



**LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES**

**7th Session**

**11th Assembly**

**HANSARD**

Official Report

**DAY 6**

**WEDNESDAY, OCTOBER 17, 1990**

**Pages 106 - 125**

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

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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## YELLOWKNIFE, NORTHWEST TERRITORIES

WEDNESDAY, OCTOBER 17, 1990

## MEMBERS PRESENT

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

## ITEM 1: PRAYER

---Prayer

**SPEAKER (Hon. Richard Nerysoo):** Orders of the day for Wednesday, October 17, 1990. Item 2, Ministers' statements. The honourable Member for Slave River.

## ITEM 2: MINISTERS' STATEMENTS

**Ministers' Statement 13-90(2): Report Of The Labour Standards Law Review Panel**

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, later today I will table the report of the labour standards law review panel. The panel commenced its work in September, 1989, and completed its report in March, 1990. The report contains two sets of recommendations. One set calls for immediate action; the second set recommends more detailed study. As Members are aware, an amendment to the Labour Standards Act is now before this House to enable the setting of the minimum wage by regulations.

This amendment is in direct response to one of the panel's recommendations.

I have also struck an interdepartmental committee, comprised of representatives from the Department of Safety and Public Services, the Department of Social Services, and the Department of Economic Development and Tourism, to study the issues surrounding the setting of minimum standards for wages. This committee will provide me with a recommendation for a new minimum wage in mid-November, as well as recommendations about the economic and social factors which ought to be taken into consideration in setting minimum wages in the future.

The labour standards law review panel presents a challenge to the department, and over the coming months the department will be doing the research in-house that is necessary to draft instructions for new legislation for future consideration. Thank you, Mr. Speaker.

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

**Ministers' Statement 14-90(2): Leadership Residence Pilot Project**

**HON. STEPHEN KAKFWI:** Mr. Speaker, the future presents many challenges for the people of the Northwest Territories. Strong leadership is needed to meet those challenges and to benefit from them. To encourage excellence among youth and prepare future leaders, the Department of Education has established a leadership residence in Fort Smith. The project started this past September. Twelve students from the South Slave, Deh Cho, Dogrib, Sahtu and Beaufort-Delta were selected on the basis of their abilities and potential and their parents' commitment to such a program. These students have just entered grade 10 and will live in the leadership

residences for the time it takes them to finish grade 12.

The students are enrolled at PW Kaeser High School in Fort Smith. In addition to the regular academic program their studies will include a thorough analysis of the various levels of government in the North, the role of native organizations, and the economic, political and social challenges facing the Northwest Territories. They will also study native languages and learn how to communicate in one of them.

An important component of the leadership program is the additional activities in which the students participate outside of the classroom. These are designed to increase the students' self-reliance and help them understand the role of the individual in the community. These activities will include two week-long camps, one to be held in summer, the other in winter, as well as community service. There will be a periodic review of each student's progress and success as they move through the program.

The students live in two residences operated by carefully selected house parents. The structure and discipline in these residences is blended with a sense of family living. The result is an environment in which the students learn appropriate social behaviour and learning skills, and also receive emotional support.

A board of directors has been established to set the goals and objectives of the program, establish contact with organizations and agencies which may provide support for the students and the residences, develop policies for the operation of the residences, review and monitor the program, and make recommendations.

The cost is being covered by reallocation of existing money in the Department of Education's budget. Many of these students would have been coming to Yellowknife for their high school and would have been in home boarding. Savings realized from the Akaitcho Hall home boarding program are being transferred to the leadership residence in Fort Smith.

Mr. Speaker, the leadership residences are not an attempt to go back to the old days of the residential school. Instead, they are designed to explore other options for accommodation to support students in senior high programs. This initiative is extremely timely, considering the huge increase in senior high school enrolment this year. Although large residences will be used for the foreseeable future, home boarding is an excellent option for students in communities where space is available. This idea of small family units operated by house parents is an option I am currently exploring. If the leadership residence project proves successful, it may very well be implemented in other areas of the Northwest Territories.

Mr. Speaker, the challenge we face today is not only to increase the number of students graduating from our schools, but to increase the quality of graduates. To be successful, students need the self-confidence and skills to meet the challenges of post-secondary education and the world of employment. These leadership residences are designed to

enhance the work that is being done by the school to foster and encourage these skills. Thank you.

--Applause

**MR. SPEAKER:** Thank you. Ministers' statements. Ministers' statements. The honourable Member for Yellowknife North.

#### **Minister's Statement 15-90(2): Policing Initiatives**

**HON. MICHAEL BALLANTYNE:** Mr. Speaker, I wish to update the House on policing initiatives which will be of interest to the people of the Northwest Territories. One issue which is a priority to both my department and the Royal Canadian Mounted Police is aboriginal policing. The RCMP have been looking at how to best attain a higher percentage of aboriginal people on the police force. They have come up with two plans of action which are already under way in the Northwest Territories.

The first plan is to phase out the aboriginal special constable program, so that native constables are no longer in a separate category. Current special constables will be promoted into the regular member ranks of the RCMP. As regular members these people will receive four weeks of additional training, they will be on a higher pay scale, and their uniforms will include the red serge. Because of this plan there are now 16 aboriginal regular members from the Northwest Territories and only 12 special constables remaining. All of the special constables are eligible for promotion to the rank of constable on condition that they attend the four week training course in Regina.

The second RCMP plan of action is that the RCMP will hire a number of aboriginal persons across Canada who do not meet the basic recruitment requirements because of education, and they will develop these individuals to a level that meets normal entrance standards.

I am very pleased with the result of another initiative, the RCMP summer student program, which was funded jointly by my department, the Department of Social Services and the Department of Education. This past summer was the third year of the program, which hires aboriginal students as peace officers in various communities throughout the Northwest Territories. Twenty three students participated this year. It provided them with the opportunity to experience the policing role and to decide if it is a career option for them. Part of the success of this year's program is reflected in the fact that some of those students have now applied to join the RCMP as regular members.

One of the priorities set by me was training for the RCMP in dealing with child sexual abuse. Margaret-Anne Gallagher of Social Services has been providing training sessions to many RCMP members in Yellowknife and in the regions. The training is done on an interdisciplinary model involving settlement nurses and social services workers. Issues included are the history of child sexual abuse, common myths, profiles of victims, profiles of offenders, the role of medical intervention and interviewing challenges and techniques. The members who have attended the training have been able to gain a new insight into issues confronting child victims and an appreciation of the value of interdisciplinary investigations.

I am pleased with the direction which the RCMP is taking and wish to express my appreciation for their service in the Northwest Territories. Thank you.

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

#### **Minister's Statement 16-90(2): HIV/AIDS Update**

**HON. NELLIE COURNOYEA:** Mr. Speaker, I wish to present an update on the HIV infection in the Northwest Territories. To date, 10 individuals in the Northwest Territories have been reported to be infected with the human immunodeficiency virus or HIV. There are probably many more infected people than these statistics indicate because in the early stages of infection people may not feel sick and so do not get tested. This situation creates problems for planning future programs. The department is developing a clearer picture through a variety of methods including a system of anonymous testing.

Infections are reported to have occurred in people of both sexes, in different regions and in different ethnic groups. Some of these infected people have developed AIDS already, and some of them have died. This infection is clearly present in the NWT and is not just a "southern disease". There is a strong potential for HIV infection to continue to spread here because our rate of sexually transmitted disease is very high.

It will require very hard work from a lot of people to slow the spread of this infection. Some of this work will be to find out from boards, community leaders, ordinary people and the courts, what are the best things we can do. The field of treatment for HIV infection is rapidly changing. There are now some drugs which may prolong the life of infected people, although there is still no cure. Caring for HIV infected people will present a challenge to families, friends, health care workers, and will seriously strain all our resources, physical, monetary and emotional.

The main strategy for combating HIV infection continues to be prevention. The spread of infection can be stopped if everyone understands the risks, knows how to avoid those risks, and translates that knowledge into safe practices. The main preventative tool remains education.

Over the past four years Health and Welfare Canada has provided \$1.3 million dollars to the territorial government for the operation of an AIDS program. This seed money enabled the territorial government to provide education for a variety of professionals and for the public, particularly concerning ways of preventing the transmission of HIV. The funding also allowed the department to develop public service announcements and educational materials, many of which were produced in all the official aboriginal languages. These are but a few of the accomplishments of the past four years.

Mr. Speaker, beginning April 1, 1991, the regional health and hospital boards will be directly responsible for the delivery of prevention, care and treatment services related to HIV infection. The Department of Health headquarters will continue its current responsibility for monitoring trends in AIDS, formulating policy and standards, and providing the regions with crisis management support and information about prevention, care and treatment.

Consultation with the boards is now under way and may result in a variety of approaches concerning how these services will be delivered in the regions. Public health units are expected to be involved; also, special local initiatives may be undertaken, some of which will be funded through the NWT AIDS program. Communities may also be able to participate in local initiatives, particularly those which relate to prevention strategies.

Mr. Speaker, stopping the spread of HIV infection is up to all of us -- the government; the Department of Health; regional hospital and health boards; health professionals; educators; and the public. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. Just prior to proceeding with Members' statements, I would like to introduce the students from St. Joseph's Elementary School, grade five, and their teacher, Mike MacIsaac; students from the northern studies course, Sir John Franklin High School, and their teacher, George Diveky.

---Applause

Thank you. Item 3, Members' statements. The honourable Member for Yellowknife Centre.

### ITEM 3: MEMBERS' STATEMENTS

#### Member's Statement On Parking Machine At Yellowknife Airport

**MR. LEWIS:** Thank you, Mr. Speaker. For the first time in my life, Mr. Speaker, my wife and my three daughters will attest, I used nasty and abusive language to a woman. Last night, Mr. Speaker, I went to the airport to pick up my wife. Normally, I take a taxi, but because I had several errands to perform, I took my own vehicle. While I entered into the parking lot, Mr. Speaker, I was required to get a ticket which, I was told according to a little notice, I was supposed to validate inside the airport. Now, being a person who likes to pay his bills promptly, I went into the airport, put my money into the slot and was told I had 60 minutes to park in that place. When I proceeded to leave the airport, a woman's voice came out of a little machine and this woman told me to go back into the airport because I had more money to pay. Mr. Speaker, I had already paid for my parking, 60 cents, and the sad thing about this is that I had to then tell the security guard that I was going to refuse to pay that money and everybody behind me was not going to be able to leave that parking lot, because I paid my money. The sad thing, Mr. Speaker, was that I was being treated very nicely and gently by that security guard and he did open up the gate to let everybody through. I did not have to pay more than my 60 cents, but the sad thing is the fact that that woman in that little machine is being abused every day by people who go into that parking lot.

---Laughter

I will be urging the Minister responsible for Transportation to tell this Department of Transportation run by the federal government that we have an unnecessary introduction of stupid technology which I am going to do my best to get out of there and to be replaced by something that makes more sense.

**AN HON. MEMBER:** Hear, hear!

---Applause

**MR. SPEAKER:** Thank you. Members' statements. The honourable Member for Baffin Central.

#### Member's Statement On Co-operation Between Members And Regional Offices

**MR. KILABUK:** (Translation) Thank you, Mr. Speaker. I would just like to state, since I am elected, as are the Ministers, when there are proposals from the communities they go to the Ministers and then, in turn, the regional offices deal with such proposals. A lot of times we do not hear anything about proposals, and since I am elected in Baffin Central, I do not work very closely with the regional office in Iqaluit. Maybe the Ministers or the Government Leader could try to have better co-operation between the regional offices and the Members of the Legislative Assembly, because a lot of times proposals are dealt with on a regional basis. I have

experienced this, where they are kept in the regional offices. If I give it to the Minister then the Minister, in turn, gives it to the regional offices and it just sits there for a while because of a lack of co-operation between us. Maybe in the future Members should be aware that they will need better co-operation amongst themselves.

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

#### Member's Statement On Vandalism In Yellowknife Schools

**MR. WHITFORD:** Mr. Speaker, I rise today to express my frustration and my outrage, which is shared by many parents in this city, on the vandalism that has occurred at JH Sissons School. Mr. Speaker, I am appalled by the amount of damage that was done over the past few days to the school -- to the computers, desks, to photographs, eggs were smashed, windows were smashed, fire extinguishers ripped from the walls, glue poured all over the floor -- I am just reading from the paper but I have first-hand information of this.

Mr. Speaker, this is not the first time that a vicious attack has been done on schools here in the city. Last year, we will recollect, the Mildred Hall School was also vandalized, but even more brutally. Pet animals were killed by these persons who had broken into the school. It appears more than just vandalism, Mr. Speaker, it appears as if there is a vindictiveness toward either the school system and/or the staff at these institutions, and this is unwarranted. It is more than just mischief. This is just outright vandalism, for whatever purposes.

Mr. Speaker, it is unfortunate that time has gone by since last year, and I am not aware that the persons responsible for the damage to the school were ever caught. I am having trouble, I guess, wondering why this has not been resolved yet. I think some people know who is responsible, yet they are protecting -- either parents are protecting their children, if it is, in fact, children, and it is suspected to be that. I only wish that I could offer a reward for information leading to this and then watch the rattlesnakes turn on them.

Mr. Speaker, I think if they are caught they should be made to publicly apologize not only to the staff of that school but to the students whom they inconvenienced by these malicious acts. There are many days of education lost at a time when they least can afford it.

---Applause

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

#### Member's Statement On Justice For First Nations Group

**MR. GARGAN:** Thank you, Mr. Speaker. Mr. Speaker, I would like to inform this House about a newly formed national group. Its members want to make sure that we never have another situation like Kahnawake or Oka in this country. The organization is urging the federal government to deal with the rights of the people of Canada's First Nations through fair and peaceful means. The group is called "Justice for First Nations". It was formed by a group of 500 Canadians as an ad hoc committee, and it is open to all Canadians who support its aims.

Founding members include some of Canada's most prominent authors, intellectuals and social activists -- people like Margaret Atwood, Pierre Berton, June Callwood, Shirley Carr and Maude Barlow.

Justice for First Nations is trying to do two things. One, it needs money to support its efforts to encourage all Canadians to unite on this issue. Two, it plans to hold a national conference, in conjunction with the Assembly of First Nations, to formulate a final and just settlement of historic claims.

Mr. Speaker, this group has my full support. I will be sending a donation to them in support. I would encourage all honourable Members of this House to throw their own support behind this group. I do not think I have to explain to Northwest Territories residents and Members of this House how important and sensitive this issue is for all Canadians. Mr. Speaker, I will be happy to provide other honourable Members with the address and background information on this organization, Justice for First Nations. Thank you.

---Applause

**MR. SPEAKER:** Thank you. Members' statements. Members' statements. The honourable Member for Aivilik.

#### **Member's Statement On Drowning Tragedy Near Rankin Inlet**

**MR. ERNERK:** Thank you, Mr. Speaker. I regret to have to report a tragic accident that happened near Rankin Inlet yesterday. I will first read a faxed letter I received from Sergeant Chris Banham of the Rankin Inlet RCMP. It reads: "Sarto Ippiak went hunting with his son yesterday and they did not return. At about 8:30 this morning the body of Sarto was found at Landing Lake where the Honda had gone through the ice. The body of Chris Ippiak was later recovered from the water." End of message.

They were both riding on a four-wheel all-terrain vehicle. Mr. Ippiak and his son were both hunting when this tragedy occurred. Sarto was 36 years old and a long-time employee of the Government of the Northwest Territories, while his son Chris, 17 years old, was a student at the Maani Ulujuk High School. They are survived by his wife, Jeannine, and three children, Joeline, Jason and Putuguq.

Sarto Ippiak was a friend of mine, a personal friend for many years dating back to 1958, when I first went to school in Chesterfield Inlet. Mr. Speaker, on behalf of this House I wish to extend heartfelt condolences to the family and friends of Sarto and Chris on this very sad occasion. Thank you, Mr. Speaker.

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

#### **Member's Statement On Condolences To Family Of Drowned Victims**

**HON. GORDON WRAY:** Mr. Speaker, like my colleague from the Keewatin, I also wish to take this opportunity to express my condolences to the family of Sarto Ippiak. Sarto, as he was with Mr. Ernerk, was also a close friend of mine. He and I were settlement secretaries together, then after that we were secretary managers together. He spent many years working for the Keewatin Regional Council and many different organizations in our region.

Once again, it is that time of year when I guess we should take the opportunity to stress to our people to be careful. Every year this happens; every year we lose people. I would hope that Sarto's family can take some comfort from the many people who will rally around to support them. I would also like to take the opportunity, Mr. Speaker, to say to our people again, that fall is here and to please be careful because we are losing people every year. Thank you.

**MR. SPEAKER:** Thank you. Members' statements. The honourable Member for Natilikmiot.

#### **Member's Statement On Consequences Of Unemployment In Small Communities**

**MR. NINGARK:** Thank you, Mr. Speaker. Whether a person has a good education or no education at all, it does not make any difference when it comes to surviving. We need jobs and the problem is, Mr. Speaker, we do not have a lot of jobs to offer in the three communities that I represent. There are a number of ways that we can help to provide more jobs to the majority of the people who are unemployed in small communities. One of the ways we can do this is to guarantee government contracts to a local contractor or contractors; contracts such as construction of public housing, government buildings, roads, et cetera. Mr. Speaker, by awarding a contract to a local contractor in a small community, this government can be rewarded in two ways: 1) Dependency on welfare can be substantially reduced in that specific community; 2) the stress-related incidents with young people can be reduced by those young people having seasonal jobs. With a good instructor in on-the-job training these young people can earn money and learn at the same time.

Mr. Speaker, this government has nothing to lose in awarding contracts to local contractors because government is concerned about unemployment. This government is concerned about young people who get into trouble. Mr. Speaker, unemployment and stress are deadly ingredients contributing to vandalism, alcoholism and petty crimes. These are only primary aspects compared to the potential for a dangerous accumulation of crimes. Thank you.

**MR. SPEAKER:** Thank you. Members' statements. The honourable Member for Amittuq.

#### **Member's Statement On Condolences To Family Of Drowned Victims**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I am shocked to hear the news of our friend who recently passed away. I, too, know this person. I went to school with him in Churchill and he was my room-mate for three years. He was one of my best friends in that school. I, too, would like to send my condolences to his family. He was a very smart student and was very capable of contributing to the school where we were. I am sure, although I did not keep in contact with him after attending that school, that he has greatly contributed to that community as well. I would urge, as did my colleague, that we urge our people, especially at this time of year when the ice is very thin both on the sea and on the rivers, that we should urge our people to be extra careful. These casualties tend to happen early in the fall. Although the traditional knowledge of the communities is used, we should urge our people, especially the young people, to seek the opinions of the elders. Thank you.

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

#### **Member's Statement On Condolences To Family Of Drowned Victims**

**HON. MICHAEL BALLANTYNE:** Thank you. I, too, would like to add my condolences for the tragic death of Mr. Ippiak and his son. Mr. Ippiak was a valued employee of the Department of Finance in our government for many years. I would like to assure Members that our department will do everything possible to help the family in these very difficult times. Thank you.

**MR. SPEAKER:** Thank you. Members' statements. I would



just like to indicate to the honourable Members that the House will be sending appropriate condolences to the family recognizing the contribution that they have made to the community in which they reside.

Members' statements. Item 4, returns to oral questions. The honourable Member for Slave River.

#### ITEM 4: RETURNS TO ORAL QUESTIONS

##### Further Return To Question O32-90(2): Harvester Support Program

**HON. JEANNIE MARIE-JEWELL:** This is a return to a question asked by Mr. Morin on October 11, 1990. While a document concerning the harvester support program cannot be tabled at this time, I am pleased to provide a summary of work completed to date. There has been a significant amount of work undertaken and completed by the Department of Social Services and the Department of Renewable Resources with respect to the harvester support program over the last two years. The major highlights can be summarized as follows:

In February 1989, a deputy minister's committee was formed to direct the development of a harvester support program. A consultant was retained to provide research support to this significant initiative. Cabinet approved the terms of reference for the initiative in April of 1989.

In October 1989, an agreement was reached between the Government of the Northwest Territories and the various aboriginal leaders to form a working group to develop and assess options. Under the direction of the working group a comprehensive questionnaire was designed and administered over the period of January to March 1990. The survey results provide the most comprehensive and reliable data as to the number of harvesters and their respective levels of harvesting activity. In total, over 1500 aboriginal households were included.

Based on the results and findings of the questionnaire, the working group met on numerous occasions over the period from February to August 1990, to work on developing alternatives to meet the diverse needs of various regions and groups.

A draft proposal for a harvester support program was developed in August of 1990. The working group met to review the proposal and decided to explore additional options which would best meet the needs of harvesters. This review continues so that a workable and appropriately designed support program is developed. The next stage of the work will be the preparation of an options paper for cabinet which will provide the details of the various potential alternatives in meeting the needs of renewable resource harvesters throughout the Northwest Territories. Thank you.

**MR. SPEAKER:** Thank you. Returns to oral questions. The honourable Member for Iqaluit.

##### Further Return To Question O48-90(2): Publication Of Upcoming Legislation

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. This is a return to an oral question asked by Mr. Pollard on October 12, 1990, concerning publication of upcoming legislation. Mr. Speaker, in response to a request from the Assembly, a notice advising the public about legislation to come before the House was published in the following northern newspapers prior to the fall 1989 session: Native Press; Inuvik Drum; Slave River Journal; Mackenzie Times; L'Aquilon; News North; Yellowknife; Hay River Hub; Nunatsiaq

News. Prior to the budget and fall sessions of 1990, notices were placed in the following newspapers: News North; Native Press; Nunatsiaq News; L'Aquilon. Prior to the winter/budget 1991 session, notices will be placed in the following newspapers: Native Press; Inuvik Drum; Slave River Journal; Mackenzie Times; L'Aquilon; News North; Yellowknife; Hay River Hub; and Nunatsiaq News. Thank you.

**MR. SPEAKER:** Thank you. Returns to oral questions. The honourable Member for Slave River.

##### Further Return To Question O40-90(2): Gjoa Haven Radio Society's Bingo Licence

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, I have a return to an oral question asked by Mr. Ningark on October 12 in respect to the Gjoa Haven radio society lottery licence. The Gjoa Haven radio society received a series licence for radio bingos and Nevada tickets for the period March 31, 1989 to September 29, 1989. No statements of account were submitted to the Cambridge Bay issuing office as required by section 16(g) of the lottery regulations. Several letters were submitted by the regional director to the society requesting statements of account for the events held. The last letter dated April 17, 1990, advised the society that no further licences would be approved unless the statements were received. The society has not appealed that decision, nor has it provided Ms. Adamache with any information about its new structure.

If any member of the 1989 executive of the society is still a member, that person should be requested to prepare the overdue statements. In the case of a completely new executive, the following steps can be taken to clear the file: 1) A list of the new executive/directors must be provided to the Cambridge Bay issuing office; 2) A statutory declaration must be prepared by a member of the new executive stating that the old financial records from the licence period in question are missing. Thank you.

**MR. SPEAKER:** Thank you. Returns to oral questions. Returns to oral questions. Item 5, oral questions. The honourable Member for Tu Nede.

#### ITEM 5: ORAL QUESTIONS

##### Question O94-90(2): Tabling Of Northern Accord Package

**MR. MORIN:** Thank you, Mr. Speaker. My question is for the Minister of Energy, Mines and Resources. In her comments in reply to the Member for Yellowknife Centre on Thursday of last week, the Minister referred to a Northern Accord package. The Minister also indicated that the Northern Accord package is quite acceptable to all aboriginal organizations. Could the Minister table the Northern Accord package for the information of this House? Along with it, could she table the documentation showing the support of the aboriginal organizations? Thank you.

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

##### Return To Question O94-90(2): Tabling Of Northern Accord Package

**HON. NELLIE COURNOYEA:** Yes, Mr. Speaker. Just to be a little more clear I am prepared to give the information to the Members as we have already presented the package to various groups. On Thursday, I stated that we were able to put together a package that would complement their claims process; in terms of the package, the aboriginal organizations do not have any difficulty with the package. That is what I stated Thursday.

Mr. Speaker, I did not want to suggest that all issues had been resolved as to how the accord would be implemented. Because the accord will encompass all types of oil and gas decisions, the link between the regulatory mechanism and claims mechanisms is complex. For example, we have still not come to an agreement with the Dene/Metis as to how subsurface benefits will be administered in their settlement region. Other areas requiring more work will be on how land, water and wildlife mechanisms created pursuant to claims will interact with oil and gas bodies.

Mr. Speaker, I am hopeful that once the Dene/Metis claim situation is clarified, we can get back to work and settle these issues. Mr. Speaker, at any time if the ordinary Members would like a further briefing on the Northern Accord package, we would be pleased to do so. Thank you.

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

**Supplementary To Question O94-90(2): Tabling Of Northern Accord Package**

**MR. MORIN:** Thank you, Mr. Speaker. A supplementary, Madam Minister. It was a long answer. I might have missed it. Did you say that you would table the Northern Accord package in this House and also the documentation that shows aboriginal organizations' support of the proposed Northern Accord?

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

**Further Return To Question O94-90(2): Tabling Of Northern Accord Package**

**HON. NELLIE COURNOYEA:** Mr. Speaker, I will be tabling as much as I can to satisfy the request of the honourable Member.

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

**Supplementary To Question O94-90(2): Tabling Of Northern Accord Package**

**MR. MORIN:** Thank you, Mr. Speaker. Supplementary, Madam Minister. What is "as much as you can"?

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

**Further Return To Question O94-90(2): Tabling of Northern Accord Package**

**HON. NELLIE COURNOYEA:** Mr. Speaker, in the deliberations with the aboriginal groups, in one of the working relationships, we had attempted to conclude memorandums of understanding on the implementation of how we would proceed with the claim and I would have to check with the aboriginal groups to see if they would want such a document tabled, given that in some areas it is not complete. But I will check with them and I will give as much information as I possibly can.

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

**Supplementary To Question O94-90(2): Tabling Of Northern Accord Package**

**MR. MORIN:** Thank you, Mr. Speaker. Supplementary, Madam Minister. What I was asking for was documentation

on the Dene/Metis agreement with the proposed Northern Accord, and also the proposed Northern Accord itself, the document. Would she be able to table that?

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

**Further Return To Question O94-90(2): Tabling Of Northern Accord Package**

**HON. NELLIE COURNOYEA:** Certainly, Mr. Speaker.

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

**Question O95-90(2): Policy On Awarding Housing Corporation Contracts**

**MR. NINGARK:** Thank you, Mr. Speaker. My question is directed to the Minister responsible for Housing. I wonder if the Housing Corporation has any policy to award contracts to a contractor who has a track record in hiring local labour?

**MR. SPEAKER:** Thank you. The honourable Member for Inuvik.

**Return To Question O95-90(2): Policy On Awarding Housing Corporation Contracts**

**HON. TOM BUTTERS:** Mr. Speaker, the Housing Corporation, in conjunction with its federal partner, CMHC, awards contracts on the basis of the lowest tender. There is a requirement or an attempt to encourage the contractors to include as much local labour as possible, and to use local resources. I am very much aware of the concern that the Member addressed in his Member's statement today. I did receive a copy of the letter which contained the concerns, which he announced a few moments ago. Because of the importance of that particular initiative I took the liberty of sending a copy of that letter from one of his constituency's communities to the federal Minister of Housing, to indicate to him the desire of northern people in communities to ensure that as much as possible that our joint contracts are awarded to local contractors.

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

**Question O96-90(2): NWT Regarded As Third World Country In Bridgehead Catalogue**

**MR. WHITFORD:** Thank you, Mr. Speaker. I have a question that I want to direct to the Minister responsible for Economic Development. A constituent sent me a catalogue which is entitled "Bridgehead". It is associated with OXFAM-Canada and in it it states its goals and the objectives of Bridgehead and OXFAM. Primarily they relate to assisting Third World countries in marketing products. Included in this catalogue there are a number of items from the Northwest Territories and I just wondered when the Northwest Territories had become a Third World country.

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

**Return To Question O96-90(2): NWT Regarded As Third World Country In Bridgehead Catalogue**

**HON. GORDON WRAY:** Thank you. I have not seen the documents that the Member refers to but I would be pleased to look them over. However, I should point out that during the presentation of the economic strategy and in the SCONE report, I can indicate to the Member that outside of four or five

main centres in the Northwest Territories the economy of the North is classified by scholars and academics as a Third World economy, so it should come as no surprise that some people regard us as a Third World country. We do have a Third World economy, including our lack of transportation system. I could understand why some people would think that because, in fact, it is the case in certain situations. Thank you.

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

**Supplementary To Question O96-90(2): NWT Regarded As Third World Country In Bridgehead Catalogue**

**MR. WHITFORD:** Thank you, Mr. Speaker. Could the Minister advise me -- after I give him these documents I guess -- if he is aware of whether OXFAM is providing funding to some communities in the Northwest Territories, which come under his jurisdiction, to prepare crafts and to market them and to develop marketing strategies in Canada. Why should we not be doing that?

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

**Further Return To Question O96-90(2): NWT Regarded As Third World Country In Bridgehead Catalogue**

**HON. GORDON WRAY:** Thank you, Mr. Speaker. We are doing that and, no I am not aware that OXFAM is doing this. If the Member would provide me with copies of the literature I would be pleased to take a look at it and investigate it further. Thank you.

**MR. SPEAKER:** Thank you. Just prior to proceeding I wanted to introduce the Member of Parliament for Nunatsiak, Mr. Jack Anawak.

---Applause

I also wanted to take the time to introduce the president of the Metis Association and the vice-president of the Metis Association of the Northwest Territories Gary Bohnet and Gordon Lennie.

---Applause

Oral questions. The honourable Member for Yellowknife Centre.

**Question O97-90(2): Information At Yellowknife Airport In Both Official Languages**

**MR. LEWIS:** Thank you, Mr. Speaker. My question is to the Minister of Justice. In view of the fact that people from all over the Northwest Territories and southern Canada use the Yellowknife airport and are immediately confronted with a very complex system of parking, my question is, is that airport not part of the federal government structure under the Official Languages Act, which requires that all of its information to the public should be both in English and in French?

**MR. SPEAKER:** Thank you. The honourable Member for Yellowknife North.

**HON. MICHAEL BALLANTYNE:** I am not sure if I am the proper Minister, Mr. Speaker. A little bit earlier the honourable Member talked about using rude language to the woman whose voice he heard on a box and I thought maybe the question should be addressed to the Minister responsible for the Status of Women.

**MR. SPEAKER:** Oral questions. The Member for Yellowknife Centre, supplementary.

**Question O98-90(2): Information At Yellowknife Airport In Both French And English**

**MR. LEWIS:** Supplementary, then, to the Minister of Transportation. In view of the fact that so many people come into Yellowknife and have difficulty, very often, in understanding things in English, is the Minister prepared to convince the authorities that run that airport that they have a very, very unpleasant situation there for the vast majority of people who use that airport? Because it is so complex when you first look at it that it is very difficult to know what you have to do and since all of the signs are in English would he, in fact, approach the airport manager or somebody higher to tell him that what he has got is a mess and he should fix it up so that it makes more sense?

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

**Return To Question O98-90(2): Information At Yellowknife Airport In Both French And English**

**HON. GORDON WRAY:** Thank you. I must admit I was chuckling when the Member was making his statement earlier because I have already directed my department to write to Transport Canada, or to write a letter for my signature, telling them what an asinine system they have at that airport. But I would point out that Northerners are beginning to take their own action with regard to the system and that is, if you notice, when you go out there the parking lot is almost empty but there is a gravel lot behind the parking lot which is now full. So Northerners are just not using it anymore. I was sort of chuckling the other day when I went out there because the machine was broken and they had the arm permanently raised.

Yes, it is a stupid system. Does it surprise me? No, we are talking about Transport Canada here. We are talking about Transport Canada that is going to cancel weather observations in Fort Franklin because it will not pay Air Sahtu more than \$417 a month to do weather and radio. So it does not surprise me because I have had to deal with those idiots for the last six years. Thank you.

**MR. SPEAKER:** Oral questions. The honourable Member for Yellowknife Centre, supplementary.

**Supplementary To Question O98-90(2): Information At Yellowknife Airport In Both French And English**

**MR. LEWIS:** I had an opinion that what the federal government is doing out there is really not right because information to the public should really be in both languages, so is the Minister of Justice prepared to bring an injunction to close that facility down so that the public can be better served when it goes to that airport?

**MR. SPEAKER:** The honourable Member for Kivallivik.

**Further Return To Question O98-90(2): Information At Yellowknife Airport In Both French And English**

**HON. GORDON WRAY:** Thank you. Most certainly in the letter I will point out that it is not only not in both official languages of Canada, but it is also not in the official languages of the Northwest Territories and, therefore, a lot of people do not understand it. My goal is to get rid of the system completely; that is what I would like to do. Just get the thing torn out. I suspect that it probably cost Transport Canada a lot of money to put that system in; it would not

surprise me if it was in the tens of thousands of dollars. The system will probably never pay for itself given that it is broken most of the time. But it is part of the federal government's cost recovery program and they are trying to make money on airports, but I have to agree with the Member that it is rather stupid and silly.

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

**Question O99-90(2): GNWT Responsibility For Implementing Land Claims**

**MR. MORIN:** Thank you, Mr. Speaker. My question is to the Government Leader. At a Metis assembly last July the Government Leader said, and this is a direct quote, "Because we are the government on the ground, up here, as it were, we are going to be left with the lion's share of government responsibility for implementing these claims", referring to the Dene/Metis claims. He then went on to say, "We, as a government, are legally limited, constitutionally limited in how far we can go in legislating benefits for aboriginal people as aboriginal people. Only the federal government can do that." Could the Government Leader table the research that brings him to this conclusion and, further, does this mean that the Government of the Northwest Territories cannot recognize aboriginal people for special programs in health, education, culture, housing and aboriginal self-government?

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

**HON. DENNIS PATTERSON:** Mr. Speaker, the Member asks a very profound question. I was tempted to say that I could table the Constitution of Canada to answer the question about the jurisdiction of the Government of the Northwest Territories and the Government of Canada to implement aboriginal rights, or legislate aboriginal rights, but the Member, in effect, asks for a legal opinion, so I will have to take the question as notice.

**MR. SPEAKER:** Thank you. The question has been taken as notice by the Government Leader. Oral questions. Oral questions. The honourable Member for Deh Cho.

**Question O100-90(2): Restoration Of Fort Providence Church**

**MR. GARGAN:** Mr. Speaker, on August 23rd I met with a number of people from the Prince of Wales Northern Heritage Centre with regard to the church in Fort Providence. On September 12th I also met with the Minister during our finance meeting about the condition of the church in Fort Providence and asked whether the Minister might be able somehow to assist in restoring the church so that it could be used. Mr. Speaker, I have not heard from the Minister since that meeting, and I would like to ask the Minister whether or not there are any intentions to do anything this year so that the residents in Fort Providence have a church that they could go to.

**MR. SPEAKER:** The honourable Member for Amittuq.

**HON. TITUS ALLOOLOO:** Mr. Speaker, since my meeting with the honourable Member I have instructed my director to visit the community and to have a look at the church. Since I have not received any reports back from my staff, I will have to take the question as notice and get back to the Member as soon as I can.

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

**Question O101-90(2): Negotiations On Proposed Northern Accord Re Aboriginal Benefits**

**MR. MORIN:** Thank you, Mr. Speaker. A question for the Government Leader. Mr. Government Leader, it is my understanding that aboriginal organizations are in negotiation with the Government of the Northwest Territories on a proposed Northern Accord. My understanding is that their position is that they would like the Dene/Metis recognized through the Northern Accord for guaranteed jobs, contracts and spinoffs of any development, as well as a guarantee of a certain percentage of the resource. Is this government in any position to negotiate with these aboriginal people in order for them to reach their end goal, and that is to have a guaranteed aboriginal right to a certain percentage of the resource and certain benefits? Is this government in a position to negotiate that with them? Can you even offer that to them? Thank you.

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

**Return To Question O101-90(2): Negotiations On Proposed Northern Accord Re Aboriginal Benefits**

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. Mr. Speaker, I will try to answer the question, although the Minister responsible for Energy is directly responsible for these discussions. First of all, Mr. Speaker, I do not think it is correct to characterize the relationship of the Government of the Northwest Territories and the aboriginal organizations as that of negotiating. We are hoping to negotiate the Northern Accord with the federal government. We are working with the aboriginal organizations to develop a northern position which we would take, hopefully by consensus, to the federal government with their participation and support.

Mr. Speaker, the aboriginal organizations have sought to negotiate subsurface benefits with the Government of Canada through their land claims. With regard to ethnic rights to subsurface benefits, that is a land claims matter, land claims are for aboriginal people. Those matters are between the Government of Canada and the aboriginal organizations in the land claims forum.

Mr. Speaker, our government, which represents the public interest and the interest of all people including, of course, the aboriginal people, is planning to negotiate a Northern Accord which will deal with northern benefits for the communities of the Northwest Territories, all residents of the Northwest Territories, through our government.

Mr. Speaker, that simply is the crux of the problem that the Member has raised. We do not have the constitutional authority to negotiate benefits on an ethnic basis. We have the ability only to represent the public interest in negotiations respecting community or northern benefits.

Mr. Speaker, we have presented proposals to the aboriginal organizations on the northern benefits regime that we propose in the Northern Accord, which we think will satisfy the strong concerns of the Dene/Metis to have first opportunity to take advantage of the economic benefits of oil and gas development. We think that our proposal will meet their concerns in that regard. I think it is fair to say they remain to be convinced and are pursuing the matter of guaranteed rights for Dene/Metis with our government. Our answer has been that we do not have the authority or the jurisdiction to guarantee northern benefits on an ethnic basis. That is a matter for claims negotiations which are based on aboriginal rights, and not a matter that our government can deal with in the context of the government-to-government Northern Accord negotiations. I hope that clarifies the issue for the honourable Member. Thank you, Mr. Speaker.

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

**Supplementary To Question O101-90(2): Negotiations On Proposed Northern Accord Re Aboriginal Benefits**

**MR. MORIN:** Thank you, Mr. Speaker, supplementary to the Government Leader. Mr. Government Leader, what it does is it mystifies me even more. My understanding is that every time at the negotiating table on the land claims level that oil and gas revenues begin to be discussed or start to surface, the federal government always refers back to this new Northern Accord that is being negotiated with the territorial government. Yet, what you are saying to me, is that we do not have the jurisdiction to sit down with the Dene/Metis and recognize their aboriginal rights in the new proposed Northern Accord.

Will the Government Leader assist the Dene/Metis and support the Dene/Metis to have that put into their agreement in principle with the federal government so they can negotiate it with the federal government? If you cannot negotiate it and you cannot solve it, and you seem to be saying that you cannot do that, then at least allow...

**MR. SPEAKER:** Order please. Just to remind the honourable Member that you are asking a supplementary and the supplementary does not require a preamble. The honourable Member for Tu Nede, supplementary.

**MR. MORIN:** Thank you, Mr. Speaker. Will the Government Leader assist and support the Dene/Metis to have aboriginal rights to resource revenue sharing, as well as jobs and contracts, put into the agreement in principle to negotiate with the federal government? Thank you.

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

**Further Return To Question O101-90(2): Negotiations On Proposed Northern Accord Re Aboriginal Benefits**

**HON. DENNIS PATTERSON:** I wish it was that easy, Mr. Speaker. The Dene/Metis agreement in principle does provide aboriginal rights to revenue sharing. That has already been settled. The other issue the honourable Member refers to, which is northern benefits, jobs and contracts, is a matter that falls outside the federal claims policy.

Mr. Speaker, there has been some confusion on the part of the Dene/Metis about whether or not Mr. Siddon had made certain promises about allowing northern benefits on an aboriginal basis to be included in the land claims negotiations. I wrote, or Ms. Cournoyea wrote -- I have just forgotten who wrote the letter -- to Mr. Siddon when that issue came up asking for clarification as to whether or not the federal government would be prepared to include benefits in the AIP on an aboriginal basis. We attempted to assist the Dene/Metis by seeking clarification on that point.

If the federal government is willing to broaden the negotiations to include those matters, then that is a matter for the federal government to decide and for the federal government to fund. That is not something that we can decide, Mr. Speaker. We did ask the federal government to clarify what their position was, and I think I should, in all fairness, point out to the honourable Member that the position is quite clear. The package negotiated in April is final, take it or leave it. That is the strong position Mr. Siddon made with the Dene/Metis when he was up here this month. So, Mr. Speaker, I think the answer from the federal Minister is now quite clear on that point and I hope that the Dene/Metis will then work co-operatively with our government to ensure that the community

benefits and the northern benefits package reached through the Northern Accord will be strong enough and will be demanding enough of the oil companies, with whom our government will negotiate, that benefits will flow to northern communities which are principally populated by Dene/Metis.

That is the route I think they should go, Mr. Speaker, in light of the federal government's intransigence on reopening the claim. That is the route we are hoping that they will agree to co-operate with us in taking. It is the only realistic approach, Mr. Speaker, that I think can be taken, unless one wants to leave the matter of negotiating northern benefits with a distant bureaucracy in Ottawa called COGLA. Thank you.

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

**Question O102-90(2): Support For Credit Union In The NWT**

**MR. LEWIS:** Thank you, Mr. Speaker. My question is to the Minister of Economic Development and Tourism. A year ago in Norman Wells we tabled the SCONE report and were generally pleased by the government's response later on, on some of the things they wanted to do, but I am rather perturbed, Mr. Speaker, by some comments that the Minister made earlier this week about the sad state of banking in the Northwest Territories and the fact that he wants to make some changes in some of our legislation so that the government could provide more of a banking service.

My question to the Minister is, why is it that he has taken this route instead of doing what most people have told us, which is to develop the banking system that works? Why is he not supporting the efforts of the co-op to get a credit union going instead of allowing the government to get into banking?

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

**Return To Question O102-90(2): Support For Credit Union In The NWT**

**HON. GORDON WRAY:** Thank you. I guess the Member did not listen to the whole interview because I said that I am supporting the co-ops and I am supporting them the best way I know how by giving them the funds to do the study. The formation of credit unions is a very complex issue and the first thing that had to be done, the co-ops had to undertake a study to look at the whole issue of establishing a credit union, and I assisted them through funding from some of our programs. I am supporting the co-ops in looking at that whole issue.

With regard to our business loan fund, I mentioned in the interview and also in this House when I tabled the government's economic strategy, that it made no sense for people in small communities to have to get a letter of refusal from the bank in order to access our loan programs and that we were going to remove the restriction of that from our loan programs. That was also something that had been mentioned to us by many people in the communities as a major drawback to them -- having to spend money to go to a bank to get a letter that they are never going to get anyway -- so I am just taking that out which will make it easier for people to access our loan programs. More and more we are finding people who have been frustrated by the commercial banking system and turning to us, and that is what bothers me -- that many good viable loans that could or should be funded through commercial institutions are not being.

There are still areas in the North where, even if you have good salaries and are a credible risk, you cannot get a

mortgage for your house, simply because of where you live. There are investment programs that I know of that are offered here in Yellowknife that you can borrow money from the banks in Yellowknife for, but if you happen to live outside Yellowknife you cannot get the same treatment from banks.

I am just concerned with the banking industry. Does it have any plans for the North, are there any set policies, are there criteria they use? Is there, as I have been told, an informal limit that they have set for exposure in the North? If there is, what is that limit, are we near it, are we not near it? As the Member for Hay River mentioned yesterday, there seems to be coming from more and more small businessmen, a concern that the banks are adopting an extremely conservative position, perhaps as a sign of the times with the recession and high interest rates.

To go back to your original question, I am supporting the co-ops. I am supporting them the best way I know how.

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

**Supplementary To Question O102-90(2): Support For Credit Union In The NWT**

**MR. LEWIS:** Mr. Speaker, since the SCONE committee have already funded a study on the whole issue of banking and used the same consultant that the co-ops had already got work done by, in what way is he helping the co-ops by simply asking them to duplicate a study that has already been done?

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

**Further Return To Question O102-90(2): Support For Credit Union In The NWT**

**HON. GORDON WRAY:** I did not ask the co-ops to do it, the co-ops themselves undertook the initiative and came to us and asked us for funding to do it. I presume it is because, if the co-ops are going to do it and set it up, then they need their own study done by themselves to justify setting it up. I did not ask the co-ops to do it, it is their initiative.

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

**Supplementary To Question O102-90(2): Support For Credit Union In The NWT**

**MR. LEWIS:** Would the Minister then confirm that it is not the intention of this government to get into the banking business, but it is the preferred position that we either get commercial banks or a credit union or something like it to take on that burden? Will he confirm that that is the position of the government?

**MR. SPEAKER:** The honourable Member for Kivallivik.

**Further Return To Question O102-90(2): Support For Credit Union In The NWT**

**HON. GORDON WRAY:** Yes, I most certainly can, Mr. Speaker.

**MR. SPEAKER:** Oral questions. The honourable Member for Kitikmeot West.

**Question O103-90(2): Progress Report On GNWT Getting Out Of Staff Housing**

**MR. PEDERSEN:** Thank you, Mr. Speaker. To the

Government Leader. On April 2 of this year Motion 14-90(1) was passed, with no votes opposing it in this House, recommending to the government that they take immediate steps to cease the provision of staff accommodation throughout the NWT. Since that time I have had no progress reports on how they are doing on this, but I have noticed a number of long-term leases being entered into. The last one apparently caused some controversy in the Government Leader's own home community. Could the Government Leader tell me what the progress is on this motion and whether some immediate steps are, in fact, being taken?

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

**Return To Question O103-90(2): Progress Report On GNWT Getting Out Of Staff Housing**

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. We will provide a report on the follow-up to that motion later on in this session. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Rae-Lac la Martre.

**Question O104-90(2): Sand And Gravel Issue**

**MR. ZOE:** Thank you, Mr. Speaker. Mr. Speaker, all Members of this House received a fax from the Gwich'in Tribal Council with regard to the sand and gravel issue. I would like to direct my question to the Government Leader. Could the Government Leader inform the House as to what is happening with regard to this sand and gravel issue?

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

**HON. DENNIS PATTERSON:** Mr. Speaker, it appears that the issue the Member is referring to has been mailed to Members and I guess we have not read our mail yet. It was mailed to me? I have not read my mail yet so I will have to take the question as notice because I am not sure what the issue is about.

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

**Question O105-90(2): Ample Time For Members To Comment On Report**

**MR. PEDERSEN:** Thank you, Mr. Speaker. It is kind of a supplementary to my last one but I will ask it as a new question. Could the Government Leader give me some assurance that later this session there will be time to allow Members on this side and across the corner an opportunity to comment on the report that you will be bringing in? In other words, not on the last day.

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

**Return To Question O105-90(2): Ample Time For Members To Comment On Report**

**HON. DENNIS PATTERSON:** Yes, Mr. Speaker, I can assure the honourable Member that I do not intend to give that reply on the last day. We are still working on the matter and I would hope we can provide an answer in a timely fashion as we see how long the session is going to last. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Rae-Lac la Martre.

**Question O106-90(2): Policy To Govern Sand And Gravel Pits In The NWT**

**MR. ZOE:** Thank you, Mr. Speaker. My question is directed to either the Government Leader or the Minister responsible for Municipal and Community Affairs. I understood that all gravel pits and sand pits that the municipalities or our government use is under the Department of Municipal and Community Affairs. Am I correct? Is there a policy which governs sand and gravel pits in the Territories?

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

**Return To Question O106-90(2): Policy To Govern Sand And Gravel Pits In The NWT**

**HON. DENNIS PATTERSON:** Mr. Speaker, there are sand and gravel pits and then there are sand and gravel pits. Some are related to municipalities and some are related to highways. Therefore, they fall under the responsibilities of the Minister of Municipal and Community Affairs and the Minister of Transportation. There are some pits, as well, that are private. I hope that answers the Member's question.

**MR. SPEAKER:** Oral questions. The honourable Member for Rae-Lac la Martre, supplementary.

**Question O107-90(2): Responsibility For Sand And Gravel Pits**

**MR. ZOE:** Is it my understanding that all gravel pits that are only on Commissioner's land is the responsibility of this government. Am I correct?

**MR. SPEAKER:** The honourable Member for Inuvik.

**HON. TOM BUTTERS:** I do not know if I can add very much to the answer. I think we had better take it as notice and provide an answer in relation to who is responsible for what gravel pits.

**MR. SPEAKER:** Thank you. The question is taken as notice. Oral questions. The honourable Member for Tu Nede.

**Question O108-90(2): Government Support For Dene/Metis Gravel And Sand Deposits**

**MR. MORIN:** Thank you, Mr. Speaker. My question is to the Government Leader. Mr. Government Leader, you have a letter in the mail from the Gwich'in Regional Council to yourself and Mr. Kakfwi, Minister of Aboriginal Rights. Basically what that letter is requesting is your support for the Dene/Metis in their land claims, and your support to allow Dene/Metis to pick sand and gravel deposits in the Northwest Territories. At present that support has not been there, from this government, and it does seem to be one of the things that seems to be holding the land claim process up. Does this government support Dene/Metis being able to pick gravel and sand deposits in the Northwest Territories? Thank you.

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

**HON. DENNIS PATTERSON:** Mr. Speaker, I have seen the letter that the Member is referring to. It has to do with Campbell Hills Park, I believe. Both Mr. Kakfwi and I have been approached about the matter by Delta Dene/Metis representatives. Mr. Speaker, the matter will have to be reviewed by cabinet before we can give a reply here. There is the matter of the public interest and there is the matter of our desire to promote the just settlement of aboriginal rights. I think this is a situation where those two rights may have to

be balanced. So we will have to, I guess, take the question as notice and review the matter and try to provide a timely response, through the Minister of Aboriginal Rights, in this House. Thank you.

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

**Question O109-90(2): NWT Stakeholders' Group**

**MR. MORIN:** Thank you, Mr. Speaker. My question is to the Minister responsible for Renewable Resources. Mr. Minister, last week in the House you tabled a Ministers' statement on the buffalo south of the lake. In your Ministers' statement you stated that you would be coming to the House for a supplementary appropriation to help fund -- one thing was an agreement that you reached with Fort Resolution people, a co-management agreement. The other thing that you did mention in that statement was an NWT stakeholders' group; the people in Fort Resolution have not heard of an NWT stakeholders' group. Mr. Minister, can you tell me what this NWT stakeholders' group is? Who does it represent and who sits on this stakeholders' group? Thank you.

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

**Return To Question O109-90(2): NWT Stakeholders' Group**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. The Member is correct that in my statement last week I stated that I would like to see a group established that is representative of the communities that are affected. That group has not been identified to represent the Northwest Territories. What I would hope to do is, because the stakeholders' group that the panel has recommended will be a representative of the Canadian stakeholders' group not only in the Northwest Territories, and I was concerned that in the Canadian stakeholders' group the NWT would be under-represented. I thought that before this Canadian stakeholders' group is established, we should have a very good position dealing with the bison south of the lake and we should establish a group that is representative of these communities who have stake in the bison. Also, I would like to see our government involved in developing a plan to deal with the bison issue. I have not come up with this stakeholders' group yet. I will keep the House informed as to the development of this group. Thank you.

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

**Supplementary To Question O109-90(2): NWT Stakeholders' Group**

**MR. MORIN:** Thank you, Mr. Speaker. Supplementary, Mr. Minister. I would like to commend you in the work your department did do, or is in the process of doing, with Fort Resolution, to try and take a sensible approach to the disease problem south of the lake with the buffalo. Mr. Minister, there is an aboriginal users group formed already that meet on the buffalo issue. They had voiced displeasure with the Canadian stakeholders' group because it was too government top-heavy. We would be under-represented on it. Mr. Minister, are you willing to look at the renaming of this group? Instead of calling it a stakeholders' group, "NWT stakeholders' group", would you be willing to call it an aboriginal users group?

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

**Further Return To Question O109-90(2): NWT Stakeholders' Group**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. Regardless of the name of the group, I think what we should do is get our people who are knowledgeable about the bison in the Northwest Territories, in the park, involved fully to develop the plan that will be coming from the Northwest Territories to the Government of Canada. I would also be very interested to see that my department, especially, and also the Government of the Northwest Territories, be involved in development of the plan that will be coming from the Northwest Territories. Regardless of the name, I would very strongly suggest that the community representatives should be strong on the Northwest Territories group. Thank you.

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

**Supplementary To Question O109-90(2): NWT Stakeholders' Group**

**MR. MORIN:** Thank you, Mr. Speaker. Supplementary, Mr. Minister. At the time that you bring your supp to the House, Mr. Minister, will you be able to reassure Members of this House that this -- whatever it be called "NWT stakeholders' group" or "aboriginal users group" -- that aboriginal users of the buffalo hold the majority of the seats on that group?

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

**Further Return To Question O109-90(2): NWT Stakeholders' Group**

**HON. TITUS ALLOOLOO:** Mr. Speaker, I have no problem with the majority membership coming from the community. Thank you.

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

**Question O110-90(2): Status On Land Claims**

**MR. GARGAN:** Mr. Speaker, I have been listening with interest with regard to discussions on land claims. I would like to direct my question to the Government Leader. I would like to ask the Government Leader whether or not the situation now is such that the land claims or process for ratification is still alive, and that this government should in fact view the land claims as still being alive and that any response they give is with the assumption that the ratification process is still going to happen.

**MR. SPEAKER:** Thank you. The honourable Member for Sahtu.

**Return To Question O110-90(2): Status On Land Claims**

**HON. STEPHEN KAKFWI:** Mr. Speaker, the question falls under my responsibility as Aboriginal Rights Minister. The federal government has suspended negotiations. I think most regions of the Dene/Metis have indicated that they want to suspend as well and that they are not prepared to proceed with ratification of the proposed Dene/Metis final agreement. Presently all the regions, the Dene Nation, and the Metis Association, are waiting for the federal cabinet to decide what course of action they would take. The belief is that the federal government will indicate, after years of negotiations, that the Dene/Metis claim may be dead and put on the shelf for a while or they may look at implementing the Dene/Metis claim on a regional basis; that is, allowing each region, as they become prepared to go through ratification, that they may go

for that option; that is, giving each region an opportunity to explain the final agreement and then having the individual beneficiaries in each region vote on whether they want to accept that deal or not. Presently the federal government has yet to indicate what it is they are prepared to do and so we are all waiting at this time. Hopefully the federal government will indicate what course of action they are prepared to take before the end of this month. Thank you.

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

**Supplementary To Question O110-90(2): Status On Land Claims**

**MR. GARGAN:** Thank you, Mr. Speaker. I would like to ask the Minister of Aboriginal Rights and Constitutional Development, seeing that the land claims are not dead, has this government prior to the selection process, made selections on behalf of this government that have made it difficult for aboriginal claimants to select certain areas? Has this government made selections prior to the selection process?

**MR. SPEAKER:** Order. The honourable Member has already posed the question. The honourable Member for Sahtu.

**Further Return To Question O110-90(2): Status On Land Claims**

**HON. STEPHEN KAKFWI:** Mr. Speaker, the question is, I think, whether the territorial government has alienated lands from the Dene/Metis -- when the Dene/Metis come along to select lands, whether or not this government has taken steps to ensure that not all available lands were up for selection. I think my understanding is that all lands, unless presently under use -- that is, those with third party interest in existing use were the only ones that were not available for selection. I think the existing sand and gravel pits, for instance, are one example where we have not made it possible for Dene/Metis to select those in the past.

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

**Supplementary To Question O110-90(2): Status On Land Claims**

**MR. GARGAN:** Mr. Speaker, I would like to again ask the Minister of Aboriginal Rights and Constitutional Development if this government has taken a position with regard to sand, gravel and clay, has the government laid claims to those?

**MR. SPEAKER:** Honourable Member for Sahtu.

**Further Return To Question O110-90(2): Status On Land Claims**

**HON. STEPHEN KAKFWI:** Mr. Speaker, the territorial government already has rights to existing sand and gravel pits. Those are considered to be property or rights of the territorial government and our position has been, until now, that we think those should not be included in land selection. The Government Leader has indicated that because of the letter from the Gwich'in Tribal Council that has come to the attention of the cabinet Members, we will be reviewing the request contained in the letter to us and we will try and reconcile the two interests that come together on the sand and gravel issue.

One is the fact that as a government we are responsible for the management of public moneys and naturally we would not be prone to saying we do not mind to give something away



even if we know it is going to cost us more money. On the other hand, as a government that strongly supports aboriginal rights, we have to reconcile that with the fact that we cannot really take a position that that sand and gravel belong to nobody. We need to recognize that as aboriginal people, and as aboriginal support of government, we believe that that sand and gravel belongs to somebody and we will try to figure out how to accommodate the two. I think that is what cabinet is prepared to do. Thank you.

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

#### **Supplementary To Question O110-90(2): Status On Land Claims**

**MR. GARGAN:** Mr. Speaker, the Minister recognizes that the sand and gravel does belong to somebody. Does the government recognize the fact that the aboriginal people have been up here longer than this government and do they recognize that the sand and gravel does perhaps belong to the aboriginal people?

**MR. SPEAKER:** The honourable Member for Sahtu.

#### **Further Return To Question O110-90(2): Status On Land Claims**

**HON. STEPHEN KAKFWI:** Mr. Speaker, as I indicated earlier, there are two perspectives to reconcile. One is that the territorial government has been developing existing sand and gravel pits for a number of years and we have not been paying anybody for it. If we let the Dene/Metis or Inuit select existing sand and gravel pits, then of course it is going to incur additional cost. It is the general public who is going to be deprived of some of that money. Nevertheless, as an aboriginal person of course I cannot divorce myself from that. I believe, and I think all of us do, that this land is ours, the resources on it are ours. Some of us believe we should have the whole thing, everything. Some of us recognize that we have to negotiate. We are not going to get to keep everything. So in the course of negotiations we try to figure out whether sand and gravel are going to be included in the things that you get to keep.

This is going to be reviewed by cabinet, hopefully in the next few days, and when we respond it is going to be a response where we have thought of the implications of the decision we make. It will be either supportive of the aboriginal people's request or it may not be. We will have to take time to make that decision.

**MR. SPEAKER:** Time period for oral questions has expired. Written questions. Honourable Member for Tu Nede.

#### **ITEM 6: WRITTEN QUESTIONS**

##### **Question W2-90(2): Band Council Offices**

**MR. MORIN:** Would the Government Leader provide the following information: 1) What amount of capital funding was provided to the band councils in Fort McPherson and Aklavik for the construction of band council offices? 2) Has the Government of the NWT reached any agreement with band councils that will assure the communities of Fort McPherson and Aklavik that they will receive band offices?

**MR. SPEAKER:** Written questions. Honourable Member for Tu Nede.

#### **Question W3-90(2): GNWT Responsibility For Implementing Land Claims**

**MR. MORIN:** Thank you, Mr. Speaker. Once again to the Government Leader. If the Government of the NWT cannot recognize aboriginal people in its legislation, why does it expect to implement a lion's share of the land claims?

**MR. SPEAKER:** Thank you. Written questions. At this point I would like to introduce the president of the Dene Nation, Mr. Bill Erasmus.

---Applause

Item 7, returns to written questions.

Item 8, replies to Opening Address.

Item 9, petitions.

Item 10, reports of standing and special committees. Item 11, tabling of documents. Honourable Member for Slave River.

#### **ITEM 11: TABLING OF DOCUMENTS**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I wish to table Tabled Document 10-90(2): Report of the Labour Standards Law Review Panel into Employment Standards in the Northwest Territories, in English and Inuktitut.

**MR. SPEAKER:** Thank you. Tabling of documents. Honourable Member for Inuvik.

**HON. TOM BUTTERS:** Mr. Speaker, I wish to table Tabled Document 11-90(2): Memorandum of Agreement between the Department of National Defence and the Government of the Northwest Territories, dated August 22, 1990, in both English and Inuktitut.

I also wish to table Tabled Document 12-90(2): Maps Showing North American Air Defence Modernization (NAADM) FOL Locations and Yellowknife FOL.

**MR. SPEAKER:** Thank you. Tabling of documents.

Item 12, notices of motion.

Item 13, notices of motion for first reading of bills.

Item 14, motions. Motion 1-90(2). Motion 2-90(2). Honourable Member for Kivallivik.

#### **ITEM 14: MOTIONS**

**Motion 2-90(2): Tabled Document 6-90(2) Moved To Committee Of The Whole, Carried**

**HON. GORDON WRAY:** Thank you, Mr. Speaker:

I move, seconded by the honourable Member for Iqaluit, that Tabled Document 6-90(2), Northwest Territories Transportation Strategy, be moved into committee of the whole for discussion. Thank you.

**MR. SPEAKER:** The motion is in order. To the motion, honourable Member for Kivallivik.

**HON. GORDON WRAY:** Question.

**MR. SPEAKER:** Honourable Member for Iqaluit. Honourable

Member for Kivallivik.

**HON. GORDON WRAY:** Question.

**MR. SPEAKER:** Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

First reading of bills. Honourable Member for Inuvik.

#### ITEM 15: FIRST READING OF BILLS

**HON. TOM BUTTERS:** Mr. Speaker, I wonder if I might have unanimous consent today to give first reading of Bill 3, An Act to Amend the Civil Emergency Measures Act.

**MR. SPEAKER:** The honourable Member for Inuvik is seeking unanimous consent to proceed with first reading of Bill 3. Are there any nays? Proceed, Mr. Minister.

#### First Reading Of Bill 3: Civil Emergency Measures Act

**HON. TOM BUTTERS:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Slave River, that Bill 3, An Act to Amend the Civil Emergency Measures Act, be read for the first 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? Opposed, if any?

---Carried

Bill 3 has had first reading. First reading of bills. Honourable Member for Inuvik.

**HON. TOM BUTTERS:** Mr. Speaker, might I seek unanimous consent of the House to give first reading to Bill 13, An Act to Amend the Local Authorities Elections Act?

**MR. SPEAKER:** Thank you. The honourable Member for Inuvik is seeking unanimous consent to proceed with first reading of Bill 13. Are there any nays? There are no nays. Proceed, Mr. Minister.

#### First Reading Of Bill 13: Local Authorities Elections Act

**HON. TOM BUTTERS:** Mr. Speaker, I move, seconded by the honourable Member for Amittuq, that Bill 13, An Act to Amend the Local Authorities Elections Act, be read for the first 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 13 has had first reading.

Item 16, second reading of bills. Second reading of bills. Item 17, consideration in committee of the whole of bills and other matters: Bills 1, 5, 8 and 12; Tabled Document 6-90(2), 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. We will take a 15 minute break.

---SHORT RECESS

The committee will come to order. Yesterday, when we concluded we deferred Bill 12, Transportation of Dangerous Goods Act. We will now go back to Bill 1, An Act to Amend the Child Welfare Act, for a legal opinion on clause 5, on Mr. Lewis's motion. We will ask the Law Clerk to give us a legal opinion on that.

#### Bill 1, Child Welfare Act

#### Wording Of Motion To Amend Clause 5 Is Acceptable

**LAW CLERK (Mr. Cooper):** Thank you, Mr. Chairman. On my review of the entire Child Welfare Act I am satisfied that an official, acting in any capacity within that act, would be doing something that would be dealing, if not directly, at least indirectly with the welfare of a child. The previous amendment just referred to the word "protection" of a child and that actually is restrictive because that just refers to part two of the act. With this amendment having reference to the word "welfare" I am satisfied that it is not restrictive, it is all-encompassing and that the amendment is more than acceptable.

#### Motion To Amend Clause 5, Bill 1, Carried

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Law Clerk. To the motion. For the benefit of other Members I will read the motion again, by Mr. Lewis, that clause 5 of Bill 1 be amended by adding the words "with regard to the welfare and the protection of a child" immediately after the words "done or not done". The motion is in order. To the motion. Mr. Lewis.

**MR. LEWIS:** Mr. Chairman, I believe that would provide the clarity that is required and for that reason I have no further comments to make.

**CHAIRMAN (Mr. Gargan):** Thank you. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Clause 5, as amended. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Bill as a whole, as amended. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Does the committee agree that Bill 1, An Act to Amend the Child Welfare Act, as amended, is now ready for third reading. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** What is the government's wish? Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** With the committee's permission the government proposes that we proceed to Bill 5, the Environmental Protection Act.

**CHAIRMAN (Mr. Gargan):** Bill 5, does the committee agree?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### Bill 5, Environmental Protection Act

**CHAIRMAN (Mr. Gargan):** Thank you. Bill 5, An Act to Amend the Environmental Protection Act. Does the Minister wish to proceed with his opening remarks? Mr. Allooooloo.

#### Minister's Opening Remarks

**HON. TITUS ALLOOLOO:** Thank you, Mr. Chairman. On February of 1990, I announced in the Legislative Assembly that the government had decided to proceed immediately with the amendment to the Environmental Protection Act. These amendments are designed to make the act enforceable, while not expanding government's present role and it is to be completed in two stages. The first stage which we have before us today, to deal with in committee of the whole, was originally tabled in the Legislative Assembly on April 11, 1990 and received first reading on October 11, 1990.

The purpose of the bill before us today is to amend the Environmental Protection Act in such a manner that it is enforceable, so it can be administered effectively through the Territories. The amendment includes: 1) The Government of the Northwest Territories and its agents will be bound by the provisions of the act and the government must abide by its own rules; 2) The section which prohibits the discharge of contaminants, section 6, will be amended, including the removal of the words "substantial impairment", thus making the section enforceable; 3) When a discharge does occur or is likely to occur, the discharge will now have to be reported to the regulatory agencies by the party responsible for the discharge, who will have to undertake measures to prevent personal, environmental or property damage; 4) An inspector will have the authority to issue an order to take preventative measures in order that the discharge might be prevented. Previously the discharge had to have already occurred before such orders could be issued; 5) Financial penalties for the contravention of the act will be updated to modern standards; 6) The kinds of remedies available to courts upon conviction under the act will be expanded to give courts the authority to impose non-financial but otherwise effective penalties on polluters; 7) An officer, director, or agent of the corporation will be personally liable if he knowingly participates in the commission of the offence by his corporation; 8) Due to the increased penalties a defence of "due diligence" or proof that all reasonable efforts were undertaken to prevent the offence, is being provided for.

These amendments, Mr. Chairman, represent the government's initial step in updating and modernizing the Environmental Protection Act and will form the basis for our future roles and responsibility in protecting the North's natural environment, a resource which we all must agree is worthy of our efforts to protect. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Gargan):** Thank you. The chairman of the standing committee on legislation. Mr. Ernerk.

#### Comments From The Standing Committee On Legislation

**MR. ERNERK:** Thank you, Mr. Chairperson. I am pleased to provide this following report to the Members of the Legislative Assembly in this House. Mr. Chairperson, this bill would

amend the existing Environmental Protection Act. I am sure that the Minister will expand on how these amendments are planned, to tie together with the government's overall strategy for the environment. Our business, today, is to deal with the amendments provided by this bill.

This bill was first reviewed by the standing committee on legislation during its pre-session meeting on September 20, 1990. We would very much like to thank the Minister, Mr. Allooooloo, the Minister of Renewable Resources, who has the responsibility for the environment, for appearing before the standing committee very ably responding to our questions. Thank you, Mr. Minister.

Mr. Chairperson, this significant bill would amend the existing Environmental Protection Act in a number of ways. The bill before us would transfer the authority to appoint a chief environmental protection officer to the Minister, rather than the Commissioner.

The standing committee sees much general support for the several amendments of this type which the government has brought before us in the House this session. They reflect the transition that we are going through in the North. Increased authority is being accorded to the elected Ministers of government while the role of our Commissioner is evolving toward that of a provincial lieutenant-governor.

A number of changes will be made to provisions regarding the discharge of contaminants. The standing committee was impressed that the bottom line effect of these amendments is that it will be easier to prosecute those people who discharge contaminants into the environment.

Under the old act the government had to prove to the court that the release of a contaminant into the environment would substantially impair a person's life and health. They actually had to prove that there was a damage. This bill would appear to change that. It would add the fact that the government now only has to prove that it is likely to impair one's health or likely to impair your ability to enjoy the environment. That will make it easier for the government to prosecute people who release contaminants into the environment.

As well, Bill 5 would increase the maximum fines that could be levied against polluters. There would be a major increase. The standing committee believed that the major increase in ceilings to the fines could provide a significant deterrent to any large corporations or developers who harm our northern environment. Indeed, Mr. Chairperson, this new legislation would provide as well that directors of a corporation may be held personally responsible for environmental offences committed by the corporation.

#### Concerns Regarding Omissions From Bill

In general, Mr. Chairperson, there was a lot of support for the bill when we discussed it in the standing committee. There were, however, some concerns. These pertained not so much as to what is in the bill as to what is not. The old Environmental Protection Act included heat as a contaminant. Questions were raised as to why this had been withdrawn from the new legislation. As Members continued to review the bill with the Minister, it was noted that not only heat, but microwaves, radioactivity and other energy sources could also be considered to contaminate the environment under certain circumstances. Perhaps one way of covering this concern would be to include the word "radiation" when listing potential contaminants.

Even with these improvements, Members were concerned that the act would still not likely address the problem of

abandoned work sites where trash, equipment and empty containers had been left behind. The standing committee would be interested in seeing some sort of legislative control established over the issue of unsightly premises which despoil our landscape and may damage the ecosystem.

Mr. Chairman, the standing committee was aware that, unfortunately, there is little potential for a legislative solution to contaminant discharge at military locations or DEWline sites. I think that is shameful. There is little that we can do as a territorial government to pass laws that will stop air and water pollution that comes into our surroundings from other provinces and, thirdly, it is difficult to take action in many cases where our coastal environments are threatened due to contamination of ocean waters. These environmental problems, Mr. Chairperson, are within the federal jurisdiction or require inter-jurisdictional regulatory agreements.

In addition to passing tougher legislation to deal with contaminants discharged within the Northwest Territories our government will need to take a firm stand in negotiating with the federal government and provincial legislatures to our south if the environment is going to be truly protected.

As a final comment, Mr. Chairperson, we noted in the standing committee that this bill presents only phase one of the government's program of environmental legislation. A second bill is expected for tabling later in the seventh session. This seemed odd to Members and we wondered why the Minister had not drafted one well-integrated environmental law over the summer months for introduction before us this fall. Piecemeal development of environmental protection legislation makes it difficult to educate the public about developments in this area and means that community input on the bigger picture is difficult to obtain. Even with this last consideration, the standing committee was more interested in the progress of this bill and agreed to refer it for consideration by the House. Thank you, Mr. Chairperson.

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Ernerk. Before we get further into the bill I would like to get unanimous consent to go back to Bill 1. The Chair has made an error and missed two clauses. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### Revert To Bill 1, Child Welfare Act

**CHAIRMAN (Mr. Gargan):** The Chair is always prepared to admit mistakes. Bill 1. We are on page two of An Act to Amend the Child Welfare Act. Clause 6. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 7. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** The bill as a whole, as amended?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Does the committee agree that Bill 1, An Act to Amend the Child Welfare Act, is now ready for third reading as amended?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### Revert To Bill 5, Environmental Protection Act

**CHAIRMAN (Mr. Gargan):** Thank you. We will go back to Bill 5, Environmental Protection Act. Mr. Arlooktoo.

**MR. ARLOOKTOO:** (Translation) Thank you, Mr. Chairman. I would like to make some comments on the Environmental Protection Act. This seems to apply only to the bigger companies. A lot of times hunters leave behind old worn out batteries or paint and they throw those away on the land. I do not know how dangerous they are. At the outpost camp sites there are a lot of things left behind, like old skidoos. If there was a spill by one person, I would like to know if they would be breaking the law. A lot of us in the NWT go out on the land quite a lot and we eat food from the land and sea. If this law comes into effect, what happens if the boats or skidoos are left behind? I know in our community the people bring back their garbage to the community when they go out camping. Sometimes by accident we leave things behind. I wonder if that is covered by this act. I would like clarification, especially on the outpost camp sites. Thank you.

**CHAIRMAN (Mr. Gargan):** Before we continue, does the committee agree the Minister bring in his witness?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**HON. TITUS ALLOOLOO:** I would like to bring in some of my officials. I would like to bring in Mel Smith, territorial pollution control, and John Donihee, our legal adviser.

**CHAIRMAN (Mr. Gargan):** Would you like to respond to Mr. Arlooktoo's question?

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Chairman. The concern the Member raised is in the existing act. This amendment to the act will increase fines in those cases. In the old act we would be able to deal with the problems you raised in regard to the outpost camp sites. Thank you.

**CHAIRMAN (Mr. Gargan):** General comments. Mr. Pudluk.

**MR. PUDLUK:** (Translation) Thank you, Mr. Chairman. I wanted to thank the government. I am pleased with the bill. This act should be supported. In my constituency in the High Arctic the weather stations are working very hard to be aware of these types of problems and they should try and determine the amount of pollution that is in the air. The pollution is very hazardous to the people because we are breathing the air. Even though the Environmental Protection Act is there, I think it would be very difficult to try and control the pollution. The Inuit living there, and the animals, have to be protected from those dangerous pollutions. It is known now that in the winter it collects once it lands on the ground and it stays there. In the spring, when the snow starts to melt, a lot of it is there and a lot of it goes on the water also. For that reason, the animals that we have are contaminated from the pollution. We will definitely have to have that protection. The different contaminants that go into the environment will be able to be controlled more when this act is in place.

I would just like to thank the government for introducing such an act to protect our environment so that our environment will be safer. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Gargan):** Thank you. General comments.

Mr. Kilabuk.

**MR. KILABUK:** (Translation) Thank you, Mr. Chairman. This is a great concern of ours. I know we do not have big companies such as that but through this act they will be able to be controlled more. A lot of the Inuit are not aware what contaminants are the most hazardous to the environment that we use daily. I would like to ask the Minister, if we leave equipment on the land, what would be the worst contaminants that we use daily in our region?

**CHAIRMAN (Mr. Gargan):** Mr. Minister.

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Chairman. The most dangerous things that the hunters would leave behind that would be hazardous to the environment are the battery acids and fuel oils, those that hunters normally use. Thank you.

**CHAIRMAN (Mr. Gargan):** Thank you. Mr. Kilabuk.

**MR. KILABUK:** (Translation) Thank you, Mr. Chairman. I am aware of that but it is our nature. The carcasses that are left behind, are they dangerous to the environment too?

**CHAIRMAN (Mr. Gargan):** Mr. Minister.

**HON. TITUS ALLOOLOO:** (Translation) Thank you. The carcasses or the bones that are left behind, nature takes its course. Those are biodegradable substances.

**CHAIRMAN (Mr. Gargan):** Thank you. Mr. Kilabuk.

**MR. KILABUK:** (Translation) I like the way the act is written. While you are available I would like to ask again, some DEWline sites were abandoned but some of them were reconstructed and I know near Iqaluit, on Brevoort Island, they are starting to build those sites again. Has the department checked into those sites to make sure that they do not leave behind any hazardous material and just check to see that they do not have those hazardous materials on those sites? Thank you.

**CHAIRMAN (Mr. Gargan):** Mr. Minister.

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Chairman. From our understanding the DEWlines that are being renewed in the North are not using PCBs and once they modernize their equipment then they have to clean up the mess that they left behind.

**CHAIRMAN (Mr. Gargan):** Thank you. Mr. Kilabuk.

**MR. KILABUK:** (Translation) Thank you for the answer, but I have heard that around that area residents went down during the summer and they could see a bit of oil. They figured it might be oil but they were not sure exactly what it was. I was asking to make sure that it was looked into. That might not be the case but you could tell there was some fuel on the water and I was just asking this to see if this was looked after. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Gargan):** Thank you. General comments. Are there any further general comments? Mr. Pedersen.

**MR. PEDERSEN:** Thank you, Mr. Chairman. Some years ago a previous Minister to Mr. Allooloo tabled some environmental legislation very similar to this. It was a very good act then and it is a very good act now. I am pleased to see it in front of the House and I look forward to the implementation of the act. I am in full support of it. I recommend that we go clause by clause.

**CHAIRMAN (Mr. Gargan):** Thank you. Mr. Arlooktoo.

**MR. ARLOOKTOO:** (Translation) Thank you, Mr. Chairman. I would just like to add something to what Mr. Kilabuk said earlier, regarding the Brevoort Island. That site has already been renovated but there is also another site which is on Resolution Island. We know that the site has not been cleaned up yet and we are not exactly sure what there is, so I would like to ask you what has been done to Resolution and Nottingham Islands? Nottingham Island is in the Hudson Strait and it used to be a radar station. I think some of those sites have old abandoned equipment which might be harmful. I am just wondering if those sites have been inspected prior to the introduction of this act, and I believe that there might be some hazardous material at those two sites. Thank you.

**CHAIRMAN (Mr. Gargan):** Mr. Minister.

**HON. TITUS ALLOOLOO:** (Translation) I am aware of these islands that you have mentioned, and we have had discussions with the federal government on how they can be cleaned up. We are continuing our discussions with them. Thank you.

**CHAIRMAN (Mr. Gargan):** Thank you. General comments. Are there any further general comments? Mr. Ernerk.

**MR. ERNERK:** (Translation) Thank you, Mr. Chairman. I just wanted to make another comment regarding the wording, what we would say in English "for the record". As I said earlier, when I made my opening comments, the DEWline sites that have been abandoned or closed, according to the territorial act, or even the federal statutes, I think they are very hard to deal with.

I just wanted to be on the record as saying that I do not like what has been done by the Department of National Defence in the Northwest Territories, especially in the Coral Harbour area. The American military abandoned much of their facilities and equipment such as old drums, buildings and even PCBs. Coral Harbour had to work really hard and long to get something done about that, and even though it has been years, there has been very little done. I am still not satisfied with what has been done so far by the military, especially the American military, and I know that they do not want to be responsible for cleaning the sites up. I just wanted to mention this again.

The second thing I wanted to ask the Minister is, if we pass this amendment to the act, will the companies or others who are resident in Canada and have contributed to contamination -- once we know who they are, would the Minister be able to press charges against those people who have contravened the statutes?

**CHAIRMAN (Mr. Gargan):** Mr. Minister.

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Chairman. Under this act the companies who have caused pollution, the government will be able to apply this act if we can find the companies responsible.

**CHAIRMAN (Mr. Gargan):** Mr. Ernerk.

**MR. ERNERK:** (Translation) Perhaps I should say, for example, probably around 1963 there used to be a company in Rankin Inlet, a mining company -- we all know who they are, also the territorial government knows exactly who they are because they caused a lot of pollution -- if you find them would you prosecute that company if you could find them? If you answer yes, I will be very happy and I will thank you very much.

**CHAIRMAN (Mr. Gargan):** Mr. Minister.

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Chairman. Included in our act it says that there are limitations on how many years. For example, after how much time do we have to proceed with our prosecution or take the companies to court? If it has been too many years since they contravened the law, we would not be able to prosecute them.

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Minister. General comments. Are there any further general comments? Does the committee agree we go clause by clause. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Bill 5, An Act to Amend the Environmental Protection Act. Clause 1. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 2. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 3. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 4. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 5. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 6. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 7. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 8. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 9. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 10. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 11. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 12. Mr. Pudluk.

**MR. PUDLUK:** (Translation) Thank you, Mr. Chairman. Clause 12.3(3), limitation, is that in place all over Canada, or is this a different one from the federal legislation? I would like clarification on that.

**CHAIRMAN (Mr. Gargan):** Mr. Minister.

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Chairman. In the federal Environmental Protection Act their limitation is two years, but in our territorial legislation it will be three years. Also, Mr. Chairman, we have not dealt with clause 12 yet. Thank you.

**CHAIRMAN (Mr. Gargan):** Thank you. Mr. Pudluk.

**MR. PUDLUK:** (Translation) Thank you, Mr. Chairman. I am concerned with this three year limitation. I do not think that is long enough. I wonder if the government would be able to give this further consideration? The reason I am concerned about that is because the North is very large and because of isolation it takes us a long time to find out about some things that may have been there for many years. We have only discovered part of what has been dumped in the North. For example, near Hall Beach we just found out there was some dumping there. There might be other sites in a similar situation in different areas across the North. If we were to find more of those dumping sites or places where dumping or spilling have been done -- with this limitation I think we are tying our hands a little too much. So I wonder if the government would give this further consideration, about this three year limitation. I would like to see the time extended. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Gargan):** Mr. Minister.

**HON. TITUS ALLOOLOO:** (Translation) Yes we can give this further consideration.

**CHAIRMAN (Mr. Gargan):** Thank you. This is difficult to address. We are dealing with a different act. The question is with regard to the statute of limitation. Clause 12. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Does the committee agree that Bill 5, An Act to Amend the Environmental Protection Act, is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Minister. Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** Mr. Chairman, we could return to Transportation of Dangerous Goods Act. I understand there is a motion.

**CHAIRMAN (Mr. Gargan):** I would like to thank the witnesses. Does the committee agree that we go back to Bill 12, Transportation of Dangerous Goods Act?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Bill 12, Transportation Of Dangerous Goods Act, 1990**

**CHAIRMAN (Mr. Gargan):** Yesterday, when we decided to defer Bill 12, Transportation of Dangerous Goods Act, Mr. Ernerk had a motion. Mr. Ernerk.

**Revert To Clause 61**

**MR. ERNERK:** Mr. Chairperson, I would like to get unanimous consent to return to clause 61.

**CHAIRMAN (Mr. Gargan):** Mr. Ernerk is asking for unanimous consent to go back to clause 61. Agreed? Mr. Ernerk, you can go ahead.

**MR. ERNERK:** Thank you, Mr. Chairperson. I would like to make a motion on the Transportation of Dangerous Goods Act, 1990. May I proceed, sir?

**CHAIRMAN (Mr. Gargan):** Yes, Mr. Ernerk.

**Motion To Amend By Adding New Clause 62, Bill 12, Carried**

**MR. ERNERK:** Thank you, Mr. Chairperson. I move, that the bill be amended A) by adding after clause 61 the following section: "Report to the Legislative Assembly. 62.(1) The Minister shall, in respect of the administration of this act and the regulations in a calendar year, cause to be prepared a report describing any a) permit issued under subsection 4(1); b) application made under subsection 7(1); c) amendment, cancellation or suspension of a permit under paragraph 10(d); d) order issued under subsection 31(1); e) report made under subsection 34(1); f) directive issued under subsection 35(1); g) appeal commenced under section 36; h) action taken by the Government of the Northwest Territories for the recovery of reasonable costs and expenses under section 38; i) proceedings instituted in respect of an offence under this act or the regulations; and j) conviction for a contravention of this act or the regulations.

(2) The Minister shall table the report referred to in subsection (1) at the first session of the Legislative Assembly after the expiry of the calendar year that is the subject of the report."

B) by renumbering clauses 62, 63, 64, 65 and 66 as clauses 63, 64, 65, 66 and 67. Thank you, very much.

**CHAIRMAN (Mr. Gargan):** Thank you, Mr. Ernerk. Your motion is in order. To the motion. Question has been called. All those in favour? All those opposed? I am sorry, we have no quorum. Could I ask someone to ring the bell to wake up those other Members in the lounge?

The Chair now recognizes a quorum. There is a motion on the floor. Question has been called. All those in favour? All those opposed? This motion is carried.

---Carried

Clause 62, a new clause 62. Clause 62. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** I am sorry. Clause 63. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 64. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 65. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 66. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Clause 67. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

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

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Gargan):** Does the committee agree that Bill 12, Transportation of Dangerous Goods Act, 1990, is now ready for third reading, as amended? Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Chairman's Ruling On Point Of Order**

**CHAIRMAN (Mr. Gargan):** Thank you. Before I go on, I would like to inform the House that in committee of the whole yesterday, during consideration of Bill 1, An Act to Amend the Child Welfare Act, a motion was made by Mr. Lewis to defer consideration of a motion until the committee received a legal opinion. To ensure that Members in committee of the whole are clear on this, as a point of order was raised by Mr. Wray, the honourable Member for Kivallivik, although dealt with, I would like to ensure that the record is clear on this point. Mr. Lewis's motion, as recorded on page 332 of the unedited Hansard, was to defer the motion. As chairman, I did advise that the bill was deferred. The effect of adopting the motion was to defer any further consideration of the bill as the committee was amending clause 5, the last clause in the bill. Thus the committee would not proceed with clause 5 until the legal opinion is provided to the committee. I felt it was important to advise that both Mr. Wray and the chairman were correct and the procedures of the committee were followed according to the Rules. Mahsi cho. Is there any further business for today?

**HON. MICHAEL BALLANTYNE:** No, Mr. Chairman, I move we report progress.

**CHAIRMAN (Mr. Gargan):** There is a motion on the floor to report progress. It is not debatable. All those in favour? All those opposed? This motion is carried.

---Carried

I will rise now and report progress. Mahsi cho.

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

**MR. SPEAKER:** Item 18, report of committee of the whole. The honourable Member for Deh Cho.

**MR. GARGAN:** Thank you, Mr. Speaker. Your committee has been considering Bills 1, 5, 8 and 12 and Tabled Document 6-90(2) and wishes to report that Bill 5 is now ready for third reading. Bills 1 and 12 are also ready for third reading, as amended.

**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:** Item 20, Mr. Clerk, orders of the day.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Speaker, there will be a briefing with all Members and the standing committee on rules, procedures and privileges immediately after adjournment this evening. Meetings for Thursday, October 18th: ajauqtit at 9:00 a.m.; at 10:00 a.m. standing committee on agencies, boards and commissions; at 11:00 a.m. Management and Services Board.

**ITEM 20: ORDERS OF THE DAY**

Orders of the day for Thursday, October 18th.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Tabling of Documents
12. Notices of Motion
13. Notices of Motion for First Reading of Bills
14. Motions
15. First Reading of Bills
16. Second Reading of Bills
17. Consideration in Committee of the Whole of Bills and Other Matters: Bill 8 and Tabled Document 6-90(2)
18. Report of Committee of the Whole

19. Third Reading of Bills

20. Orders of the Day

**MR. SPEAKER:** Thank you, Mr. Clerk. This House stands adjourned until Thursday, October 18, 1990, at 1:30 p.m.

---ADJOURNMENT



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Publications Clerk, Department of Culture and Communications  
Government of the Northwest Territories, Yellowknife, N.W.T.  
\$35.00 for 1st session, \$25.00 for 2nd and 3rd session; or \$75.00 per year  
Published under the Authority of the Speaker of the Legislative Assembly  
of the Northwest Territories