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Speaker: The Hon. Richard Nerysoo, M.L.A.

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YELLOWKNIFE, NORTHWEST TERRITORIES

WEDNESDAY, APRIL 11, 1990

MEMBERS PRESENT

Hon. Titus Allooloo, Hon. Michael Ballantyne, Hon. Tom Butters, Hon. Nellie Cournoyea, Mr. Ernerk, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Lewis, Hon. Jeannie Marie-Jewell, Mr. McLaughlin, Mr. Morin, Hon. Richard Nerysoo, Mr. Ningark, Hon. Dennis Patterson, Mr. Pollard, Mr. Sibbeston, Mr. Whitford, Hon. Gordon Wray, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Richard Nerysoo): Orders of the day for Wednesday, April 11, 1990. Item 2, Ministers' statements. The honourable Member for Iqaluit.

HON. DENNIS PATTERSON: Mr. Speaker, I would ask your consent to make a short statement of an urgent nature.

MR. SPEAKER: The honourable Member for Iqaluit, all you have to do is indicate that you have an emergency statement. It is your time for Ministers' statements now under this item. The honourable Member for Iqaluit.

ITEM 2: MINISTERS' STATEMENTS

Ministers' Statement 59-90(1): Portfolio Assignments

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, I want to announce today a change in portfolio assignments that I had planned to make effective once the main estimates had been considered by this House. As you know, the Appropriation Act received assent just yesterday.

I am assigning the Hon. Jeannie Marie-Jewell the responsibility for the Department of Safety and Public Services and the Workers' Compensation Board. The Hon. Stephen Kakfwi will assume responsibility for the Department of Personnel. Mrs. Marie-Jewell will continue to hold responsibility for the Department of Social Services, the Status of Women and for Youth. Mr. Kakfwi, who is also Deputy Government Leader, will retain responsibilities for the Department of Education and Aboriginal Rights and Constitutional Development.

These new assignments will be effective on April 12, 1990. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Ministers' statements. The honourable Member for Kivallivik.

Ministers' Statement 60-90(1): Pilot Car Requirements On NWT Highways

HON. GORDON WRAY: Thank you, Mr. Speaker. The recently revised large vehicle control regulations have placed the Northwest Territories in uniformity with the other provincial and territorial jurisdictions with respect to the weights and dimensions of the larger vehicles using our highway system.

In addition, they have taken steps to increase the level of public safety on the highway by revising the warnings and advance notice required of overdimension loads. The major concern with respect to wide loads is to ensure that the oncoming motorist is able to see the load sufficiently far ahead, in time to take action to avoid any conflict. Pilot cars have a role to play in this process. The previous regulations, however, did not discriminate between slightly overwidth loads and loads which would significantly encroach into the oncoming lane. All loads wider than 3.05 metres were

required to have a pilot car, but loads less than 3.05 metres required no warnings of any description. The new regulations now require flags/lights on the extremities of the load for all loads exceeding 2.6 metres. Loads exceeding 3.05 metres in width require flags and lights, and a standard "wide load" sign. Loads greater than 3.35 metres require a rotating amber beacon in addition to the flags and lights or a pilot car.

The new regulations I announced earlier require a pilot car for all loads greater than 3.85 metres. These regulations apply on all of the highways in the NWT, but special conditions may be placed on an overwidth load travelling on any section of the highway system where more stringent conditions are appropriate. However, there are some sections of the highway system where the general requirements could be considered inadequate or less than standard. This applies on narrow, winding portions of some highways where the sight stopping distance, the distance at which a possible obstruction on the road can be seen and evasive action taken if required, is less than desirable for travel at the posted speed.

I must thank Members of the Legislature, particularly Mr. Whitford, for bringing to my attention this issue of the application of Canadian standards for large vehicle weights and dimensions to the NWT highway system, which varies considerably from national standards.

In summary, we have a roadway from the Alberta-NWT border to Hay River which meets national standards. The remainder of the highways have sections which do not meet national standards.

I have reviewed the load widths which require pilot car usage in the other provinces and report as follows: In New Brunswick the width for pilot car escort is 3.65 metres; Ontario 3.96 metres; Manitoba 4.6 metres; Saskatchewan 4.3 metres; Alberta 3.85 metres; NWT 3.85 metres; British Columbia 3.5 metres; north of Fort Nelson 3.2 metres and Yukon Territory 3.2 metres.

The new regulation which I had announced puts us in the middle of the pack, which on the face of it appears reasonable. But as has been pointed out to me, this may not be reasonable on all of our roads. The adjacent jurisdictions with roadways leading out of and into the Territories are Alberta, Yukon and British Columbia. In consideration of the need to move toward uniformity and compatibility with adjacent jurisdictions, and in recognition of the current condition of our highway system, I have therefore decided that the existing regulations will be maintained only for the highway from the NWT border to Hay River. This would allow wide loads from Alberta and other parts of Canada to move from the place of manufacture to the major port of Hay River. These loads would move along an NWT highway which is built to national standards. For all other highways, including the Dempster, Fort Smith, Fort Resolution, Fort Simpson and Yellowknife highways, the regulations will be amended to require pilot cars for all loads greater than 3.2 metres. This would move us from being the most restrictive jurisdiction to being compatible with BC and Yukon, which are points of origin and destination for our highway system. For added safety, all overwidth vehicle markings and flagging as currently

required will be maintained. As the highway system is upgraded, the application of the overwidth pilot car requirements will be reviewed. Thank you.

MR. SPEAKER: Thank you. Ministers' statements. The honourable Member for Nunakput.

Ministers' Statement 61-90(1): Construction Of Snare Transmission Line

HON. NELLIE COURNOYEA: Mr. Speaker, I am pleased to advise this Assembly that the stringing phase of the project to replace the transmission line from the Northwest Territories Power Corporation's Snare hydro system to Yellowknife has been completed. The contractor, McGregor Construction Limited, is currently in the process of removing its equipment from the right of way, and site clean-up is expected to be completed by this Saturday. Mr. Speaker, McGregor's contract was completed on schedule and on budget.

The remaining phase of work for this project involves the construction of substations at either end of the transmission line necessary to connect the hydro system to Yellowknife's Jackfish Lake facility. This work will be completed during the coming summer, with final testing and commissioning scheduled for the end of August.

Mr. Speaker, once completed, the new transmission line will provide improved reliability and an increase in the electrical supply to Yellowknife over what is currently available with the existing, but aging, transmission line. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Ministers' statements. The honourable Member for Kivallivik.

Ministers' Statement 62-90(1): Small Business Development Subagreement Extension

HON. GORDON WRAY: Good news day today. Mr. Speaker, as you know, the Northwest Territories has been a signatory to joint federal-territorial economic development agreements for several years. The current Economic Development Agreement, which is the third generation of such agreements, came into force in 1987 and included some \$39 million of federal and territorial funding. In 1988, the current master agreement was formally extended for 24 months so that it would expire on March 31, 1991. However, the small business subagreement, one of the six subagreements in the present EDA, was due to expire on March 31, 1990.

The small business subagreement has proven to be useful in providing financial support and investment incentives to many businesses across the NWT. Since 1987 over 42 projects have been approved or committed. This represents an investment of over seven million dollars in business in the Northwest Territories.

Mr. Speaker, I am pleased to announce today that through the combined efforts of the federal and territorial governments, the small business subagreement has been extended to March 31, 1991. One substantial change is an increase in the percentage of funding available to business service centres. Up to 70 per cent of the costs of establishing business service centres, in the NWT to a maximum of \$500,000 per centre, may be available under the subagreement. These centres are designed to be incubators for new businesses by allowing them to share the costs of professional expertise, office help and facilities.

With less than one year remaining in the present EDA, we are looking forward to entering into negotiations with the federal government for a new generation of economic programming

for the Northwest Territories in the very near future.

MR. SPEAKER: Thank you. Ministers' statements. The honourable Member for Sahtu.

Ministers' Statement 63-90(1): Initialling Of Dene/Metis Comprehensive Claim Final Agreement

HON. STEPHEN KAKFWI: Mr. Speaker, I was pleased to witness the initialling of the Dene/Metis comprehensive claim final agreement which took place in Yellowknife on Monday, April 9. Along with the Government Leader, the Hon. Dennis Patterson, and the Minister of Justice, the Hon. Michael Ballantyne, I was one of the many people, including several Members of this House, who crowded into the Rainbow Valley gymnasium to witness this historic event.

The decision to initial the final agreement was not an easy one. It was a decision which took a great deal of courage on the part of all the leaders of the Dene and Metis. That courage should be recognized and applauded. And courage is what is required if the Dene and Metis are to take control of their own destiny and go forward into a brighter future, a future lit with hope for them and their children.

The final agreement will provide the tools necessary to face that future. It will provide the Dene and Metis with ownership and the control that goes with it over 70,000 square miles of the settlement area. It will provide \$500 million for the Dene/Metis to invest and use as they see fit. It will provide the Dene/Metis with certain preferential hunting rights. It will provide guarantees of Dene/Metis participation in the land and water regulation system in the settlement area. And it will provide for a framework agreement on a process for negotiating self-government arrangements.

But while it looks ahead to the future, this final agreement does not break ties with the past nor does it eradicate the treaties. In the final hours leading to the initialling of the agreement, negotiators made more clear in the text of the final agreement that those elements of the treaties which are not dealt with by the claim will remain in effect and that the five dollar treaty payments, which are symbolic of the pact made between Canada and the Dene of the settlement area, will continue. If the Dene and Metis choose to ratify this final agreement, they can do so without turning their backs on their history or repudiating the words of their elders, for this claim builds on the treaties, it does not sweep them aside.

Besides applauding the courage of the chiefs and Metis presidents, I also want to credit them with a lot of hard work over the many months and especially in the last few weeks leading up to the initialling ceremony. I know that the meetings have been almost non-stop lately and there have been many late evening sessions.

While we can afford to take a little breather now, the hard work is going to continue. There are still concerns to be addressed before the final agreement is complete. Land selection was interrupted by the negotiations toward the final agreement. It will resume in the Delta as soon as possible. At the same time we must begin work on the framework agreement for self-government. There are some issues which the Dene/Metis want to deal with which are within the jurisdiction of the territorial government. On those issues, we will put forward our best efforts to see them resolved.

(Translation) With the initialling of the final agreement by the negotiators, a major hurdle has been cleared on the way to the settlement of the Dene/Metis claim. What pleases me most about this initialling is that the Dene and Metis people will now have an opportunity to look this agreement over and decide for themselves if the deal is the right one for them.

We, the Dene and Metis, have done the work ourselves, so we know what this work entails and why we have worked on it. We are all thankful for the work that has been done up to now. We hope that by March of 1991, all the eligible participants will have the chance to vote on it. It is then that the people will speak and be heard. I am confident that the decision they make then will be the right one. Let us all hope that future generations will mark 1991 as a landmark year in the history of the Dene and Metis along with 1899 and 1921. Let us hope that the work that we are doing now will be to the benefit of our future generations. The work that will be completed by next year will hopefully be remembered in the history of the Dene/Metis for a long time to come. Thank you.

MR. SPEAKER: Thank you. Ministers' statements. Honourable Member for Nunakput.

Ministers' Statement 64-90(1): Local And Northern Involvement

HON. NELLIE COURNOYEA: Thank you, Mr. Speaker. The government's economic development strategy, as described in the document titled "Economy in Transition: An Agenda for Action", provides the framework through which departmental strategies focussing on the development of various sectors of the NWT economy can be discussed. The Department of Public Works local and northern involvement in construction, maintenance and leasing strategy is an important element in achieving the "maximizing impact of public expenditures" component of the overall government strategy.

For this reason, today I will be tabling two documents. The first document is titled "Local and Northern Involvement in Construction, Maintenance and Leasing: A Progress Report". The purpose of this report is to provide the Members of the Legislative Assembly and the residents of the NWT with a status report on the progress already being achieved by the Department of Public Works in implementing the local and northern involvement in construction, maintenance and leasing strategy. As well, the report describes the main elements of this strategy and the Department of Public Works' future plans to continue its development and implementation.

The second document I will be tabling today is a document titled "Local and Northern Involvement Report for 1989-90". It was produced by the community programs sections of the engineering division. The community programs section is responsible for the design and construction of capital works for forest fire fighting, community road and site and land development, community granular supplies, and in 1989-90 for community dust control. The purpose of this report is to provide information on the levels of local and northern involvement achieved in the delivery of these programs in the 1989-90 fiscal year.

Mr. Speaker, the Department of Public Works is committed to increasing business, employment and training opportunities for Northerners. This objective is achieved by maximizing the percentage of construction contracts awarded to local and northern firms and hamlets and by maximizing the number of local and northern persons employed on the projects. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Ministers' statements. Prior to moving on to Item 3, I wish to draw the attention of honourable Members to visitors from the Soviet Union: Yuriy Ulyashev, Minister of Education; Aleksandra Kudra, Scientific Research Institute for National Schools; A.A. Petrov, Herten Institute; Ramazan Sabatkoev, director, Scientific Research Institute for Native Schools; Valentina Paganuzzi, interpreter; Camil Simard, research officer, DIAND; and Walter Slipchenko, director, Circumpolar Affairs, Government of the NWT.

--Applause

Item 3, Members' statements. Honourable Member for Natilikmiot.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Transportation In The North

MR. NINGARK: Thank you, Mr. Speaker. Transportation has been the single most important aspect of our lives since the evolution of man. Scientists and space enthusiasts are now looking at passenger travel into space. I am sure our Canadian government is now a part of space exploration projects.

Mr. Speaker, we in the North are a little more down to earth, despite the fact that we are innovative and imaginative. Our government in Canada is now advancing in the technological field of transportation. Ironically we Canadians in the North are still struggling to better our transportation system.

For example, if I want to visit two of my three ridings, both less than 200 miles away, I must travel by air. This is during the months of June, July, August, September, October and November, the summer to me. From December to May, I can travel by snow machine. Even when we travel by air, getting from point A to point B means depending on weather or the reliability of the aircraft. To our southern neighbours and our Canadian government, I would like to say to you, if you have not been stranded for more than two weeks in your travel, then you have not tasted our transportation system in the North.

--Applause

MR. SPEAKER: Thank you. Members' statements. Honourable Member for Nahendeh.

Member's Statement On Sexual Assault At Fort Simpson Hospital

MR. SIBBESTON: Mr. Speaker, one of my constituents alleged that April 5, 1989, she was sexually assaulted by a doctor at the Fort Simpson hospital. For her it was a very traumatic experience. Two weeks after the incident, when she composed herself, she reported this matter to the head nurse at the Fort Simpson hospital, believing that the complaint of sexual assault would be investigated and dealt with. She did not get any response from anyone at the hospital, from the board or from the Department of Health, until late October 1989 when a representative from the Department of Health came to Fort Simpson to speak to her.

My constituent provided a written statement about the assault to the official on October 21st. In November she received a reply from Tom Menzies, who is the executive director of the Mackenzie Regional Health Board, who basically advised her that because the doctor had left the North she could not take any direct action, adding further that there was nothing that could be done about the complaint. She was given directions on lodging a complaint against the doctor, who was believed to be living in Quebec at the time.

On November 28th my constituent wrote to the Quebec Medical Association, and on December 7th received a reply. A clause in the letter caught my attention, and I will just read it into the record here: "Although this individual is known to the Corporation Professionnelle de Medicine du Quebec, he was never granted a licence to practise medicine as far as our Province of Quebec is concerned. Also, to the best of our knowledge, he never obtained a licence from the Canadian

Medical Council to practise medicine anywhere in Canada. As he was never issued, and does not presently hold, a permit to practise medicine in the Province of Quebec, we are unable to investigate on his 'medical practice' such as our jurisdiction...."

Mr. Speaker, the letter from Quebec also gave an address of a person in Yellowknife to whom she should write to lodge her complaint in the NWT...

MR. SPEAKER: Honourable Member for Nahendeh, your time has expired.

MR. SIBBESTON: Can I seek unanimous consent to continue?

MR. SPEAKER: Thank you. The honourable Member for Nahendeh is seeking unanimous consent to continue with his statement. Are there any nays? There are no nays. Proceed, honourable Member for Nahendeh.

MR. SIBBESTON: Thank you very much. Mr. Speaker, on December 21st my constituent wrote to Helen Roberts in Yellowknife sending all the information that she had to date. On January 2nd, a one paragraph letter was returned to her saying that she had sent the information to Dr. Covert. Mr. Speaker, to date there has been no response from Dr. Covert and the board of inquiry which is supposed to deal with this kind of medical complaint. My constituent is finding this very frustrating.

Mr. Speaker, my constituent feels that the hospital authorities and departmental officials did not act quickly on the complaint, basically allowing the doctor to escape back south and perhaps even not taking her complaint very seriously. She asked, what recourse is there for people in the North who are sexually assaulted by doctors who then leave the North? My constituent feels that she has been given the runaround. She feels that there is possibly a cover-up by officials in the Department of Health and the Mackenzie Regional Health Board in not responding quickly and appropriately to her complaint, and that the department is more concerned about the doctor than the complainant. My constituent is wondering how it is that the department appears to be hiring doctors who may not even be qualified to practise in Canada. She asked, was this really a doctor that examined her in Fort Simpson? The question really does exist. My constituent has laid criminal charges against the doctor, and this is continuing. She is advised by the police that she has a good case against the doctor.

Mr. Speaker, the North has many doctors who come and go. My constituent feels that she has been wronged. She says she was treated like a piece of meat by an alleged doctor and one year after this incident, she feels she has not been assisted in any way, there has been no thorough investigation by the hospital, the health board or the department, and there has been no hearing by the medical association. There is nothing said by the department as to whether this particular doctor is in the North today, or whether he will ever be in the North again.

On behalf of my constituent, I want something done about this matter.

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Yellowknife Centre.

Member's Statement On World Wildlife Fund Campaign To Protect Natural Areas In Canada

MR. LEWIS: Thank you, Mr. Speaker. Last month the World Wildlife Fund of Canada distributed to all Members a book

entitled "Endangered Spaces: The Future for Canada's Wilderness". This was done to bring attention to the beginning of a 10-year campaign by the World Wildlife organization to facilitate the protection of a representative sample of each of the natural areas within Canada. This is being done on a national scale to enhance the existing inventory of areas which have already been designated as natural spaces. The goal of the campaign is to increase the total of Canada's protected natural land and water from 2.6 per cent to 12 per cent by the year 2000. In support of this campaign, the World Wildlife Fund has drafted a Canadian wilderness charter which has received general support across the country. This charter supports the concept of sustainable development for tourism, education and research, as well as recognized aboriginal interests in traditional wilderness use. Already 140 major organizations and over 100,000 signatures have been gathered in support of the endangered spaces campaign.

In taking responsibility for our children's future, and in light of the global crisis of shrinking natural environments, we should be willing to examine, debate and move in the direction of supporting the identification and development of a system of natural areas here in the Northwest Territories, including agreement on a map which outlines these areas. I will be tabling this wilderness charter later in the day. Thank you.

--Applause

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Yellowknife South.

Member's Statement On Aurora Borealis Activity

MR. WHITFORD: Thank you, Mr. Speaker. During Members' statements today, I would like to talk about a particular phenomenon that is occurring in the 1990s and that is with the aurora borealis. This year, in particular, is going to be a record year for observing the northern lights. It is a phenomenon that occurs across the northern hemisphere and in other countries as well, but we are going to be especially fortunate in the next 15 months to have one of the best displays of this century, according to some articles written on it. It is going to coincide with major sunspot activity and because of the location, Yellowknife, it is going to be observed by a good number of tourists. We have already had a good number of tourists coming in from Japan, particularly for that reason, during this past winter. We must have had at least, in my observation, six groups that have come in specifically to make arrangements for this observation this year. I certainly hope that the tourism people will be able to work fast enough to capitalize on this particular phenomenon. Equinox magazine in the past month had a nice article on it, including some pictures taken from Yellowknife and the bay. I think that we must not only watch this ourselves but share with as many people as possible. We are lucky here because we are on the highway system and people are using that. We are also on a major air link which puts us in a good position for that. The tourism people, I am sure, will do their utmost to promote this short-lived phenomenon and get as many people as possible.

MR. SPEAKER: Members' statements. The honourable Member for Deh Cho.

Member's Statement On Appreciation To Members, Staff, And Family

MR. GARGAN: Thank you, Mr. Speaker. As we draw to the conclusion of the winter session, I would like to thank all the Ministers and Members for their support in achieving some of the desires of my constituency for capital projects and programs in the Deh Cho area.

I would also like to thank the support staff to ordinary Members, research services, public affairs, the secretaries and the administrative staff, the interpreters/translators and the Hansard staff. In particular, Mr. Speaker, I would like to thank our Clerk, Mr. David Hamilton, for his efforts in keeping the work of this House operating smoothly.

---Applause

Mr. Speaker, I would also like to thank my family for their understanding and patience while I have been away from home for the last two months. To members of my constituency who have not been able to meet with me because I have been here, I promise that during the next few months, after a one week break, that I will visit all the families in my constituency.

Further, Mr. Speaker, I would like to remind Members before we leave this House that we must keep this budget deficit as low as possible and maintain an attitude of careful and wise spending.

SOME HON. MEMBERS: Hear, hear!

MR. GARGAN: In conclusion, Mr. Speaker, I would like to thank you for your sound judgment and your fair leadership during this session. Thank you.

---Applause

MR. SPEAKER: Members' statements. Honourable Member for Pine Point.

Member's Statement On New Brunswick Constitutional Committee

MR. McLAUGHLIN: Thank you, Mr. Speaker. I would like to take this opportunity to thank the Members of the New Brunswick select committee on the 1987 Constitutional Accord. As Members are aware, Mr. Allooooloo and I had the opportunity to make a presentation before this committee and their recommendations eventually led to Premier McKenna's constitutional initiative which Prime Minister Mulroney recently announced would be the focal point for public hearings to be held by a House of Commons committee.

Mr. Speaker, I would like to particularly single out one Member of the New Brunswick committee for special thanks, the Hon. Jane Barry, who initially was on the committee as a co-chairperson and was subsequently retained on the committee even though she became a cabinet Minister. The reason I would particularly like to single her out for thanks is that Members who were at the Canadian Parliamentary Association in PEI at the time will remember that our colleague, Mr. Butters, heard that the Members of the Legislature in New Brunswick were travelling on a provincial tour. So when our meetings were over, he rented a car and personally chased down this group of politicians in New Brunswick and the Hon. Jane Barry was particularly receptive to Mr. Butters' appeal that our Legislature and other people from outside New Brunswick should be able to appear before this committee. So I would like to thank her for the co-operation she showed Mr. Butters on the initial request and for the follow-up that her committee made when Minister Allooooloo and I appeared before the committee. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Members' statements.

MR. SIBBESTON: Point of order.

MR. SPEAKER: Point of order. Honourable Member for Nahendeh.

MR. SIBBESTON: Mr. Speaker, I seek unanimous consent to make another statement.

MR. SPEAKER: Unanimous consent is being sought by the honourable Member for Nahendeh to waive the Rules to allow him to make another Member's statement. Are there any nays? There are no nays. Proceed, honourable Member for Nahendeh.

Member's Statement On New Portfolio Assignments

MR. SIBBESTON: Mr. Speaker, the Government Leader, in making the portfolio changes that he announced today, is making a serious mistake, I believe. While I recognize that the Assembly has given him the power to assign portfolios to the Ministers, he must exercise the powers in a fair and objective manner. I think Mrs. Marie-Jewell has done an excellent job in her two years of responsibility for Social Services and Personnel.

SOME HON. MEMBERS: Hear, hear!

---Applause

MR. SIBBESTON: I, for one, cannot understand why she is being relieved of her Personnel responsibilities, particularly with only a year and a half left to go in our mandate before the election. The Government Leader, in making the changes at this time, is giving a signal to the public, and without question to the Assembly, that he has lost confidence in the Minister of Personnel. While I respect Mr. Kakfwis' abilities, who has taken on the portfolio of Personnel, I think that his present responsibilities are onerous in Education and with land claims just now being settled, his responsibilities for dealing with the Dene/Metis and the Inuit in the next few years are also going to be very onerous, so to take on another big department, Personnel, in my view is overloading one Minister and giving the past Minister of Personnel a bunch of meaningless little departments.

Mr. Speaker, the Dene and Metis Members of this Assembly are indicating now to the Government Leader and to the Assembly that this shuffle is not acceptable. Our confidence in the Government Leader has been seriously shaken by this shuffle. If he persists in this decision we will not support the Government Leader and we will not support this government.

---Applause

MR. SPEAKER: Thank you. Members' statements.

Item 4, returns to oral questions. Returns to oral questions. Item 5, oral questions. The honourable Member for Tu Nede.

ITEM 5: ORAL QUESTIONS

Question O537-90(1): Cabinet Shuffle

MR. MORIN: Thank you, Mr. Speaker. My question is to the Government Leader. Mr. Government Leader, why have you made a cabinet shuffle and why have you demoted the honourable Member for Slave River, Jeannie Marie-Jewell, and taken away the Department of Personnel?

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Return To Question O537-90(1): Cabinet Shuffle

HON. DENNIS PATTERSON: Mr. Speaker, I disagree with the verb "demoted". Mr. Speaker, the prerogative to assign and change cabinet portfolios has been given to me in my capacity as Government Leader by Members of this House,

unanimously as I recall, in October, 1987. The prerogative does not require that I consult with Members of cabinet, nor with MLA colleagues, Mr. Speaker. Considering the clear prerogative that I was given by all Members of this House, I do not think it is appropriate, nor do I think it is in keeping with parliamentary tradition, that I should be called upon to justify my decision.

Mr. Speaker, I would like to confirm, as I said, in my brief statement today, that I had planned to make the change following the completion of the budget session. But as a courtesy to Members of this House, since the House is still in session today, I decided to announce my decision today while the House is in session rather than tomorrow when it is not. Perhaps that is a decision I will regret, Mr. Speaker, but it was a courtesy to the Members of this House and I do not propose to justify my decision publicly. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Tu Nede, supplementary.

Supplementary To Question O537-90(1): Cabinet Shuffle

MR. MORIN: Thank you, Mr. Speaker. Supplementary to the Government Leader. Mr. Government Leader, I was present three years ago when we did give you those extra powers but that does not mean that we, as Members, cannot hold you accountable for the decisions you make. What is the reason for the demotion of the Minister of Personnel? What are the reasons that you have? You are held accountable to us and we want you to clarify your reasons.

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Further Return To Question O537-90(1): Cabinet Shuffle

HON. DENNIS PATTERSON: Mr. Speaker, I will say again to the honourable Member, and I want to be clear and up front with him, I do not feel that, given the prerogative that I have been given by Members of this House as Government Leader to assign and reassign portfolios by clear resolution of this House and by tradition of this House, given that prerogative which is mine and mine alone, I do not propose to justify my decision or give reasons or defend it in this Legislature. Now, Mr. Speaker, if the Member wants to make an issue of it, and has a lack of confidence in me because of this decision, then there is a remedy that is available to him by parliamentary tradition. I do not propose to defend or explain the decision and do not think that is expected of any other First Minister in this country. Thank you.

MR. SPEAKER: Oral questions. Oral questions. The honourable Member for Nahendeh.

Question O538-90(1): Justification For Cabinet Shuffle

MR. SIBBESTON: Mr. Speaker, I must say that I am absolutely shocked at the Government Leader's feeble attempt at trying to justify his behaviour, his decision. Mr. Speaker, what the Government Leader is saying is, "I am justified in doing what I am doing and I do not have to account to this Assembly." In my view this is wrong. I will ask the Government Leader again, surely he must have reasons why he has made the decision he has. Why has he demoted Mrs. Jeannie Marie-Jewell to insignificant portfolios at this important stage in our Assembly, with a year and a half to go before the election?

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Return To Question O538-90(1): Justification For Cabinet Shuffle

HON. DENNIS PATTERSON: Well, Mr. Speaker, I do take issue with the honourable Member's strong words. It is, I think, surprising that the honourable Member would describe the assignment of responsibilities as, I think the word he used, "insignificant". The Workers' Compensation Board alone, I believe, has over \$100 million worth of securities in its responsibility and, Mr. Speaker, no one could say that the Department of Safety and Public Services is unimportant, especially when one looks at the issues that have arisen in that area over the past number of years. I would also remind the honourable Member that every Member of this cabinet, regardless of their responsibilities, has the full opportunity to participate in decisions respecting personnel, affirmative action and every other area of the government. We have a cabinet government and the honourable Member for Slave River has the full opportunity to participate as a full Member of cabinet.

I also want to say, Mr. Speaker, that I have full confidence in the honourable Member for Slave River. She is a hard worker, she has contributed a great deal and she will continue to contribute a great deal in the capacity she has as a Member of cabinet. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Nahendeh, supplementary.

Supplementary To Question O538-90(1): Justification For Cabinet Shuffle

MR. SIBBESTON: Mr. Speaker, I persist in my views that the Government Leader has the responsibility to account to this Assembly and cannot stand there saying, "I do not have to state and give reasons why." I ask, again, and I think it is the second time today the question will be asked, what is the real reason for the Government Leader demoting Mrs. Jeannie Marie-Jewell from Personnel to insignificant -- whoever heard of "Public Services", I do not even know the title, and Workers' Compensation Board?

HON. GORDON WRAY: Just ask women whose husbands died in mines if it is insignificant.

MR. SPEAKER: Order. The honourable Member for Iqaluit.

Further Return To Question O538-90(1): Justification For Cabinet Shuffle

HON. DENNIS PATTERSON: Mr. Speaker, I thought I made it clear in my answer to the honourable Member for Tu Nede that I do not think it is appropriate, nor in keeping with parliamentary tradition, nor in keeping with the prerogative that was given to me, as long as I hold it, that I should be required to provide answers of this kind on a decision of that kind. I stated to the honourable Member that there is a remedy available if he wants to challenge my authority, and that is as far as I am willing to go. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Nahendeh, supplementary.

Supplementary To Question O538-90(1): Justification For Cabinet Shuffle

MR. SIBBESTON: Mr. Speaker, then I might as well fish then. I will ask the Government Leader -- I think the Government Leader has a history of treating some Ministers fairly and others unfairly, particularly those that are friendly to him and those that supported him during the last round of the

choosing of the Government Leader – I will ask the Government Leader, did he and Mrs. Marie-Jewell have a falling out in terms of anything that she did, or did not do, in the past few weeks that has caused him to make the decision that he did?

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Further Return To Question O538-90(1): Justification For Cabinet Shuffle

HON. DENNIS PATTERSON: Absolutely not, Mr. Speaker.

MR. SPEAKER: Thank you. Oral questions. Oral questions. The honourable Member for Nahendeh, final supplementary.

MR. SIBBESTON: I will just pass.

MR. SPEAKER: Oral questions. The honourable Member for Aivilik.

Question O539-90(1): Timing Of Announcement Re Cabinet Shuffle

MR. ERNERK: (Translation) Thank you, Mr. Speaker. I have a question for the Government Leader. As you are probably aware and you have observed, there are some Members on this side of the House who are not here as of April 11, 1990. There are very few of us sitting on this side. I want to ask the Government Leader with regard to the Minister of Personnel, if there was going to be a shuffle why did you have to pick today to announce the shuffle? Why did you not announce it a couple of days ago when more Members were here? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Return To Question O539-90(1): Timing Of Announcement Re Cabinet Shuffle

HON. DENNIS PATTERSON: Mr. Speaker, as I said in the statement that I read earlier today, I had planned to make this change following the consideration of the main estimates by this House. I do not think it is appropriate, Mr. Speaker, that these kinds of changes should be announced in the middle of a budget session when Ministers are defending a budget and being accountable for a budget. I do not think that is the appropriate time to make that kind of a switch. That is why it was not announced earlier, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you. Oral questions. Oral questions. The honourable Member for Tu Nede.

Question O540-90(1): Reason For Timing Of Cabinet Shuffle Announcement

MR. MORIN: Thank you, Mr. Speaker. My question is to the Government Leader. Mr. Government Leader, were you waiting until all the Assembly Members had gone home to announce this? Were you not pretty well pushed into a corner to announce it today, but if you had your own way you would have waited until we had all gone home to announce this decision you made today?

MR. SPEAKER: The honourable Member for Iqaluit.

Return To Question O540-90(1): Reason For Timing Of Cabinet Shuffle Announcement

HON. DENNIS PATTERSON: Mr. Speaker, I think the Member is fishing and I do not think I need to discuss my intentions as far as the timing of this announcement is concerned. My actions speak for themselves. I announced it today while the House is in session. My actions speak for themselves, Mr. Speaker. Thank you.

MR. SPEAKER: Oral questions. The honourable Member for Nahendeh.

Question O541-90(1): Minister's Reaction To Portfolio Change

MR. SIBBESTON: Mr. Speaker, while the Minister is still the Minister of Personnel, I want to tell her that I think she has done an excellent job during the time she has been Minister of Personnel. I commend her for the good work she has done.

AN HON. MEMBER: Hear, hear!

MR. SIBBESTON: I want to ask her, in her view, whether she is happy about the new assignments given her and just what her feelings are on the subject, whether she basically accepts the minor portfolios that she has been given.

MR. SPEAKER: The honourable Member for Slave River.

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I just received a note that took my mind away from the question that the Member has asked. I would like to ask the Member to repeat it.

MR. SPEAKER: The honourable Member for Nahendeh.

MR. SIBBESTON: Mr. Speaker, it is a traumatic experience being demoted. I want to say to the Minister that I think she has done an excellent job during her time as Minister of Personnel. My question was really, what is her reaction? Is she happy with the move by the Government Leader, and how does she feel about being demoted and being given a number of insignificant portfolios?

MR. SPEAKER: Thank you. The honourable Member for Slave River.

Return To Question O541-90(1): Minister's Reaction To Portfolio Change

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. No, I am not happy. Further, I did indicate to the Government Leader when he brought it forth to me yesterday that I would consider resigning as a Minister of this government.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Deh Cho.

Question O542-90(1): Reconsideration Of Cabinet Shuffle

MR. GARGAN: Mr. Speaker, three years ago when we selected the government, we also selected the Government Leader based on our confidence in him that he would be making decisions that were fair and acceptable to all the Members here. Mr. Speaker, I have concerns over the

decision that was made by the Government Leader with regard to terminating Mrs. Marie-Jewell's appointment. I would like to ask the Government Leader -- I am a Member of this Legislative Assembly and I am concerned about the decision that he made -- whether he would reconsider the appointment based on my concern.

MR. SPEAKER: The honourable Member for Iqaluit.

Return To Question O542-90(1): Reconsideration Of Cabinet Shuffle

HON. DENNIS PATTERSON: Mr. Speaker, these are not easy decisions to make and they are not taken lightly. I have considered possible changes in assignments for some considerable time. Many factors entered into my mind, some of which, with the greatest of respect to honourable Members, they may not understand or know about. I have taken the decision to the best of my ability and with the best intentions in mind for the good of the government and having weighed all possible factors, including the possibility of criticism or misinterpretation. I do not consider it a demotion. I think that Members who are categorizing it as such are troublemaking and not giving due respect to the important responsibilities that every Member of cabinet has, to participate in all decisions being made in this government. A short answer to the Member's question, Mr. Speaker, is no, I will not reconsider.

MR. SPEAKER: Oral questions. The honourable Member for Nahendeh.

Question O543-90(1): Dene/Metis Representation On Cabinet

MR. SIBBESTON: Mr. Speaker, seeing how the Government Leader is not going to reconsider his decision -- I think this government has come a long way in winning the favour and good will of the people of the North. Over the past few years the government has increasingly become better, but this cabinet is seen as legitimate government, in part, because of the membership of two Dene/Metis on the cabinet. Mrs. Marie-Jewell has now indicated that she may resign. In the event that she does, would the Government Leader feel that he continues to have the support of the people of the West, in particular the native people of the North, without two full-fledged Dene or Metis Members?

MR. MORIN: It would be a dream if he does.

MR. SPEAKER: Honourable Member for Iqaluit.

Return To Question O543-90(1): Dene/Metis Representation On Cabinet

HON. DENNIS PATTERSON: Mr. Speaker, I think the honourable Member indicated that she had thought about resigning yesterday, but my understanding from discussions that I had with her this morning is that she does not intend to resign. I am happy about that. I would certainly like her to stay on cabinet. She has a lot to offer. And I look forward to continuing to work with her. She is a valued Member of my cabinet and I hope she stays to serve in the cabinet. I was pleased to learn this morning that after having thought about it overnight, she is deciding to stay on. So the Member is asking a hypothetical question as far as I know, Mr. Speaker.

MR. SPEAKER: Thank you. Oral questions. Honourable Member for Yellowknife South.

Question O544-90(1): Closure Of Boreal Institute Of Northern Studies

MR. WHITFORD: Thank you, Mr. Speaker. I would like to direct a question to the Government Leader. I just learned through a letter from a constituent and also reading the Edmonton Journal, that the University of Alberta is proposing to close the Boreal Institute of Northern Studies in Edmonton and this will be affecting a lot of northern research. Is this government aware of the value that this institute is to research in the NWT?

MR. SPEAKER: Honourable Member for Iqaluit.

Return To Question O544-90(1): Closure Of Boreal Institute Of Northern Studies

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I had heard with great concern of this decision made by the University of Alberta. The Science Institute and other departments of this government have worked closely with the Boreal Institute. I consider it to be a critical asset, including its library, to northern science and northern research and I am very concerned about the planned closure. Thank you.

MR. SPEAKER: Oral questions. Honourable Member for Yellowknife South, supplementary.

Question O545-90(1): GNWT Assets In Boreal Institute Of Northern Studies

MR. WHITFORD: Thank you, Mr. Speaker. Does this government intend to do anything in this area? Does the government have any original manuscripts in this institute that may belong to us?

MR. SPEAKER: New question, honourable Member for Iqaluit.

Return To Question O545-90(1): GNWT Assets In Boreal Institute Of Northern Studies

HON. DENNIS PATTERSON: Mr. Speaker, I am not aware of any assets in the Boreal Institute that belong to the Government of the NWT. I think if there are materials in their very extensive northern library, then it belongs to that library. The library, as I understand it under this plan, is to be consolidated with the University of Alberta collection.

Mr. Speaker, to answer the other part of the Member's question, I have not had a chance, since I have heard of the announcement, to consider what action we might take, but I certainly can assure the Member that I will consult with the Science Institute and undoubtedly will be taking steps, in conjunction with the Science Institute, to see what can be done to turn this decision around, particularly to preserve the library and to preserve the very good services that are provided by the Boreal Institute to critical research and scientific needs in the North. Thank you.

MR. SPEAKER: Thank you. Honourable Member for Yellowknife Centre.

Question O546-90(1): Recommendations Of Tungavik Federation Of Nunavut

MR. LEWIS: Thank you, Mr. Speaker. On October 31st when the Legislature met in Norman Wells, we were given an address by the Tungavik Federation of Nunavut and they

tabled a document which has five recommendations in it. I would like to ask the Government Leader, although we have responded in this House to the first recommendation, to state in clear words a commitment to the creation of Nunavut and the western territory, to the division of the NWT, has he responded to any of these other four recommendations?

MR. SPEAKER: Honourable Member for Amittuq.

Return To Question O546-90(1): Recommendations Of Tungavik Federation Of Nunavut

HON. TITUS ALLOOLOO: Mr. Speaker, my understanding is that our government will be meeting with the Tungavik Federation of Nunavut, and as well the Government Leader will be there to discuss the signing of the agreement in principle. Once the agreement in principle has been signed, I think the work of the TFN will be to see if the secession of their organization from the western Arctic will be on the table. I believe that there has to be a dialogue between our government and the Tungavik Federation of Nunavut in terms of clarifying areas of what should happen in case of secession.

MR. SPEAKER: Thank you. Oral questions. Honourable Member for Deh Cho.

Question O547-90(1): Anonymous Phone Calls To Social Services

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Social Services. On a number of occasions I have been approached by residents here in Yellowknife with regard to investigations by Social Services based on anonymous phone calls. I would like to ask the Minister what the guidelines are with regard to Social Services responding to phone calls about child or sexual abuse? I ran into a situation where a woman is being hassled on the grounds of anonymous phone calls. If individuals make phone calls they should state their names, is this the case?

MR. SPEAKER: Honourable Member for Slave River.

Return To Question O547-90(1): Anonymous Phone Calls To Social Services

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. Depending on the situation or the allegation that has been reported to the department, I am sure it is at the discretion of the appropriate social worker at the time to determine whether they should follow up the allegation. But in the event that allegations are unfounded, it is my hope that the department would take steps to apologize, to advise the individuals that it is important that they check whatever allegations are brought to their attention. On any particular issue I certainly would be willing to talk to the Member about it and bring forth the concerns to the department to review and deal with accordingly. Thank you.

MR. SPEAKER: Honourable Member for Deh Cho, supplementary.

Supplementary To Question O547-90(1): Anonymous Phone Calls To Social Services

MR. GARGAN: Mr. Speaker, the Minister did not answer my question. I asked the Minister if it is compulsory that individuals who make phone calls to the department state their name and why they are making those allegations.

MR. SPEAKER: Honourable Member for Slave River.

Further Return To Question O547-90(1): Anonymous Phone Calls To Social Services

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I guess it is because of the nature of the allegation that it would be somewhat difficult for individuals to want to release their names. I know it is not a policy that a person has to release their name. I believe if a social worker gets an allegation, for example, of child sexual abuse and the individual is afraid to release their name because of repercussions that they might have to absorb in the community, there are probably anonymous phone calls relayed like that. I think because of the statutory requirements, the social worker is obligated to follow up on these allegations.

MR. SPEAKER: Thank you. Oral questions. Oral questions. Honourable Member for Pine Point.

Question O548-90(1): Ministerial Travel To Constituencies

MR. McLAUGHLIN: Thank you, Mr. Speaker. I have a question for the Government Leader. What it concerns is ministerial travel. Is it still the practice to have in the budget for the Executive Council, outside of duty travel, the opportunity for Ministers to make 32 return trips per year to their riding, which was the situation before?

MR. SPEAKER: Honourable Member for Iqaluit.

Return To Question O548-90(1): Ministerial Travel To Constituencies

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Yes, Mr. Speaker.

MR. SPEAKER: Honourable Member for Pine Point, supplementary.

Supplementary To Question O548-90(1): Ministerial Travel To Constituencies

MR. McLAUGHLIN: Mr. Speaker, in perusing the outline of duty travel that Ministers have taken for the first 10 months of this fiscal year, I see there is a total of 142 trips taken by Ministers, 82 of them in the Territories and 22 of those trips were taken by Ministers to their own constituency. I would like to ask the Government Leader if he monitors this situation to make sure that Ministers do not abuse the situation of overspending their 32 trip allowance and start making several trips to their riding for more constituency business than actual ministerial business. Some Members have taken most of their trips to their own ridings, not to anywhere else in the Territories.

MR. SPEAKER: I just wanted to draw the Member's attention to the fact that the question being posed is referring to a document that has not been received by tabling in this House, by Members of this House and as such is really not in the knowledge of the Assembly. If the honourable Member wants to table the document and discuss the document, there is a process on the order paper that allows the honourable Member to do so. However, if the honourable Member for Iqaluit wishes to answer, then he may do so. Honourable Member for Iqaluit.

Further Return To Question O548-90(1): Ministerial Travel To Constituencies

HON. DENNIS PATTERSON: I will be willing to answer the question, Mr. Speaker. I can assure the honourable Member that having responsibility for the Department of Executive and overseeing the operations of that budget, I do monitor Ministers' travel and expenses on a monthly basis. Thank

you.

MR. SPEAKER: Oral questions. Honourable Member for Nahendeh.

Question O549-90(1): Increases To Sport Fishing Licence Fees

MR. SIBBESTON: With spring and summer looming, thoughts of fishing come to mind. I would like to ask the Minister of Renewable Resources whether he is considering increasing the sport fishing licence fees.

MR. SPEAKER: Honourable Member for Amittuq.

Return To Question O549-90(1): Increases To Sport Fishing Licence Fees

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. On the recommendation of the Great Bear Lake management committee and other management committees, the increases to sport fishing licence fees is as follows: resident for one year, \$10; Canadian resident for one year, \$20; non-resident for one year, \$40; Canadian resident, three day licence, \$15; non-resident, three day licence, \$30; special management area licence, \$10; special management area validation stamp, one dollar per area; and in the Inuvialuit settlement region where there are land claims, it is free.

MR. SPEAKER: Honourable Member for Nahendeh.

Supplementary To Question O549-90(1): Increases To Sport Fishing Licence Fees

MR. SIBBESTON: Mr. Speaker, I am just wondering how the Minister can seriously consider, and even support, as large an increase as he has stated. My understanding is that on Great Bear Lake where the fee is now \$10, this will increase to approximately \$51 which, by my calculations, is about a 500 per cent increase. I am just wondering, in the interests of attracting southern tourists to pay money and support these fishing lodges, how can he justify such an arbitrary and such a large increase?

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

HON. TITUS ALLOOLOO: Mr. Speaker, I am not too sure if what the Member is stating is true. I do not have that information in front of me at this moment. I will get back to the Member very soon, this afternoon, with the figures. I do not know if what the Member is saying is true and I will get back to him this afternoon, if I can, Mr. Speaker.

MR. SPEAKER: Is the question being taken as notice?

HON. TITUS ALLOOLOO: Yes, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member is taking the question as notice. Oral questions. The honourable Member for Aivilik.

Question O550-90(1): Information Requested On Status Of Artifacts Removed From Repulse Bay

MR. ERNERK: (Translation) Thank you, Mr. Speaker. My question is to the Minister responsible for Culture and Communications. It is also in regard to the bodies that were taken from Repulse Bay area and the artifacts that were taken some time ago. I think he has some knowledge about them. Even after the session is over, I wonder if the Minister can inform us as to what he is doing with the federal government

in regard to that. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Return To Question O550-90(1): Information Requested On Status Of Artifacts Removed From Repulse Bay

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I will keep the Members informed. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Nahendeh.

Question O551-90(1): Consultation On Fishing Licence Fee Increases

MR. SIBBESTON: Mr. Speaker, another question, somewhat related to the last question dealing with his department, Minister of Renewable Resources. I wonder if the Minister can advise, in dealing with these changes in licence fees, whether he has checked and has consulted fully with the advisory group that deals with matters around Great Bear Lake, particularly this type of fishing matters.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Return To Question O551-90(1): Consultation On Fishing Licence Fee Increases

HON. TITUS ALLOOLOO: Mr. Speaker, yes, indeed. We have checked with the people around that area. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Nahendeh, supplementary.

Supplementary To Question O551-90(1): Consultation On Fishing Licence Fee Increases

MR. SIBBESTON: Mr. Speaker, I wonder if the Minister would double-check his information, because I am advised by one of the members of the advisory group dealing with Great Bear Lake that he was not consulted and was totally surprised by the suggestion that fees for sports fishing licences be increased. I wonder if the Minister could check and be sure that every member of the advisory board has been consulted and is fully cognisant of what the Minister proposes in this matter.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Further Return To Question O551-90(1): Consultation On Fishing Licence Fee Increases

HON. TITUS ALLOOLOO: Mr. Speaker, yes, I will check my facts to see if they are correct, but I am informed that the residents and the interest groups of that area, Great Bear region, have been consulted for those changes.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik.

Question O552-90(1): Day-Care Proposal From Chesterfield Inlet

MR. ERNERK: Thank you, Mr. Speaker. My question is directed to the Minister of Social Services. It is a question regarding the day-care proposal in Chesterfield Inlet. I am wondering if the Minister is aware of the fact that the people of Chesterfield Inlet are requesting some assistance from the

Government of the Northwest Territories to establish a day-care facility in their community. Thank you.

MR. SPEAKER: Thank you. The honourable Member for Slave River.

Return To Question O552-90(1): Day-Care Proposal From Chesterfield Inlet

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I am not aware of the department receiving a proposal from Chesterfield Inlet. However, I have brought the issue to my department's attention and we will make efforts to approach the community of Chesterfield Inlet and try to assist them with day-care.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Tu Nede.

Question O553-90(1): Costs Of Campaign To Name Territorial Bird

MR. MORIN: Thank you, Mr. Speaker. My question is to the Minister of Renewable Resources. Mr. Minister, there is presently under way a campaign to name a territorial bird. Can you please tell me how much that campaign costs? Thank you.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Return To Question O553-90(1): Costs Of Campaign To Name Territorial Bird

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I would like to thank the Member for giving me notice prior to his question. I am informed that my department is contributing to the tune of \$3500. By no means is that the total budget for this effort. There has been a lot of public support and involvement in this area. I am also told that the radio companies have been contributing air time to make the people

I should also like to say that the Northwest Territories is the only jurisdiction in Canada at this present time without an official bird. Over the past few years, the department has received numerous inquiries to see if the residents could select an official bird. Also, the tourists that come up here always inquire about what is the official bird of the Northwest Territories.

I believe this type of campaign is an excellent vehicle for conservation education. It has proven very successful in other instances, for example, the official tree campaign that we had in the previous year. It is an opportunity also to discuss wildlife and the interrelationship with the environment. I think, to answer the Member's question, \$3500 that my department is contributing is about 20 per cent of the total moneys being spent.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Tu Nede, supplementary.

Supplementary To Question O553-90(1): Costs Of Campaign To Name Territorial Bird

MR. MORIN: Thank you, Mr. Speaker. A long answer is better than no answer. Supplementary to the same Minister, the Minister of Renewable Resources. Your department is contributing \$3500. Is this campaign to name the territorial bird a higher priority for your department than the trappers' lynx incentive program that was cut by your department because of this restraint that the government is talking about? An amount of \$3500 goes a long way to buy gas for trappers

in my region that are still pushing quite strongly for lynx incentive to be reinstated. Is this a higher priority than the lynx incentive program? Thank you.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Further Return To Question O553-90(1): Costs of Campaign To Name Territorial Bird

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I am sure, if I could get some sort of formula where our government would be contributing so much money and then there would be a lot of individual contributions or corporate contributions to that initiative, I would be willing to do the same to help the hunters and trappers in the NWT. I believe that this initiative will make people aware that wildlife in the NWT, in this case birds, is a very important part of the identity of the NWT, and the link between the environment and the people in communities. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Tu Nede.

Supplementary To Question O553-90(1): Costs of Campaign To Name Territorial Bird

MR. MORIN: Thank you, Mr. Speaker, a supplementary to the Minister of Renewable Resources. Mr. Minister, you stated that if you could get some sort of formula where individuals would be contributing in great amounts, then you would be willing to help the trappers. That formula is in place, Mr. Minister. Right now the lynx incentive represents 10 per cent of the value of the fur. The trappers pay all other costs, everything else. All this government is asked for is the 10 per cent incentive that was in place before. Should I read into your answer, Mr. Minister, that you will be reinstating the lynx incentive program, because the formula is in place? Thank you.

MR. SPEAKER: The honourable Member for Amittuq.

Further Return To Question O553-90(1): Costs of Campaign To Name Territorial Bird

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. Once again, I would like to say that the Member is very aware of the lynx situation in Canada and in the world and the reason why we dropped the lynx incentive which gave individuals an incentive to trap that particular species. At the present time I have no plans to reinstate the lynx incentive program whereby the government will contribute directly to individuals because they trap lynx. Thank you.

MR. SPEAKER: Thank you. The honourable Member for Yellowknife South.

Question O554-90(1): Picture Drivers' Licences For The NWT

MR. WHITFORD: Thank you, Mr. Speaker. I have a question I would like to direct to the Minister responsible for motor vehicles. Some time ago I raised the issue of picture drivers' licences. I certainly want to commend the Minister for his department's involvement in getting the nice identification cards for the Arctic Winter Games. Some 1200 to 1500 people were photographed and issued cards in a very short period of time. I wonder why this was not done with the drivers' licences, why a similar system could not be done with the drivers' licences. The question I have for the Minister is, will his department undertake, before fall, to re-examine this suggestion and take a good hard look at whether or not the

NWT can go to picture drivers' licences?

MR. SPEAKER: Thank you. The honourable Member for Kivallivik.

Return To Question O554-90(1): Picture Drivers' Licences For The NWT

HON. GORDON WRAY: Thank you, Mr. Speaker. Yes, we can and we will take a look at the issue. Obviously, the Member must understand that cost is a major factor for me. With 52 communities spread out across one third of Canada, it may be an extremely expensive process. That is what I am worried about. We will take a look at the cost and we will take a look at the logistics, and if it is possible, we may move toward it. I would point out the difference between this and the Arctic Winter Games was that with the Games everybody was collected into one central point which made it very easy to do. We are talking about 60-odd communities here spread all across the Arctic. We will take a look at it and I will probably have something for the Member by fall. Thank you.

MR. SPEAKER: Oral questions. The honourable Member for Aivilik.

Question O555-90(1): Possible Legislation Covering Midwifery

MR. ERNERK: Thank you, Mr. Speaker. My question is directed to the Minister of Health. Mr. Speaker, could the Minister of Health indicate to this House whether or not the government plans to put together a piece of legislation recognizing midwifery in the NWT, as they are doing in the Province of Quebec? Thank you.

MR. SPEAKER: Thank you. The honourable Member for Nunakput.

Return To Question O555-90(1): Possible Legislation Covering Midwifery

HON. NELLIE COURNOYEA: Mr. Speaker, I think the honourable Member is asking a follow-up question on our continual discussions on the desire for midwifery practice in the NWT. Yes, the department is developing an options paper on the legalization of midwifery in the NWT, taking into consideration what other provincial jurisdictions are doing.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik, supplementary.

Supplementary To Question O555-90(1): Possible Legislation Covering Midwifery

MR. ERNERK: (Translation) Would that paper be ready at the next session or the winter session in 1991? Thank you, Mr. Speaker.

MR. SPEAKER: The honourable Member for Nunakput.

Further Return To Question O555-90(1): Possible Legislation Covering Midwifery

HON. NELLIE COURNOYEA: Mr. Speaker, the options paper should be ready by this fall.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife South.

Question O556-90(1): Exclusion Of Ptarmigan From NWT Bird Campaign

MR. WHITFORD: Thank you, Mr. Speaker. I have a question for the Minister of Renewable Resources. This "name the bird" campaign that is taking place right now, I notice that the ptarmigan, a truly northern bird that stays here all year around, migrates a little bit south once in a while, but resides in the North, not a visiting bird, is not included in the possible selections. Can the Minister tell me why this bird is not in this category?

MR. SPEAKER: The honourable Member for Amittuq.

Return To Question O556-90(1): Exclusion Of Ptarmigan From NWT Bird Campaign

HON. TITUS ALLOOLOO: Mr. Speaker, the birds that are identified in the bird campaign, I believe, are the only birds that are not already taken in Canada. I believe the ptarmigan has been chosen as an official bird by the Alaskans.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife South, supplementary.

Supplementary To Question O556-90(1): Exclusion Of Ptarmigan From NWT Bird Campaign

MR. WHITFORD: Mr. Speaker, I can appreciate the fact that the Alaskans may have the ptarmigan as their bird, but that is not Canada, and it is certainly not the NWT. We are choosing a bird for the NWT, and I hardly think that what happens to the Americans should affect us. I still wonder why we have not considered that.

MR. SPEAKER: The honourable Member for Amittuq.

Further Return To Question O556-90(1): Exclusion Of Ptarmigan From NWT Bird Campaign

HON. TITUS ALLOOLOO: Mr. Speaker, the decision has not been made yet. We are still getting input from people. The Member could, if he wishes, put his recommendation forward. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife Centre.

Question O557-90(1): Progress Report On Study Into Equal Pay For Work Of Equal Value

MR. LEWIS: Mr. Speaker, there was a contractual agreement with the Union of Northern Workers to undertake a study, and a joint equal pay for work of equal value research committee was to be set up. I would like to ask the Minister responsible for Personnel if she can give us some report on the progress of the work of that committee. I wonder why we have not heard about it, Mr. Speaker.

MR. SPEAKER: The honourable Member for Slave River.

Return To Question O557-90(1): Progress Report On Study Into Equal Pay For Work Of Equal Value

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. There is work being done on the committee for equal pay for work of equal value. The committee has recently been formed and the terms of reference are being formulated. The

committee has been given cabinet approval to look into this issue that has been such a concern of the union, along with the government. I can assure the Member that we are trying to deal with it as thoroughly as we can and that it is an issue that we will take some lengths to look at because it is an issue that is of importance, and that once it is reviewed, it is reviewed properly. I can assure the Member that work is being done on it. Thank you.

MR. SPEAKER: Oral questions. Honourable Member for Yellowknife Centre.

Supplementary To Question O557-90(1): Progress Report On Study Into Equal Pay For Work Of Equal Value

MR. LEWIS: Thank you, Mr. Speaker. There is a feeling among union members that perhaps the commitment of the government is not as strong as it could be. So I would like to ask the Minister if this work will be completed by a certain deadline.

MR. SPEAKER: Honourable Member for Slave River.

Further Return To Question O557-90(1): Progress Report On Study Into Equal Pay For Work Of Equal Value

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. We anticipate the work will be completed by July of 1991.

MR. SPEAKER: Honourable Member for Nahendeh.

Question O558-90(1): Procedure For Complaints Against Doctors

MR. SIBBESTON: Mr. Speaker, a question to the Minister of Health. In my earlier statement I told about the plight of one of my constituents who suffered at the hands of a doctor, the doctor is Dr. Kambites who was in Simpson approximately a year ago. I would like to ask the Minister, what is the procedure for people of the North to complain about doctors for any malpractice or any sexual assaults or anything untoward that people may suffer at the hands of doctors?

MR. SPEAKER: Honourable Member for Nunakput.

Return To Question O558-90(1): Procedure For Complaints Against Doctors

HON. NELLIE COURNOYEA: Mr. Speaker, there are various avenues that a person can find recourse to. On the particular case that the honourable Member is referring to, the person in question did make a statement. However, by the time anything could be done, that particular medical practitioner had left the NWT.

In the matter of jurisdictional overlap, the jurisdiction will not investigate alleged offenses from another region nor volunteer information on an investigation under way within their jurisdiction. That is the present circumstance. However, I have advised the honourable Member that the individual in question should proceed to lay criminal charges because this would be the only avenue left to that individual to pursue the matter across jurisdictions.

MR. SPEAKER: Oral questions. Honourable Member for Nahendeh.

Supplementary To Question O558-90(1): Procedure For Complaints Against Doctors

MR. SIBBESTON: Mr. Speaker, I wonder if the Minister would use this case as an example and do an investigation as to how this person has suffered and why it has taken so long

for the department officials or Mackenzie health board people to react to the complainant. She said the incident occurred on April 5th. Two weeks later she told the head nurse and it was only in October that someone from the Department of Health came to speak to her. I wonder if the Minister could investigate why it took her officials so long to respond to the complainant in this case.

MR. SPEAKER: New question. Honourable Member for Nunakput.

Further Return To Question O558-90(1): Procedure For Complaints Against Doctors

HON. NELLIE COURNOYEA: Mr. Speaker, the investigation of what occurred and why the complainant's issues were not addressed is taking place at this time to see why we failed to respond in a very fast manner. This particular case was brought to my attention recently and we have initiated that particular action.

MR. SPEAKER: Honourable Member for Nahendeh.

Supplementary To Question O558-90(1): Procedure For Complaints Against Doctors

MR. SIBBESTON: Mr. Speaker, I would say that in places like Yellowknife and the larger centres, where a doctor is more or less permanent, a person can have recourse to complain and I am aware that under the Medical Professions Act there is a provision for an inquiry being done. In most parts of the North, in the little communities, we have doctors that come in on an occasional basis. I wonder if the Minister would consider having a process to help people who are not satisfied with doctors or treatment that they get. What can a person in a small community do, with respect to a complainant who has been mistreated by a doctor? I wonder if the Minister would consider putting a process in place. Particularly in a case where the doctor goes back south, what recourse is there for someone in the North who has been wronged, to deal with a doctor who lives in the South and just comes north to deal with people?

MR. SPEAKER: Honourable Member for Nunakput.

Further Return To Question O558-90(1): Procedure For Complaints Against Doctors

HON. NELLIE COURNOYEA: Mr. Speaker, I believe that other than under the Medical Professions Act, where we do not have an overlapping jurisdiction issue -- I believe that there is a fault there. However, because of the special circumstances, where we use a lot of short-term doctors to fill in for other medical professionals that we are not able to attract to the NWT, the whole area, from the beginning of this case to the conclusion -- we are looking at it as an example to see where the legislation, or lack of legislation, is not supporting communities where there is not much counsel to individual people who wish to make complaints. It may be that the awareness of what is available to an individual and how to access it is not known to these people, so we are taking this as an example case to see where we fell short.

MR. SPEAKER: Honourable Member for Nahendeh.

Supplementary To Question O558-90(1): Procedure For Complaints Against Doctors

MR. SIBBESTON: Mr. Speaker, what of the possibility of a person coming to the North and offering themselves as a doctor who may not have been a doctor qualified to practise anywhere in Canada. I wonder if the Minister could check into the qualifications of Dr. Kambites to see whether he was

licensed to practise medicine in Canada and also advise what procedures she can put in place to be sure that we do not have doctors who are not properly qualified to practise in the NWT.

MR. SPEAKER: Two questions. Honourable Member for Nunakput.

Further Return To Question O558-90(1): Procedure For Complaints Against Doctors

HON. NELLIE COURNOYEA: Mr. Speaker, as I stated, this is one sample case and that search for qualifications is presently under way, to see where the person received his qualifications. Certainly in looking at this case we will take whatever measures necessary to try to tighten up the controls.

MR. SPEAKER: Oral questions. Honourable Member for Aivilik.

Question O559-90(1): Study On Falcons

MR. ERNERK: (Translation) Thank you, Mr. Speaker. I have a question to the Minister of Renewable Resources. Is the Minister aware if in the summer around Rankin Inlet there will be a study on falcons?

MR. SPEAKER: Honourable Member for Amittuq.

Return To Question O559-90(1): Study On Falcons

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I do not know.

MR. SPEAKER: Thank you. 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): Mr. Speaker, return to Question W13-90(1), asked by Mr. Gargan to the Government Leader concerning the regional director position in the Inuvik Region; return to Question W22-90(1), asked by Mr. Sibbeston to the Government Leader concerning secondment of GNWT staff; return to Question W26-90(1), to the Minister responsible for the NWT Housing Corporation concerning disposal of electric toilets in Fort Liard.

Return To Question W13-90(1): Regional Director Position In The Inuvik Region

Hon. Dennis Patterson's return to Question W13-90(1), asked by Mr. Gargan on February 21, 1990, regarding regional director position in the Inuvik Region: As I stated in the House on February 12, 1990, and again on February 20, 1990, I am reluctant to discuss the particulars of a competition or direct appointment where such discussion would mean I am revealing information about applicants and their career plans. Individuals who apply to us for employment, or who are currently our employees, provide the government with certain personal information. This is done with the understanding that such information is held in confidence. I am not in a position to breach that confidence.

I can answer the Member's questions as follows: Question 2) yes, I discussed the position of regional director, Inuvik, with a number of individuals; Questions 3) and 4) yes, I discussed the filling of this position with MLAs and I did receive advice about potential candidates, including aboriginal candidates.

Without disclosing personal information, I am unable to answer

the Member's first, fifth and sixth questions. As I stated earlier, I will not provide personal information given to the government in confidence.

Return To Question W22-90(1): Secondment Of GNWT Staff

Hon. Dennis Patterson's return to Question W22-90(1), asked by Mr. Sibbeston on March 20, 1990, regarding secondment of GNWT staff: Brackett, David, to the United Nations, January 1, 1989 to March 31, 1991; Crook, Darm, to Union of Northern Workers, October 31, 1987 to October 31, 1990; Graham, William, to Piruqsajit Ltd., August 1, 1989 to July 31, 1991; Hanks, Chris, to the federal government, December 1, 1989 to November 30, 1991; Harvey, Ross, to Television Northern Canada, July 17, 1989 to June 30, 1991; Kirwan, Syd, to the federal government, January 27, 1989 to January 27, 1992; Koe, Fred, to the Dene/Metis Negotiating Secretariat, December 1, 1988 to November 30, 1990; Panegyuk, Elaine, to the federal government, May 8, 1989 to November 9, 1990; Zozula, Katherine, to the Department of National Defence, September 1, 1985 to September 1, 1990.

It is standard procedure with secondments to guarantee the employee, upon return to the GNWT, a position equivalent to that which he/she left, in the department of origin, at a salary equivalent to that which they would have received had the secondment not occurred. It is standard procedure to invoice the seconding organization for the cost of the employee's services.

The question cannot be fully answered because of the confidentiality of employee records; additional detail on specific secondment agreements, such as pay and special provisions, falls within the scope of confidential information and would require the employees' consent for release.

Return To Question W26-90(1): Disposal Of Electric Toilets In Fort Liard

Hon. Tom Butters' return to Question W26-90(1), asked by Mr. Sibbeston on April 4, 1990, regarding disposal of electric toilets in Fort Liard: In response to Question W26-90(1), "What is the Minister going to do with the electric toilets that have been discarded from three houses in Fort Liard?" On March 31, 1990, the Hay River district staff wrote to the Liard Valley Band Development Corporation to advise them that the units be retrieved and disposed of by sale. Any proceeds from the sale should be used to assist the households from which they were discarded to replace the facilities with something more acceptable to them.

MR. SPEAKER: Thank you. Returns to written questions. Item 8, replies to Opening Address. The honourable Member for Tu Nede.

ITEM 8: REPLIES TO OPENING ADDRESS

Mr. Morin's Reply

MR. MORIN: Thank you, Mr. Speaker. Today is a day I, as a Dene/Metis Member of this Assembly, feel very cheated. We as aboriginal people, back in 1977, made the decision to participate in this public government system. Today, with the demotion of another aboriginal Member of the Executive, I think this government is sending a strong message to the Dene/Metis - "Yes, you may participate in this system of government but do not create waves and try not to make any big changes. And above all, let the bureaucrats run the system; they know best."

Our people in the communities call this government the "terrified government" and under this Government Leader's

leadership, Mr. Speaker, I agree with them. Mr. Patterson, let me now put you on notice, that I, as one Dene/Metis Member, withdraw my support from you and no longer have confidence in you as a Government Leader. To add insult to injury, you have in one swift motion transferred the responsibility of Personnel to the Minister of Aboriginal Rights. I wonder about your commitment two days ago to work hard in solving the concerns chiefs have with the Dene/Metis claim...

HON. DENNIS PATTERSON: It is still there.

MR. MORIN: ...when you overload the Minister with another major department. How much time is that Minister going to have to pay attention to all those major departments he now has? Education, the highest drop-out rate in Canada; Personnel, lots of personnel problems; Aboriginal Rights, the next year is going to be the most work that department has got to do in solving the two claims. I caution the Minister, Mr. Kakfwi, to watch out. Maybe Mr. Patterson is overloading you on purpose. He may be setting you up for a fall in the future.

In closing, Mr. Speaker, I would like to say to Jeannie Marie-Jewell, what you decide to do is completely up to you, but I, as one Member, appreciate all the hard work that you have done as Minister of Personnel. I appreciate your quickness and your quick response in answering questions. To me that indicates that you were quite knowledgeable about your department and that you did have control and that you did work quite hard in making yourself well aware of what went on in your department. In closing, Mr. Speaker, I would just like to acknowledge to the Minister, the past Minister of Personnel, that she does have my support.

AN HON. MEMBER: Hear, hear!

MR. SPEAKER: Thank you. Replies to Opening Address. The honourable Member for Yellowknife Centre.

Mr. Lewis's Reply

MR. LEWIS: Thank you, Mr. Speaker. Mr. Speaker, when I was elected I told my constituents that I would listen to them and I would stand up for them and I would speak for them. Since the very first session, I have used every opportunity to reply to the Budget Address and the Commissioner's Opening Address and also to take advantage of all the issues on the order paper. So yesterday, being fully aware that today was likely going to be the last day on which this item would appear on the order paper, I looked through the Commissioner's Opening Address again, and was struck by several things. I noticed that in keeping with a tradition that some people expect me to follow, that many of the items that he dealt with began with the letter "E". So like Sesame Street today, Mr. Speaker, the things I am going to talk about all begin with the letter E.

After all the drama that we heard this afternoon I was thinking twice as to whether in fact I should do what I promised myself this morning I would do. But I have decided to proceed anyway. The first item that the Commissioner dealt with in his Opening Address to us related to the economy. Having listened very carefully to what Mr. Wray has proposed to resolve many of our economic problems, I was convinced that anything more that I would have to say in great detail would probably be redundant. I am convinced that his proposal to base our economy in our smaller communities on small businesses, renewable resources, on arts and crafts, on tourism and on developing some infrastructure so that people who come here can find many ways of getting here that are a bit more interesting, and more things to do when they get here, is the right one. That does not mean to say that there are all kinds of other economic opportunities that we will not pursue. But those seem to be the right ones that fit into the

things that we are good at. And once we get those right, who knows what other things will spin off from that?

However, Mr. Speaker, when I turn to the Commissioner's comments about the environment I became more and more convinced that probably the big capital that we have, the great economic capital that we have in this part of the world, is an environment which is the envy of people all around the world. Because it is relatively untouched. We do not have a smokestack kind of economy. It is at the moment very, very basic and it is something that we should look at as something that we would want to preserve. I believe that, beginning with John Diefenbaker, we began a process of trying to examine what things mattered to us. When he completed his Canadian Bill of Rights in 1960, the thinking in the 1950s was that we should do something to establish some basic human rights and it was on the basis of that charter that one of the most famous cases in the history of aboriginal people, the famous Drybones case, resolved that there were some basic issues of inequality in this country that should be resolved. I believe that during the 1960s, following that Bill of Rights in 1960, we ended up with a decade of an attempt to really establish what aboriginal rights were. I believe that in the 1990s we have come to another phase. Although aboriginal rights still have to be entrenched, I really believe that the 1990s will start another search for rights that people have for the world we live in, their environmental rights. I believe that we are at the beginning of that and it is for that reason that over the next several months I will be talking to a lot of people about the issue of our right to have an environment as every individual, and our right to do something to protect it. It is for that reason that I have decided that my effort and energy and so on will go into that, and hopefully in October we can talk about this in detail again.

Importance Of Literacy

Mr. Speaker, I told you that I will be very brief today, so the next E I have to deal with is about education but so many things have been said about it, and I have said so many things about it in the past, that today I just want to talk about literacy. I was impressed with Mr. Kakfwi's effort over the past weekend to really highlight the whole issue of literacy in a population where it is still a struggle. I came from a family where I had parents who had not had much schooling but literacy was valued. Although my dad never went to school for very long, he is one of the most literate persons I have ever met. He is well-read and very knowledgeable about the things that go on around him and, in listening to very famous people that were attending a workshop at the museum at the weekend, I was impressed by the comments, particularly of Ken Dryden. He read some excerpts from his book to young kids who were assembled there and he said, "You know, everybody has an image of hockey players and they wondered what I had contributed. 'You have been a great star; what was your contribution to your sport?'" He said, "Well, you know, for a while people used to see me leaning on my stick. That was my great contribution to hockey, was that I could lean on my stick and I looked relaxed. Another thing I did was I began to slap my stick in order to signal defence men if there was a line change." So people say, "Well, maybe that was your contribution." He said, "Well, probably one of the great contributions I made, I was a bit of a loner always and I was very often respected by being given my own room. People respected my privacy, but people noticed that I read; on planes and in hotel rooms I read books. Although when I was brought up I did well at school, it was not until I became a hockey player that I read all kinds of stuff that I did not have to read, but I read for pleasure." And now he says, "On many airplanes that I travel on, I see hockey players reading books. Maybe that is my great contribution to my sport, the fact that I have got a whole bunch of people that really did not see reading books as

being a cool thing to do, now seeing it as really being okay. Maybe that is my great contribution to my sport."

I would like to think, Mr. Speaker, that in homes where books are not part of the furniture that the effect of this past week will rub off on people. It is not uncool to be well-read. In fact, it is the mark of a person who contributes to public opinion that he knows what is going on around him and takes the trouble to find out and can communicate with other people. I think it is basic to our education system that we regard literacy as the thing that we do in all our education institutions. I commend the Minister for taking the initiative that he did.

---Applause

The next item I will deal with, Mr. Speaker, concerns elections. The bit of drama that we had this afternoon about elections and the power that we give people and so on amused me a little bit because throughout the rest of the country and the rest of the world, most Ministers very often are waiting to get shifted. For example, I am sure that Mr. Siddon after four or five years in Fisheries was just praying for the day when the Prime Minister would come to him and say, "Please, Mr. Siddon, I would like you to consider this move." I am sure Mr. Siddon did not have to think too much before he decided to move. I think it is common practice that when you give somebody a responsibility to coach a team, you decide who is going to play on the ice and what position, and what shift and so on. That is a "given", and I think that in our system we should accept that once you give somebody some responsibility, that is what they do. I agreed with it three years ago that we give that person the job to do, and then we let him go on and manage it.

Right To Decide When Elections Are Held

The bigger issue of elections, Mr. Speaker, and I am beginning to wonder with trepidation if I should advance it, is that unlike every other jurisdiction in this country, we as a Legislative Assembly do not have power -- under our act we cannot decide when we go to the people. It is one of the strange anomalies that probably every Member in this room has a guaranteed annual income for four years, very close to it, as close as you are going to get. Yet, right throughout the country everybody else really does not have that kind of security. We should have the power, like everybody else, to decide when we go to the people. The people would expect to have that kind of privilege that is denied to them here and which is expected, as a right, in every part of the country. We do not have it here. If you want court challenges, there are dozens of them that I can think about that we could pursue about our form of government if we wanted to. That is one of them. We should not have to go to the federal government to ask them to dissolve us. We should be able to do it any time we wanted, like anybody else in this country.

Mr. Speaker, without wanting to be too laborious, I would like to go to the final E that I have, and the word is erections. This may cause some amusement among some Members, but I am referring, Mr. Speaker, to some local issues, the fact that we have the Northwest Tower, which was recently constructed by Bellanca Developments. We have the City Centre project here, we have some minor developments such as a little restaurant on 47th Street called Giorgio's, which is now a little bistro. We have a fresh fish outlet on 49th Street which provides a needed service in the middle of the city. But the biggest developments, Mr. Speaker, relate to the fact that this Assembly decided that they will move forward to build themselves a permanent home in the middle of the city on the site that has been set aside for some time. More recently, the City of Yellowknife has decided that they will set aside some land, somewhere in the same general area, for a northern

university.

I also commended the aboriginal Members yesterday for supporting the erection of a monument to aboriginal people across this country and I would hope that when that aboriginal monument is, in fact, erected, that it will be somewhere in that general area too. I am sure we could get Ms Cournoyea to unveil that monument when that occasion arises. Thank you, Mr. Speaker.

One more thing, I would like to thank, in line with Mr. Gargan, the great help we have received from David Hamilton, the "greffier" for this Assembly, and his very, very hard working-staff. On behalf of ajauqtit, I would like to thank Goo Arlooktoo, who has been of great assistance to us in our meetings, and we very much appreciate it. I would like to thank the Hansard staff, who are always patient. I would like to pay special recognition to Mr. Harry Finnis who has done a fantastic job with our Pages...

AN HON. MEMBER: Hear, hear!

---Applause

...and has done so now in several sessions of this House. And of course, probably the most valuable people of all for an Assembly of this nature, our interpreters, who work very hard, under great difficulties, and even though they make the odd mistake, as we note from time to time, they do a very, very good job under very difficult circumstances, and I would like to thank them. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you. Replies to Opening Address. The honourable Member for Slave River.

Mrs. Marie-Jewell's Reply

HON. JEANNIE MARIE-JEWELL: Thank you very much, Mr. Speaker. Mr. Speaker, I did want to make a reply to the Commissioner's Opening Address to address some of the concerns with regard to my constituency prior to this House adjourning. I would like to take some time, and I promise not to take a lengthy time. However, I did also want to discuss "government", I guess, in my reply.

First of all, there are a couple of concerns that I would like to address pertaining to my constituency. One is with respect to the Dene/Metis claim. I must say that I am extremely pleased that the claim was able to get the approval of the Dene/Metis and, in particular, the approval of the band council in Fort Smith, along with the Metis local in Fort Smith. We all know, as I had said in this House, that Treaty 8, and particularly the chiefs of Treaty 8, raised some concern about approving the claim. I certainly am extremely pleased, as a Metis person, to see that the agreement is going to go for ratification, I believe, before the end of March of next year. Once all beneficiaries have gone through and voted, we will know the fate of the Dene/Metis claim. I have to indicate how pleased I am with my constituents in reassessing their initial decision that they brought forth.

There are a couple of issues that were of grave concern to my constituents, as I had indicated in the House last fall when we were in Norman Wells. The ALPAC proposal was brought forth and went through a review board hearing through the winter months. The review board has now made a decision that the ALPAC proposal should be on hold. I was certainly pleased with that decision. However, I am concerned, again, that the Alberta government is initiating a committee and hiring a consultant from Sweden, I believe, and others from other areas of the world to review the board's

recommendation. I felt the board was very good in conducting their hearings. They were very professional. I observed a couple of hearings and I must say that I am very disappointed with Mr. Getty for initiating this committee to look at a way of trying to circumvent the recommendations of the board that looked at the whole proposal of ALPAC. That is still a concern to my constituents.

At the same time, I would like to take the time to thank the government for considering their support to the Dene/Metis, looking at the court hearing that will be happening at the Daishowa pulp mill. Any pulp mill developed down south certainly is going to have an effect on my constituency first, when it comes to changing the quality of water in the North. It certainly is a serious concern, not only to myself but to many of my constituents. In fact, I do not know of any constituents who support the development of a pulp mill, for fear of hampering the quality of water in any way, shape or form.

I also want to take the time to thank the government for the work they have done in regard to making the bison ranch become a reality. I think that is a good economic venture for the community of Fort Smith. I certainly hope that some of my constituents who do not support the venture will reconsider, because I really feel that the overall intent of the bison ranch is certainly of a benefit to people. It might not be a benefit that will be quickly recognized, but it certainly will be a benefit for future generations.

Facilities For Alzheimer's Disease Patients

Mr. Speaker, I have a few concerns, particularly a couple of health issues that I have brought to the Minister of Health's attention and I am sure, through her continual struggle in enhancing our health system, that she will take these into consideration. One is the lack of facilities that we have in the North, and may continue to have, to deal with Alzheimer's disease patients. These patients are individuals who have loss of memory, who do not need any medication but a safe environment, and to be watched over. There are many constituents of mine who are starting to be affected and as a result are being referred to the Alberta hospital. It is something that is difficult for families to accept, going into the Alberta hospital. I think there is a perception, that people feel that is where mentally handicapped people go, not recognizing how grave it is to allow family members to go there that need assistance, who you are willing to support. I still feel there is going to come a time in the North that we are going to need a facility of this nature to deal with Alzheimer's disease and I really feel that most of them that are affected are seniors and we should make every effort to try to deal with this issue, because I am sure that this concern will increase as time goes on.

I want to speak of the schooling system. I am sure this is my favourite topic. A couple of years ago I wrote to the Minister of Education and expressed many concerns in regard to the schooling system in my riding. I believe slowly the Minister of Education is making a concerted effort to try to make changes within the system. I appreciate this. I did have to write to one of the former vice-principals this year and indicate to him that I certainly was concerned about the way he felt the schooling system was observed by constituents of mine. He feels that there was not enough participation by the native people. The Minister of Education took the initiative of doing a review on the school system and I certainly hope the review recommends close working relationships between the community people and the school. There are many native families, in particular, who have no confidence in the education system and particular in the schools.

I was really sad to hear that there are no more than 10

graduates this year coming up through P.W. Kaeser High School. I know that if we look over the years, there are more than 10 drop-outs and that certainly is a concern to myself and my constituents. There always has been and I am sure there will continue to be a lot of animosity between the school system and the parents. At constituency meetings I have encouraged parents to try to work with the school system to try and improve their communication system and I will continue to do so. But at the same time I will have to make an appeal to the teachers to look at a positive attitude in trying to deal with the parents, particularly the native parents. I think until the two changes are made, it is going to be difficult to change the school system. Because there is no communication between the two and it is somewhat difficult to bring together the necessary links in being able to deliver the best education system available for all individuals.

I am more concerned because being born and raised in Fort Smith, going to school part of my time in Fort Smith, I know my children are going to go to school in Fort Smith and I certainly want to ensure that they have every opportunity to get a good education. I will continue to work on this important issue. I think education is very vital in life and it is a necessity and since we have the opportunity given to us, I think we should have the best opportunity available.

Concern Over Diseased Buffalo

I want to indicate the concern that is affecting my constituency currently and has a great deal of emotion for my constituents. It is the Agriculture Canada proposal. As we all know, Wood Buffalo National Park is near my constituency and in that park there happen to be a lot of diseased buffalo. Agriculture Canada feels the only way to deal with it is to totally eradicate the diseased buffalo. I recall going to a public meeting with the town council and it amazed me when one of my constituents indicated that not too many years ago when a native person went out to kill a buffalo, if they got caught killing a buffalo within the park, Wood Buffalo National Park ensured their laws were enforced and ensured that individuals received a jail sentence for killing buffalo. Now it seems that it is okay for government agencies, Agriculture Canada in particular, to come in and propose changes and because buffaloes are diseased, they can just go ahead and eradicate them. I do not feel it is the proper solution and I certainly hope Agriculture Canada looks into options before they look at total eradication. I think it will harm and allow distrust between the native people and the Government of Canada and it will have a detrimental effect on my constituency and to tourism potential because there are many people who go up to Wood Buffalo National Park basically to see the wood bison.

Mr. Speaker, those are the areas of concern in my constituency, but I did want, in conclusion, to discuss a couple of issues, basically of government. We all know as of today that the Government Leader has proposed changes for my responsibilities and my portfolios. I did indicate that I have accepted the changes and with that, as I indicated, I will work for the betterment of the NWT. At one point in time I did think I wanted to resign and it is probably human nature to feel the way I did, but I did want to let Members know that it is certainly going to take a lot more than the bureaucracy, a lot more than a government shuffle of responsibilities, it is going to take a lot more than the Department of Personnel to convince me to step down from the responsibilities that I have been given.

--Applause

Mr. Speaker, I did want the Members to know that I do appreciate their support. I certainly look forward to their continued support and I did appreciate, when I first became

Minister, the opportunity to prove that I was capable of doing a ministerial job, because I was elected to my first term as an MLA and then quickly elevated to a ministerial position. In order to be a public figure you take a lot of criticism, you take a lot of appreciative words and I feel that it certainly would be difficult for my constituents to absorb if they recognized that I would give up as easily as they might think it would look to be. They elected me because they feel I am a strong individual and I make my viewpoints very clearly known and I certainly want to assure my constituents that I will continue to represent them as effectively as I can. I feel I have a lot of confidence in myself and I certainly feel I have a lot of confidence from the Members of this House and with that confidence I will ensure that I will continue to work for the betterment of, not only my constituency, but of all the NWT.

I want to advise the Members that we did, when we first got elected and when we were in caucus, agree to give the Government Leader certain responsibilities and I think we, as elected Members, have to live up to our commitment that we made. We have to accept whatever changes are before us. I think that makes us look like stronger leaders when we decide to accept the changes put forth. I have never known, particularly native people, to fall or not be able to take the pressure that is put before them. I certainly want to indicate, in particular to the Dene/Metis Members, that I do not feel taking this support away from this Assembly is going to help the native people of this country. As I said when I asked Treaty 8 chiefs to consider their position, we have been oppressed for many years before we discussed land claims and unless we can get a settlement, I think it will allow the government to continue to oppress. However, we are very fortunate in this day and age to have a democratic system that can allow us to take part in it and allow us to voice our concerns. I do want to assure you that I will continue to look after the interests of all people in the North as long as they are treated fairly. Because we have seen many years where not everyone was treated fairly and I think that is a purpose for us being elected leaders today, at least it is my purpose for being an elected leader.

With that, I would like to take the time to thank the Members for their support and I would like to take the time to thank cabinet for their support and I certainly hope that we do have a consensus government and we can work for the betterment of all the people of the NWT, as we pray to do every day in this House.

---Applause

MR. SPEAKER: Replies to Opening Address. Honourable Member for Iqaluit.

Mr. Patterson's Reply

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I would like to make a few comments with respect to my constituency. Last fall there were a couple of significant events in Iqaluit. I was pleased to attend the opening of the Francophone Association Cultural Centre and I would like to pay tribute to the tremendous amount of volunteer work that the Francophone Association put into that excellent facility, which started off as a donated, surplus Butler building.

I think it is a good example of the kind of community initiative so abundant in Iqaluit, the privately renovated IODE hall in Apex, the senior citizens' facility built by the Royal Canadian Legion. That centre is also a site for a trilingual day-care centre for about 37 children during the day. There is another day-care centre that opened last fall, the Parivik day-care centre, in buildings provided by the Anglican Church. They are taking care of about 24 children and plan to expand to about double that number, including infants. There is also a

child care facility at the Arctic College run by the Iqaluit Child Care Association.

I would like to thank the Minister of Social Services and her day-care policy for the assistance that has permitted these vital facilities to open up in my constituency.

I would also like to mention the opening of Joamie school last fall. That school was full the day it opened. Its opening has relieved a tremendous overcrowding problem which had built up at Nakasuk school. The school is situated on a spectacular hill above the town and remarkably it has an all woman staff, including the custodians. We are all particularly proud that the principal, Lena E. Twerdin, is an Inuk with her Master's Degree in Education from McGill University. I want to say I am delighted to see so many Inuit in my constituency succeeding on their own merits. Other examples are the recent completion of the Baffin management program by Ookalik Curley, Carmen Kilukishak and Lazarus Arreak. The Nunatta Campus of Arctic College is full of eager students, mostly Inuit. I am told that enrolments are up 25 per cent over last year.

Problems And Needs In Iqaluit

Mr. Speaker, I want to mention briefly a very serious problem in my constituency and in other constituencies and that is a shortage of housing. I have passed the letter on to the Minister responsible for Housing from Father Macbeth and Rev. Gardener about the terrible housing shortage in Iqaluit and the social problems that are being wreaked by that shortage. I know that there are no easy solutions to that problem, but I must note that it is a major concern in my constituency.

Mr. Speaker, while talking about social problems, I would like to mention that there are a lot of good things happening in my community. We have wonderful spiritual leaders trying to tackle these problems, including the two clergymen I mentioned, and we have a new crisis line in Iqaluit. It is only operating in the evenings right now. It has been operating for the last number of months. There are over 22 volunteers who have taken training to serve as volunteers for the crisis line. Bell Canada is donating the cost of the phone service and the Baffin Crisis Line hopes in the future to be able to accept calls from out of town toll-free. I think this is a remarkable example of the kind of initiative that my community, and other communities, can and should take to tackle this very difficult problem of suicide in a positive way.

Mr. Speaker, on the subject of social problems, alcohol and drug abuse is a significant problem in my constituency and I would like to just mention my full support for the establishment of an alcohol and drug treatment facility in the region. Mr. Speaker, right now there is no facility for unilingual Inuit in the Territories, and I am aware that there have been problems where unilingual Inuit have not only had to travel a long distance to the territorial treatment facility here in Yellowknife, but have not been able to take advantage of the program because of the language barrier. I am aware that there have been some concerns expressed by the Department of Social Services and by the alcohol and drug management board about the philosophy of treatment of the Tuvvik regional treatment facility, and in particular their policy respecting abstinence. All I would like to say about that, Mr. Speaker, is that I hope that these problems of approach to treatment can be resolved and I certainly hope that they will not prevent the planning from continuing towards the establishment of a new treatment centre in the Baffin.

Mr. Speaker, I could not make a reply to the Commissioner's Opening Address without once again talking about the need for improvements to our harbour in Iqaluit. I think you all

know that we have the highest tide of any community in the NWT. The high tide makes navigation very difficult. In 1978 it required that the entire cargo of the sealift ship had to be taken back to Montreal and airlifted at great expense back to Iqaluit when the bay froze preventing the ship from unloading its cargo. Last fall we had a record number of ships in port, a total of 13. The last one almost did not make it again late this fall. Mr. Speaker, I know there have been studies done on the subject of a deep water port and also a recent study conducted under the auspices of the Minister of Transportation on beach improvements. I would just like to state my full support for the need for beach improvements in Iqaluit. It is particularly important for the people who live off the water and the hunters in my constituency, and I would be remiss if I did not mention this great need in this reply once again.

Mr. Speaker, there is one other constituency concern that I should mention. I am going to table a petition later on today signed by 700 people from my constituency and from the Baffin Region about the situation of a local dentist. Mr. Speaker, due to the qualifications required by the new legislation that was passed by this House in Norman Wells, a dentist who works for the local dental clinic has lost his qualifications to continue to practise in the NWT. He had passed the academic exam but has not yet had an opportunity to retake the manual exam for dental practice.

Mr. Speaker, this particular dentist is the kind of dentist we want to encourage in the NWT. He has bought a house, he likes to travel on the land, he likes to travel to small communities in the region, he wants to stay in the North and in the community. A number of my constituents are concerned that he should be encouraged to stay. I know that the new legislation was put there for a purpose and I acknowledge that he has to meet the standards there, but until he can take the opportunity, which only comes several times a year, to take that examination again, I am hoping there might be some way found to keep him in the community, especially considering the community support and regional support that he has.

One option that I am working on with the Department of Health is to see whether he might be accepted for qualification as a dentist so that he could at least make a contribution as a dentist until he is able to get the necessary certification as a dentist.

Mr. Speaker, those are a few constituency concerns that I wanted to make. There are many others: The ratepayers in Iqaluit are concerned about the increase in lease rates proposed by the Department of Municipal and Community Affairs. There are great concerns about the cost of living and the impact of the GST. However, Mr. Speaker, I do have other opportunities to pursue those concerns and I do not want to take a lot of time in this House to spell them all out.

Privilege Of Involvement In Dene/Metis Land Claim

One thing I would like to say, Mr. Speaker, in closing is that I have been privileged since this House last sat to have been involved in very arduous and very significant discussions leading to the settlement of the Dene/Metis claim. I can tell you that in my opinion the Dene/Metis chiefs and local presidents, and their elected representatives in this Assembly, are very hard, determined, persistent negotiators. They have driven what I consider is a very hard bargain with the federal government. They pressed their concerns to the very ultimate degree, and I think when all is said and done that should be the opportunity to be taken by the Dene/Metis, they will be in a very good position to take advantage of the opportunities

presented by this claim. It is an opportunity, Mr. Speaker. It can be taken and run with, or it can be lost, but it has been quite a privilege to have been involved in these negotiations, through the night the weekend before last, and during a very exciting, difficult and tense but ultimately successful day on Monday of this week. Mr. Speaker, I want to say that I am one MLA that has the privilege of representing this House in cabinet in matters of that kind, and I feel very privileged, whatever happens to my career as a Minister of cabinet, Mr. Speaker, that I had this opportunity to participate directly in these important negotiations. I believe that the initialling of the final agreement by the Dene/Metis, in addition to the initialling and, soon to be, the signing of the agreement in principle by the Inuit, mark very significant events in the life of this Assembly.

We have day-to-day issues that preoccupy us, that cause tension and sometimes confrontation, in this Legislature, that cause stress in our personal lives, but I want to say, Mr. Speaker, that moments like the moment earlier this week, where we saw another step taken forward for the advancement of aboriginal people in the NWT, are moments that make all this stress well worth while. And I do feel privileged to have had an opportunity to play a small part in such a very historic occasion. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Replies to Opening Address. Honourable Member for Natilikmiot.

Mr. Ningark's Reply

MR. NINGARK: (Translation) Thank you, Mr. Speaker. As you are all aware, I am the newest Member here. Prior to becoming a Member I knew it was going to be a big responsibility for me. We all have privileges as Members. Prior to becoming a MLA, we do not have the same thoughts or views as Members. We have 24 Members in the Legislative Assembly. I know we are unique because we do not have a party system in place. I am happy I was elected as a Member. From the start I have endured a lot of hardship in our homes because we are not residing in the same community as our families. It is hard when we are away from our families.

I have been advised by my elders that you have to prepare yourself for the future and do not go through shortcuts. I was informed that I should contemplate things before I make a major decision. I was also informed that before I go to sleep I have to have positive thoughts so I will wake up new and take a day at a time.

I am a new Member but I am respected by all 24 Members of the Legislative Assembly, especially by Mr. Peter Ernerk, even though we do not get along all the time, because I have known Peter Ernerk ever since I was a child and we tend to debate a lot of issues. The Members and the Ministers have endured a lot of hardships during their terms and they have different social lives as well. I know that all Members want to represent the people properly. When we have to make major decisions in this House, I know it is very hard on us and I thank you.

---Applause

MR. SPEAKER: Thank you. Replies to Opening Address.

Item 9, petitions. Item 10, reports of standing and special committees. Honourable Member for Yellowknife North.

ITEM 10: REPORTS OF STANDING AND SPECIAL COMMITTEES

Report Of Special Committee On Constitutional Reform

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I am pleased to provide to the House a brief report on the activities of your special committee on constitutional reform that was established on March 22, 1990. Your special committee has been mandated to review the Meech Lake Accord and any proposals, suggestions or matters related thereto, that have been or may be proposed to improve or to amend the Meech Lake Accord.

Your special committee has met twice since established and is pleased to report that after receiving our request, the special committee of the House of Commons established to study a proposed companion resolution to the Meech Lake Accord, will be holding public hearings in Yellowknife on Tuesday afternoon and Wednesday morning, April 17th and 18th. Your special committee will be making a presentation to the House of Commons committee on the morning of Wednesday, April 18th. We would like to note that the hearings will be televised live across Canada and would like to express our appreciation to you, Mr. Speaker, for giving permission to use this chamber, which we feel will be a perfect setting for these hearings. Your committee would encourage any individual or group in the NWT to make a presentation to the House of Commons special committee, as this will be one of the last opportunities to talk publicly to Members of Parliament on this very important issue.

At this time the special committee would like to express its appreciation for the initiative taken by Premier McKenna of New Brunswick for his proposed companion resolution. We are very encouraged with his proposal and support for the concerns that we, in the NWT, have had with the Meech Lake Accord. The special committee is well aware of the events occurring in other parts of Canada and is monitoring them to ensure that we can make representation to express this Assembly's concerns with the Meech Lake Accord. The time frame to resolve the constitutional impasse in Canada is very short, and I can assure you that I and my colleagues on the special committee will do whatever we can to ensure that the concerns and wishes of this Assembly are expressed and, we hope, finally built into the Constitution. Thank you.

MR. SPEAKER: Thank you. Reports of standing and special committees. Honourable Member for Avilik.

Report Of Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Speaker. Mr. Speaker, I would like to submit a report of the standing committee on legislation. The standing committee on legislation met today with the Minister of Justice, Mr. Ballantyne, to review the Adoption of the French Version of Statutes and Statutory Instruments Act. The committee advised the Minister and passed a motion to refer the bill to the committee of the whole for the fall session of the Assembly.

The standing committee met today with the Minister, Mr. Alloo, concerning the proposed amendments to the Environmental Protection Act. The committee pointed out to the Minister that we were concerned that the major revisions to the bill tabled in the Legislature of the NWT on November 7, 1988, and reviewed by the standing committee on legislation in some detail, were not being pursued. Following is an overview of the concerns raised by the reviewers of the tabled bill of November 1988 and the standing committee on legislation during its review of the bill with the government.

The question of jurisdictional overlap and possible regulatory

conflicts between the proposed bill and the federal acts, such as the Environmental Protection Act and the Transportation of Dangerous Goods Act, were raised by several parties. In addition, jurisdictional questions were raised concerning the proposed bill and existing NWT local government legislation, for example the Cities, Towns and Villages Act, especially with regard to the role and responsibilities of municipal authorities. The enforcement roles of federal, territorial and local by-law inspectors and personnel in co-ordinating the enforcement of the act appeared to be confusing and troublesome to many who reviewed the bill. The powers of the inspector under the act, the fines that can be imposed, and the fact that the regulations that would accompany the act were not yet completed and available for review by the standing committee on legislation, gave some concern.

Mr. Speaker, that tabled bill to revise the Environmental Protection Act, so thoroughly reviewed by our committee, remains as an historical or reference document and has not been put forward before the House for consideration as legislation. Mr. Speaker, the proposed amendments to the existing Environmental Protection Act, Bill 25-90(1), brought before our committee today, deals with but a small portion of our concerns. In addition, we have only recently seen the completed version of the proposed amendments. Our staff has also not had time to do an adequate study of the bill, in comparison to the Private Member's Bill, An Environmental Bill of Rights, tabled by Mr. Lewis during this session.

Mr. Speaker, the committee was also informed by the Minister that additional amendments to the existing act may be forthcoming by the government in the fall. Mr. Speaker, because of our concern with the environment, we would like to deal with this matter thoroughly. We would also like to have the comments and opinions of legal advisers and other parties who have expertise in the areas of the protection of the environment, before considering this bill.

Consequently the standing committee on legislation, at our meeting this morning, has advised the Minister, by motion, that we request that the government table the proposed amendments to the Environmental Protection Act for public discussion today. Thank you, Mr. Speaker.

MR. SPEAKER: Reports of standing and special committees. Honourable Member for Amittuq.

HON. TITUS ALLOOLOO: Mr. Speaker, I wish to seek unanimous consent to go back to Item 4, returns to oral questions.

MR. SPEAKER: The honourable Member is asking unanimous consent to return to Item 4. Are there any nays? Proceed, Mr. Minister.

ITEM 4: RETURNS TO ORAL QUESTIONS

Further Return To Question O549-90(1): Increases To Sport Fishing Licence Fees

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Sibbeston earlier today. Mr. Speaker, two and a half years ago the Great Bear Lake management committee recommended that a special management area be established for Great Bear Lake and that a special licence be required for non-native anglers. They also recommended the fee for the additional licence. The Department of Renewable Resources has implemented these administrative changes as of April 1, 1990. Last year a non-resident of the NWT, such as tourists fishing in Great Bear Lake, required one licence which cost \$15. This year the tourist requires two licences. The special licence costs \$10 and the non-resident fishing licence costs \$40. The total is

\$50.

The members of the Great Bear Lake management committee are from Fort Franklin, representatives from the Sport Fisherman's Lodge Association, Department of Fisheries and Oceans and the Department of Renewable Resources. We also informed Fort Franklin, travel and tourism associations, and others. Great Bear Lake is a special area for fishing and wants to see the value of this resource understood.

Further Return To Question O559-90(1): Study On Falcons

Mr. Speaker, I have another return to a question asked by Mr. Ernerk earlier today. We have had studies of peregrine falcons around Rankin Inlet for at least five years. Several students have monitored nesting success and density of nests and what factors are influencing the nesting success. The birds have been marked and we are learning about the fertility of breeding pairs to each other and breeding sites. There are reports that Mr. Ernerk wants more information. I understand this is an ongoing study by students around Rankin Inlet.

MR. SPEAKER: Thank you. Item 11, tabling of documents. Honourable Member for Nunakput.

ITEM 11: TABLING OF DOCUMENTS

HON. NELLIE COURNOYEA: Mr. Speaker, I wish to table Tabled Document 78-90(1), Local and Northern Involvement Report for 1989-90, and summary in Inuktitut. I also wish to table Tabled Document 79-90(1), Local and Northern Involvement in Construction, Maintenance and Leasing: A Progress Report, and summary in Inuktitut. Thank you.

MR. SPEAKER: Tabling of documents. The honourable Member for Yellowknife Centre.

MR. LEWIS: Mr. Speaker, I wish to table Tabled Document 80-90(1), entitled, "Canadian Wilderness Charter", which urges Canadians to establish at least one representative protected area in each of the natural regions of Canada by the year 2000.

MR. SPEAKER: Tabling of documents. The honourable Member for Iqaluit.

HON. DENNIS PATTERSON: Mr. Speaker, on a point of order, I just cannot put my hand on the document I wanted to table, a petition concerning the Iqaluit dentist, but I will probably be requesting consent to table that later today. Thank you.

MR. SPEAKER: That might be a new one, but I guess we will always be in for surprises here. Tabling of documents. The honourable Member for Amittuq.

HON. TITUS ALLOOLOO: Mr. Speaker, I wish to table Tabled Document 81-90(1), Proposed Act to Amend the Environmental Protection Act.

MR. SPEAKER: Thank you. Tabling of documents. The honourable Member for Iqaluit.

HON. DENNIS PATTERSON: Mr. Speaker, it was buried in the pile here. I am now pleased to table Tabled Document 82-90(1), a petition concerning Dr. Charles Pastori of Iqaluit, a request that he should be allowed to practise dentistry in the Baffin Region, containing 700 names. Thank you.

MR. SPEAKER: Thank you. Tabling of documents. Tabling of documents. Mr. Clerk.

CLERK OF THE HOUSE (Mr. Hamilton): In accordance with

Rule 59(10), I wish to table Tabled Document 83-90(1), a response to Petition 3-90(1), a petition by Mr. Wray, responded to by the Minister of Justice, concerning remarks by a judge as reported in a newspaper.

MR. SPEAKER: Tabling of documents. The honourable Member for Aivilik.

MR. ERNERK: Mr. Speaker, I seek unanimous consent to return to Item 5, oral questions.

MR. SPEAKER: Thank you. The honourable Member is seeking unanimous consent to return to Item 5. Are there any nays? There are no nays. We are back to Item 5, oral questions. The honourable Member for Aivilik.

REVERT TO ITEM 5: ORAL QUESTIONS

Question O560-90(1): Students Involved In Peregrine Falcon Studies

MR. ERNERK: Thank you very much, Mr. Speaker. Thank you, honourable Members. I thank the Minister of Renewable Resources for providing me with an answer regarding peregrine falcon studies. Mr. Speaker, through you, the Minister indicated that several students have monitored nesting success and density of nests, et cetera. What students are we talking about, students from the community or students from southern universities?

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Return To Question O560-90(1): Students Involved In Peregrine Falcon Studies

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. My understanding is that university students are involved.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik, supplementary.

Supplementary To Question O560-90(1): Students Involved In Peregrine Falcon Studies

MR. ERNERK: Thank you, Mr. Speaker. A supplementary to my question. Why hire southern students since there is a great need for employment of local people in the communities such as Rankin Inlet? What is the policy of the government in terms of hiring local people for these kinds of studies?

MR. SPEAKER: The honourable Member for Amittuq.

Further Return To Question O560-90(1): Students Involved In Peregrine Falcon Studies

HON. TITUS ALLOOLOO: Mr. Speaker, I understand that the students that are employed during the summer to do the peregrine falcon studies around Rankin Inlet are, in fact, doing research as part of their university program, and are doing very well. These are university students that are doing the research.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik.

Supplementary To Question O560-90(1): Students Involved In Peregrine Falcon Studies

MR. ERNERK: I understand this study of the peregrine falcons is ongoing, that it will continue in the years to come. Is there a plan by the Government of the NWT to hire the local people from Rankin Inlet?

MR. SPEAKER: The honourable Member for Amittuq.

Further Return To Question O560-90(1): Students Involved In Peregrine Falcon Studies

HON. TITUS ALLOOLOO: Mr. Speaker, I am informed that they, in fact, hire local people in their research work on peregrine falcons.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik.

Supplementary To Question O560-90(1): Students Involved In Peregrine Falcon Studies

MR. ERNERK: Mr. Speaker, a final supplementary. If that is the case, I am aware of one individual from Rankin Inlet who is a qualified wildlife technician now, having taken a very important course at Arctic College in Iqaluit. This individual wanted to find a job with the Government of the NWT. Why was she told that because the Department of Renewable Resources hires students from southern Canada, she was not going to be considered for the job? I am not going to mention this individual's name, but I think, Mr. Speaker, that if we have successful qualified local people from the NWT, we should consider them first before we go out to southern universities to do these kinds of studies.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

HON. TITUS ALLOOLOO: I am not too sure if that was a question, Mr. Speaker, but I would like to take the Member's concern and advice, and I will look into the matter.

MR. SPEAKER: Thank you. Oral questions. Honourable for Natilikmiot.

Question O561-90(1): Replacement Health Care Card

MR. NINGARK: Thank you, Mr. Speaker. My question is directed to the Minister of Health. This is a little bit personal. I lost my health care plan card some time ago. Madam Minister, what is the procedure for getting another one? Thank you.

MR. SPEAKER: The honourable Member for Nunakput.

Return To Question O561-90(1): Replacement Health Care Card

HON. NELLIE COURNOYEA: Mr. Speaker, the honourable Member may inform the local nursing station that he has lost his health care card and she will in turn call the proper authorities to have a new card issued. If he is in Yellowknife, he can go straight to the section of the department that is responsible for issuing new health care cards.

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

Item 6, written questions. Written questions.

Item 7, returns to written questions. Returns to written questions.

Item 8, replies to Opening Address. Replies to Opening Address.

Item 9, petitions. Petitions.

Item 10, reports of standing and special committees. The honourable Member for Iqaluit.

HON. DENNIS PATTERSON: If I could have another chance, Mr. Speaker, I would also like to table a letter from Rev. Michael Gardener and Rev. Andrew...

MR. SPEAKER: The honourable Member, we are on petitions at the moment. You are forgiven. Petitions.

Item 10, reports of standing and special committees. Reports of standing and special committees. Item 11, tabling of documents. The honourable Member for Iqaluit.

REVERT TO ITEM 11: TABLING OF DOCUMENTS

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I would like to table Tabled Document 84-90(1), a letter from Father Andrew Macbeth and Rev. Michael Gardener concerning housing prices in Iqaluit. Thank you.

MR. SPEAKER: Tabling of documents. The honourable Member for Iqaluit. I will take the opportunity to recess for 15 minutes.

--SHORT RECESS

Thank you. I would like to call the House back to order. Item 12, notices of motion. The honourable Member for Hay River.

ITEM 12: NOTICES OF MOTION

Notice Of Motion 29-90(1): Fall Session To Commence On Second Wednesday In October, 1990

MR. POLLARD: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Tuesday, April 17, 1990, I shall move the following motion: I move, seconded by the honourable Member for Yellowknife South, that Rule 3(1)(b) be amended to allow the fall session of 1990 only, to commence the second Wednesday in October rather than the first Wednesday in October. Mr. Speaker, I shall seek unanimous consent of the House to proceed with the motion at the appropriate time. Thank you.

MR. SPEAKER: Thank you. Notices of motion. The honourable Member for Tu Nede.

Notice Of Motion 30-90(1): Recommendation To Revoke Appointment To GNWT Executive Council

MR. MORIN: Thank you, Mr. Speaker. I give notice that on Friday, April 13th, I will move the following motion, seconded by the honourable Member for Nahendeh: That this Assembly formally revokes the pleasure of this Assembly from the appointment as an Executive Member of the honourable Dennis Patterson; and further, that this Assembly recommends that a new Member be chosen to sit on the Executive Council. I will seek unanimous consent later today to deal with this motion. Thank you.

MR. SPEAKER: Notices of motion.

Item 13, notices of motion for first reading of bills. Item 14, motions. Motion 25-90(1). The honourable Member for Hay River.

Motion 25-90(1): Policy For Tendering On Government Of The NWT Projects

ITEM 14: MOTIONS

MR. POLLARD: Thank you, Mr. Speaker. Mr. Speaker:

I MOVE, seconded by the honourable Member for

Tu Nede, that this Legislative Assembly directs the Executive Council to prepare a draft policy which will permit only companies resident in the Northwest Territories and who meet the government's business incentive policies to tender on all Government of the Northwest Territories contracts;

AND FURTHER, that once the draft policy is developed, that it be referred to the standing committee on finance for review before August 15, 1990;

AND FURTHER, that the Executive Council implement the policy upon the completion of the review by the standing committee on finance but no later than September 1, 1990;

AND FURTHER, that the Executive Council immediately undertake negotiations with the Government of Canada to permit any territorial policy to apply to contracts let by the Government of the Northwest Territories that contain a portion of Government of Canada funding.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The motion is in order. To the motion. The honourable Member for Hay River.

MR. POLLARD: Mr. Speaker, the motion is a simple motion. It does give direction to the Executive Council. The reason for the motion is, Mr. Speaker, that in the Northwest Territories I am constantly getting complaints from contractors, from people who are in business, from people who wish to be in business, that they are being forced to stand by while southern companies bid and are successful in getting contracts from this government. Mr. Speaker, it is my opinion that if we are going to advance the economy of the Northwest Territories, somehow we are going to have to give assurance to companies in the Northwest Territories, who spend the winter here, who hire more northern people than southern companies, give some comfort that jobs will be available to them. Mr. Speaker, if I might qualify that by saying if you are going to spend a half a million dollars or one million dollars putting a business together, be it house-building, be it fabrication, people in business need to know that the money they have expended will not be wasted and they will not have idle workshops and that there is a chance to get contracts from this particular government.

Mr. Speaker, I know that some of the departments are doing their best to ensure that northern companies are given preference but that is not enough. I have been frustrated the last two years that I have been in this Legislative Assembly by constantly receiving complaints from my constituents that I cannot solve at times, whereby they felt that they were not treated fairly, that they were not given the opportunity or that they were facing unfair competition from southern companies who do not have the high overhead of companies who reside year round in the Northwest Territories.

Mr. Speaker, I go on to mention the standing committee on finance. It would have been my preference, sir, that this draft policy would have been placed before the special committee on the northern economy and I am told that that is not possible.

The September deadline that I have put in the motion, Mr. Speaker, is a reasonable one. It gives the Executive Council time to prepare or put this policy together. I realize, Mr. Speaker, that there is going to have to be some kind of ministerial or cabinet override because there are products that are not available in the Northwest Territories. Until such time

as those products become available, Mr. Speaker, there will have to be some exemptions to the policy. I would encourage the government to address that issue and put it in the draft policy should this motion pass.

The other area that I am concerned about, Mr. Speaker, is where there is a portion of Government of Canada funding in contracts that we let and we also have a part in, there is no preference at the present time. I think that was pointed out by Mr. Butters earlier this session. I am asking the Executive Council to see if they can plead a case with the federal government and indicate to the federal government that companies that operate in the Northwest Territories do have higher costs and are facing a more difficult situation than southern companies who do not have costs that are as high.

Mr. Speaker, I realize that this is a direction. It is not a recommendation. I realize that it is a very serious motion and that it places the Executive Council in a position that might cause some things not to be done. I see for the first two or three years, Mr. Speaker, some difficulty in attaining these goals. My argument to that is, Mr. Speaker, that if we do not make these tough decisions, if we do not make a commitment to people in the North, if we do not make a commitment to businesses that are already here, if we do not make a commitment to people who want to get into business, then our economy certainly will not grow, sir.

Having said that, I would encourage Members to support the motion and take that big step and make this a possibility for the benefit of the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. To the motion. The honourable Member for Tu Nede.

MR. MORIN: Thank you, Mr. Speaker. To the motion. Mr. Speaker, I think that this motion has been a long time coming. This motion should have happened probably three years ago or longer. The only way we are going to establish and enhance businesses in the Northwest Territories is to keep the amount of work that we do have in the NWT for northern businessmen. Right now, the way the situation is, even with the incentive policy that our government does have, our northern businesses are still put on an unfair ground in the tendering process.

As Mr. Pollard indicated in his opening remarks to this motion, our people have to continue to operate their businesses in the winter. They have to keep their high cost of overhead. They cannot fly in, do a contract and fly back out and enjoy the low cost of living in the South. The way the tendering is done right now, in some housing contracts we do have a long list of southern companies that are lined up to go bankrupt in the North. There have been a number of them that have done that, leaving bills that our people are unable to collect. You will continually get an influx of southern business people in the North that can bid very, very low. In doing so, they always beat out the territorial contractor, but the territorial contractor has to do business in the North and he has to live in the North. So he has a tendency when he goes into the communities to be more accepting of hiring local labour, because he knows he has to live with those people after. He does not only worry about flying in, getting the job done and flying out. Southern contractors bring in a large work force with them and the whole idea is to get in there and in the minimum time build a project and get out, very cheap. If we had a policy where it would only tender to northern contractors, northern business people, they would take a little bit more time and try to get a working relationship – it would be to their benefit – a working relationship with the community and the people and the employees of that community so that they could possibly come and work again the next summer.

But this way, with southern contractors, they have a tendency to come in, do the job, leave, and we never see them again. They have a tendency not to hire employees from the communities. I realize that first this may cause a few problems with the government, but I am sure this can be all worked out in the end.

I feel that with this type of policy it is very important. I think it will be the key thing to developing businesses in the small communities. We have heard in this House in the past months Mr. Butters saying that a negotiated contract for house building in Snowdrift went very well. That was northern contractors. There was only one outside person brought in to do that and he was brought in from Yellowknife; he was not brought in from the South. So, in supporting this motion, I am hoping that other Members also will support this motion and think that hopefully five years down the road we will see contractors, plumbing contractors, electrical contractors, general contractors set up in our communities and building the capital projects and keeping the government money that is being spent in the Northwest Territories in the Northwest Territories. Thank you.

MR. SPEAKER: Thank you. To the motion. The honourable Member for Pine Point.

Enforcement Of Strict Residency Requirements

MR. McLAUGHLIN: Thank you, Mr. Speaker. I would like to speak in favour of the motion. I will not repeat what the other two Members have already spoken to, but I would like to just point out some specific things that are wrong right now, how we are being abused by southern contractors. The incentive policy we put in place before was a step in the right direction, but it has not proved to be adequate as it can be beaten in different ways. One of them is when major contractors in southern Canada take on projects up here, they often subcontract the various trades to other fairly large contractors to handle them. Often those subcontractors, in order to beat the system, will take people who are actual hourly paid employees of theirs in the South and once again subcontract to those employees for a lump sum total of money. Those employees then come up here and will work 12, 16 hours a day, seven days a week if necessary to get the job done and because it is that type of contract and they are doing the work themselves as an individual contractor, the minimum wage, the maximum hours of the work week and overtime are not taken into consideration. That is the way they are able to beat our contractors. I have had local contractors here even come and tell me that often these guys who are beating the system with these sub-subcontracts are coming to them to bail them out when they are in trouble and often they get stuck with the bill. These people do not pay them and by the time you are trying to collect a bill from a third party, it is almost impossible. That is one of many reasons, I think, why this should be supported.

I would also like to point out to the government, if this is accepted that when they do a definition of the residency requirement that they should not just look at somebody holding a post office box up here or having their company registered with a legal firm up here. I think they really have to establish a residency requirement that shows that these companies are on the ground in the Northwest Territories with either ownership or rental of industrial property and that they have employees who are resident up here and eligible to vote in municipal elections and that is a way of proving that the people have employees here. The residency requirements have to be strict enough to prove that it is just not some post office box, that it is a real company, really living in the North. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. To the motion. The honourable

Member for Yellowknife South.

MR. WHITFORD: Thank you, Mr. Speaker. In speaking to the motion, I, too, will be supporting the motion. Based on what Members have said already to the motion about northern businesses, I, too, have constituents who are in business. They maintain their business year round and all too often I have seen layoffs, shut-downs because of the lack of work because contracts are going to larger southern firms who have lesser operational costs because they are not here all year round. I feel that a company residing in the North must be a genuine northern company, not just a name on a lawyer's wall in the hallways of a law office somewhere. True northern companies contribute to northern living. They are here all year round and we depend on them for a lot more than just doing the work that is in the nature of their business. They contribute to the economy in many ways, contribute to the social life of the North and without a strong northern business we are going to have nothing. I want to encourage my colleagues to take that into consideration as well.

MR. SPEAKER: To the motion. The honourable Member for Yellowknife Centre.

MR. LEWIS: Thank you, Mr. Speaker. The government already has a "Buy North" policy, Mr. Speaker. I do not want to go over the same ground that other speakers have already covered, but it seems to me we also have an import substitution policy. Now when we think of imports we think just in terms of milk and stuff like that, and eggs, but really when you are importing something you are importing services. You are importing a source of wealth which could be enjoyed in the Northwest Territories. So I would say that the government itself would be in contradiction to its own policy if it continues to buy this service from southern Canada when the wealth, if it stays here, will accrue to the benefit of all citizens of the Territories. For that reason, simply because the government has two policies in place, I should be supporting the motion.

MR. SPEAKER: Thank you. To the motion. The honourable Member for Natilikmiot.

MR. NINGARK: Thank you, Mr. Speaker. In my region there is a very low employment opportunity. Subsequently, we have a high rate of social welfare. Also there is high unemployment in the community which leads the young people to frustration and then subsequently it leads to a social problem. In that respect, I will be supporting the motion. Thank you.

MR. SPEAKER: To the motion. The honourable Member for Aivilik.

MR. ERNERK: (Translation) Thank you, Mr. Speaker. I will be supporting the motion that was moved by my colleague for Hay River. If the various companies in the NWT were given contracts, especially in the smaller communities, they would hire more local people, especially in regard to construction and maintenance. There are a lot of things you can contract to northern companies. I support the motion to implement the policy. In Rankin Inlet when the RCMP wanted to refurbish their office they did not hire northern contractors. (Translation ends)

The contract was awarded to a southern firm from Saskatchewan, even when there are companies in a place like Rankin Inlet who could do the job and a better job. The other problem with this company is that with this \$428,000, absolutely no one was hired from the community. I think the motion is very good, both for the GNWT and as well as for the Government of Canada, especially the Government of Canada, because the Government of Canada is very, very ignorant of local employment opportunities that need to be paid attention

to at the community level. So I fully support the motion, because I think it is a very good motion.

MR. SPEAKER: Thank you. To the motion. Honourable Member for Nahendeh.

MR. SIBBESTON: Mr. Speaker, I, too, support the motion and if this is achieved I think this would be a welcome thing for businesses of the North. But as always when dealing with a subject, I think you must attempt to reach a state of perfection and improve on what you have. If the motion accomplishes tenders being only in the North there would be an improvement, but I think we should even go further and suggest to the government that they consider, in letting contracts and tenders, limiting them to certain areas of the North where the work is to be performed. In my view that would be an improvement.

I appreciate that what I am suggesting is maybe a step or two removed from this, but in their consideration of this matter, they ought seriously to consider restricting tenders, work, to areas in the North where the work is to be done. In this way the real local people will get the jobs and the business opportunity. It is still not very good if there is work in Fort Liard that a company in Iqaluit or Cambridge Bay can come there. You are not making much improvement because they are all outsiders as far as local people are concerned. So I think an even more significant aspect of this is restricting contract tenders to the area where the work is being performed. In this way, only when this is done will you get real meaningful change. The work will be done for sure by local people and business opportunities will go to the people in that area. So if this motion passes I would ask that the government be bold and go that step further and please everyone when they come back with a policy.

MR. SPEAKER: Honourable Member for Nunakput.

Policy Suggested Means Absolute Preference

HON. NELLIE COURNOYEA: Mr. Speaker, the motion put forward by Mr. Pollard would direct the government and cabinet to develop a policy which would give contractors who qualify under the business incentive policy absolute preference, and I emphasize "absolute preference" on government contracts.

The GNWT has developed and implemented a wide range of policies and procedures, also directives and approaches to increase business development. There is training and there are employment opportunities for local and northern businesses and residents and these measures apply to all types of GNWT contracts, including goods, construction, maintenance, operating contracts, leasing, general services and consulting services in the architectural and engineering part.

Mr. Speaker, the GNWT has implemented these policies, directives and procedures in order to achieve two primary objectives. The first one is in consideration of the fact that NWT businesses have higher operating expenses than southern firms. The GNWT assists the NWT businesses to compete successfully against southern firms in obtaining government contracts. Mr. Speaker, the business incentive policy is a government-wide wide policy that provides an equalization of opportunities to northern firms. An analysis of the business incentive policy was carried out by the Priorities and Planning Secretariat in October, 1987. The NWT business community on a whole does indicate that they welcome competition and at the time, in 1987 and 1988, the construction association did not indicate that the absolute preference was warranted at the time. I believe the NWT business community, on the whole, does welcome

competition. The NWT Construction Association has indicated that although it supports a policy which equalizes the opportunities for northern businesses, it does not go so far as suggesting absolute preference for northern firms. This association reconfirmed their position in 1987.

The second objective was to provide an opportunity for new northern firms to develop their expertise and become competitive within the northern construction industry. As we know, many of our problems surrounding the construction industry have been indicated by a great number of Members here and I believe the motion indicates that the Members would like the GNWT to move further and quicker in the direction of confining our expenditure to the benefit of residents of the NWT. However, I see some difficulty with this. It is probably not unachievable, but it is difficult in terms of the time frame that has been indicated here, that we should be able to present a draft policy and refer it on August 15, 1990, to the finance committee and also no later than September 1, 1990, put something into place. I assume that it would depend on just exactly how far the Member would want the policy to go. I would also like to reconfirm that although the objective is to be strived for, that the Members should take into consideration that we might not be able to carry out all the projects past that deadline because of the absolute preference.

So, Mr. Speaker, I just wanted to put on record that the government, and in particular the Department of Public Works, has gone a long way in attempting to address the concerns of bringing the economic benefits and expenditures back to the people of the NWT. We also are committed to bringing forth adequate capital projects to be completed on time. I believe that the availability of putting certain contracts to southern contractors gives us a benchmark to see what the cost framework is. In dealing with this motion I would like to caution that although we perhaps could achieve those goals, that there are policies that are now attempting to reach that objective. If there are some difficulties in complying and reaching the ultimate absolute business preference policy that is required and being indicated at this time, then we will have to address those hardships when we come to them in making the decisions on the basis of attempting to direct our capital projects to northern businesses.

MR. SPEAKER: To the motion. Honourable Member for Hay River.

MR. POLLARD: Mr. Speaker, I do not deny what the Minister responsible for Public Works has said, that there are policies in existence, but I think there are too many loopholes, too many contractors who slip through there and if we do not take the bull by the horns and make a decision that is absolute, then we are going to continue to have those holes that these contracts trickle through.

Mr. Speaker, I know it is going to be difficult and I say to the government that I expect you to have some kind of escape clauses in there because if a job comes in that has been costed at, say, four million dollars and it comes in at eight million dollars, then I would not be in support of that contract being awarded. So I realize that you are going to have to have some ways out. But I would also ask you to put into the policy something along the lines that if there is a ministerial override on those kinds of situations, or if there are products that cannot be purchased in the NWT and the Minister overrides it and has to get it from elsewhere, I would like to see a list of those instances where southern companies do work for the GNWT outside of this policy, I would like to see that tabled in the House at the first opportunity of each session.

I said before that it is a bold move and it looks like a tough

decision. I am frustrated and I know a lot of the other ordinary Members are frustrated with the complaints that we get from business people and we have decided that we would hit the nail on the head and make a decision. Thank you, Mr. Speaker. I would like a recorded vote, please.

Motion 25-90(1), Carried

MR. SPEAKER: Honourable Member for Hay River has requested a recorded vote. All those in favour, please stand.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Pollard, Mr. Zoe, Mr. Sibbeston, Mr. Morin, Mr. Ernerk, Mr. Lewis, Mr. Whitford, Mr. McLaughlin, Mr. Ningark, Mr. Gargan.

MR. SPEAKER: All those opposed, please stand. All those abstaining, please stand.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Wray, Ms Cournoyea, Mr. Allooloo, Mr. Ballantyne, Mr. Patterson, Mr. Kakwi and Mr. Butters.

MR. SPEAKER: Mr. Clerk.

CLERK OF THE HOUSE (Mr. Hamilton): To the motion, Mr. Speaker, 10 in favour, none against, seven abstentions. The motion is carried.

MR. SPEAKER: The motion is carried.

---Carried

Motions. Honourable Member for Hay River.

MR. POLLARD: Mr. Speaker, I would like to seek unanimous consent to proceed with my motion mentioned earlier.

MR. SPEAKER: The honourable Member for Hay River is seeking unanimous consent to proceed with the motion given notice of today. Are there any nays? There are no nays. Proceed, honourable Member for Hay River.

Motion 29-90(1): Fall Session To Commence On Second Wednesday In October, 1990, Carried

MR. POLLARD: Thank you, Mr. Speaker. I thank Members of the House for their indulgence.

I MOVE, seconded by the honourable Member for Yellowknife South, that Rule 3(1)(b) be amended to allow for the fall session of 1990 only to commence the second Wednesday in October rather than the first Wednesday in October.

MR. SPEAKER: The motion is in order. Honourable Member for Hay River. Honourable Member for Yellowknife South. To the motion. All those in favour? Opposed, if any? The motion is carried.

---Carried

Motions.

Item 15, first reading of bills. Honourable Member for Natilikmiot.

MR. NINGARK: Point of privilege, Mr. Speaker.

MR. SPEAKER: Point of privilege, honourable Member for Natilikmiot.

MR. NINGARK: About an hour ago I asked the honourable Minister of Health for a procedure to get a health care card.

Now I have it here from her. I think this government is making a good example how an efficient and reliable government is run.

---Laughter

Now I can walk a little more confidently. Madam Minister, you have my vote.

---Applause

MR. SPEAKER: That was not a point of privilege. It might be a point of privilege that you are receiving as a Member.

---Laughter

Probably in addition to those you usually receive, but according to our Rules it is not a point of privilege. Honourable Member for Tu Nede.

MR. MORIN: Mr. Speaker, I seek unanimous consent to return to Item 14, motions.

MR. SPEAKER: Honourable Member for Tu Nede is seeking unanimous consent to return to motions. Are there any nays? Proceed, honourable Member for Tu Nede.

MR. MORIN: Thank you, Mr. Speaker. I seek unanimous consent to deal with my motion today.

MR. SPEAKER: The honourable Member is seeking unanimous consent to deal with his motion. Are there any nays? There are no nays. Proceed, honourable Member for Tu Nede.

REVERT TO ITEM 14: MOTIONS

Motion 30-90(1): Recommendation To Revoke Appointment To GNWT Executive Council

MR. MORIN: Thank you, Mr. Speaker.

WHEREAS pursuant to the Legislative Assembly and Executive Council Act, section 55(1), the Legislative Assembly recommends to the Commissioner the appointment of Members to the Executive Council;

AND WHEREAS pursuant to section 55(2), the persons appointed hold office during the pleasure of the Legislative Assembly;

AND WHEREAS the Assembly pursuant to these powers has chosen the Hon. Dennis Patterson to sit as a Member of the Executive Council;

NOW THEREFORE, I move, seconded by the honourable Member for Nahendeh, that this Assembly formally revoke the pleasure of the Assembly from the appointment as an Executive Member of the Hon. Dennis Patterson;

AND FURTHER, that this Assembly recommends that a new Member be chosen to sit on the Executive Council.

MR. SPEAKER: Thank you. The motion is in order. To the motion. The honourable Member for Tu Nede.

MR. MORIN: Thank you, Mr. Speaker. I guess basically this issue started three years ago in the fall. I, as did other Members of this Assembly, did vote to appoint these Members across the House to the Executive Council. We also at that time decided to change the power of the Government Leader.

We decided in trust and good faith, to give the Government Leader the power to appoint the Ministers to whatever portfolio he wanted to. It was completely up to him. We also gave him the power to release any Minister he so chose, but the power we did not give him, Mr. Speaker, was the power to be unanswerable to us as Members.

In question period this afternoon, the Government Leader was questioned many times on why and how he came to the decision of demoting the honourable Member, Jeannie Marie-Jewell, to insignificant departments and taking away the Department of Personnel from her. He still fails to answer those questions, Mr. Speaker, and in his answers this afternoon he also said in effect, "I will not answer; I do not believe I have to answer; basically, you have one option open to you, and you know what it is, Mr. Morin." This is my option right here, a motion of non-confidence in the Government Leader, that is basically what it is. That is the option you left open to us. You refused to answer our questions; you refused to become accountable to this Assembly. That is unacceptable to me.

Aboriginal Members Needed On Executive Council

I guess that as an aboriginal Member of this Assembly, I chose some of you to sit over there. I voted in favour of putting some of you there. I also know that the Executive needs the aboriginal input into that Executive. You have to have aboriginal Members on that Executive to justify it to the Dene/Metis of the western Arctic, I know that. And not just insignificant appointments. We do not want to just give the Executive Council a little colour, a little native input. We want say in our government. If this is to be the public government of the future, then I do not think it is going in the right direction with this Leader, Mr. Speaker. This Leader has proven himself in the past to be very cautious — "very cautious" I guess is an honourable word to use for it. I would use another word for it but I am not allowed to do that in this Assembly. Why do you think we came up with an aboriginal language committee. Because under his leadership this government could not come up with a good aboriginal languages bill. It took ordinary Members to push, push, push, push, to get that. We finally got it. That is what it takes. We are constantly on the push from this side, when we are in session, out of session, all the time.

The pulp mill issue. That took a long time to get any reaction. Maybe it has to do with the Conservative government in Alberta. I do not know. He is a Conservative. Maybe he does not like to condemn or talk against other governments of the same party. I do not know that.

The issues facing us in the future, Mr. Speaker, are very important. Right now, there is a fine, fine, balance hanging in my region, whether or not my people are going to support that final agreement that was initialled two days ago. There was a big trust in this government to fulfil the commitments they made and to address the concerns my chiefs do have in my region. By demoting a Dene/Metis aboriginal Member in your cabinet, and then overloading the other Dene/Metis aboriginal Member in your cabinet, that is not sending out a very good message to my people. We have very major concerns that have to be dealt with, Mr. Patterson, and I do not think that you are going in the right way to do it.

Leadership Must Be Strong

Mr. Speaker, the Government Leader has given me and my colleague, Mr. Sibbeston, no other choice but to put this motion in front of the Assembly. We have no other choice. The timing is completely wrong. I know that. Look at the empty seats here. The majority of the aboriginal Members from the East have gone home. It is good timing on your

part, Mr. Patterson, to make your emergency Ministers' statement today. I am sure, and I say it again, I strongly believe it, that you were pressured into making it today. If it was completely up to you, you would have made it after we had all gone home, so you would not be answerable to us. You led to that in question period anyhow. You refused to answer our questions. Why? That was what we wanted. We wanted an explanation of what you have done. We are not questioning your power in doing it, I am just asking why you did it. You had ample opportunity between then and now to give us those answers, and you have chosen not to do so. That, Mr. Speaker, is one of the reasons I put this motion forward.

We do not need the Government Leader to basically sit there and caretake government and let bureaucrats run it. You have some strong Ministers, you have some good Ministers, but it is just like a dog team. It does not matter how good your wheel dog is, if the leader is no good, then that team is not going to go in the right direction. You need a strong leader, and I do not think Mr. Patterson gives us that strength in leadership. That is one of the other reasons I put this motion forward.

I notice now that the honourable Member, Jeannie Marie-Jewell, is not in the House. Why, I do not know, but I would like her to know, if she hears this, that she does have the support of us, the Dene/Metis, on this side of the House. She is a very good Minister, very good and hardworking. She looks after the Dene/Metis interests in that cabinet. I know that. If this government is going to continue to enjoy the support of the Dene/Metis people of the western Arctic, you must remember that we want full participation in this government. We do not only want to be there and they say, "Look at it, it is justified. You have eight Dene/Metis MLAs. You have two Dene/Metis cabinet Members." But the move that this Government Leader made today has undone a lot of work that has been done in the past few years. With that, Mr. Speaker, I will rest my case for now. I may have some wrap-up arguments. Thank you.

MR. SPEAKER: Thank you. To the motion. The honourable Member for Nahendeh.

Balance In Executive Council Jeopardized

MR. SIBBESTON: Mr. Speaker, it is with some regret that I support the motion of non-confidence in Mr. Patterson's leadership. I have great respect for Mr. Patterson's ability, his hardworking approach and, technically, I think he has done a fine job in many ways as the leader of our government. But I really feel, Mr. Speaker, that Mr. Patterson has misjudged the political reality. In doing what he has done, in taking away an important department from one of his Metis Ministers, he has really threatened the balance in this Assembly. He has threatened the balance in cabinet, and has really put this government in jeopardy. As I said, this government is credible because of the involvement of native people in this government. If there were no native people in this Assembly or in this cabinet, this government would not be credible. It would be like South Africa. The distinction we have now is that native people are involved. I think it is so important to be sure that the aboriginal people who are in cabinet are supported by the Government Leader, or are encouraged, made to feel welcome and encouraged in every way in their jobs. There has to be a good feeling in cabinet, one of trust, one of working together, one of respect for one another. I feel with Mrs. Marie-Jewell's demotion that this is threatened.

In my view, Mrs. Marie-Jewell has been doing a good job, and so from my perspective, and other people's perspective in this Assembly, we wonder what is going on. What has caused the Government Leader to take such drastic steps as

to give her, "government and safety measures" -- I do not know what the name of the department is -- some obscure department instead of Personnel. The perspective that I have had from dealing with Jeannie Marie-Jewell is that she has been doing a good job, and I think generally she has been responsive to everybody in this Assembly. I believe she has the respect of most of the Members. I get the feeling that Mr. Patterson does not like to really change the status quo. We were involved years ago together in 1979 and onwards, in changing the status quo. Now he is the head of the government and kind of protects the civil servants, protects the status quo and any Member of his Cabinet who in any way threatens this is a threat to him and a threat to the government so he disposes of them. I view what he has done to Mrs. Marie-Jewell in that fashion. He has really degraded and put down a native person in his Cabinet. He has ridiculed her to the point where I think it is just a matter of time before she will ultimately resign. It is going to be very difficult to work after not having the confidence of your boss and so forth.

Mrs. Marie-Jewell has my respect. When you are born in the North, when you come from the North, you tend to want to deal with the injustices. I see Mrs. Marie-Jewell as a person who is very sensitive because she was born and raised in the North and is therefore very sensitive about the past injustices. Also being from Fort Smith, she saw government at its worst. As the Minister of Personnel, I do believe she has taken steps to change the system. In changing the system she has caused a bit of ruffle here and there but you can never get change without ruffling somebody's feathers as it were. There must be disruption, there must be change in order for progress to be made. Having been raised and born in the North I can understand that Mrs. Marie-Jewell has approached her job with Personnel wanting changes with some zest and some determination. You have to be determined in order to be effective. I think Mrs. Marie-Jewell has been that.

Value Of Departments Not Judged By Size Of Budgets

I have full confidence in Mrs. Marie-Jewell's ability and I, today, could not understand and was very saddened to see what has happened. Mr. Patterson, in dealing with the matter, says that it is not necessarily a demotion, citing, as an example, that there is \$100 million in some of the departments. Mr. Patterson is saying, that Safety and Public Services is more important than Personnel because it has \$100 million. In my view, departments should not be judged on the amount of money that they have. Just like the Housing Corporation. When I was given the Housing Corporation, after having been Government Leader and Minister of Economic Development and other interesting and exciting things, to be given the Housing Corporation was really a putdown. Mr. Patterson said at the time, "Well, it is a big department. It has all this money." But in reality, the Housing Corporation has a board of directors, and you interface with it. There is a lot of money but everything is set by housing needs. Housing assistance programs are allocated on a five year basis, public houses are allocated. So you really do not have any discretion. Houses are important in the North. The Housing Corporation in terms of the scale of importance of departments is way, way down. Likewise, Safety and Public Services is way, way down even lower than the Housing Corporation. The good departments, the choicest or the real good departments where you can really do something and change society in the North are such departments of Economic Development and Tourism. Municipal and Community Affairs is a good department because there are a lot of facilities in the small communities. Education is important. There is not much discretion but it is still important because of the development of divisional boards but on a day-to-day basis, most of the money is allocated already to teachers and, while it is important, there is not much discretion. Another

department that is important is Public Works and Highways because it involves contracts and money, and money and business are what make the world and the North go around. If you have a department that has control of that, then you have real power. You can really influence things in the North and life can be interesting. But to be given Housing or Government Services is yucky and a waste of time in my view.

Personnel is important, Mr. Speaker, because -- it must have been important because that was the last department that the Commissioner let go. And it is always a fact; if you have control of money and if you have control of the civil service then you have power. The Department of Personnel was really the last department that the Commissioner let go. He hung onto that one because it is very important. When you can hire who works for you then you really control things. You control civil servants and the people that work for you. In turn, you control the way things go in terms of the philosophies of people, etc. There is no taking away from the fact that Personnel was a very important department. In that department, Mrs. Marie-Jewell was doing a good job. She was dealing with having more native people in the North. She was dealing with the affirmative action policy and I think she was making real inroads and changes in the North.

Involvement Of Aboriginal People Necessary To Continuing Development

Mr. Speaker, the government in the North has gone through a slow evolutionary process. We came from a day when the government was run by the Hudson's Bay, the church and the federal government. Then the territorial government appointed people to the point where we are now. We have grown and developed a long way. As I said, we are at the stage in our history today because of the involvement of native people in government and all aspects of government and their involvement in cabinet.

During the time that Mr. Patterson has been Government Leader we have had one native person leave his cabinet and we have prospects of another leaving his Cabinet in the next few months. Why I really do object to Mr. Patterson, and second this motion, is because I think he is really threatening this viability, this good state that we have evolved in the North. Mr. Patterson, taking the action he has done in favouring one Minister over the other -- Mrs. Marie-Jewell's loss or demise is Mr. Kakfwi's gain -- is playing one over the other. This affects all of us. It is to me a situation where one of the cabinet Members has been trampled on and I really am concerned that this will have a ripple effect. People in the communities will begin asking questions and perhaps get a bad view of the government. It is certainly questioning my involvement in this Assembly in terms of participating on a full and happy basis.

Mr. Speaker, in the last few days, we have seen land claims being finalized and it is a significant step. At this stage of development it is also very important that we have a government that is fully supported by all the people of the North, particularly the Dene and Metis in the West. The aboriginal people in the West have elected to go with a public government. They could have gone and set up reserves like people in the South and had their own self-government on the reserve. Instead, a number of years ago, they elected to go with a public government. This government must be their government. We have gained some acceptability in that regard but Mr. Patterson's decision today has really threatened that. He has threatened this nice situation that we were in and Mr. Patterson should not forget that the Government Leader and his cabinet colleagues are in power because they have native people participating in cabinet with them. Without the native people it would be like South Africa and he has really threatened this good situation that we are in.

Mr. Speaker, I will just conclude by saying that I really do feel saddened by what has happened today. I think the government, the cabinet system, the balance that we have has been threatened and I do not think it is necessary with just a year and a half to go that Mr. Patterson should make the decision that he did. I hope that somehow or another the matter can be redressed; that somehow or another Mrs. Marie-Jewell can be made to feel welcome and an important part of cabinet and that she can recover and continue for the next year and a half. But I recognize that it is going to be very difficult in the days and weeks and months ahead. I just hope that things can work out. I am supporting this motion because Mr. Patterson, in doing what he did, has lost some of my respect; he has lost some of my confidence that I had. Even if we do not succeed I hope that it will be a warning to him that in dealing with these things, he should be very careful and be very conscious that native people in the North are here to stay; they want to be involved in meaningful roles in all aspects of government; they want to be involved in meaningful parts of cabinet, not just the lower unwanted portfolios and that a person such as Mrs. Marie-Jewell deserves to be treated much better than she has been. Mahsi.

MR. SPEAKER: Thank you. To the motion. The honourable Member for Natilikmiot.

MR. NINGARK: Thank you, Mr. Speaker. I will be abstaining from the vote because three of my Inuit colleagues from the eastern Arctic, namely the honourable Ludy Pudluk, honourable Ipeelee Kilabuk, Baffin Central, honourable Joe Arlooktoo, Baffin South, and my colleague from my region, honourable Red Pedersen, are not in the House today. I feel the House is under intensity, under pressure. I am not in a position to vote either way under this pressure. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. To the motion. The honourable Member for Iqaluit.

HON. DENNIS PATTERSON: Mr. Speaker, obviously, it is a little bit difficult for me to speak to this motion but I would like to try to address some of the points raised by the honourable Members and perhaps try to explain how I look at these things for the benefit of this House in considering this very significant motion.

I think what lies behind this motion is significant, Mr. Speaker, because for the sake of future Government Leaders I do believe that if we give power to our Government Leader, any Government Leader, to assign cabinet portfolios, the same power as given to other First Ministers in the country, then this particular power should not be subject to MLAs' approval. The First Minister, I believe, in this House should not be required to justify or defend those particular decisions. Now in that sense, Mr. Speaker, I believe the honourable Member has taken the proper remedy available and I certainly respect his right to do that. Mr. Sibbeston suggested I refused to be accountable to this House. I do consider myself accountable. I do know the rules of office as far as a cabinet position is concerned. I know that every decision that I make is subject to challenge, as the honourable Member has done, and I respect his and every other Member's right to take that action.

Recognition Of Accountability In Consensus Government

Mr. Speaker, while as I mentioned earlier, I do believe I have been given a prerogative of making cabinet portfolio assignments which does not require me to consult Members of this House or even cabinet colleagues, I do recognize that this is a consensus government. It is a little bit different from other governments in this country. I do recognize, unlike

other heads of government, that I am elected by honourable Members and I am in that sense their servant, accountable for all my actions at all times. With regard to the specific actions being questioned, and I thought it was just the portfolio assignment, but now I have learned that it is the Alberta pulp mill and our dragging our feet on aboriginal languages, which I suppose I could address, too, but with regard to the main grievance, which I understand is the portfolio assignments announced today, I know that some honourable Members feel that I was probably somewhat arrogant in refusing to give reasons. I do believe, however, that were I compelled to give all the reasons for such a complex decision -- and believe me these decisions are not taken lightly, nor are they easy -- it would be a bad precedent for future Government Leaders. To reveal all the factors in my mind in making such a decision, Mr. Speaker, would require, firstly, revealing matters which have come to me in confidence, which confidences I respect.

For example, Mr. Speaker, I had conversations with the honourable Ministers involved: Mr. Kakfwi and Mrs. Marie-Jewell. I do not think it would be fair even to Mrs. Marie-Jewell to reveal those discussions, nor what I know about the operations of the departments involved, the observations I have made over the past two and a half years, again matters which have come to me in confidence and are not appropriate, in my humble opinion, for discussion on the floor of this Assembly. However, I would like to state most clearly for the record that Mrs. Marie-Jewell has worked very hard as Minister of Personnel. She has put an enormous amount of time and energy into the position. She has done her best, to be fair. I agree with what Mr. Sibbeston said about her performance. I would like to make it clear, Mr. Speaker, I am not driven to this change by a disagreement over a particular decision made by the Minister, as one honourable Member has suggested, absolutely not; nor over a disagreement on an issue of policy; nor about the firing of a civil servant, Mr. Speaker. Those types of problems between Ministers or between myself and a Minister -- and I have disagreements with Ministers not infrequently, they can all tell you -- should properly be dealt with and are properly dealt with in cabinet.

Change Desirable At Times

Mr. Speaker, as I said, I do not want to go into reasons for my decision, but one factor which I considered which I would offer for Members' consideration, is simply the desirability of change from time to time. Mr. Speaker, I do not know for sure what is going to happen with this motion. I do not have favourites within cabinet, as the honourable Member is suggesting under his breath. I do not have friends or make favours in cabinet. I do my job to the best of my ability.

Mr. Speaker, I would like to just touch on the ALPAC and the aboriginal languages issues. I believe our government's response on the Alberta pulp mill issue has been strong and significant. I directly took on Premier Getty and his government at the last First Ministers' Conference on the economy last November, live on national television. I said in no uncertain terms how our people felt about pulp mills. I believe I provoked in Premier Getty a very strong commitment, in his remarks at that time, to not polluting our waters.

The Member has also stated that our leadership is inadequate because we dragged our feet on aboriginal languages. I believe we probably could have moved faster. I think I said that in committee of the whole. However, Mr. Speaker, I am proud that we have finally taken that step and I can assure the honourable Member that I gave my full support to the Members of the committee in taking the courageous and significant step that they did take on aboriginal languages. I think my record as Minister of Education would show that I have not worked to undermine aboriginal languages when I

had the ability to do something about it in Education.

Mr. Speaker, the Member has also suggested that the Dene/Metis made a mistake in getting involved with our government in this Assembly in 1977. He called our government "terrified" and, I think, suggests that our government has not supported the Dene/Metis adequately during my term in office. I have to say that I do not think that is exactly a fair assessment. I am glad our government has not been too terrified to enter into highway maintenance contracts and renew them with corporations run by Dene/Metis. I am glad we have not been too terrified to arrange for a Dene band here to build a first class medical boarding home. I am glad we have not been too terrified, under my chairmanship of cabinet, to plan treatment centres in Dettah and Hay River which will benefit Dene/Metis people. I am glad our government has not been too terrified to take a very active role in the Dene/Metis land claims negotiations, from working on treaty rights to persuading the federal government to make significant concessions which helped the decision to be made earlier this week. And I have been there, Mr. Speaker, along with Mr. Kakfwi and Mr. Ballantyne, working on that claim all the way. We put our heart and soul into it and we will continue to do so if I still have a job tomorrow. Also I am glad our government has not been too terrified to attract quality aboriginal people like my principal secretary, Bob Overvold, to assist us in working as closely as possible with Dene/Metis leaders and communities, to deal with claims and other issues of concern to native people. We have done well, I think, in appointing Dene/Metis people to positions of importance in the government.

Mr. Speaker, I am really concerned about the way that the decision has been exaggerated and distorted by the two honourable Members who have just spoken. They have called my actions with respect to Mrs. Marie-Jewell as demotion, degrading and ridiculing. Those are their words, Mr. Speaker, and I think that the honourable Members are putting that colour on this issue. If that is how the public views this decision it will be because of statements made by honourable Members opposite and not me; I do not consider them in that way. I said earlier that she is a full Member of cabinet and makes a valuable contribution in all decisions in cabinet. She is also a Member of cabinet, Mr. Speaker, and that is significant in itself.

I am also very alarmed that Mr. Sibbeston is predicting her "loss or demise". He also said this earlier today. I think it is unfortunate. I do hope that he is not encouraging her to resign because I sincerely hope that she does not.

Commitment Of Government Leader To A Difficult Job

Mr. Speaker, I perhaps have spoken at greater length than I should have. I do not want to be defensive and I do not know for sure what is going to happen with this motion. I can tell honourable Members that this job is not easy. My wife and family, who uprooted themselves against their will to move here so that I can do this job, probably would be very happy if I were relieved of it and we could all move back home. However, Mr. Speaker, I was prepared, two and a half years ago to commit four years to this job. I have done my best. When I look at progress that we have made, and I mean the government and the Legislature, on some big issues, devolution, Northern Accord, economic strategy, formula financing, the TFN agreement in principal, the Dene/Metis AIP and final agreement, social issues - I think we are making some good progress overall. I like to think as a government that we are dealing one by one with the issues that we laid out in the "Directions for the 1990s" document over two years ago. I am willing to stay on in this sometimes difficult job if I have the support of Members. If the motion does carry, I will respect Members' wishes. If the motion does

not carry, I will do my best to restore good working relations with some or all the Members of the Dene/Metis caucus. I hope it is not all of them, who vote for this motion. I do not believe Mr. Morin speaks for all of them.

Mr. Speaker, I also want to publicly assure Members of this House of my support for Mrs. Marie-Jewell and indeed all Members of my cabinet. We are working hard and we are doing our best. Thank you.

MR. SPEAKER: Thank you. Honourable Member for Yellowknife South.

MR. WHITFORD: Thank you, Mr. Speaker. I guess there comes a time in this Assembly when one must take a stand on an issue and this is one of them. It is probably not going to go well with some of my colleagues; however, I will not be supporting the motion. I came into the Assembly a year late and I did not have the opportunity at the time to help select the government. But I have been subsequently involved in many reviews of the government action and we have had some discussion at various times on their performance and the general direction they were going. I have been satisfied with the overall direction and overall performance of the government. I have demonstrated that by seeking their guidance and support in order to get matters dealt with for my constituents.

I have had the pleasure of working with Mrs. Marie-Jewell over the past year and I have every confidence in her abilities. I have also had the pleasure of working with the Government Leader and I have every confidence in his ability and thank him for his assistance since I have been here.

I have been a manager of government departments that looked after primarily native people, with up to 50 person years, and I understand the role of management. I understand the sensitivity that managers must have when they are working in sensitive areas dealing with aboriginal people in a non-aboriginal department, in a non-aboriginal government. I have had to make some decisions when it came to moving staff. I have had to make some decisions in how the operation was going to be run. They were tough decisions that I had to deal with, regarding native people. It was not to say that I treated them any differently from others. I am a Metis.

MR. ZOE: To the motion.

MR. WHITFORD: I am speaking to the motion, Mr. Zoe; keep your ears open.

---Laughter

Praise For Work Of Minister Of Personnel

I have had to make staff changes, sometimes tough ones, but it was always for the betterment of the operation, in my opinion. I very much, as I said, appreciate the work that the Minister for Personnel has done and I am confident that she will meet the challenge of a new assignment and be able to carry out that work with the same vigour and the same decisiveness that she has with her other portfolios. I do not think for a moment that the Department of Safety and Public Services is a nothing department. I disagree with my colleagues on that issue. I think it is a very important department. It is new. It is yet to be tested. I think under the tutelage of Mrs. Marie-Jewell this department will continue to represent and protect the rights of the people and the safety of the people in the Northwest Territories, for whom we all have a vested interest. The same goes for the Workers' Compensation Board. Mrs. Marie-Jewell and I are from the same town, by the way, and I have had the pleasure of

working with her and I consider myself very fortunate to have worked with her and I worked well with her. I wish to express that...

MR. SPEAKER: Point of order. The honourable Member for Rae-Lac la Martre.

MR. ZOE: Point of order, Mr. Speaker. Mr. Speaker, the honourable Member for Yellowknife South is not speaking to the motion.

MR. SPEAKER: Thank you. The issue of determining whether a Member is speaking to the motion is the responsibility of the Chair. I have been lenient with other Members in allowing them to speak to all the issues, so I am being somewhat lenient in terms of other Members who wish to speak to this particular motion as well. The honourable Member for Yellowknife South.

MR. WHITFORD: Thank you, Mr. Speaker, for your indulgence. I do not wish to wander but I do want to make sure that I cover all of the particular issues in here. There is nothing to do with ALPAC, by the way. I have every confidence in the Government Leader for the time being and if an issue comes when, in my opinion, he shows disrespect for native people and for his job, then I will speak to that at the time. Here, we are looking at a vote of confidence, and I want to ensure that my voice and that of the people that I represent is heard when it comes to this very important issue. I think this is the first vote of non-confidence that I have seen, certainly in the time that I have been here. I want to say that when the vote comes, I will stand up, if it is a recorded vote, and vote accordingly.

MR. SPEAKER: Thank you. The honourable Member has used a proper word, of not wandering, and I would ask other Members not to wander too far off the motion.

Just prior to proceeding to the honourable Member for Yellowknife Centre, with the authority given to me to set hours for the sitting of the House, I will extend the sitting of the House until the House is prepared to report. The honourable Member for Yellowknife Centre.

MR. LEWIS: Mr. Speaker, over the last two and a half years it has not been my policy to let the Government Leader think that he is safe and secure. In fact, at every opportunity I have pushed this government on every conceivable subject under the sun. So in my own inimitable style, today I am probably going to annoy both the Government Leader and also the mover and seconder of this motion.

One of the doubts I had, even though I supported him for the leadership, Mr. Speaker, was this: whether, in fact, he had sufficient courage. He is a very intelligent person. His style is one of being a conciliator, to make things work, to bend over backwards, to find ways of doing this and doing that. In my own opinion, he has not been using the powers we gave him two and a half years ago to do all the things that he was empowered to do. All Mr. Patterson has done today, Mr. Speaker, is to use the powers that we gave him -- no more, no less -- to manage in the way that made sense to him, to make this very difficult system of government work. So, although this motion issues a challenge, if you like, to the leadership of our government, it really is a challenge to the whole system and that is what bothers me, because to my way of thinking the issue of moving a person from point A to point B is not a huge issue. That happens in governments all over the place. In fact, many Ministers pray that one day the Minister who is responsible, the leader, will move them. They

say, "Please move me. I am in terrible trouble; please do it."

What we have here is simply a small shuffle, as far as I am concerned. I have urged the Government Leader on two occasions to begin doing things like this, just simply so that our system of government, consensus, will survive. I do not see this as a huge issue of confidence. I will be watching him still and probably will annoy other Members still over the next year and a half, but this is something which I cannot take seriously as a matter of confidence in the Government Leader. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. To the motion. The honourable Member for Yellowknife North.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I have sat here and listened to the comments. I must say to the House that I am troubled by this motion. Over the past decade, I have had the privilege of knowing all four of the individuals who have served as Government Leader: George Braden; the Speaker, Mr. Nerysoo; Mr. Sibbeston; and Mr. Patterson. All four of them made a significant contribution to the evolution of constitutional and political development in the Northwest Territories. Every one of them had tough times and every one of them, because of the nature of leadership, made decisions which were unpopular and they had the courage to make those decisions.

It is a tough, thankless job. I think what we have done over the years is try to add to the possibility of people holding that job -- their ability to carry out the job. One of the things that we have done is give Government Leaders the ability to assign portfolios; another addition, with this Assembly, is the ability to fire Ministers. It has never come to that, but someday a Government Leader will do that. To many people in this House that will be, I am sure, an unpopular decision, but if we are to give our Government Leader these powers, I think we have to recognize that whenever a Government Leader exercises the powers that we give him, some of us will not be happy. That is the nature of it. It is true that some of us will never be happy with those sorts of decisions. But I think if we collectively agreed that for the betterment of the government, for the betterment of this Assembly, that it was necessary to give the Government Leader certain powers, then I think that we should support the Government Leader in the exercise of those powers.

The issue here is not, to me, the competence of Jeannie Marie-Jewell. I have worked closely with her. She has been a good Minister. I have had a very good working relationship with her and I intend to have a good working relationship with her. Also, I do not think the issue here is one of the importance of portfolios. It is interesting, when I listened to the Members when they talked about a pecking order and that some portfolios are more important than others. I think all of us have our own ideas of what portfolios may be important and what portfolios are prestigious. There are those in the country that think the portfolio of Minister of Finance is prestigious. I can tell honourable Members that if you look around at the esteem with which Ministers of Finance are held across the country, I do not think it is a portfolio that many aspire to. I must say that when I was chosen by this group to be a Member of the Executive Council, to be quite honest, Minister of Finance was not one of the portfolios that I asked the Government Leader to give me. But he gave me that portfolio. It is a tough portfolio, and I have tried to carry it out to the best of my ability.

I was not consulted in this particular decision, as most of the cabinet was not consulted. I expect to be consulted. I think

that I, like other Members, gave the Government Leader that particular power.

Responsibility For Safety And Public Services An Important Portfolio

I am, I think, a little concerned about the statements made regarding the Department of Safety and Public Services. I feel obligated to make some comments about that department. I worked for three years to set that department up, and that department includes the responsibility for labour, responsibility for mine safety, responsibility for fire safety, responsibility for consumer affairs. This is a very important portfolio. In southern Canada, three or four Ministers hold those various responsibilities. I would like to say that in the very near future this will become even more important as we develop more mines. The Minister of Safety and Public Services is responsible for safety in eight mines, and we hope in the next short while that will increase to 10 or 11 mines. The Minister of Safety and Public Services is responsible for safety on pipelines and for safety in communities. Though perhaps in individual Members' own estimation, they do not feel themselves that that portfolio is important, I would have to say that in my own estimation, and I respect theirs, I consider it an extremely important portfolio and one that is going to become significantly important as the months and the years pass.

I see also Minister Marie-Jewell, with her tremendous responsibilities in Social Services, as Minister responsible for the Status of Women, Youth, and you add on to that the responsibilities for Safety and Public Services and the Workers' Compensation Board, she has very important, and I think very onerous, responsibilities.

We have spent four hours debating here the social problems in the NWT. I would say that that portfolio of Social Services, by itself, probably right now is the single most important portfolio held by any one of us. That is the portfolio that touches every person in the NWT. That is a portfolio that I think Members here agreed, in debate, is an area where we have to put a lot more time and a lot more effort. I think that Mrs. Marie-Jewell has made a very valuable contribution in the time she has been a Minister, and I for one think she will stay in cabinet, and I want her to stay in cabinet. I am looking forward to working with her in cabinet, and she will make an important contribution in her portfolios in the time left to us in our government.

Mr. Speaker, I would like to conclude my remarks by saying that it has been, for me, an honour to work with Mr. Patterson. I have disagreed with him on occasion. We have had major disagreements on other occasions, and everything has not always been as friendly as it could have been, but by and large I think that on the major issues of the day he has provided good, strong leadership. I do not think this cabinet has anything to be ashamed of. I think this cabinet has worked very well together. We have, I think, a very cohesive cabinet, a cabinet that does have a lot of mutual trust and a lot of mutual respect. I, for one, want to indicate publicly here my support for Mr. Patterson. I also want to indicate publicly my support for Mrs. Marie-Jewell, and I hope that when this vote is taken that our cabinet will remain intact and that we will have been given the opportunity to complete the task laid out for us by this Assembly.

MR. SPEAKER: Honourable Member for Aivilik.

MR. ERNERK: Thank you, Mr. Speaker. I am one person who has never tried to upset the boat.

---Laughter

I have tried to rock the boat. I do not know how to swim after

the boat is upset, so I have never tried to upset the boat.

Mr. Speaker, this is an extremely difficult motion to deal with for me, because this is the first time I ever had to deal with a particular motion of this nature in the Legislative Assembly of the NWT. I, too, have very much confidence in the Minister of Social Services, Mrs. Marie-Jewell. We have established between the GNWT and the Nunavut community, a very good working relationship. The Minister of Personnel, Mrs. Marie-Jewell, has promoted aboriginal people, to place them in senior management positions, which I fully support.

I represent a group of people, two different races of people, mainly the Inuit and Kabloona in the Aivilik riding. Very delicate, with a lot of determination, with a lot of minds, with a lot of thoughts. In the end I am going to figure out how they think I should vote in the House with regard to this motion.

Concern About Accountability Of Government

I have been very concerned in the last three years about the accountability of this government to the people at the community level. We are supposed to have a consensus government and, as a result, representing our people in the NWT, government is supposed to be accountable to all people in the NWT. However, I have found it extremely difficult, in some ways unbelievable, unreal, when the government found it difficult to make decisions on very important decisions such as uranium mining in the Keewatin Region. No uranium mining, no policy. With regard to aboriginal languages it was the ordinary Members of the Assembly who pushed the government to make a move with regard to these important issues that face the people at the community level.

I am very appreciative, on the other hand, on a number of issues where the government has been very approachable, very positive, especially issues like family abuse, sexual abuse prevention, firearm safety. I am also very pleased about the Minister's statement this afternoon with regard to the possibility of recognition of midwifery in the NWT.

(Translation) I regret that the Members from Nunavut and a Member from Kitikmeot are not here in this House today. We do not have all the Members and we are dealing with a very delicate subject to remove the Government Leader from the cabinet. I always say the aboriginal people -- there should be more native people in management level jobs in the NWT and I feel that in the near future we might get a Government Leader. That is how I feel and that is how I think about it.

What I am trying to say to the government is that they should think about being accountable to the smaller communities in the NWT. If that was the case then the people would put more trust in the Government Leader and the Ministers. I have been considering this motion, giving it a lot of thought. Sometimes I support the motion and other times I do not support it in some areas. My mind is made up now as to how I am going to vote on the motion. We will see after we take the vote.

MR. SPEAKER: To the motion. Honourable Member for Kivallivik.

HON. GORDON WRAY: Thank you, Mr. Speaker. I was not going to say anything but some of the comments made have moved me to say a few words. I have had the experience of going through this before. I took the honourable Member's place who just spoke. It is not a pleasant situation and particularly not pleasant to the individual involved. I had a near one myself, for being too bold. But luckily there was no seconder so it never came to the table. But it is still not a very pleasant experience.

To a certain extent, like Mr. Lewis, I really did not see this as a major issue until I started listening to some of the comments being made, and some of them disturb me. I will address them briefly. Two or three of the Members say that as MLAs they have to push the government to do this and I say to myself, "But that is what MLAs are supposed to do. That is their job." If MLAs are not there to push the government then why have an MLA? The Legislature and GNWT is not eight Ministers, it is 24 Members of the Legislature. There are eight on this side, and there is a Speaker, and people on that side; and the government is not endowed with all the brains. It is not endowed with all the good ideas. The job of ordinary MLAs is to push the government. That is their job. I am hearing complaints from MLAs because they have had to do their job. I do not think that is really fair. I think that is what ordinary MLAs are supposed to do. Certainly, when I was on that side we did not just push the government, we tended to kick it.

Immense Workload For Department Of Social Services

I have heard several comments made that somehow the Department of Social Services and the Housing Corporation are insignificant and I say to myself, "I have spent nearly two months here in this House and all we have been hearing is the problems on sexual abuse, problems with child abuse, the problems with spousal assault, the problems with welfare and unemployment, the problems with housing overcrowding and the impact that overcrowded housing has on education and the lifestyles of our people, the problems with young people and suicides", and I wonder how anyone sitting here for two months can call those portfolios insignificant. It is all we have talked about in this House. Those are the most serious issues we have to deal with as politicians in the North today. You cannot put down Social Services as being unimportant because it is the one that is rampant in every community. It is one problem that we have to deal with as MLAs day after day after day. I totally reject any notion or idea put forward by Members of this House that that is an insignificant department. I think of the work that has been undertaken right now in welfare reform. I think of the immense workload that goes with that department.

You know me as somebody who knows how to work hard. I am not one to shirk my duties and I am not one to try and pretend things are one way when they are not. I can tell you for a fact that if the Government Leader said to me, "I would like you to be in charge of the Department of Social Services", I would say "Yes, if you do not give me another department," because I do not think I could handle Social Services and another department, quite frankly. You are dealing with human misery every day of your life. For somebody to say that it is not a significant portfolio, I think, is to ignore the reality of daily life in every one of our communities across the Northwest Territories. I think that any Minister who has the Social Services portfolio is a very significant Minister in this jurisdiction and is a very important Minister in our cabinet.

I also get a little disturbed when I start to hear some talk that perhaps there are racial motives with what is going on. There seems to be some notion that if there are Dene/Metis cabinet Members then God help us if the Government Leader ever interferes with them or does something that people do not like. I had Municipal and Community Affairs removed from me four months ago. I did not like it. The former Government Leader knows how much I liked that department but was there a huge outcry? No. Why? Because I am not a Dene/Metis or because I am not an Inuk? Is it because I am non-native that there was no huge outcry? Is that what is going on here? Is it that somehow the Government Leader has to now make his decisions based on racial motives?

Government Leader Should Be Free To Use Powers Given To Him

I do not think whatsoever that when the Government Leader exercises his powers that we all sat in a room and gave him, that we should cut the legs out from under him. What is the point in having a leader if you give him powers on one hand and then say "God help you if you exercise those powers because we might take you out of your job." Who is ever going to want to be the Government Leader up here because every time you make a difficult decision you are going to get yanked out of your job?

MR. SIBBESTON: Yes, but he has to be just.

HON. GORDON WRAY: All I am saying, Mr. Speaker, is that I do not think people should ascribe motives to people or try and attach connotations to what people are doing. The Government Leader made a decision and I am one of the few people in this world that, Mr. Patterson will tell you, that I think there are times he would like me out of cabinet because I make life so miserable for him. Mr. Sibbeston will tell you, and I am sure you, Mr. Speaker, you know what I am like...

AN HON. MEMBER: We all do!

---Laughter

MR. SPEAKER: Order!

HON. GORDON WRAY: ...that I do not like, Mr. Speaker. But, ultimately, you have to respect the power that we give that individual. You have to respect the fact that he is going to make decisions that we just will not like at times. That is the nature of the job. I do not think that if we start cutting the legs out from under the Government Leader then I fear for government in the North because who is going to want to take that job? Thank you.

MR. SPEAKER: Honourable Member for Slave River.

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I have a couple of things to speak about on this motion. I am sitting here deliberating. I did my reply to the Commissioner's Opening Address today and in my reply I did indicate that when we all became MLAs and when we all decided who were going to be Ministers of this government, we all accepted that we would commit ourselves to give extra powers to the Government Leader and I always feel, especially as a leader, once you give your word, it is the probably reason for being called an honourable Member, because you honour what you say.

Minister Accepted Government Leader's Decision

I want to indicate to this House that certainly yesterday when I was advised I would be shuffled I did not appreciate it. I still do not like the process of how government works. I do not think any of us honestly believe and like the way the process works. I pointed that concern out and I pointed out the concern to the Government Leader that I might consider resigning. I will tell you I deliberated very thoroughly, I accepted what the Government Leader assigned me and I indicated to him that I accepted his decision, because I felt it would take a lot of strength to be a leader, to accept what is good that is given to you and what is bad that is given to you.

I am not saying that accepting minor portfolios is bad. I am glad because it will give me more time to spend on day-care; more time to spend on many social issues that we face in the

North. But I will tell you, and I want to give my assurance to this House, that it is going to take a lot more than the workings of the bureaucracy to get me to resign. It is going to take a lot more than for the Government Leader to assign me different portfolios, because I feel I am an individual of strength and that is probably why my constituents voted for me to represent them. I honestly do appreciate the support that the Members give me in this House and I certainly hope that I will continue to be able to serve you as a Minister with my abilities.

I want to indicate that even though I have accepted, I really feel that we should honour our word that we have agreed to. It is so important and I think that has caused so much distrust between native people and government. Because many times you say something and a while later you take back what you said. I think it makes for good leadership that once you say something, you mean it and follow it through, whether you accept it or not.

I have accepted the idea of taking a portfolio change and I will work with it and I indicated my concern regarding it and I am willing to deal with it. I am willing to deal with the responsibilities that I have as effectively as I can. But I certainly do not think that taking out an individual who he decided to put in place, in particular the Government Leader, is the way to solve this. As I had said, I have accepted the change, and with the Government Leader not only being every Member's Leader in this House, but my Leader in particular, I am willing to work with the change. I do want to indicate that the way I am changing portfolios does not allow me to lose confidence in the way the Government Leader deals with this government. I know Mr. Patterson is a hard worker. I do not, as I have said, sometimes agree with his style. I do not think any of the cabinet Members at times deal with the style of any politician. That is something that we as politicians have to deal with and we have to live with.

As I said in my reply to the Opening Address, we come into this House every day and the first thing we do is a prayer, and we always pray for justice and we always pray for the betterment of the Territories. I certainly will tell you and assure this House and Members, particularly the Dene/Metis Members, that I certainly struggle and work towards justice and toward the betterment of the Territories. I was born and raised in the North, and I do not intend to leave, and I do not intend to leave cabinet.

I do want to let you know that you have my assurance that it is going to take more than a portfolio shuffle, it is going to take more than rumblings in the bureaucracy, for me to buckle, particularly because I feel I am an individual of strength and an individual that once I do give my word -- I know many Members when they ask me for anything, I give you my word that I will look into situations, and I have done so. I gave my word two and a half years ago, before I became a Minister, to allow certain powers to be delegated, and I think we should show leadership we allow ourselves to commit ourselves to those words.

Members Should Remember Commitment To Government

With that, Mr. Speaker, I do want to indicate to this House, and to the public and to the people of the NWT, that I have accepted the change, I am willing to work with it, and I do not think this motion, just because of a portfolio shuffle, is substantial enough to be able to justify a non-confidence vote. I know some Members are very annoyed at the way the questions were answered, possibly, but I still do not feel that I, as a cabinet Member, am really worth the idea of taking out the Government Leader and going back on our word. We are all honourable Members, and I would like to ask the Members to honour the commitment that we gave to this government

two and a half years ago. With that, I would like to assure Members of this House that I will continue as a Minister, to work as diligently as I felt I have, as sensitively as I felt I have, and as effectively as I felt I have. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you. To the motion. The honourable Member for Deh Cho.

MR. GARGAN: Thank you, Mr. Speaker. Mr. Speaker, the motion is with regard to the Government Leader. During the last two months, I have not spoken to the Government Leader. The Government Leader has not said "hi" to me, nor asked how is the family...

---Laughter

...or good morning, so I do not think the Government Leader likes me. The Government Leader has said that even though some of the Members vote in favour of the motion, I hope we are still friends. Mr. Speaker, if this is what it is going to take to become friends, I will vote in favour of the motion.

---Laughter

On a serious note, I would like to put my cards on the table. The concern I have this afternoon with regard to the shuffle, I guess my immediate reaction to that is that Mrs. Marie-Jewell did indicate that she was considering resigning due to the shuffle. I do not know what made her change her mind, but I would assume that she was dissatisfied with the shuffle and on that note she decided to consider resigning. So there was a concern on the part of the Minister who was being affected by this. This is one of the reasons I am supporting the motion.

Process Is Difficult

A lot of Members said we agreed collectively to give the powers necessary for the government to function and the Government Leader to function as a leader, but I must also say that I have agreed reluctantly to that. During the 10th Assembly I made a motion to have a review after two years and I thought that worked quite smoothly. Unfortunately, in order to avoid a situation that we had during the 10th Assembly it was suggested that perhaps we should try a whole new approach. That is the approach we are using now and it does allow that as soon as the Ministers are elected, they are given the assurance right off the bat that they are going to be in for four years. As one of the Members said, you cannot have 24 Members mad at you at the same time. So it is very difficult for a process in which to review or vote a Minister or leader out of office based on non-confidence. So that is the only difficulty that I have.

Naturally Dennis Patterson -- I have asked a question about the concern that I have in this House and as our Government Leader, that I have difficulty with the shuffle and he indicated to me that he is not going to change his mind about it. So I can see it would be very difficult for me to try to make him account for his actions.

Also with regard to the statement the Government Leader made and that is, "If you do not like what I am doing then you only have one option." Naturally that one option is a vote of non-confidence. It is confident on the government's part to dare that. So it is the question of whether or not us Members really do have that option of voting non-confidence in Ministers. So that is the only difficulty I have. We no longer have the process and it would be very difficult, even if we wanted to, to try to get a Minister out of office. So I do not agree with the process that occurred and I will support the

motion. And naturally, Mr. Speaker, making friends with the Government Leader.

MR. SPEAKER: Honourable Member for Tu Nede, final argument.

MR. MORIN: Thank you, Mr. Speaker. Three years ago in the fall, I agree, as one Member of this Assembly, I did give the Government Leader the powers to shuffle or to fire, if he so choose, any Member of his cabinet. But the power I did not give him, Mr. Speaker, was the power to be unanswerable to us in this Assembly. In question period this afternoon, he would not answer. So he left us no other choice but to put a motion of non-confidence in him.

The Northwest Territories is unlike any other jurisdiction, Mr. Speaker. We do not have party politics. This is consensus government. Just because we have elected Mr. Patterson for what is considered a four-year term does not mean that we at any time cannot choose to un-elect him, as you might say. We can choose to remove him. That is completely up to us as Members. All they are is an executive extension of us. They are there to work for us and the people of the Northwest Territories. If we do not agree with what they are doing, then the only option open to us is a motion of non-confidence in whatever Minister or Government Leader we choose. So the issue here is accountability, the Government Leader's accountability to this House. The issue is not the powers we gave him and whether or not he uses them or how he uses them. It is, is he accountable to us?

I believe strongly that with his emergency Minister's statement this afternoon, he kicked the legs out of one aboriginal Member of his Executive -- I believe that -- not us kicking the legs out from underneath him. At no time in my argument have I said Social Services is an insignificant department. I know some Members might argue that or try to make other Members think we said that, but we never said that, or I never said that. I acknowledge Social Services to be a very important department, but I also acknowledge that the Dene/Metis people two days ago initialled an agreement in principle with the government and that this is no time to overload the Minister in charge of aboriginal rights. We need, and the chiefs, the Metis people, in the western Arctic, we need a good working relationship with this government, especially in the next year. We will need the full attention of that Minister to the concerns that our chiefs and Metis presidents do have considering the land claim.

I realize that some Members think it is just a portfolio shuffle, but to an aboriginal Member of this Assembly, it is a lot more than that; it is a slap in the face to the Dene/Metis aboriginal leaders that the Government Leader chose to demote a Dene/Metis leader and that is how I look at it. It is a demotion. There is a difference between certain departments of what Ministers can do. I would like to reassure one of the Ministers across the House that there was an outcry when a non-aboriginal Member was shuffled. The outcry came from an aboriginal Member of this Assembly. That non-aboriginal Member has too many portfolios. Take some away from him. The Government Leader did do that. I remember that. I remember it clearly a year ago when that happened. So it goes both ways. It is not just one way.

I realize by listening to the pros and cons of this Assembly to this motion, that this motion will not pass. That is fine. I, as a Member of this Assembly, have the right to put this motion on the floor. If I am not happy with what Mr. Patterson does, I put this type of motion on the floor. You challenge, I accept the challenge, I did it and I do not at all feel that I should apologize for it or anything else. I have strong feelings on this, Mr. Patterson, and I am sure that you got our point. Let

me caution you, Mr. Patterson, in closing, that one of these days you might get 13 of us mad.

---Laughter

Mahsi cho, Mr. Speaker. Recorded vote, please.

Motion 30-90(1), Defeated

MR. SPEAKER: There has been a request for a recorded vote. All those in favour, please stand.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Sibbeston, Mr. Morin, Mr. Gargan.

MR. SPEAKER: All those opposed to the motion. Please stand.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Pollard, Mr. Ernerk, Mr. Lewis, Mr. Whitford, Mr. Wray, Ms Cournoyea, Mr. Allooloo, Mr. Ballantyne, Mr. Patterson, Mr. Kakfwi, Mr. Butters, Mrs. Marie-Jewell, Mr. McLaughlin.

MR. SPEAKER: All those abstaining.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Zoe, Mr. Ningark.

MR. SPEAKER: Mr. Clerk.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, to the motion. Three in favour, 13 against, with two abstentions. The motion is defeated.

MR. SPEAKER: The motion is defeated.

---Defeated

---Applause

Item 15, first reading of bills.

Item 16, second reading of bills. Item 17, consideration in committee of the whole of bills and other matters. Committee Report 1-90(1); Committee Report 2-90(1); Motion 5-90(1); Bills 3-90(1), 11-90(1), 24-90(1); Committee Report 4-90(1); Bills 2-90(1), 12-90(1), 17-90(1), 22-90(1), 26-90(1), with Mr. Gargan in the chair.

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

CHAIRMAN (Mr. Gargan): The committee will come to order. Can we first of all agree that Committee Report 1-90(1), Report of the Standing Committee on Finance on the 1990-91 Main Estimates, is now concluded? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Mr. Government House Leader, what is your order of bills?

HON. MICHAEL BALLANTYNE: Mr. Chairman, I filed with the Clerk an order. I wonder if I could suggest one change and let Bill 21-90(1), An Act to Amend the Workers' Compensation Act, go through first and then we will follow the order that I filed with the Clerk.

CHAIRMAN (Mr. Gargan): We will deal with Bill 21-90(1) first and then go back to Bills 2-90(1), 12-90(1), like that? Is that

agreed to by the committee? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Mr. Zoe.

MR. ZOE: I understand we are going to start with Bill 21-90(1), but could the Chair inform the committee the order of bills proposed?

CHAIRMAN (Mr. Gargan): The first would be Bill 21-90(1), and then Bills 2-90(1), 12-90(1), 17-90(1), 3-90(1), 11-90(1), 22-90(1), 26-90(1) and 24-90(1). That is the sequence. Does the committee agree we go in that order? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): We will take a 15 minute break.

---SHORT RECESS

CHAIRMAN (Mr. Zoe): The committee will now come back to order. As the Government House Leader suggested, we are going to be dealing with Bill 21-90(1), An Act to Amend the Workers' Compensation Act. Is the Minister prepared to make his opening remarks on Bill 21-90(1)? Mr. Kakfwi.

Bill 21-90(1): Workers' Compensation Act

Minister's Opening Remarks

HON. STEPHEN KAKFWI: Thank you, Mr. Chairman. The legislative amendment to the Workers' Compensation Act of the Northwest Territories is related to enhancing the present appeal process. The appeal process for employees, employers and dependants has been reviewed...

CHAIRMAN (Mr. Zoe): Excuse me, Mr. Kakfwi. Can I have order, please? Order. Thank you. Mr. Kakfwi, please proceed.

HON. STEPHEN KAKFWI: The appeal process for employees, employers and dependants has been reviewed in depth by ministerial review panels across Canada. We believe we must provide the appellant with a fair hearing and adhere to the rules of evidence and natural justice. To resolve these concerns, more independence is required at the final level of appeal; people carrying out this responsibility, we believe, must be well trained and be representatives of organized labour and business. Alternates are required to avoid conflicts of interest or absence due to illness or holidays. We believe there must be a link between the board and the appeals tribunal. This is accomplished by a director of the board being appointed chairperson of the appeals tribunal for a three-year period. The appeals tribunal must make its decisions within the confines of the Workers' Compensation Act and the policies of the board. The board of directors will be open for input from the appeals tribunal for recommendation of change or amendment to the act and policies of the board. Thank you, Mr. Chairman. Those are my remarks.

CHAIRMAN (Mr. Zoe): Mahsi cho. Mr. Ernerk, as the chairman for the legislation committee, does your committee have any comments on Bill 21-90(1)? Mr. Ernerk.

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairman. The standing

committee on legislation met with the government and the chairman of the Workers' Compensation Board on April 4, to review the bill. The purpose of the bill is to amend the Workers' Compensation Act by setting up an appeals tribunal which will hear appeals from a decision of a review committee on a claim for compensation, or on certain issues that may arise from an employer assessment. The amendment provides for appointments to the appeals tribunal and the jurisdiction, powers and duties of the appeals tribunal. Various sections of the act are repealed and amended to accommodate the appeals tribunal.

Mr. Chairman, the standing committee on legislation recommends that the bill be considered by the House. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. General comments on Bill 21-90(1). Are there any general comments?

MR. GARGAN: Clause by clause.

CHAIRMAN (Mr. Zoe): Is the committee ready to go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 3. The Member for Deh Cho.

Motion To Amend Clause 3, Bill 21-90(1)

MR. GARGAN: Mr. Chairman, I would like to make a motion regarding clause 3. Mr. Chairman, I move that Bill 21-90(1), An Act to Amend the Workers' Compensation Act, be amended by deleting paragraph 8.1(1)(b) and replacing it with the following: "(b) two members appointed on the recommendation of representatives of workers, including recommendations of organizations representing workers engaged in traditional occupations; and..."

CHAIRMAN (Mr. Zoe): Thank you. Your motion is in order. To the motion. Mr. Gargan.

MR. GARGAN: Mr. Chairman, the purpose of this act is to establish a tribunal that will hear appeals of workers and also in the professional field. I believe that hunters and trappers are also working in those fields but it does not mention them. I just want to ensure that if there is a tribunal that we have a tribunal that represents all workers in all areas. I want to ensure that by making this amendment that it would also include recommendations from organizations representing workers engaged in traditional activities. It is a straightforward amendment and I would like the Members to support me.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question is being called. Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, I would like to ask the Member how he thinks we are going to make this section work. The only organizations that I know that could be said to represent workers engaged in traditional occupations are the hunters and trappers associations. Does the Member want the Minister responsible for the Workers' Compensation Board to consult 70 HTAs? Just how would it work? What organizations represent workers engaged in traditional occupations?

CHAIRMAN (Mr. Zoe): Mr. Gargan. Please clarify your motion.

MR. GARGAN: Mr. Chairman, I left the definition broad enough so that instead of going to 70 hunters and trappers associations or 26 band councils that they might be able to approach native organizations such as the Dene Nation, Inuit Tapirisat of Canada and perhaps the Committee for Original Peoples' Entitlement. The intent of this act is to eliminate conflict. If workers are representing workers on the appeal process or the boards representing board members, then we do have a situation in which it might be required that a representative totally different from those specific occupations be represented. I would think that if this motion is supported that the Minister would be able to find a way of including them, or at least of considering them. If the Minister of the WCB feels that there is a need to have a member representing traditional occupations, that option is there for them to consider as well. If it is in favour of traditional occupations, then there has to be a way of making these appointments, whether it means approaching the members of native organizations, the band councils or the local hunters and trappers associations.

CHAIRMAN (Mr. Zoe): Thank you. The Member for Natilikmiot.

MR. NINGARK: Thank you, Mr. Speaker. What Mr. Gargan has identified to be part of the membership of the compensation board being Inuit Tapirisat, COPE and Dene Nation -- I think this is flexible enough. These groups could appoint from amongst their own native people to be on this board. I am in favour of this motion. Thank you.

CHAIRMAN (Mr. Zoe): Mahsi cho. To the motion. The Member for Nunakput.

HON. NELLIE COURNOYEA: Just to clarify for the record, the organization known as COPE, the Committee for Original Peoples' Entitlement, was wrapped up a number of years ago and no longer exists. Thank you.

CHAIRMAN (Mr. Zoe): The honourable Member was not speaking to the motion. To the motion. The honourable Member for Iqaluit.

HON. DENNIS PATTERSON: Mr. Speaker, I would like to clarify for the Member for Natilikmiot that the motion does not concern appointments to the Workers' Compensation Board. It concerns appointments to the appeals tribunal, if I understand section 8.1 correctly. Mr. Chairman, I would observe that although hunters and trappers are covered under the Workers' Compensation Board, I do believe they represent a relatively small portion of the number of workers covered by the WCB. They also pay no contributions, I believe, to the fund and I do find myself wondering why we would solicit nominations for representatives of hunters and trappers to an appeal board which is being structured to have two representatives of unions, two representatives of employers, and one other representative. It seems to me that if you were to require the government to appoint a non-union member, namely someone who represents traditional workers, say from an HTA or a band or native organization, then you would have

a problem of balance between employers and unions, which otherwise characterize the work of the WCB.

I do recognize that the motion recommends merely considering recommendations from these organizations representing persons engaged in traditional occupations, but I would think that if we ask them for recommendations they are going to expect that the government will appoint or act on their recommendation. I just find it surprising that in a specialized tribunal, namely an appeals tribunal, which probably will rarely hear an appeal from a hunter or trapper -- the most common ones I think would come from people involved in the non-traditional workplace, people who work in mines, people who work in industry, people who work in the service sector -- I would find it surprising that we would have a representative of such a small portion of the workers covered under the WCB sitting on such a specialized tribunal. This motion has come off the -- I will not say off the wall -- floor. I think it catches me by surprise. I do not think it was recommended by the standing committee on legislation. With the greatest of respect to the honourable Member, I just wonder whether he has thought through the implications of what is being suggested. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. To the motion. Member for Natilikmiot.

MR. NINGARK: Mr. Chairman, I would ask the Government Leader, what is the sole responsibility of the appeals tribunal? Thank you.

CHAIRMAN (Mr. Zoe): I believe your question should be directed to the Minister sponsoring the bill, Mr. Kakfwi.

HON. STEPHEN KAKFWI: Mr. Chairman, right now when you have a claim filed with the Workers' Compensation Board, a committee reviews the claim. If the person that filed the claim is not satisfied with the decision of that committee, then that person can make an appeal and the appeal then goes to a separate, independent body. That is what the tribunal is.

CHAIRMAN (Mr. Zoe): Mr. Gargan.

MR. GARGAN: I do not know if there will come a time when a hunter or trapper will have to appear before this board, but there has to be some knowledge of the occupation of traditional activities. If it comes down to that, I would hope that we would have a person that understands the traditional activities and who would be able to make a sound judgment based on that. On the other hand, if you have only representatives in specific fields addressing an appeal from a person who got hurt on the trapline or hunting, then it would be difficult. The board could be caught in a position where they cannot make a decision that would be fair, so perhaps there is a requirement for an aboriginal person or a representative representing the traditional activities to be present to say if those kinds of injuries could be related to the activity the individual is in. So that is the intent, that we have people that are knowledgeable in those areas.

CHAIRMAN (Mr. Zoe): Is the committee ready for the question? Question being called. Member for Yellowknife Centre.

MR. LEWIS: Thank you, Mr. Speaker. We were discussing the meaning of "traditional". As soon as I saw the word, in my head I began to try to figure out what is meant by "traditional occupation", whether that is clear. Because there are all kinds of occupations that have been around for a long, long time, people that make boots -- in my mind that is traditional, people do that as a traditional occupation. I wonder if it is clear in the amendment that everyone understands what a traditional occupation is and whether it would have to be

defined somehow.

CHAIRMAN (Mr. Zoe): To the motion. Mr. Lewis, are you asking a question?

MR. LEWIS: Thank you, Mr. Speaker. My colleague here has been looking at the Inuktitut version of it and instead of using the words "traditional occupation", I believe the translated form of that is "native organizations". Maybe that makes it much clearer that you mean an aboriginal traditional occupation. But it is not clear exactly what that means from this particular text here.

CHAIRMAN (Mr. Zoe): Mr. Lewis, the Chair understands what you are saying. Are you proposing to make an amendment to the existing motion? What is your intention? Mr. Lewis.

MR. LEWIS: My comment was to seek clarification as to the meaning of that phrase.

CHAIRMAN (Mr. Zoe): Madam Law Clerk.

LAW CLERK (Ms MacPherson): Mr. Chairman, the act as it currently stands does not define "traditional occupation", nor is any definition for "traditional occupation" in the Interpretation Act, as far as I am aware. It is not defined in legislation in the NWT, to the best of my knowledge.

CHAIRMAN (Mr. Zoe): Member for Aivilik.

MR. ERNERK: Thank you, Mr. Speaker. I think my honourable friend for Yellowknife Centre was referring to the translation of the word "traditional". As it is translated it means "native organization". "Traditional" to me would translate to mean (speaks words in Inuktitut). I am not sure that if we send this translation to Mr. Arlooktoo and Mr. Kilabuk what they would understand is two totally different things.

CHAIRMAN (Mr. Zoe): Is the Member suggesting that the translation should be done again to reflect what is written in English? Mr. Ernerk.

MR. ERNERK: Just the word "traditional" should be retranslated.

CHAIRMAN (Mr. Zoe): Is the Member for Aivilik satisfied with the translation in Inuktitut?

MR. ERNERK: Never mind.

CHAIRMAN (Mr. Zoe): To the motion. Member for Natilikmiot.

MR. NINGARK: The last two lines mean "traditional occupations". The last one, (speaks words in Inuktitut) and means (speaks words in Inuktitut). That is my translation. Thank you.

CHAIRMAN (Mr. Zoe): Thank you for that clarification. To the motion. Member for Deh Cho.

MR. GARGAN: Mr. Chairman, I withdraw my motion. I would like to make another motion, if I may.

CHAIRMAN (Mr. Zoe): Mr. Gargan, we already started debate on your motion.

MR. GARGAN: I am entitled to withdraw it if I want.

CHAIRMAN (Mr. Zoe): We already started the debate on your motion so I have to carry through with it. To the motion.

AN HON. MEMBER: Question.

Motion To Amend Clause 3, Bill 21-90(1), Defeated

CHAIRMAN (Mr. Zoe): Question is being called. All those in favour of the motion. Those opposed? The motion is defeated.

--Defeated

Clause 3. Member for Deh Cho.

MR. GARGAN: Mr. Chairman, I challenge your ruling on withdrawing my motion.

MR. McLAUGHLIN: Let's go home.

--Laughter

MR. GARGAN: We have until midnight or until 6:00 a.m. I do not mind staying here to resolve this.

CHAIRMAN (Mr. Zoe): The Chair has been challenged. I will now rise and report progress.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: Mr. Zoe.

CHAIRMAN (Mr. Zoe): Thank you, Mr. Speaker. Your committee has been considering Bill 21-90(1) and during our deliberation of this particular bill a motion was put forward to the floor, debate had already started, and the honourable Member proposing the motion requested withdrawal of the motion. Since the motion was already in process, I ruled against it and the Chair has been challenged.

MR. SPEAKER: Thank you. I will call the House back to order. I would like to indicate the following. Firstly, I believe that the motion had been called in order by the chairman of committee, and as such, debate took place on the motion. Subsequently a call for a vote took place. I want to indicate that according to Rule 47, "a Member who has made a motion may withdraw the same with the consent of the seconder, provided the debate has not been commenced."

According to Beauchesne's Parliamentary Rules and Forms, Sixth Edition, "A Member who has proposed a motion may withdraw it only with the unanimous consent of the House, and an amendment may be withdrawn with unanimous consent of the House, but neither a motion nor an amendment can be withdrawn in the absence of the Member who moved it. As a result of the process having taken place, where a motion was put, debated and called for division, and that is for a vote, then it requires unanimous consent of the House to withdraw." I believe the vote was called and, as such, was approved. So I will rule in favour of the chairman and put you back into committee of the whole with Mr. Zoe in the chair.

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

CHAIRMAN (Mr. Zoe): Order. Clause 3. Member for Deh Cho.

MR. GARGAN: Mr. Chairman, I would like to make another motion. The motion with regard to the section 8.1(1)(b). I recognize the difficulty that the motion might have had and I tried to withdraw it when Mr. Lewis spoke on it, but I guess I was not given the opportunity to withdraw it. So I would like to come up with another motion.

The motion is that I move that the government consider that Bill 21-90(1), An Act to Amend the Workers' Compensation Act, be amended to include recommendations of organizations representing workers engaged in traditional occupations, or other definitions appropriate to this act and the definition be included in the preamble.

CHAIRMAN (Mr. Zoe): Thank you, Mr. Gargan. Mr. Gargan, the committee is considering the bill clause by clause. Although your motion would be in order, it would be appropriate to be under general comments. We are under clause 3, so I would suggest that you hold off and seek unanimous consent to go back to general comments and then you can make that particular motion, because we are dealing with clause 3 and the only motion that can be made has to pertain to clause 3. You are making a recommendation to the Executive Council and that has nothing to do with clause 3 specifically, unless you would like to seek unanimous consent at this time to return to general comments so you can make that particular motion.

MR. GARGAN: I withdraw the motion.

CHAIRMAN (Mr. Zoe): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Does committee agree that Bill 21-90(1), An Act to Amend the Workers' Compensation Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): The committee will now proceed to deal with Bill 2-90(1), An Act to Amend the Judicature Act. Mr. Minister.

Bill 2-90(1): Judicature Act

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. The federal Judges Act was amended some years ago to permit judges who met certain conditions to become supernumerary judges. When a judge opts for supernumerary status, a judge gives up regular judicial duties, is required to be available to perform any special judicial duties that may be assigned by the senior judge of the court to which the judge belongs. A judge may not become a supernumerary judge unless the judge has attained the age of 65 years of age and has been in office for at least 15 years or has attained the age of 75 and has been in office for at least 10 years. Salary of supernumerary judges continues to be paid by the federal government.

CHAIRMAN (Mr. Zoe): Chairman of the legislation committee, Mr. Ernerk.

Comments From The Standing Committee On Legislation

MR. ERNERK: The standing committee reviewed this act and the currently proposed amendments introduced to the committee on January 23, 1990 with the Government Leader. The Government Leader explained that the proposal in the Judicature Act would bring the NWT legislation in line with changes to the federal Judges Act, which is concerned with the position of supernumerary judges. The proposed amendments would allow a judge of the Supreme Court of the NWT to become a supernumerary judge, either when a judge is 65 years old and has been a judge for at least 15 years or if a judge is 70 years old and has been a judge for at least 10 years. The supernumerary judge would serve on a part-time basis or would be assigned any special duties assigned by the senior judge of the Supreme Court.

Mr. Speaker, I noted to the Government Leader that since this supernumerary judge was a new term and a classification of judge that was not familiar to most Members, the committee requested that the Government Leader provide a background report to the committee explaining the history and purpose for such a judge in the Northwest Territories. The Government Leader stated that the government would provide such a report to the standing committee on legislation. Mr. Chairman, pending the review of that report, we recommend that the bill be considered by committee of the whole. Thank you, sir.

CHAIRMAN (Mr. Zoe): Mahsi cho. General comments on Bill 2-90(1). Is the committee ready to go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 2-90(1), An Act to Amend the Judicature Act, is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. The committee will now proceed to Bill 12-90(1), An Act to Amend the Jury Act. Mr. Minister.

Bill 12-90(1): Jury Act

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: The purpose of this bill is to amend the Jury Act, to give the sheriff more responsibility over the selection of jury list and panel. Presently the act requires the clerk of the court, the sheriff and the judge to be present at the selection of a jury list and panel. This process is complicated and cumbersome. The amendment will allow the sheriff to compile the jury list from sources which will be set out in regulations and will allow the sheriff to use a computer system. This is standard practice in other jurisdictions. The regulations would name the list which the sheriff may use to gather names for the jury list. The sheriff will also have the power to summon people for jury duty. The amendment will streamline the process for the selection and summoning of jurors. The amendment to the act will exempt municipal by-law enforcement officers from jury duty.

CHAIRMAN (Mr. Zoe): Thank you. Chairman of standing committee on legislation, Mr. Ernerk.

Report Of Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairperson. The purpose of this bill is to amend the Jury Act by providing that the compilation of a jury list and selection of a jury panel be set out in regulations. Mr. Chairman, this bill was previously passed by the committee and approved by the House. The bill has not been changed, and we recommend that the bill be considered for approval by committee of the whole. Thank you.

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 12-90(1), An Act to Amend the Jury Act, is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. The committee will now proceed to Bill 17-90(1), An Act to Amend the Territorial Court

Act. Mr. Minister.

Bill 17-90(1): Territorial Court Act

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I am pleased to introduce Bill 17-90(1). The purpose of this bill is to amend the Territorial Court Act to enable the Commissioner, on the recommendation of the Minister, to appoint to the judicial council an additional person who is not a judge or a member of the Law Society of the Northwest Territories. The appointment of an additional lay person will broaden the base of public representation on the judicial council. Further, it will allow for greater flexibility in addressing the public interest in the appointment of judges and the review of complaints concerning judges. Thank you.

CHAIRMAN (Mr. Zoe): Chairman of the legislation committee, do you have any comments?

MR. ERNERK: Thank you, Mr. Chairperson. The standing committee on legislation recommends that the bill be considered by the House. Thank you.

CHAIRMAN (Mr. Zoe): General comments on Bill 17-90(1). Is the committee ready to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 17-90(1), An Act to Amend the Territorial Court Act is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. The committee will now proceed to deal with Bill 3-90(1), An Act to Amend the Planning Act. Mr. Minister, are you prepared to make your opening remarks? Mr. Butters.

Bill 3-90(1): Planning Act

Minister's Opening Remarks

HON. TOM BUTTERS: Mr. Chairman, this amendment has been recommended by the Northwest Territories Association of Municipalities. Presently, the Planning Act requires that when a municipal council passes planning related by-laws, two copies must be sent to the Minister for ministerial approval. At the April, 1989 annual general meeting, the NWT Association of Municipalities passed a resolution requesting an amendment to the Planning Act to require only one copy of such by-laws to be submitted. This amendment would be of some benefit to municipalities in that the community plans, development schemes and zoning by-laws can be many pages in length, plus the administrative work of the

municipalities will be simplified. It is also important that this amendment would then make the by-law submission requirements of the Planning Act more consistent with those of the Cities, Towns and Villages Act, the Charter Communities Act and the Hamlets Act. Thank you, sir.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Ernerk. Does your standing committee on legislation have any comments on Bill 3-90(1)?

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairman. The proposed amendment was introduced by the Minister responsible, Mr. Butters, who explained that the change is a minor one amending the existing Planning Act in the section concerning the enactment of by-laws, council's duties to require one copy rather than two of a by-law to be sent to the Minister from a municipality. Mr. Chairperson, the standing committee on legislation informed the Minister that this amendment is a minor one and not very significant. We enquired if the Minister could have waited for a time when a collection of technical amendments to the Planning Act could have been introduced at the same time to the standing committee on legislation. The Minister agreed that the legislative amendment was not pressing. However, Mr. Chairperson, the committee reviewed the amendment and agreed to move the bill to the House for consideration. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. General comments on Bill 3-90(1). Is the committee ready to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 3-90(1), An Act to Amend the Planning Act is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. The committee will now proceed to deal with Bill 11-90(1), An Act to Amend the Northwest Territories Housing Corporation Act. Mr. Minister, you have the floor.

Bill 11-90(1): Northwest Territories Housing Corporation Act

Minister's Opening Remarks

HON. TOM BUTTERS: Thank you. Mr. Chairman, these two are minor amendments. The proposed amendments to the NWT Housing Corporation Act before this House could be characterized as minor housekeeping items. Section 6(1)(b) of the act states, "The Minister will appoint 12 members to the corporation's board of directors on the recommendation of the

Legislative Assembly and that members so appointed will hold office for a period of three years." The problem here is the rigidity of a three year term. We have had situations where a member's term has expired before I could provide suggestions or get suggestions from caucus and put it before the House. So this would allow the Minister to extend the member's time until the next session of the Legislature so either the person's term could be extended or a new member appointed.

There is another amendment. It deals with the operation of the board. Specifically, it would amend subsection 6(10) to allow the board to continue to exercise its normal powers at board meetings in the absence of the chairperson and deputy chairperson, so long as the majority of the board, its quorum, is present. This amendment would bring board procedures more in line with the normal procedures of other public bodies, including this House. Again we have the situation where both the chairman and the vice-chairman of the board were absent because of illness and it was extremely difficult to carry on business in that situation.

Finally, we propose that section 35 be amended by striking out "Commissioner" and substituting "corporation". The current act states that under certain prescribed conditions the corporation may make loans for new construction, for the purchase of existing housing accommodation and for home improvement loans, in such amounts and on such terms and conditions as may be prescribed by the Commissioner. Again we are just removing "Commissioner", as has occurred in other legislation in this government, and substituting "corporation".

CHAIRMAN (Mr. Zoe): Mr. Ernerk.

Comments From The Standing Committee On Legislation

MR. ERNERK: Several amendments to the legislation governing the activities of the NWT Housing Corporation are proposed by the Minister, Mr. Butters. The Minister met with the committee on January 23, 1990 and explained that the amendments are primarily directed at the powers and responsibilities of the board of directors.

The first amendment will allow the Minister to extend an appointment that comes void until the next session of the Legislature, as members of the board are appointed by the Commissioner in Council. The next amendment will allow the board to operate should the chairperson and vice-chairperson be absent. The last amendment will remove the Commissioner from the responsibility to set conditions for terms and loans, and place that responsibility with the board of directors. The standing committee on legislation has approved the bill for consideration by the House. Mahsi cho.

CHAIRMAN (Mr. Zoe): Does committee agree we go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): The bill as a whole?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Does committee agree that Bill 11-90(1), An Act to Amend the NWT Housing Corporation Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): The committee will now proceed to deal with Bill 22-90(1), An Act to Amend the Wildlife Act. Mr. Minister, are you prepared to make your opening remarks? Mr. Allooooloo.

Bill 22-90(1): Wildlife Act

Minister's Opening Remarks

HON. TITUS ALLOOLOO: Thank you, Mr. Chairman. I believe that you are all aware of the reasons for this amendment to the Wildlife Act. The amendment will have two effects: first, it will allow band councils, wildlife committees, hunters and trappers organizations, or any other such organizations to be recognized to represent communities' voices on wildlife issues and to receive funding; secondly, the Minister of Renewable Resources will have the authority to make regulations to guide the recognition of these organizations. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. The chairman of the standing committee on legislation, any comments? The Member for Aivilik.

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you so much, Mr. Chairperson. The standing committee on legislation met with the government on April 4, to review the amendment to the definition of hunters and trappers associations in the Wildlife Act and to allow for regulations concerning the recognition of hunters and trappers associations. Mr. Chairman, the standing committee on legislation recommends that the bill be considered by the House. Thank you.

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

SOME HON. MEMBERS: Clause by clause.

CHAIRMAN (Mr. Zoe): Is the committee ready to go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 22-90(1), An Act to Amend the Wildlife Act is now ready for third reading?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Zoe): Thank you. The committee will now proceed to deal with Bill 26-90(1), An Act to Amend the Mental Health Act. Madam Minister, are you prepared to make your opening remarks? Ms Cournoyea.

Bill 26-90(1): Mental Health Act

Minister's Opening Remarks

HON. NELLIE COURNOYEA: Yes, Mr. Chairman. Mr. Chairman, I am pleased to introduce a bill to amend the Mental Health Act. The current Mental Health Act was proclaimed on January 1, 1988. It provides the legal framework for the voluntary, or involuntary, hospitalization of patients requiring mental health care. A need for ongoing amendment to the act became apparent shortly following the declaration of the Canadian Charter of Rights. Most jurisdictions in Canada brought in new mental health legislation in order to better safeguard individual rights as required by the Charter. Because much of this law is new and very complicated, a number of technical, legal and practical difficulties have emerged from the application of this legislation. In addition, the Northwest Territories is now able to provide care for a greater proportion of patients within its borders rather than having to transfer all patients to the provinces. Amendments are urgently needed in this area to allow patients to be treated here in the Territories. A small number of amendments to the act were passed during the last fall session and many of the amendments now proposed are also of an urgent nature. Further changes will be proposed in the coming year as it was not possible to prepare all the needed changes for this session.

The department has had extensive consultation with all parties who will be affected by the proposed amendments, including professional organizations, administrators, the RCMP, and the courts and other departments. A discussion paper was circulated in August of 1989 and a draft of the amendments was circulated in November of 1989. The proposed changes include a new system of substitute decision-making for patients who are not mentally competent to consent to treatment; extension to voluntary patients of the provision dealing with treatment; increased periods of detention within the Northwest Territories; a new process for extending periods

of detention which allow such extensions to be made initially by health professionals rather than by courts; the removal of all references to age; the clarification of the restrictions on the use of restraint; and the clarification of a patient's right of access to his or her health record. These amendments will bring the act into line with changes in this area of the law, will ease the administration of the act and will permit the treatment of some patients in the NWT on a longer term basis than was possible when the current act was brought into force. The amendments will ease areas of uncertainty in interpretation of the act. They will better safeguard the rights of patients requiring mental health care and they will facilitate application of the act for health professions in the court system.

Those are my opening remarks, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Member for Aivilik, chairman of the legislation committee.

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairperson. The purpose of the bill is to amend the Mental Health Act, which was proclaimed on January 1, 1988. The standing committee last reviewed the bill, or reviewed the Mental Health Act, in September, 1989, where amendments were introduced by the government. The government insisted that the purpose of the amendments was to better safeguard the security and care of patients and establish more realistic obligations for health and court officials.

Mr. Chairman, the government has introduced significant changes to the existing act. The principal concerns in this bill are directed at the issues of the involuntary commitment and involuntary treatment of individuals in hospitals. In the bill, patients may be involuntarily detained for psychiatric assessment for up to 14 days. Currently in the existing act the period is 72 hours. The bill also proposed a first extension of detention in a hospital to be signed by two doctors for up to one month; a second extension, to be signed by a doctor and a psychiatrist, can detain a patient for another month; and further extensions can be obtained from the territorial courts. Under the existing Mental Health Act a patient may only be detained after the court has had the opportunity to review the patient's condition and, on the recommendation of a doctor, make an order detaining a patient.

Mr. Chairperson, there are legal and ethical aspects of mental health treatment that are of some concern in this bill. There has been a debate in Canada concerning legal and ethical aspects for mental health treatment and the legislation which governs its practice. Some questions raised by the civil libertarians and medical practitioners are: Does the law give adequate protection to the rights of the mentally ill when a patient's rights are forfeited as during involuntary hospitalization? Should involuntary hospitalization only be permitted when treatment is available and required? Does the mental health legislation that is proposed strike a balance between the rights of a patient not to be involuntarily detained in a hospital and the right of families of patients to be assured that the mentally ill will receive proper care and treatment?

Mr. Chairperson, there are some significant recommendations in the bill. In the proposed bill, treatment is separate from the committal process. The amendment, section 19, separates treatment from the committal process because the law orders initial detention to restrain, observe or examine the person but does not permit treatment. Treatment is provided for in the existing Mental Health Act, section 19, but it has been deleted from the bill. An extension required to detain an involuntary patient in a hospital, section 24 in the proposed bill, does provide for an extension to restrain, observe, examine or treat

the patient.

Substitute Consent-Giver For Committal Of Mental Health Patient

Mr. Chairman, the bill will also provide that when a medical practitioner is of the opinion that a patient is not mentally competent to give a valid consent for treatment, a substitute consent-giver can make decisions to give or withhold consent on behalf of the patient. This would apply to voluntary and involuntary admitted patients. References in the existing Mental Health Act as to whether or not a person has attained the age of majority in order to give consent have been deleted from the bill. Mr. Chairman, the committee would also inform the House that it should be noted that the government had proposed a new Guardianship Act that may have relevance to the Mental Health Act. However, the standing committee on legislation has not reviewed the Guardianship Act for review. With regard to the issue of the use of restraint upon patients, the bill proposes that when a voluntary or involuntary patient is restrained by the use of force or mechanical or chemical means, it must be documented in the health record of the patient. With regard to a patient's right to health records, the proposed bill allows a patient to examine and copy their health record. Mr. Chairman, these are some of the significant issues in the bill.

The standing committee on legislation reviewed the bill with the Minister of Health, Ms Cournoyea, on March 22, 1990 in Yellowknife. The Minister and her officials explained that the intent of the bill is to provide the framework for necessary and effective treatment of the mentally ill, while in turn protecting their civil rights established under the Charter of Rights and Freedoms. The Minister, Ms Cournoyea, noted that the other jurisdictions in Canada have brought in new mental health legislation following the establishment of the Charter of Rights and Freedoms. Amendments to the Mental Health Act are also needed, the Minister insisted, as the Northwest Territories is now able to care for a larger proportion of patients who in the past were sent to other facilities outside of the Northwest Territories. Mr. Chairman, the Minister explained that the Department of Health has had extensive consultation with the public, professional organizations, the RCMP, and the courts concerning these amendments. The standing committee on legislation also sent out the bill for review and comment to the Canadian Mental Health Association of the Northwest Territories. The committee recommends that the bill be considered by the House. Thank you.

CHAIRMAN (Mr. McLaughlin): General comments. Does the committee wish to go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Bill 26-90(1), An Act to Amend the Mental Health Act. Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 9. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 10. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 11. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 12. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 13. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 14. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McLaughlin): Clause 15. Agreed?

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 28. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 16. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 29. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 17. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 30. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 18. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 31. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 19. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 32. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 20. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 33. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 21. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 34. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 22. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 35. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 23. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Clause 36. Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 24. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

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

CHAIRMAN (Mr. McLaughlin): Clause 25. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Is the committee now agreed that this bill is now ready for third reading? Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 26. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed. ---Agreed

---Agreed CHAIRMAN (Mr. McLaughlin): Does the committee agree that we proceed with Committee Report 4-90(1), Third Report of the Standing Committee on Rules, Procedures and Privileges? Agreed?

CHAIRMAN (Mr. McLaughlin): Clause 27. Agreed? SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: Agreed.

--Agreed

Committee Report 4-90(1): Third Report Of Standing Committee On Rules, Procedures And Privileges

CHAIRMAN (Mr. Zoe): Would the chairman of the standing committee on rules, procedures and privileges like to proceed with the report? Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. In the committee's report we are basically dealing with two main areas, and I propose that because there are seven different changes, the simplest thing for Members would be to have a motion on each recommendation, rather than trying to do two or three changes in one motion. If debate starts, it might cause confusion.

I would just say that the first change we are recommending deals with Rule 104(b) and its deletion. Rule 104(b) basically says that the Law Clerk has a duty to perform to help Members prepare Private Members' Bills, and the committee is recommending that because the Law Clerk also advises the standing committee on legislation and the officers of this House, that the Law Clerk should no longer have that duty.

Motion To Delete Rule 104(b), Carried

If Members are in agreement, I will move that Rule 104(b) be deleted.

CHAIRMAN (Mr. Zoe): Thank you. I have a motion on the floor. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question is being called. All those in favour? Those opposed? The motion is carried.

--Carried

Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Chairman, the second recommendation is that Rule 68 be changed. The reasons we are recommending that change is so that not only Ministers can bring witnesses into committee of the whole but also other Members can, so that they can have an expert witness with them in committee of the whole when they are trying to deal with a Private Member's Bill.

Motion To Amend Rule 68, Carried

Therefore, Mr. Chairman, I move that Rule 68 be amended to read, "When the House is sitting in committee of the whole to consider bills, the Minister or Member in charge of the bill being considered may, with the consent of the committee of the whole, have witnesses appear to supply information as required."

CHAIRMAN (Mr. Zoe): Thank you. Your motion is in order. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question is being called. All those in favour? Opposed, if any? The motion is carried.

--Carried

Mr. McLaughlin.

MR. McLAUGHLIN: Rule 67(1) as it presently reads also deals with the need for ordinary Members as well as Ministers to bring witnesses in.

Motion To Amend Rule 67(1), Carried

I move that Rule 67(1) be amended to read, "When a bill is being considered in committee of the whole, questions relating to the content of the bill shall only be addressed to the Minister or Member in charge of the bill."

CHAIRMAN (Mr. Zoe): Your motion is in order. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question is being called. All those in favour? Opposed, if any? The motion is carried.

--Carried

Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Chairman, the committee has expressed the desire that witnesses appearing before the committee of the whole should more often be referred to standing committees instead of committee of the whole. In order to accomplish that, we would like to recommend an amendment to Rule 98(1).

Motion To Amend Rule 98(1), Carried

I move that Rule 98(1) be deleted and the following substituted: "Notwithstanding Rule 68, no witness shall appear before the committee of the whole without the unanimous consent of the committee of the whole or through the adoption of a formal motion by the Assembly."

CHAIRMAN (Mr. Zoe): Thank you. Your motion is in order. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question is being called. All those in favour? Opposed, if any? The motion is carried.

--Carried

Mr. McLaughlin.

Motion To Delete Rule 98(4), Carried

MR. McLAUGHLIN: Thank you, Mr. Chairman. With the passage of those three previous motions, Rule 98(4) should be deleted because it would restrict witnesses to be government witnesses only, so I will move that Rule 98(4) be deleted.

CHAIRMAN (Mr. Zoe): Thank you. Your motion is in order. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question is being called. All those in favour? Opposed, if any? The motion is carried.

--Carried

Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. It was the feeling of the standing committee that in the Legislative Assembly when we are in committee of the whole, debate

should only occur between Members and should not involve witnesses. I should point out at this time that we are one of the few committees that allow witnesses anyway, so we are already quite generous with the participation of witnesses.

Motion To Add New Rule Re Motions Made In The Presence Of Witnesses In Committee Of The Whole, Carried

In order to achieve this, the committee recommends that Rule 81 be amended to include the following new rule: I move that no motions can be proposed in committee of the whole in the presence of witnesses except when bills and the main and capital estimates are being considered.

CHAIRMAN (Mr. Zoe): Thank you. The motion is in order. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. McLaughlin.

Motion For Commencement Date Of Rules, Carried

MR. McLAUGHLIN: Mr. Chairman, it is the desire of the standing committee that these rules will be in place for the fall session of this House, so with that in mind, I move that each of the adopted recommendations to these rules shall come into effect commencing on the first sitting day of the seventh session of the 11th Assembly.

CHAIRMAN (Mr. Zoe): The motion is in order.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. I would like to thank the Members of the standing committee and the alternates. There is quite a bit of experience of Members on that committee and we definitely had some heated debates on some of the fine tuning of these rules and I am sure that the best interests of all Members were taken care of by a variety of people on the committee.

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that the third report of the standing committee on rules, procedures and privileges is now concluded?

SOME HON. MEMBERS: Agreed.

---Agreed

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

MR. McLAUGHLIN: I would like to move that the committee report progress at this time.

CHAIRMAN (Mr. Zoe): The motion is in order and is not debatable. All those in favour? Opposed, if any? The motion is carried.

---Carried

I will now rise and report progress.

REVERT TO ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: The House will come to order. Item 18, report of committee of the whole. The honourable Member for Rae-Lac la Martre.

MR. ZOE: Mahsi cho, Mr. Speaker. Your committee has been considering Committee Reports 1-90(1) and 4-90(1) and Bills 21-90(1), 2-90(1), 12-90(1), 17-90(1), 3-90(1), 11-90(1), 22-90(1) and 26-90(1) and wishes to report that Committee Reports 1-90(1) and 4-90(1) are concluded, and that Bills 21-90(1), 2-90(1), 12-90(1), 17-90(1), 3-90(1), 11-90(1), 22-90(1) and 26-90(1) are now ready for third reading. Mr. Speaker, your committee wishes to report progress.

MR. SPEAKER: You have heard the report of the chairman of committee of the whole. Are you agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: The honourable Member for Yellowknife South.

MR. WHITFORD: Thank you, Mr. Speaker. I would seek unanimous consent to return to Item 9, petitions.

MR. SPEAKER: The honourable Member for Yellowknife South is seeking unanimous consent to return to Item 9, petitions. Are there any nays?

AN HON. MEMBER: Nay.

MR. SPEAKER: Item 19, third reading of bills. The honourable Member for Yellowknife North.

ITEM 19: THIRD READING OF BILLS

Third Reading Of Bill 2-90(1): Judicature Act

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Sahtu, that Bill 2-90(1), An Act to Amend the Judicature Act, be read for the third time.

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

AN HON. MEMBER: Question.

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

---Carried

Bill 2-90(1) has had third reading. Third reading of bills. The honourable Member for Yellowknife North.

Third Reading Of Bill 12-90(1): Jury Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Iqaluit, that Bill 12-90(1), An Act to Amend the Jury Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 12-90(1) has had third reading. Third reading of bills. The honourable Member for Yellowknife North.

Third Reading Of Bill 17-90(1): Territorial Court Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 17-90(1), An Act to Amend the Territorial Court Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 17-90(1) has had third reading. Third reading of bills. The honourable Member for Inuvik.

Third Reading Of Bill 3-90(1): Planning Act

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Sahtu, that Bill 3-90(1), An Act to Amend the Planning Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 3-90(1) has had third reading. Third reading of bills. The honourable Member for Sahtu.

Third Reading Of Bill 21-90(1): Workers' Compensation Act

HON. STEPHEN KAKFWI: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 21-90(1), An Act to Amend the Workers' Compensation Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 21-90(1) has had third reading. Third reading of bills. The honourable Member for Nunakput.

Third Reading Of Bill 26-90(1): Mental Health Act

HON. NELLIE COURNOYEA: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 26-90(1), An Act to Amend the Mental Health Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 26-90(1) has had third reading. Third reading of bills. The honourable Member for Inuvik.

Third Reading Of Bill 11-90(1): Northwest Territories Housing Corporation Act

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Yellowknife North, that Bill 11-90(1), An Act to Amend the Northwest Territories Housing Corporation Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 11-90(1) has had third reading. Third reading of bills. The honourable Member for Amittuq.

Third Reading Of Bill 22-90(1): Wildlife Act

HON. TITUS ALLOOLOO: Mr. Speaker, I move, seconded by the honourable Member for Slave River, that Bill 22-90(1), An Act to Amend the Wildlife Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 22-90(1) has had third reading. Third reading of bills. Prior to proceeding to Item 20, I just want the indulgence of Members of the House to indicate and express my appreciation, on your behalf, to our staff, those that have served this House, the interpreters, our research officials, Sergeant-at-Arms, all the Pages we have had for the past few months who have come to serve us in this House. I think it is important we recognize their contribution to the working of this Assembly.

---Applause

The honourable Member for Rae-Lac la Martre.

MR. ZOE: Thank you, Mr. Speaker. Can I seek unanimous consent to return to Item 5, oral questions?

MR. SPEAKER: The honourable Member is seeking unanimous consent to return to Item 5. Are there any nays?

AN HON. MEMBER: Nay.

MR. SPEAKER: Thank you. The honourable Member for

Aivilik.

MR. ERNERK: Thank you, Mr. Speaker. I seek unanimous consent, very kindly to everyone, to return to Item 11, tabling of documents.

MR. SPEAKER: The honourable Member for Aivilik is seeking unanimous consent to return to Item 11. Are there any nays?

AN HON. MEMBER: Nay.

MR. SPEAKER: Item 20, assent to bills. Mr. Clerk, would you ascertain if the Commissioner of the Northwest Territories is prepared to give assent to bills?

Commissioner's Closing Remarks

COMMISSIONER NORRIS: Please be seated. Mr. Speaker, and Members of the Legislative Assembly, during my first closing remarks delivered in Norman Wells last fall I noted that Members delivered speeches eloquently and kept debate lively and interesting. This is still true...

---Laughter

...very much so today. Now I know you are also to be commended for carrying on the business of this House with great attention for long periods of time. Many of you who have left today could only keep in touch by phone.

Many exciting things are happening in our North today that demand government attention. Only two days ago a very historic agreement was initialled between the Dene/Metis and the Government of Canada. In this regard, I am proud of the manner in which our Government Leader and his staff played a significant part in bringing the matter to a successful conclusion. We also have a new Minister of DIAND since the fall sitting and I am pleased to assure you he is very supportive of the work we do in northern Canada.

---Applause

I was also particularly pleased to have the opportunity to give assent to the Official Languages bill during this session, which is so important to our northern cultures.

---Applause

May I also congratulate Minister Wray and Mayor McMahon for the success with which Yellowknife hosted the Arctic Winter Games.

---Applause

Congratulations are also in order to Minister Kakwi for his recent and very successful efforts to raise funds for literacy in the Northwest Territories.

---Applause

I would be remiss if I did not mention again the very professional manner in which your Sergeant-at-Arms, Harry Finnis, carries out his responsibilities. The young Pages, of course, under his direction are faultless and make your work much easier. As Mr. Lewis so ably put it, our interpreters' services have also done a very good job in helping us all understand what is being discussed.

---Applause

ITEM 20: ASSENT TO BILLS

As Commissioner of the Northwest Territories, I hereby assent to: Bill 2-90(1), Bill 3-90(1), Bill 11-90(1), Bill 12-90(1), Bill 13-90(1), Bill 17-90(1), Bill 21-90(1), Bill 22-90(1) and Bill 26-90(1).

Mr. Clerk, it is my intention to assent to all of the bills that are listed on this page and if I have missed one or two, as I did in Norman Wells...

---Laughter

---Applause

...I want you to know, very clearly, that I am giving assent to them.

---Laughter

---Applause

The next session of this Legislature will commence at 2:30 p.m., October 10, 1990, in Yellowknife.

As Commissioner, I prorogue this sixth session of the 11th Legislative Assembly of the Northwest Territories.

---PROROGATION

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