Return To Question O176-88(2): Use Of Surplus Funds For Projects

HON. MICHAEL BALLANTYNE: First of all, I have to thank the chairman of the standing committee on finance for this new reasonable approach, and I am sure that will be in relation to all questions asked of this government. We can expect this reasonable approach to continue, and we are very happy to hear that we can expect that in the future. Obviously, this government, Mr. Speaker, is very interested in Members' ideas as to how we expend our finances. I told the chairman of the standing committee on finance that when we get into those committee meetings in late November and December we will expect a very full and frank discussion as to ideas coming from the committee about how we handle our financial affairs. As I said, we are very aware of the fact that we have the money. I have no illusions. Pressure is going to be put on this government because that money is sitting there. As Minister of Finance, to suggest anything other than a well thought out, ordered approach to deal with this would be irresponsible. I will be making a statement in the budget session after consultation with Mr. Pollard's committee. We hope to find some accommodation between the wishes of the Members and our desire to be fiscally responsible. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. Oral questions. Mr. Nerysoo.

Question O177-88(2): Commitment To Five Year Capital Plan

MR. NERYSOO: Thank you. I hope that our government is going to be as reasonable and responsible as they have indicated they would be. At least Mr. Ballantyne has indicated that. Mr. Speaker, could I have an indication from the Minister of Finance whether or not the government is now committed to abide by their five year capital plan, because during last year's budget process, it was indicated to us that that capital plan was just for short-term direction. So I want to ask whether or not the government is now indicating that they are prepared to abide by the five year capital plan.

MR. DEPUTY SPEAKER: Mr. Ballantyne.

Return To Question O177-88(2): Commitment To Five Year Capital Plan

HON. MICHAEL BALLANTYNE: I think I have to emphasize what a five year capital plan is. It is only a planning tool for this government, and this government needs the appropriation authority from the Legislative Assembly on a year-by-year basis. So the answer to you is that there is no

way that this government can say that we will be doing everything that is in the five year plan. That will be decided year by year by the Legislative Assembly. I think the Member knows that things change, priorities change, emergencies come up, so that even though the five year plan is a good planning tool, it causes us as a government some difficulty because it raises expectations which, for any number of reasons, this government may not be able to fully realize in the long term.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. Mr. Nerysoo.

Supplementary To Question O177-88(2): Commitment To Five Year Capital Plan

MR. NERYSOO: Supplementary, Mr. Speaker. I was just referring to comments just made by the honourable Minister. He indicated to the Members here that if we change our capital planning process, if we were prepared to do so, Members here in particular constituencies would be losing particular projects. Now he indicated that we should be sticking to a planning process. Mr. Speaker, I would ask if the honourable Member is going to commit this government to stick to their capital planning process and commitments that have been made in this Assembly?

MR. DEPUTY SPEAKER: Mr. Ballantyne.

Further Return To Question O177-88(2): Commitment To Five Year Capital Plan

HON. MICHAEL BALLANTYNE: I think perhaps the Member is mixing up two different concepts. There is no intention right now to deviate from the planning process. We intend to carry on with the planning process. The commitment I made after Mr. Pollard's question is that, as far as the accumulated surplus is concerned, I will be making a statement about what I hope will be a careful way to incorporate that in the overall government expenditures, if we decide to go that way.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. Oral questions. Mr. Kilabuk.

Question O178-88(2): Influence Of Ordinary MLAs On Timing Of Projects

MR. KILABUK: (Translation) Thank you, Mr. Speaker. Pertaining to the discussion, I have a question to the Government Leader. Concerning the projects that are being deferred and the things that we want to go ahead with, these are constantly changing. As ordinary MLAs in this House, if we put out a motion saying that we would like some of the projects to be put forward, what kind of influence do we have? Could we make some changes if we wish to get some projects put forward, rather than deferred? Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Mr. Government Leader.

Return To Question O178-88(2): Influence Of Ordinary MLAs On Timing Of Projects

HON. DENNIS PATTERSON: Mr. Speaker, I am not exactly sure which projects the Member is referring to as far as delays are concerned. I would like to make it very clear, Mr. Speaker, that if a project cannot be built in a particular year, then we make every effort to carry the money over so that the project can be built the following year. A good example is the Fort Providence community hall, on which I reported to the House yesterday. Although there were reasons for the delay, we would certainly be attempting to carry that project over. I would like to make it clear that wherever projects are delayed due to circumstances beyond our control, we try to carry them over and preserve them in the capital plan.

Mr. Speaker, the honourable Member asks if the government would be open to advice from the Legislature on the timing of projects. Certainly we are servants of the Legislature and we try, as much as possible, to respond to reasonable advice from the Legislature about budgetary priorities within the resources that are available to us. There are limits. Mr. Speaker, we would be open to receiving advice from the Member and the Legislature on these subjects. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Patterson. Oral questions.

Item 6, written questions. Item 7, returns to written questions. Mr. Clerk.

ITEM 7: RETURNS TO WRITTEN QUESTIONS

CLERK OF THE HOUSE (Mr. Hamilton): Return to written Question W6-88(2), asked by Mr. Nerysoo to the Minister of Social Services; return to written Question W8-88(2), asked by Mr. Lewis to the Minister of Social Services; return to written Question W12-88(2), asked by Mr. Nerysoo to the Minister of Justice; return to written Question W13-88(2), asked by Mr. Nerysoo to the Minister of Health; return to written Question W15-88(2), asked by Mr. Nerysoo to the Minister of Justice.

Return To Question W6-88(2): Day-Care Programs

Hon. Jeannie Marie-Jewell's return to Question W6-88(2), asked by Mr. Nerysoo on October 17, 1988, regarding day-care programs:

The department staff have visited most Northwest Territories communities and have had extensive discussions with people who currently provide child care or who are interested in establishing a child care program. Program and policy information from other jurisdictions has also been reviewed extensively.

In developing the interim child day-care policy we have considerable input and experience to draw upon. A study entitled, "Caring for Children", focussing on the Beaufort region, was completed in March, 1985; the Northwest Territories Child Care Association completed a territory-wide need survey in 1987; community need surveys have been done in various local communities, notably Fort Simpson and Pond Inlet, in this year.

In June of this year Government of the Northwest Territories employees were surveyed by written questionnaire on their child care needs and preferences; returns from across the Northwest Territories were received. In August of this year a two-day consultation meeting took place with members of the child day-care community and other groups interested in family and women's issues. They presented their views on the form and content of Northwest Territories child day-care policy. As well, I have received many letters from providers and users of child care and special interest groups, providing helpful suggestions as to the type of child care program most suitable for the Northwest Territories.

In the development of the legislation regulating child care in the Northwest Territories, extensive consultation has occurred with those agencies responsible for regulation. Staff of the Women's Secretariat have been involved in the process of development of the policy. The Advisory Council on the Status of Women has also spearheaded a major lobbying effort to encourage public input. The present debate in this House on my ministerial statement provided an opportunity for Members to advise me of their views as to what the program should contain. I will welcome any written briefs Members might like to submit to me prior to our next sitting.

Return To Question W8-88(2): Move Of Social Services Positions

Hon. Jeannie Marie-Jewell's return to Question W8-88(2), asked by Mr. Lewis on October 19, 1988, regarding the move of social services positions:

Mr. Lewis asked me to identify the 11 positions which I have proposed be moved out of Yellowknife and where they could be placed. I would like to clarify that any reorganization plans I have or any other Minister has must be approved by cabinet. As I have stated in the House, cabinet has not approved the reorganization plans I have proposed.

As the Government Leader announced after cabinet's meetings in June, the GNWT would be examining ways to limit the growth in the public service at headquarters by a carefully measured approach to the placement of government operations. In keeping with that, I reviewed operational areas which I felt could be placed outside of headquarters and which might have increased effectiveness and be seen to have more meaning if the employees were living and working in some of the regional communities most affected by these problems and I identified 11 positions. I have made a submission to cabinet in this regard but as I have stated, my proposal is still before cabinet and no decision has been made.

The positions are as follows: co-ordinator, community programs, proposed location, Inuvik; consultant, alcohol and drugs, proposed location, Inuvik; program officer, alcohol and drugs, proposed location, Inuvik; clerk typist, alcohol and drugs, proposed location, Inuvik; consultant, community mental health, proposed location, Iqaluit; mental health worker, East, mental health worker, West, and co-ordinator, human resources, proposed location, Fort Smith; two human resource development officers, proposed location, Fort Smith; community and agency development officer, proposed location, Fort Smith. I want to stress that this proposal has yet to receive cabinet approval.

Return To Question W12-88(2): Incarceration Practices By The RCMP

Hon. Michael Ballantyne's return to Question W12-88(2), asked by Mr. Nerysoo on October 24, 1988, regarding incarceration practices by the RCMP:

The Member raised some important issues in his written question, and I would like to thank him for bringing these questions to my attention. I have consulted with the RCMP concerning current RCMP incarceration practices in the communities and have requested that they report fully, at the earliest possible date, to me, about any irregularities in incarceration procedures in the NWT. Chief Superintendent Wilson and Superintendent Callens of RCMP "G" Division headquarters will be attending caucus on Tuesday, November 1, and will be available to answer any questions the Members may have.

As Minister of Justice I will continue to do everything in my power to ensure that the constitutional rights of NWT residents are safeguarded. If any Member of this House has knowledge of an incident where an individual's constitutional rights were violated, I would appreciate that Member informing me of the specific details so that I can fully investigate the matter and, if necessary, take steps to ensure that violations of constitutional rights do not occur.

Any individual or community having concerns with incarceration or other police practices should contact my office with identifying information and I will investigate the matter. Alternately, I have been assured by the chief superintendent that any complaints directed to him about problems with the police will be treated seriously and investigated fully.

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

Hon. Nellie Cournoyea's return to Question W13-88(2), asked by Mr. Nerysoo on October 24, 1988, regarding review of working conditions of certified and registered nursing assistants:

The Department of Personnel recently held discussions with the Union of Northern Workers on the classification standards for nursing and health specialists and technical services. Some adjustments to salary levels occurred and, as a result, I can confidently say that the NWT salaries for these categories are competitive with southern rates. The review, however, did not cover all health groups and, as such, the classification standards for CNAs/RNAs were not discussed.

I have discussed a review of CNAs/RNAs with the Minister of Personnel and she has committed her department to review, with assistance from my staff, the classification standard under which nursing assistants belong. If a new or revised classification standard is recommended, then rates of pay and rules affecting the pay of CNAs/RNAs will be negotiated with the union. Benefits are part of the collective agreement process and as such would not be included in the review.

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

Hon. Michael Ballantyne's return to Question W15-88(2), asked by Mr. Nerysoo on October 24, 1988, regarding the status of the Human Rights Code:

A draft Human Rights Code for the Northwest Territories was tabled in the Legislative Assembly in the fall of 1985. Extensive consultation followed, with detailed comments being submitted by native groups, community organizations, businesses and individuals.

The draft code was not accepted by any of the aboriginal organizations in the Northwest Territories. There was concern that the timing was not right for the introduction of human rights legislation in the NWT because of the outstanding aboriginal claims. It was felt by some that greater recognition of the tradition of aboriginal collective rights was needed when dealing with the individual rights guaranteed by the human rights legislation. There also was criticism of the complex administrative structure which the draft code proposed.

Because of the extent of the criticism of the 1985 draft code, and the developments in the law since the time when it was tabled, the Department of Justice is planning to prepare an entirely new proposal of the NWT human rights legislation, instead of tinkering with the earlier draft. The present intention is to have this ready to table in the fall, 1989 session of the Legislative Assembly.

MR. DEPUTY SPEAKER: Thank you, Mr. Clerk. Item 7, returns to written questions.

Item 8, replies to Opening Address.

Item 9, petitions.

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

ITEM 11: TABLING OF DOCUMENTS

HON. MICHAEL BALLANTYNE: Mr. Speaker, I wish to table the following documents: Tabled Document 42-88(2), RCMP Plan for Establishing Satellite Offices, Fall 1988; Tabled Document 43-88(2), Report of the Task Force on Justices of the Peace and Coroners; Tabled Document 44-88(2), Interim Financial Report of the Government of the Northwest Territories for the Year Ended March 31, 1988.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. Item 11, tabling of documents. Item 12, notices of motion. Mr. Kilabuk.

ITEM 12: NOTICES OF MOTION

Notice Of Motion 23-88(2): Community Centre For Clyde River

MR. KILABUK: Mr. Speaker, on Monday, October 31, I will move that this Assembly requests that the Executive Council consider placing in the 1989-90 budget, provision for a community centre in Clyde River.

MR. DEPUTY SPEAKER: Thank you, Mr. Kilabuk. Item 12, notices of motion.

Item 13, notices of motion for first reading of bills. Item 14, motions. Motion 19-88(2), Renewable Resource Officer Assistants Program. Mr. Arlooktoo.

ITEM 14: MOTIONS

Motion 19-88(2): Renewable Resources Officer Assistants Program

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. Renewable resources officer assistants program:

WHEREAS assistance is required to the people of Lake Harbour and Cape Dorset in the field of renewable resources;

AND WHEREAS renewable resources officer assistants are local people and very knowledgeable of the area and act as guides;

AND WHEREAS there are similar positions in Iqaluit, Pangnirtung, Igloodik and Pond Inlet;

NOW THEREFORE, I move, seconded by the honourable Member for Baffin Central, that this Assembly requests the Minister of Renewable Resources to review the renewable resources officer assistant program and consider placing assistants in Lake Harbour and Cape Dorset.

MR. DEPUTY SPEAKER: Thank you, Mr. Arlooktoo. Your motion is in order. To your motion. Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I do not have much further to say on this. All the reasons are stated in the motion. When the officers move into the community I think they should have assistants who know the area. If something urgent happens outside the community a lot of times the wildlife officers do not know the area between Cape Dorset and Lake Harbour. There are people who come in from Iqaluit, and people from Quebec go into this area, and a lot of times the renewable resources officers do not have any guides and so the wildlife officer may be in danger. It is important that in dealing with wildlife they should have assistants from the local communities. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Arlooktoo. Would the seconder of the motion like to speak? Mr. Kilabuk.

MR. KILABUK: (Translation) Thank you, Mr. Speaker. I am aware of this situation concerning the motion. In our area, also, the wildlife officers do not have any assistants from the local people. After they have got their assistants locally hired, to date there has been a lot of improvement in their services. I totally believe in his request. Some of the other communities do not have any assistants that are locally hired and I totally believe that the wildlife officers that are non-native should have native people to work with them as their assistants, especially if they are aboriginal people. They need to be someone that knows the area and the weather conditions in the cold areas so I supported his motion. I seconded his motion for these reasons. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you, Mr. Kilabuk. To the motion.

AN HON. MEMBER: Question.

Motion 19-88(2), Carried

MR. DEPUTY SPEAKER: Question is being called. All those in favour? Opposed, if any? Abstentions? This motion is carried.

---Carried

Thank you very much. Item 14, motions. Item 15, first reading of bills. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I seek unanimous consent to deal with Bill 23-88(2), Victims of Crime Act, the first reading of that bill.

MR. DEPUTY SPEAKER: Thank you. Is it agreed?

SOME HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Are there any nays? Mr. Ballantyne, proceed.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I want to note that I am following the Speaker's instructions by doing this, one at a time. Do you want me to do actual first reading of this bill and then I will go back to ask unanimous consent for first reading of the next bill?

MR. DEPUTY SPEAKER: Mr. Ballantyne, one at a time.

ITEM 15: FIRST READING OF BILLS

First Reading Of Bill 23-88(2): Victims Of Crime Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Iqaluit, that Bill 23-88(2), Victims of Crime Act, be read for the first time.

MR. DEPUTY SPEAKER: Thank you. Mr. Ballantyne, your motion is in order. All those in favour? Opposed, if any? The motion is carried.

---Carried

Bill 23-88(2) has had first reading. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I seek unanimous consent to proceed to first reading of Bill 7-88(2), Engineering, Geological and Geophysical Professions Act.

MR. DEPUTY SPEAKER: Unanimous consent is being sought. Are there any nays? Proceed, Mr. Ballantyne.

First Reading Of Bill 7-88(2): Engineering, Geological And Geophysical Professions Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 7-88(2), Engineering, Geological and Geophysical Professions Act, be read for the first time.

MR. DEPUTY SPEAKER: Mr. Ballantyne, your motion is in order. To the motion.

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: All those in favour? Opposed? Motion is carried.

---Carried

Bill 7-88(2) has had first reading. First reading of bills. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I seek unanimous consent to proceed to first reading of Bill 19-88(2), Statute Law (Public Officer) Amendment Act.

MR. DEPUTY SPEAKER: Unanimous consent is being sought. Are there any nays? Proceed, Mr. Ballantyne.

First Reading Of Bill 19-88(2): Statute Law (Public Officer) Amendment Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Amittuq, that Bill 19-88(2), Statute Law (Public Officer) Amendment Act, be read for the first time.

MR. DEPUTY SPEAKER: Mr. Ballantyne, your motion is in order.

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: All those in favour? Opposed? Motion is carried.

---Carried

Bill 19-88(2) has had its 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 to second reading of Bill 23-88(2), Victims of Crime Act.

MR. DEPUTY SPEAKER: Unanimous consent is being sought. Are there any nays? Proceed, Mr. Ballantyne.

ITEM 16: SECOND READING OF BILLS

Second Reading Of Bill 23-88(2): Victims Of Crime Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 23-88(2), Victims of Crime Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to establish a victims assistance committee to promote the needs and concerns of victims; to promote the provision of services to victims; to establish a victims assistance fund that will be funded from a surcharge imposed on persons convicted of an offence under on enactment, to be used to provide services to victims.

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

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: All those in favour? Opposed? Motion is carried.

---Carried

Bill 23-88(2) has had second reading. Item 16, second reading of bills. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I seek unanimous consent to proceed to second reading of Bill 19-88(2), Statute Law (Public Officer) Amendment Act.

MR. DEPUTY SPEAKER: Unanimous consent is being sought. Are there any nays? Mr. Ballantyne.

Second Reading Of Bill 19-88(2): Statute Law (Public Officer) Amendment Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 19-88(2), Statute Law (Public Officer) Amendment Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to change the name and method of appointment of certain public officers in various acts and to change "Commissioner" to "Minister" in various acts.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne, your motion is in order. To the principle of the bill.

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: All those in favour? Opposed? Motion is carried.

---Carried

Bill 19-88(2) has had second reading. Second reading of bills. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Mr. Speaker, I seek unanimous consent to proceed to second reading of Bill 7-88(2), Engineering, Geological and Geophysical Professions Act.

MR. DEPUTY SPEAKER: Unanimous consent is being sought. Are there any nays? Proceed, Mr. Ballantyne.

Second Reading Of Bill 7-88(2): Engineering, Geological And Geophysical Professions Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Iqaluit, that Bill 7-88(2), Engineering, Geological and Geophysical Professions Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to revise the Engineering, Geological and Geophysical Professions Act to provide for making by-laws respecting mail votes and the validity and inspection of by-laws; to change the composition of the council and manner of electing and appointing council members; to add provisions respecting enforcement of the act; to amend the provisions respecting registration and qualification of members, licensees and permit holders; to amend the provisions respecting the issuance and surrender of a seal or stamp; to amend the provisions respecting fees; to simplify the provisions respecting discipline proceedings; to provide transitional provisions respecting the association, council members, the executive director, the board of examiners, registrants, permit holders and the members of the discipline committee; to amend the powers of the Supreme Court on appeal; and to repeal the Engineering, Geological and Geophysical Professions Act, 1978. Thank you.

MR. DEPUTY SPEAKER: Thank you, Mr. Ballantyne. Your motion is in order. To the principle of the bill.

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: All those in favour? Opposed? Motion is carried.

---Carried

Bill 7-88(2) has had second reading. Item 16, second reading of bills. Mr. Clerk, Bill 23-88(2), Bill 7-88(2) and Bill 19-88(2) are ordered into committee of the whole for today. Item 17, consideration in committee of the whole of bills and other matters: Committee Report 1-88(2), Tabled Document 2-88(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), Bill 26-88(2), Bill 23-88(2), Bill 7-88(2) and Bill 19-88(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); BILL 7-88(2), ENGINEERING, GEOLOGICAL AND GEOPHYSICAL PROFESSIONS ACT; BILL 19-88(2), STATUTE LAW (PUBLIC OFFICER) AMENDMENT ACT; BILL 23-88(2), VICTIMS OF CRIME ACT; TABLED DOCUMENT 10-88(2), PUBLIC HOUSING RENT SCALE DISCUSSION PAPER II; TABLED DOCUMENT 11-88(2), NWT HOUSING CORPORATION RENT SCALE

CHAIRMAN (Mr. Zoe): I would like to call the committee to order. Government House Leader, what is the government business for today?

HON. MICHAEL BALLANTYNE: Mr. Chairman, my understanding is that today the government is prepared to discuss the Northern Accord but it is my understanding that the aboriginal leaders would like some more time for consultation and discussion so I think the understanding is that we will put off that discussion until Monday. On that basis, Mr. Chairman, if we could proceed today with Bill 7-88(2), Bill 19-88(2), Bill 23-88(2) and if there is any time remaining perhaps we could deal with discussion on the rental scale.

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister, would you be bringing in a witness at this time?

HON. MICHAEL BALLANTYNE: Yes, Mr. Chairman.

Bill 7-88(2): Engineering, Geological And Geophysical Professions Act

CHAIRMAN (Mr. Zoe): Okay, proceed and bring in your witnesses and we will proceed with your opening remarks after you introduce your witnesses. Committee is dealing with Bill 7-88(2), Engineering, Geological and Geophysical Professions Act. Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. Mr. Chairman, I have as witnesses Ms Giuseppa Bentivegna, who is the director of the legislation division of the Department of Justice, and Mr. Bob Milburn who is the president of the association that we are discussing today.

CHAIRMAN (Mr. Zoe): Thank you. Proceed with the opening remarks, Mr. Minister.

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: Mr. Chairman, I am pleased to introduce the Engineering, Geological and Geophysical Professions Act. This act first came into force in 1979. Due to the number of changes to the act, this bill is a revision of the present Engineering, Geological and Geophysical Professions Act. Explanatory notes are provided for the provisions that are being amended to make it clear that the whole act is not new. The government has worked in conjunction with the Association of Professional Engineers, Geologists and Geophysicists of the Northwest Territories, in drafting amendments to the act.

The association requested the amendments in order to correct difficulties they have encountered in administering the act. Also, certain sections of the act are being amended in order to conform with the Charter of Rights and Freedoms. The association also found the discipline provisions of the act to be unnecessarily complex and time-consuming, so these sections are being simplified. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Merci beaucoup. Mr. Ernerk, as chairman of the legislation committee.

MR. ERNERK: Mr. Chairman, I take it you want to elevate me to chairman of finance? Mr. Chairman, very briefly. The standing committee on legislation discussed the review of the act at the meeting of October 27, 1988 with representatives of the government. The legal council and the Law Clerk assured the standing committee that the bill was in order and could be reviewed adequately in the House. Mr. Chairman, the standing committee recommends the bill be considered by the House. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. General comments. Are there any further general comments on Bill 7-88(2)? If not, does the committee agree that we go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 1, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 2, association continued. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 3, objects of association. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 4, powers of association. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 5, by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 6, council. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 7, definition of councillors. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 8, executive director. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Practice, clause 9, prohibition. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Registration, clause 10, board of examiners. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 11, registration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 12, appeal to council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 13, registration as a member. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 14, appeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 15, certificate of registration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 16, use of title. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 17, issue of seal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 18, lapse in registration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 19, review of qualifications of member or licensee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Permits, clause 20, definition of firm. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 21, permit holders. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Certificate, clause 22, certificate of executive director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Fees, clause 23, annual fee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Discipline, clause 24, discipline committee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 25, unbecoming conduct. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 26, review of complaints. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 27, notice of preliminary investigation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 28, procedure after investigation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 29, duty of council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 30, assistance in investigation or hearing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 31, non-attendance at hearing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 32, notice to attend hearing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 33, civil contempt. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 34, compellable witness. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 35, disciplinary action after hearing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 36, other orders. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 37, notice to complainant. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 38, effect of suspension, striking-off or revocation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 39, right to appeal. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 40, order of Supreme Court. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Liability, clause 41, protection from liability. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Offences and punishment, clause 42, fraud. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 43, practice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 44, general punishment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 45, limitation period. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Repeal, clause 46, repeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 7-88(2), Engineering, Geological and Geophysical Professions Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. We will be dealing with Bill 19-88(2), Statute Law (Public Officer) Amendment Act, right after our coffee break.

--SHORT RECESS

Bill 19-88(2): Statute Law (Public Officer) Amendment Act

CHAIRMAN (Mr. Zoe): The committee will come back to order. As I indicated earlier, we will be dealing with Bill 19-88(2), Statute Law (Public Officer) Amendment Act. Mr. Minister.

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. Mr. Chairman, I would like to explain the purposes of the proposed Statute Law (Public Officer) Amendment Act. The bill has three purposes. The first two deal with "public officer". A public officer is a person who is authorized by an act or a regulation to do something, or to exercise a power. The first purpose of this bill is to change the title or name of certain public officers. These changes will eliminate old titles that no longer reflect the nature of the office. An example is changing "superintendent" of a correction centre to "warden".

The second purpose is to change the method by which certain public officers come to hold their office. There are several public officer positions in our acts that refer to a person's position title in the organization chart of the public service. An example is the provision in the Consumer Protection Act that gives certain powers to the director of the department of the public service that is charged with administering the act. When the Consumer Protection Act was enacted, "director" referred to the position that is now known as the "deputy minister". The bill changes the provision so that the director becomes the person appointed by the Minister to hold the office of director of consumer services. This change has the following advantages: The appointment provision will not have to be amended as the government reorganizes and changes position titles. We gave the Minister greater flexibility in selecting the person to be the director. This change will allow for the appointment of a deputy director by virtue of the Interpretation Act.

The third purpose of the bill is to replace certain references to "Commissioner" by "Minister" where this change is legally permitted. Many of the changes made by this bill were requested by the statute revision commissioner. By proceeding with this bill at this session of the Assembly, these changes will be incorporated into the revised statutes of the Northwest Territories in 1989. These amendments will ensure that the revised statutes contain the current titles of the public officers in our government. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Member for Aivilik, your committee's comments, please.

MR. ERNERK: Thank you, Mr. Chairman. The standing committee on legislation discussed the review of the amendment to the act at the meeting of October 27, 1988, with representatives of the government. The purpose of the bill is to change the name and method of appointment of certain public officers in several acts and to change the name "Commissioner" to "Minister" in various acts. Legal counsel and the Law Clerk assured the standing committee that the bill was in order and that it could be reviewed adequately in the House. So, Mr. Chairman, the standing committee recommends that the bill be considered by the House. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. General comments on Bill 19-88(2). Are there any general comments? If not, does the committee agree that we go clause by clause. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Consumer Protection Act, clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 2, director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 3, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 5, director of consumer services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 6, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Corrections Act, clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 9, director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 10, superintendent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 11, superintendent of corrections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 12, director of corrections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 13, duties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 14, supervision. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 15, warden. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 16. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 17, agreement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 18, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 19. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 20. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 21. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 22. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Document Registry Act, clause 23. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 24, deputy minister. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 25. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Medical Care Act, clause 26. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 27, director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 28, director of medical insurance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 29, no defence that Minister's claim adjudicated. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 30, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 31. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Planning Act, clause 32. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 33, director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 34, designation of person to hear. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 35, director of planning. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 36, subdivision regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 37, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 38. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 39. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Senior Citizens Benefits Act, clause 40. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 41, director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 42, director of senior citizens benefits. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 43. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 44, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 45, agreement with Canada. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Young Offenders Act, clause 46. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 47, territorial director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 48. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 49, territorial director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 50, provincial director. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 19-88(2), Statute Law (Public Officer) Amendment Act, is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. The committee will be dealing with Bill 23-88(2), Victims of Crime Act. Mr. Minister.

Bill 23-88(2): Victims Of Crime Act

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. Mr. Chairman, I am pleased today that I will be introducing the Victims of Crime Act. This bill has been tabled in the Legislative Assembly twice before, once in May of 1987 and once in April of 1988. This bill has been extensively circulated and reviewed by many interested parties. The purpose of this bill is to recognize that victims of crime have special needs that must be addressed. Research is needed to understand these needs and concerns so that services can be provided. A victims assistance committee is established to promote the needs and concerns of victims and the provision of services to them. The committee shall promote fair treatment of victims and get them information and assistance. It will make recommendations to the Minister about services needed to meet concerns of victims. A victims assistance fund is established to develop services and programs. The fund does not draw on existing government money. It will be created through a surcharge imposed on people convicted of an offence under an enactment. The philosophy behind the surcharge is that people who break the law shall help in compensating victims of crime.

The federal legislation respecting victims of crime has now been passed by Parliament. During the last session of this Legislative Assembly, I tabled a copy of the federal Bill C-89. I also tabled a table of principles for victims of crime that was endorsed by the federal, provincial and territorial Ministers of Justice. I wish to discuss some of the points which the standing committee on legislation made in its report to the Legislative Assembly on this bill.

There has been quite a bit of confusion between the Criminal Injuries Compensation Act, which we already have, and this victims of crime bill. The Criminal Injuries Compensation Act provides monetary compensation for individuals who have received injuries as a result of criminal events or for the families of persons who have died as a result of criminal action. This new victims of crime bill is aimed at supporting programs which assist victims in general, rather than individual victims. The wording of the bill is broad enough to cover a wide range of programs. But the kinds of things which might be funded are shelters for battered spouses, counselling for child sexual abuse victims, or victim/offender reconciliation programs. These are just some examples, and there are many more possibilities. Communities and their organizations will be able to submit proposals for funding of programs to the victims assistance committee.

Need For Victims Programs Recognized

The victims of crime bill will not take away from the Criminal Injuries Compensation Act. It has a different, even though related, purpose. Monetary compensation, such as is available under the Criminal Injuries Compensation Act, may not be the only kind of help that the victim needs. The victims of crime bill is intended to meet these additional needs. The need for victims programs aside from compensation programs for individual victims has been recognized elsewhere in Canada, too. Manitoba was the first province to enact a victims of crime bill. It was followed by New Brunswick, PEI and Newfoundland. Similar bills are planned in British Columbia, Alberta, Saskatchewan, the Yukon and Nova Scotia. So when I first introduced this bill we would have been leaders in the country. If we do not get it passed this time, we are going to be way behind everybody else.

The Government of Canada is providing funding for victims programs separate from the criminal injuries compensation funding under a new territorial/federal agreement which was signed at the end of the summer. All this is not to say that our criminal injuries compensation plan cannot be improved. In fact, the legislation is under serious review. I hope to be in a position to suggest some amendments sometime next year. This review process is not related to the victims of crime bill. Holding up the victims of crime bill will not assist in any way toward progress in amending the Criminal Injuries Compensation Act.

One of the concerns raised by the standing committee on legislation was that the victims surcharge imposed by this bill could result in our corrections centres being filled with persons who had defaulted in paying the surcharge. Based on the current corrections centre populations, this is very, very unlikely. It must be remembered that the surcharge imposed by this victims of crime bill is on offences under territorial legislation only. Surcharge on Criminal Code offences come under federal Bill C-89 which has been passed by the House of Commons. Very few offenders go to jail in the NWT because of convictions under territorial statutes. Even fewer go to jail because of failing to pay fines under territorial statutes. The information that I have from the sentence administrator at the Yellowknife Correctional Centre is that it is unusual for them to have any inmate in this category. The possibility of an offender who defaults on the payment of surcharges under that act going to jail seems even less likely when one recalls that the act gives the judge the discretion not to impose a surcharge that could result in undue hardship.

We had been very aware of concerns expressed by the committee and I hope that the safeguards that we have put into the bill will satisfy those concerns of committee Members. Mr. Speaker, this government is dedicated to improving the position of victims of crime and to supporting the efforts of those engaged in assisting victims. We think this bill represents a significant step toward achieving that goal.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Ernerk. Chairman for the legislation committee.

Comments From Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairman. The Victims of Crime Act is a new bill that was tabled April 14, 1988 by the Minister of Justice during the last session of the Legislative Assembly. However, the standing committee has seen a previous version of the bill. This bill was first tabled in the Legislative Assembly and reviewed by the standing committee on legislation May 14, 1987 during the ninth session of the 10th Legislative Assembly. At that time, Mr. Bayly of the Law Society of the NWT, in a written response to the standing committee, questioned aspects of the bill such as the victims assistance fund and asked if such legislation would be considered infringement on the criminal law-making power of the Parliament of Canada. The Justice Minister, Mr. Ballantyne, after listening to reviews of the standing committee on legislation Members and the concerns of members of the Law Society, withdrew the bill, stating that its purpose was to provoke discussion and that the comments would be taken into consideration. The bill as presently proposed, and with some technical changes, was tabled on April 14, 1988

by the Minister of Justice and reviewed by the standing committee on legislation in Rankin Inlet on June 15, 1988 and again in Yellowknife on October 27, 1988. Mr. Chairman, the standing committee approves the bill for consideration by the House. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. General comments. Are there any general comments? Mr. Pollard.

MR. POLLARD: Thank you, Mr. Chairman. I wonder if the Minister can tell us -- he did say that the bill had been widely circulated, I believe. We have heard the chairman of the standing committee on legislation indicate that there was input from certain groups on it. I wonder if the Minister feels now that he has satisfied the concerns that he received from the circulation of this bill to interested persons. Thank you, Mr. Chairman.

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

HON. MICHAEL BALLANTYNE: Mr. Chairman, I think of all the bills that I have brought forward since I have been Minister, this one has probably received the widest circulation and the most comments, so I am very satisfied.

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

Financing Arrangements

MR. POLLARD: I wonder if the Minister could run over the financing arrangements, where the money will come from. In dollars based on today's or this year's or last year's fines, so on and so forth, how much would we have raised to put toward this program? Thank you, Mr. Chairman.

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

HON. MICHAEL BALLANTYNE: The funding for this program will come from three sources. This particular act that you have in front of you will pose a surcharge on territorial court offences. We are looking at a 15 per cent surcharge in the regulations. That would produce \$38,894. The arrangement we have because of the federal bill that has been passed and will be proclaimed by April 1, using the same 15 per cent on federal fines, we expect then to be able to generate about \$106,494. So between the territorial and federal surcharges we are looking at \$150,000. On top of that I also negotiated an agreement with the federal Minister, Mr. Hnatyshyn, which will give us an extra \$50,000. So by April 1, we are looking at about \$200,000 potentially, in this particular fund.

CHAIRMAN (Mr. Zoe): Thank you. Member for Hay River.

MR. POLLARD: Thank you, Mr. Chairman. I wonder if the Minister could explain the \$50,000. Is that going to be a sum allocated each year, or is that a one-time contribution, Mr. Chairman?

CHAIRMAN (Mr. Zoe): Mr. Minister.

Priority Status For Victims Of Crime

HON. MICHAEL BALLANTYNE: The whole question of victims of crime has really received a priority status with the present federal government. It is the first time these sorts of arrangements have been negotiated. This is a three year agreement at \$50,000 a year. The expectation is that not only will it be renegotiated but there is a very good chance it will be increased after that period of time. It is a three year deal that we have negotiated at this point.

CHAIRMAN (Mr. Zoe): Mr. Pollard.

MR. POLLARD: Many times, Mr. Chairman, we see money being put to something as a token. I am asking the Minister, right now does he feel that this is enough money to start this program going? Thank you, Mr. Chairman.

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

HON. MICHAEL BALLANTYNE: Yes, and the question is a good one. I think we have to put it in the context of what was there before. One of the major problems here in the Territories and across the country is that victims of crime have really been forgotten in the criminal justice system. We think that this amount of money is enough to make a very substantive start on dealing with the problem. Now I hope, but I cannot commit, and neither can we as an Assembly commit, future Legislatures but I hope that future Legislative Assemblies will consider victims of crime and services provided to victims of crime as a priority. There is a lot of potential, I think, to build on this start. But to answer the Member's question, I do not think it is a token start. I think this will be a very substantial start to try to deal with the problem.

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

MR. POLLARD: Mr. Chairman, I guess, depending on the action of these groups, there may be a requirement for more funds in the future, depending on the need. Obviously, when you start looking at new areas, new demands come up. So, is there going to be a requirement? Does the Minister feel there will be a requirement for more funds the longer the program goes? Thank you, Mr. Chairman.

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

Safeguard In Act

HON. MICHAEL BALLANTYNE: I cannot say right now. We have safeguards built into this act that no more disbursements can be made than are actually in the fund. There is a safeguard, but I think realistically, in the long term, that when we get into this problem I think it will be much like -- spousal assault, for instance, there is a very serious problem there and I think the Legislative Assemblies in the future are going to have to decide whether or not it is a priority for them. I think there is a potential that we definitely could use more resources in this area.

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

MR. POLLARD: I think, in the Minister's opening statement, he made reference to the Criminal Injuries Compensation Act. How is that working, Mr. Minister, and how much money do victims get, on average?

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

HON. MICHAEL BALLANTYNE: That fund, in the last couple of years we have increased it significantly. It is a rather complicated formula with the federal government and I think we put in \$170,000 a year which is probably matched on a sliding scale. That fund is under review right now, as I said, and there has been some question as to whether the limits put on any payment to an individual are too low. I think what we are going to see is that as people become more aware of the sorry state of victims generally, that there could be more demands that we, as a government and as an Assembly, make more resources available. So, we have increased it fairly significantly over the last two or three years but definitely there is an increasing demand on that particular fund.

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

MR. POLLARD: Mr. Chairman, I wonder if there would be any advantage to combining this bill, Bill 23-88(2), Victims of Crime Act, with the Criminal Injuries Compensation Act, or is there some reason why it could not be combined? Thank you, Mr. Chairman.

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

HON. MICHAEL BALLANTYNE: No, we do not see that there is an advantage because they are for two separate and distinct purposes. One is to provide financial compensation to individuals who are victimized by crime. The other is to deal with more general areas of non-financial assistance that can be given and with how we look at victims of crime in its totality, rather than on an individual basis. So, we think it is important to keep the two funds separated.

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

Support For Bill

MR. POLLARD: Mr. Chairman, I think it is a good bill. I think it is about time that this government started paying attention to the victims of crime. I think the prisoners, the detainees, are treated quite well but not enough emphasis has been placed, in the past, on victims. So I am going to be supporting this bill 100 per cent. Mr. Minister, I think that if you find you do not have enough money in this fund, then I would encourage you to come back to the House looking for more money because I think that everybody should be supporting this bill. It is a worthy cause.

AN HON. MEMBER: (Inaudible comment)

MR. POLLARD: Well, there is a lot of money to go around. Right? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. General comments. Does the committee agree that we go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Bill 23-88(2), Victims of Crime Act. Clause 1, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Victims assistance committee, clause 2, establishment of committee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 3, chairperson. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 4, conflict of interest. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 5, committee shall promote services to victims. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 6, programs. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 7, applications and submissions. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 8, review. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 9, examination of documents. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 10, report. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Victims assistance fund, clause 11, establishment of fund. Mr. Pollard.

MR. POLLARD: The fund, is that going to be invested? Is it going to be drawing interest, Mr. Chairman?

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

HON. MICHAEL BALLANTYNE: Section 16, I think, deals with that, Mr. Chairman, but it will be invested under the authority of the Financial Administration Act.

CHAIRMAN (Mr. Zoe): Mr. Pollard.

MR. POLLARD: Mr. Chairman, when the fund is established, is it going to be an identifiable amount in the government's coffers? Is it going to be able to be looked upon and say, "This belongs to this particular fund" or is it just going to go into the general fund? Thank you.

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

HON. MICHAEL BALLANTYNE: It will be identifiable; it is a special purpose fund under the Financial Administration Act, so you will be able to identify it.

CHAIRMAN (Mr. Zoe): Thank you. Clause 11, establishment of fund. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 12, surcharge. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 13, payment into fund. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 14, disbursements from the fund. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 15, no direct compensation. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 16, investment of excess moneys. Mr. Pollard.

MR. POLLARD: Sorry, Mr. Chairman. We are still looking at clause 13. Would you mind going back to clause 13, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Okay, we are back on clause 13. Mr. Pollard.

Payment Into Fund Optional

MR. POLLARD: Thank you, Mr. Chairman. The money that is received from the Government of Canada may be deposited to the account of the fund at the discretion of the Minister. Now, I think the Minister said earlier, and I think he gave us the numbers, territorial government or territorial court fines \$38,000, and federal fines \$106,000, and the federal government \$50,000, and he rolled all that up in a ball but it does not look as if he has to; it says he "may". I wonder if the Minister could explain that please, Mr. Chairman.

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

HON. MICHAEL BALLANTYNE: The intent here is that as long as the federal government does not say which fund it will go into, whether it goes into the injury compensation fund or into this fund, there is discretion; that is the only discretion that we are talking about. So, most of the arrangements will signify or state clearly that the fund is to be used only for the victims surcharge fund. That, obviously, can only go into the fund set up under this act. So, it is not an unlimited discretion. It means that we might, for instance, get into a different arrangement with the federal government, a new sort of arrangement where we want to put half into this victims fund and half into the injuries compensation fund.

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

MR. POLLARD: Okay, so we get \$50,000 each year over three years, I think the Minister said. Is that what he is talking about, or is he talking about dividing the \$106,000 that he will get as a surcharge from the federal fines?

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

HON. MICHAEL BALLANTYNE: Right. Under the present agreements we have, all the money would have to go into this fund but we wanted to leave the option that in the future we can negotiate an agreement with the federal government, that it might be possible to put part of the money into the compensation fund and part into this fund. So right now everything is designated that it has to go into this fund. But I just want to leave some flexibility.

CHAIRMAN (Mr. Zoe): Mr. Pollard.

MR. POLLARD: Just for the record, we are talking about all the federal funds. The \$50,000 and the forecasted \$106,000. Thank you, Mr. Chairman.

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

HON. MICHAEL BALLANTYNE: Yes, that is right.

CHAIRMAN (Mr. Zoe): Clause 13 is concluded. Mr. Nerysoo.

MR. NERYSOO: Mr. Chairman, I was kind of curious as to the comments made by the Minister earlier where he indicated that this would be a separate fund. In clause 13(3) the suggestion there is that the account would be part of the consolidated revenue fund. Is there a possibility of creating a situation where this one would be similar to that of the Workers' Compensation financial resources, where those particular dollars are invested and any interest or any benefits that have accrued could be placed in that particular fund itself, rather than suggesting that the consolidated revenue fund would receive all those kinds of benefits? In other words, it is ever increasing as a result of investments or whatever other ways in which you could raise money from those particular funds.

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

Interest On Fund Goes Into Fund

HON. MICHAEL BALLANTYNE: The special fund we are talking about here, any interest that accrues to investments of those funds automatically goes into the fund. So even though they are part of the overall consolidated revenue fund, they are set aside, as I said to Mr. Pollard, and all interest accrues to that fund. The advantage, perhaps, of doing it this way over the Workers' Compensation Board way, is the WCB investment portfolio is very strictly controlled with different controls than are on our other investments. I think the intention was to allow that flexibility in this fund. We do not see any problems and if any problem arises over the next few years, we can look at it again but we are quite satisfied with this arrangement right now.

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

Concern About Use Of Funds

MR. NERYSOO: Thank you, Mr. Chairman. The only concern I have with regard to these funds being held in account in the consolidated revenue fund is the possibility of those funds being utilized for purposes other than victims assistance fund. That is the only concern I have, that the interest or whatever additional benefits are received as a result of this, may be used for other reasons. I would ask our government, and in particular our Minister of Justice, to ensure that this does not happen; that we do not use this particular fund, and any advantages that the investments may give to this fund, for purposes other than the use in this particular fund.

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

HON. MICHAEL BALLANTYNE: Under the new Financial Administration Act, there is no chance of money in this fund being used for other purposes. In subsection (3), which Mr. Nerysoo was quoting from, it says there that it is, "an account forming part of the consolidated revenue fund, in trust for the purposes of this act". The safeguards are there and there is no possibility that money can be siphoned out of this particular fund for other purposes.

CHAIRMAN (Mr. Zoe): Thank you. Clause 13. Mr. Nerysoo.

MR. NERYSOO: Mr. Chairman, I have no problem with the idea of the fund, that the fund begins with a set amount and that set amount is the fund which we are now establishing. The fund does not include investments or additional interests. It does not state it here in this particular section. That is generally what I am talking about. I know that it is the intention, and from the indications of our Minister that the situation will be to protect those additional revenues. But there is nothing that really states that.

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

Minister May Invest Excess Funds

HON. MICHAEL BALLANTYNE: If you look at clause 16, I think it sets out and deals with the Member's concern. It says that the Minister may invest the excess in a manner authorized by the Financial Administration Act and any income shall be credited to the fund. So I think that covers it.

CHAIRMAN (Mr. Zoe): Thank you. Clause 13, payment into fund. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Clause 14, disbursements from the fund. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Clause 15, no direct compensation. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Clause 16, investment of excess moneys. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Clause 17, fiscal year. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Clause 18, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 19, agreements with Canada. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 20, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 21, commencement. 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 23-88(2), Victims of Crime Act, is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): What is the committee's wish? We have dealt with all the government business. We have dealt with all the bills that were in committee of the whole. Mr. Ernerk.

MR. ERNERK: Mr. Chairman, I move that you report progress.

CHAIRMAN (Mr. Zoe): The motion is not debatable. I have a motion on the floor to report progress. All those in favour? Opposed? Motion is defeated. What is the committee's wish? Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, we are prepared to proceed with an examination of the proposed rental scale. I know Mr. Arlooktoo is interested in this matter -- no, he is in the back and I think he will be available in a moment's notice.

CHAIRMAN (Mr. Zoe): Does the committee agree to deal with Tabled Document 10-88(2) and Tabled Document 11-88(2) at this time? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Tabled Document 10-88(2): Public Housing Rent Scale Discussion Paper II; And Tabled Document 11-88(2): NWT Housing Corporation Rent Scale

CHAIRMAN (Mr. Zoe): Okay, we will start with Tabled Document 10-88(2), Public Housing Rent Scale Discussion Paper. Mr. Butters.

HON. TOM BUTTERS: By way of process, Mr. Chairman, I would suggest I make a brief statement. I think Members will recall that my colleague, the Hon. Stephen Kakfwi, made a statement on the public housing rent scale review a few days ago. If I could make a brief opening statement and then if the president of the Housing Corporation, who is in the gallery, could be invited into the Chamber to respond to questions put by Members, since he was the one that circulated the discussion papers and requested advice and suggestions from the users of public housing.

CHAIRMAN (Mr. Zoe): Does the committee agree that we let Mr. Butters have an opportunity to make his opening remarks. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

HON. TOM BUTTERS: Mr. Chairman, to save time, might I move to the witness table and at the same time request Mr. Heron, president of the corporation, to join us. I will make my opening statement and we will have our witness in the House at the same time.

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

Minister's Opening Remarks

HON. TOM BUTTERS: Mr. Chairman, if I may proceed with my brief opening statement. The Housing Corporation has been working to develop a new rental scale for public housing as a result of recommendations that occurred in the Legislative Assembly's special committee report on housing published in 1985. To achieve this objective, in March 1987 the Housing Corporation released the first discussion paper on this issue. Rather than propose a series of specific revisions to the existing scale, the paper put forward in general terms the principles, issues and constraints involved in the design of an entirely new rent scale. The intent of the paper was to promote public participation in the development of a new rental scale. The Housing Corporation's district staff held public meetings in the communities and in response the corporation received several written submissions from communities. Community consultations, in conjunction with the fundamentals laid out in the discussion paper, and with the recommendations from the special committee on housing, have come together to produce a model for a new scale.

The second rental scale discussion paper was published in June of this year, and a subsequent series of public meetings has just now been concluded. The schedule of meetings included all 47 communities where public housing is available. The second discussion paper, much more detailed than the first, has stimulated a wider response from the public. The corporation has received numerous written submissions from residents and community leaders as well as community organizations, expressing their criticisms of the proposed scale and their suggestions for improving the new scale. Corporation officials are now in the process of consolidating the

results of this most recent public consultation process and will incorporate them into a report to be tabled at the Legislative Assembly in February. My expectation, too, is that the material will also be examined by the board of directors of the Housing Corporation.

Present Rental Scale Considered Unfair

As Members well know, the present rental scale is the result of a series of ad hoc changes and amendments to the national rent scale set out under the National Housing Authority. The result does not go together well and, as it is currently implemented, does not meet the test of fairness.

I believe Members have in their hands two documents. You have the first discussion paper, which identified the principles, dated March 1987. You should also have the second discussion paper, dated June 1988. The first paper dealt with principles; the second paper dealt with the elements of the new rental scale formula. You should also have, I believe, the current rental scale, Tabled Document 11-88(2), that is being assessed and charged by the corporation at the present time.

My colleague on my right is Mr. Jake Heron, president of the NWT Housing Corporation. He will assist me to answer questions if questions are put to us. We would prefer to hear comments and recommendations as though this discussion paper were laid before you with the request that we be advised on how a new, fair and equitable scale be developed for residents of public housing in the NWT. We welcome your comments, suggestions, criticisms. We will try to answer whatever questions, recognizing that no scale has yet been approved.

CHAIRMAN (Mr. Zoe): Mr. Pudluk.

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. This document that we are reviewing on rental scale, the Housing Corporation staff will be going to the communities to collect the concerns of the communities. I think the employees from the Housing Corporation were going to write a letter and as yet we have not received it. There are a number of Members who had concerns on this, for instance Mr. Morin had concerns, and I think he is away. There are very few of us here. I do not really want to deal with this today, so therefore I move that we report progress.

CHAIRMAN (Mr. Zoe): Mr. Pudluk is right. Would you ring the bell? Okay, since there is no quorum, I shall require a quorum in order to entertain Mr. Pudluk's motion. The motion is in order and it is not debatable. I have a motion on the floor to report progress. All those in favour? Opposed? The motion is carried.

---Carried

I will now rise and report progress.

MR. DEPUTY SPEAKER: Could I have some order! Item 18, report of committee of the whole. Mr. Zoe.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF COMMITTEE REPORT 1-88(2); BILL 7-88(2), ENGINEERING, GEOLOGICAL AND GEOPHYSICAL PROFESSIONS ACT; BILL 19-88(2), STATUTE LAW (PUBLIC OFFICER) AMENDMENT ACT; BILL 23-88(2), VICTIMS OF CRIME ACT; TABLED DOCUMENT 10-88(2), PUBLIC HOUSING RENT SCALE DISCUSSION PAPER II; TABLED DOCUMENT 11-88(2), NWT HOUSING CORPORATION RENT SCALE

MR. ZOE: Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bills 7-88(2), 19-88(2) and 23-88(2), and wishes to report that Bills 7-88(2), 19-88(2) and 23-88(2) are recommended for third reading.

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. DEPUTY SPEAKER: Thank you, Mr. Zoe. Do we have a seconder? Mr. Arlooktoo seconds the motion. All those in favour? Opposed? Thank you.

---Carried

Mr. Zoe.

MR. ZOE: Thank you, Mr. Speaker. Your committee has also been considering Tabled Documents 10-88(2) and 11-88(2).

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

MR. DEPUTY SPEAKER: Thank you, Mr. Zoe. Seconder. Do we have a seconder? Mr. Ballantyne seconds the motion. All those in favour? Opposed? Thank you.

---Carried

Item 19, third reading of bills. Mr. Ballantyne.

ITEM 19: THIRD READING OF BILLS

Third Reading Of Bill 7-88(2): Engineering, Geological And Geophysical Professions Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 7-88(2), Engineering, Geological and Geophysical Professions Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: All those in favour? Opposed? Motion is carried.

---Carried

Bill 7-88(2) has had third reading. Third reading of bills. Mr. Ballantyne.

Third Reading Of Bill 19-88(2): Statute Law (Public Officer) Amendment Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 19-88(2), Statute Law (Public Officer) Amendment Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: All those in favour? Opposed? Thank you.

---Carried

Bill 19-88(2) has had third reading. Third reading of bills. Mr. Ballantyne.

Third Reading Of Bill 23-88(2): Victims Of Crime Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Sahtu, that Bill 23-88(2), Victims of Crime Act, be read for the third time.

MR. DEPUTY SPEAKER: Mr. Ballantyne, your motion is in order. To the motion.

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: All those in favour? Opposed? Motion is carried.

---Carried

Bill 23-88(2) has had third reading. Third reading of bills.

Item 20, assent to bills. Item 21, Mr. Clerk, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. A meeting of the ordinary Members committee on Monday morning at 9:00 a.m. and a meeting of the standing committee on legislation on Monday morning at 10:00 a.m.

ITEM 21: ORDERS OF THE DAY

Orders of the day for Monday, October 31, at 1:00 p.m.

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 Documents 2-88(2), 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. **Assent to Bills**

21. **Orders of the Day**

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Monday, October 31, at 1:00 p.m.

---ADJOURNMENT

Available from the
Publications Clerk, Department of Culture and Communications
Government of the Northwest Territories, Yellowknife, N.W.T.
\$1.00 per day; \$30.00 for 1st session, \$20.00 for 2nd and 3rd session; or \$50.00 per year
Published under the Authority of the Speaker of the Legislative Assembly
of the Northwest Territories

