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YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, NOVEMBER 5, 1990

MEMBERS PRESENT

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

ITEM 1: PRAYER

--Prayer

SPEAKER (Hon. Richard Nerysoo): Thank you. Orders of the day for Monday, November 5, 1990. Item 2, Ministers' statements. The honourable Member for Sahtu.

ITEM 2: MINISTERS' STATEMENTS

Ministers' Statement 59-90(2): Student Financial Assistance

HON. STEPHEN KAKFWI: Mahsi. Mr. Speaker, during the last session of the Legislative Assembly, Mr. Pudluk, Member for High Arctic, tabled a petition from Arctic College students regarding student financial assistance. I provided the House with a response to the issues raised in the petition, and at the request of Mr. Pedersen, Member for Kitikmeot West, I promised that I would report further progress to the House during this session.

Mr. Speaker, I am pleased to report that my department has dealt with all the issues raised in the petition. However, some of the problems identified require a longer term solution.

The following developments have occurred, partly in response to the petition and partly as the result of initiatives taken prior to the petition. Firstly, the Department of Education has reviewed administrative procedures and systems to identify ways to expedite funds for students. A new computerized system is currently being tested. I hope it will remove some time-consuming manual tasks and enable us to send out payments more efficiently. The department has simplified the brochures outlining the student financial assistance benefits and has introduced an information package clearly explaining how benefits are approved for qualified applicants, procedures for receiving assistance and how to appeal levels of financial assistance.

I am pleased to report that we signed the university/college entrance preparation program, or UCEP, agreement in May this year, rather than in August. As a result we were able to provide early approval, or earlier approval, of funding to qualified applicants. I have also been successful in obtaining more money from the federal government to meet the increased demand for upgrading assistance. The employability enhancement agreement with the federal government, signed by the Minister of Social Services and me, has been extended and we have introduced NWT programs which give social assistance recipients the opportunity to take upgrading in preparation for employment.

Mr. Speaker, the petition also raised some issues already addressed in the student financial assistance program. The petition called for the provision of increased support to pay for the cost of living off the highway system, the provision of government housing and subsidies for local students who do not have college housing, increases in single student allowance rates, equity of funding levels between non-native and native students, and the provision of child care assistance. These issues are being addressed.

Unique Circumstances Of Students Taken Into Account

The student financial assistance program currently has sufficient flexibility to take into account the unique circumstances of students and to provide special support over the normal levels of funding. Accommodation allowances are provided to students living in high cost areas and for students not in subsidized housing. Non-native students can access needs-assessed loans in addition to their loan, which can make their overall assistance equitable to that of native students. Child care assistance is currently provided in the student financial assistance program for single parents or where both parents are students. Students requiring additional support are advised that they can apply for assistance through the child day-care assistance program, which is administered by the Department of Social Services. The subsidies can help pay for private day-care costs since the college is not in a position to compete with private day-care centres.

Mr. Speaker, the petition also called for a standard procedure for issuing loan funds and grant funds. I regret that this is not possible. We can issue grant funds based upon telephoned enrolments with a promise that original documents are on their way. However, the Department of Justice advises us that we require original documents before we can provide loan funds since they involve a legal agreement.

Mr. Speaker, I have sent a more detailed report on these developments to each Member of the House. The Department of Education will continue to review the program every year. In fact, we are currently analysing information collected through a questionnaire that was sent to 1400 students who received financial assistance over the past three years. The actions I have outlined, along with the annual review of the program, will improve the services and support provided to students to assist them to continue their education. Thank you.

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

Ministers' Statement 60-90(2): Sustainable Development Policy

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. On behalf of the Government of the Northwest Territories, it gives me great pleasure to announce that the Northwest Territories has made a strong commitment to sustainable development through the development and approval of an NWT sustainable development policy. Later today, Mr. Speaker, at the appropriate time I will be tabling a sustainable development information kit which contains the sustainable development policy and background information to the development of the policy.

Sustainable development has emerged in Canada as a central theme of governments, industry and environmental organizations. In the Northwest Territories, the interdependence between conservation and development is especially clear given the traditional lifestyles and aboriginal cultures which are so closely tied to a healthy environment.

The sustainable development policy has its roots in a number of international and national studies including the World Conservation Strategy, the World Commission on Environment and Development, and Canada's national task force on environment and economy.

Sustainable development is a balanced and practical approach to the management and use of resources which can only be achieved through the joint efforts of government, industry, native organizations, special interest groups and the public at large.

The sustainable development policy adapts the basic principles of sustainable development to reflect our unique political, economic, cultural and environmental circumstances in the Northwest Territories. Sustainable development will provide a means to conserve the rich heritage and culture of the NWT while providing a positive climate for responsible development and wise use of our natural resources. The policy is but one step toward the achievement of sustainable development. The Department of Renewable Resources will co-ordinate the development of an action plan to implement the policy in consultation with the Departments of Economic Development and Tourism and Energy, Mines and Petroleum Resources. The NWT round table on the environment and economy will also provide advice on the preparation and monitoring of an action plan to implement the sustainable development policy. The action plan will lay the foundation for sustainable development in the Northwest Territories.

Today, Mr. Speaker, the Government of the Northwest Territories sets out in a new direction. One which strives for harmony between the environment and economy. This is a challenging task and will require participation by all Northerners. We must all work together toward the goal of a healthy environment and a sound economy. Qujannamiik.

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

Ministers' Statement 61-90(2): Round Table On The Environment And Economy

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, last February our government made a commitment to establish a Northwest Territories round table on the environment and economy. In May, cabinet approved the sustainable development policy which the Hon. Titus Allooooloo has just spoken about. That policy defines the round table as a body or group of people responsible for advising cabinet, through the Government Leader, on matters relating to sustainable development in the Northwest Territories.

Today, Mr. Speaker, I would like to report that the round table has been established. I would also like to advise the House of its membership. The members are: Helen Maksagak of Cambridge Bay, a respected mother and grandmother who was born in the Delta and has lived in Cambridge Bay for almost 30 years, she is active in community and territorial organizations, including the NWT Drug and Alcohol Advisory Council and the Inuit Circumpolar Conference; George Barnaby of Fort Good Hope, a former Member of the Legislative Assembly and a member of the Fort Good Hope Band Council; Meeka Kilabuk of Iqaluit, a former executive member of Inuit Tapirisat of Canada, member of the Territorial Health Insurance Services Board and executive assistant for the Baffin Regional Council; Joe Rabesca of Rae-Edzo, former chief of the Rae Dene Band; Cindy Gilday of Yellowknife, who served as a panel member of the Alberta-Pacific Environmental Impact Assessment Review Board and was public relations coordinator for Indigenous Survival International for a four-year period; Glen Warner of Yellowknife, president and general manager of Bathurst Inlet Developments Ltd. which operates,

among other businesses, a tourist lodge catering to naturalists interested in experiencing the Arctic environment; Dr. Earl Covert of Hay River, a practising physician in that community for 26 years, past president of the NWT Medical Association, the NWT Association of Municipalities and a former member of town council; Karen Nakoolak of Coral Harbour who graduated from grade 12 last year, was president of the student council and class valedictorian; Darielle Talarico of Inuvik, who has a Masters degree in environmental education and is presently co-manager and co-owner of Western Arctic Nature Tours; Hugh Gaudet of Calgary, vice-president of land and external affairs for Chevron; and Maureen Jensen of Brampton, president of Noble Peak Resources Ltd. In addition, Mr. Speaker, the deputy ministers of Renewable Resources, Economic Development and Tourism, and Energy, Mines and Petroleum Resources, will be members of the round table.

Establishing a round table on the environment and the economy reflects our determination to allow for meaningful input and participation in decisions related to the environment and resource development. It also demonstrates a commitment by government and the Legislature to enhanced consultation and consensus building in respect to conservation and development of resources in the Northwest Territories. Mr. Speaker, I am very much looking forward to working with the new members of the round table. Our first meeting will be scheduled for early in the new year. Thank you.

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

Ministers' Statement 62-90(2): Arctic Winter Games 1990

HON. GORDON WRAY: Mr. Speaker, later today I will be tabling two documents on the 1990 Arctic Winter Games. The 20th anniversary of the Arctic Winter Games was celebrated in Yellowknife, March 12 to 17, 1990.

In the Northwest Territories over 2400 athletes from 51 communities competed in regional and territorial competitions leading up to the 1990 Arctic Winter Games. Three hundred and twenty-five of our finest athletes competed for the gold, silver and bronze ulus as members of our NWT team. Of the five competing jurisdictions, the NWT placed a very strong second, with our athletes winning 36 gold medals, 41 silver medals, and 39 bronze medals for a total of 116 medals.

The 1990 Arctic Winter Games, the 11th games held, marked a milestone for both sport and cultural participation. The numbers of athletes representing the various contingents was an all-time high, and skills were of the highest level. I am proud to say, Mr. Speaker, this government was directly responsible for expanding the games to a new plateau by inviting and arranging the involvement of the countries of Greenland and the Soviet Union. For the first time, Mr. Speaker, these 1990 games were truly a trans-arctic celebration of sport and culture.

The games continue to improve and expand. New sports were added in 1990 including traditional Dene games, dog mushing, wrestling and womens' hockey, and new categories were added to other sports including a cross-country ski marathon, mixed curling, junior and senior competition in ski biathlon and an individual triathlon.

Cultural Heritage Of Circumpolar Peoples Highlighted

The cultural component of these 1990 games was an extraordinary highlight, with performers from northern Alberta, Yukon, Alaska, the Northwest Territories and, for the first time, from the countries of Greenland and the Soviet Union. This international cultural festival bore witness to the unique cultural

heritage of circumpolar peoples and was one of the largest, most diverse cultural events ever staged. We have much to be proud of, Mr. Speaker, for our role as sponsor of this cultural program and I would like to recognize my colleague, the Minister of Culture and Communications, for his department's support and assistance.

The Government of the Northwest Territories was a major funder of the 1990 Arctic Winter Games, providing over \$300,000 through the Department of Municipal and Community Affairs, \$50,000 through the NWT Arts Council and the Department of Culture and Communications and several hundred thousand dollars of in-kind services through numerous other departments to the Arctic Winter Games Host Society. Other major sponsors which should be recognized include the Government of Canada Fitness and Amateur Sport, the City of Yellowknife and the hundreds of Yellowknife and NWT businesses who contributed nearly \$500,000 in cash and in-kind contributions. In addition to the government's substantial contribution to hosting the 1990 games, Mr. Speaker, we are also the major contributor to the selection and representation of our own NWT team which conducted itself so well at these games. The budget for preparing the 1990 Northwest Territories team was nearly one million dollars.

To provide a lasting memento of these games, I am honoured to be tabling later today, two books: the first produced by the Department of Municipal and Community Affairs, and the second by the 1990 Yellowknife Host Society with the assistance of the Department of Culture and Communications. The "Arctic Winter Games 1990, Northwest Territories Team" book highlights our athletes and their accomplishments and will be sent to each coach, organizer and athlete. The second book, entitled "1990 Arctic Winter Games" is the official souvenir publication of the 1990 Yellowknife Host Society and highlights all athletes from all participating countries and jurisdictions, and a copy will be sent to each of the nearly 1500 participants. Thank you, Mr. Speaker.

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

Ministers' Statement 63-90(2): The Fort Simpson Subdistrict Office, NWT Housing Corporation

HON. TOM BUTTERS: Mr. Speaker, on Friday I indicated in response to a question from the honourable Member for Nahendeh that I would provide a brief announcement regarding the relocation of some positions from the NWT Housing Corporation's district office in Hay River to Fort Simpson. For some time now we have had one program officer located in Fort Simpson to deliver programs specific to our community and program services division. Effective November 1, I announce the establishment of a project officer position in Fort Simpson to service the communities of Fort Wrigley, Nahanni Butte, Fort Liard, Trout Lake, Jean Marie River and Fort Simpson proper. The corporation is also relocating a management development person from our Hay River office to oversee the operation of the Fort Simpson office.

The three persons comprising the office will be provided with clerical support by the corporation. The three persons designated are from Fort Simpson and two of whom are fluent in the Slavey language. Thus, I am optimistic that communications with, and service to our clients in the Fort Simpson area, will be improved. Thank you.

MR. SPEAKER: Thank you. Item 3, Members' statements. Members' statements. The honourable Member for Deh Cho.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Independent Band Status For Kakisa

MR. GARGAN: Mr. Speaker, on November 2nd I supported Mr. Zoe in his efforts to assist the community of Lac la Martre in obtaining full band status. Mr. Speaker, I am pleased to inform this House that last Thursday the community of Kakisa, in my constituency, was officially recognized as an independent band, effective November 1, 1990. This initiative by the community of Kakisa goes back to April of 1989. The process has gone on for over a year. However, with the continued persistence of local residents of Kakisa they were successful in achieving their goal of full band status.

At this point in time, Mr. Speaker, I would like to recognize and give credit to those people who were involved in the process. First, the former Minister of Indian Affairs, the Hon. Pierre Cadieux, who began the process; and the present Minister, the Hon. Tom Siddon, for endorsing the final approval. In Kakisa, I would like to recognize the former chief, Miss Margaret Leishman, for taking the first steps toward recognition; and the present chief, Mr. Lloyd Chicot, for carrying it out to its conclusion. Finally, I would like to recognize the regional director of Indian Affairs in Yellowknife, Mr. Lorne Tricoteux, for providing his full support.

Mr. Speaker, I would like to acknowledge that the community of Kakisa has come of age with this recognition, and with it will come more responsibility. It is my hope that the community will take a further step toward achieving more local control by eventually becoming a charter community. Naturally, with independent band status also comes financial support. There will be an official ceremony commemorating the occasion shortly, and the appropriate people will be invited.

Once again, Mr. Speaker, my congratulations to Kakisa for achieving its new status, and for the hard work that went into getting it. Thank you, Mr. Speaker.

---Applause

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

Member's Statement On Changes To Education Act

MR. LEWIS: Thank you, Mr. Speaker. My statement today concerns education. Mr. Kakfwi has indicated that there will be a redrafting of the Education Act. I reminded him that in the previous act, that was completed in 1977, several mistakes had been made in that it had been an in-house project in which only people within the department had really been involved. I would suggest that in his proposed changes he find some system of public process so that the mistakes of the past would not be repeated. I say this, Mr. Speaker, because on Friday I met with representatives of the divisional board from Baffin and also from the Keewatin, who pointed out several flaws in the current system of operation, including the system of funding and the way in which they have to use various government services. It seems to me that if this act is going to be redrafted, the Minister should look carefully at the operation of current boards to see if there can be some improvement. Thank you.

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

Member's Statement On International Year Of Literacy

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

1990 is the International Year of Literacy. In this city and in many other communities across the Northwest Territories there has been a series of events to celebrate and recognize this important subject and to celebrate events which point out the need for literacy. Mr. Speaker, early in the year there was a commemorative stamp issued celebrating Literacy Year, and following that there was a celebrity snow golf tournament in Yellowknife that raised \$110,000 to promote literacy across the Northwest Territories that attracted celebrities such as Peter Gzowski, host of the morning show on CBC, and Valerie Pringle, host of Midday, just to name one or two of them. This year in Yellowknife, to celebrate Literacy Year, the Santa Claus parade will have as its theme, Literacy. It will feature numerous Christmas stories that are recognizable to all of us. The promotion of reading is one of the most important causes in today's world and the NWT has the highest rate of illiteracy in Canada.

Mr. Speaker, 1990, International Year of Literacy, is fast drawing to a close but the events must not end on December 31st. We must continue to promote this in every community across the North. In Yellowknife, last month we opened up the new library, and judging by the number of people who are using it, readership is, in fact, up. But, Mr. Speaker, I regret to say that in many communities that I visited they do not have libraries. The unfortunate part of this, that I see every day, is that books that are good books that people no longer use are being thrown away, Mr. Speaker, and that is indeed a shame.

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

Member's Statement On Yellowknife Education System

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. Today I, too, would like to say a few words about education. Yellowknife has a fine education system and I think the fact that many students from around the Territories are coming to Yellowknife gives good evidence for that. I think more and more in the communities people are seeing that some things that work in Yellowknife, I think, can be a model for other school systems across the Northwest Territories.

Schools such as Mildred Hall, J H Sissons, and N J Macpherson, to discuss today the public school system, are a real testimony to the essential ingredients of a successful education system that we have enjoyed in Yellowknife over the years. These include committed parents, dedicated principals and teachers, responsive and enlightened boards of education, and a supportive Department of Education.

There are serious problems facing the Yellowknife school system, such as a serious shortage of classroom space at both the elementary and high school levels. The public school board has put forward a proposed solution to address their legitimate concerns. However, many parents feel that the proposed solution could cause serious problems with the present kindergarten to grade eight elementary school programs. Yellowknife MLAs have met with the board, the parent advisory committees, and with the Minister of Education. All of these parties have expressed the need for a reasonable and thoughtful solution that will strengthen the system from kindergarten to grade 12. A solution must build on the unique strengths and capabilities of our present schools, provide a long-term blueprint, plus take into account the requirements of an education system which is evolving in the Northwest Territories, but most importantly, Mr. Speaker, we must ensure that our children are well prepared for an increasingly competitive and difficult world. Thank you.

MR. SPEAKER: Thank you. Members' statements.

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

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question O142-90(2): Turnover Of Airport Terminal, Coral Harbour

HON. GORDON WRAY: Thank you, Mr. Speaker. I have a return to a question asked by Mr. Ernerk on October 22, with regard to a transportation meeting in Coral Harbour. There have been a number of meetings and consultations between the Department of Transportation and the hamlet of Coral Harbour over the past year with regard to the replacement of the airport road bridge, maintenance of the airport road, and possible dock construction, as well as operation of the airport and the new terminal building.

I understand that the Member for Aivilik is referring to the takeover of airport operations by the community. This proposal is dependent on completion of the transfer of the airport from Transport Canada to the territorial Department of Transportation. As indicated previously, it is anticipated that this will occur sometime before the end of this year. The department will then manage the airport operations for a couple of years while training staff from Coral Harbour to undertake this responsibility.

It is the department's intention to contract this operation to the hamlet once staff have been trained. It is expected that this process will take two or three years to develop the skills and experience within the community, to provide an acceptable level of operational safety. I wish to assure the Member for Aivilik that the department is aware of the community's interest and will be endeavouring to bring about the transfer to the community as soon as practical. Thank you.

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

Return To Question O224-90(2): Policy On Disposal Of Medical Waste

HON. NELLIE COURNOYEA: Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Sibbeston on October 29, on the matter of disposal of medical waste at Fort Simpson Hospital. Mr. Speaker, I have been asked for information about the disposal of medical waste at the Fort Simpson Hospital. The disposal of medical waste is a problem in the Northwest Territories, as it is elsewhere. The current arrangements are definitely not satisfactory.

When the Fort Simpson Hospital was constructed, an incinerator was included which, under the regulations in force at that time, was considered suitable for the disposal of hazardous waste. We are aware that it is no longer adequate. At the present time items which cannot be incinerated at the hospital are taken to the dump site, burned and then buried. Standards for the disposal of biomedical waste are being developed by the Department of Renewable Resources, pollution control division. When they have been determined the Department of Health officials will work closely with the pollution control division to implement these standards in the Northwest Territories health care facilities. Thank you.

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

Return To Question O291-90(2): Status Of Warehouse, Lake Harbour

HON. TOM BUTTERS: Mr. Speaker, I have a return to a question asked by Mr. Arlooktoo on November 2, relevant to

the status of the warehouse in Lake Harbour. The NWT Housing Corporation has projected in its capital plan the construction of the warehouse in Lake Harbour in the fiscal year 1991-92. This means that with Assembly approval of the corporation's capital budget, the construction of the foundation could begin in the fall of 1991 with completion of the warehouse occurring in the summer of 1992. Thank you.

MR. SPEAKER: Thank you. Returns to oral questions. The honourable Member for Yellowknife North.

Return To Question O242-90(2): Power Rebates

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. This is a reply to Mr. Gargan's question, asked on October 30, 1990, in the matter of electric utility tax rebate program. Pursuant to the public utilities income tax rebate program, the federal government rebates to the GNWT 95 per cent of the federal income tax paid by privately owned utilities. The GNWT forwards the total amount it receives on to the utilities, for distribution to their customers.

Publicly owned utilities in Canada, such as the NWT Power Corporation, do not pay federal income tax. As such, they do not provide power rebates to their customers. Without the rebate program the customers of privately owned utilities would have the cost of federal income tax incorporated into their bills while those of publicly owned utilities do not. Through the rebate program, customers of privately owned utilities are placed on the same basis as those of publicly owned utilities. Thank you.

MR. SPEAKER: Thank you. Returns to oral questions. Returns to oral questions. Prior to proceeding to the next item, I just wish to draw the honourable Members' attention to a former Member of the Legislative Assembly of the Northwest Territories, Mark Evaluarjuk.

---Applause

Item 5, oral questions. The honourable Member for Aivilik.

ITEM 5: ORAL QUESTIONS

Question O299-90(2): Teacher Education Program, Keewatin Region

MR. ERNERK: (Translation) Thank you, Mr. Speaker. This past Friday the Baffin and Keewatin Divisional Boards of Education had their meeting and I was there. I have a question to the Minister of Education with regard to the teacher education program. The Keewatin Divisional Board of Education has been requesting a teacher education program, Mr. Speaker. I wonder if the territorial government can consider providing a teacher education program that would be available to the Keewatin in the near future. Thank you.

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

Return To Question O299-90(2): Teacher Education Program, Keewatin Region

HON. STEPHEN KAKFWI: Mr. Speaker, this question has come up in the past in my discussions with the Keewatin Divisional Board of Education and they know that we are considering it; if there was some possible way for us to find the money and the number of students required to make the commitment, we would do it, but it is still under consideration. Thank you.

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

Oral Question O300-90(2): Funding Arrangements For Divisional Boards of Education

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I was also in the meeting on Friday with the Baffin Divisional Board of Education and from the information I received from the chairperson I will ask this question of the Minister of Education. They said that the divisional boards receive their funding quarterly, but they have indicated that they would provide the funding on a monthly basis. I have a question if that will be the case, if they will provide it on a monthly basis and I will have a supplementary after I get a response. Thank you.

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

Return To Question O300-90(2): Funding Arrangements For Divisional Boards Of Education

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. This is a question that we have been trying to deal with for the last three years. The Auditor General of Canada, in his report, has mentioned quite strongly that we should not be funding the boards on a quarterly basis because we receive our funding from the federal government on a monthly basis. The Auditor General of Canada said quite strongly that we should be providing funding to the boards on a monthly basis. They have also gone so far as to say that because our investment revenue is fail-safed under the formula financing agreement, that by providing funding to the boards on a quarterly basis, we are getting around our formula financing arrangement with the federal government. We have said that is not the case but that we are prepared to study this arrangement. We are in the process of studying it right now.

The Minister of Education and I last year came to an arrangement whereby we would continue the funding on a quarterly basis until the end of this fiscal year. I cannot at this point in time give an assurance as to what will happen as of April 1. I have said we have gone two years now beyond where the Auditor General said we should go, and it is something I am going to have to discuss with the chairman of the public accounts committee, with their committee, keeping in mind that as we draw down our accumulated surplus, as we go toward monthly billing of school boards, that amount of money is going to come out of somewhere. Essentially now what they are doing is investing the money and using the profits from the investment for whatever. It gives them some extra flexibility in their budget. But ultimately, it is going to come down to who pays, and if we get in a situation where we do not have an accumulated surplus to draw down, that means that we have to borrow the money in order to front the money to the schools boards on a quarterly basis.

I cannot give a definitive answer to the Member. We are very aware of the boards' concerns. What it will essentially come down to is they will have less money and less flexibility. The question for us is how do we deal with that. If we can no longer deal with it because of the Auditor General, we will have to look at other alternatives. I just want to assure the Member that we are looking at this question very closely and very seriously. Thank you.

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

Supplementary To Question O300-90(2): Funding Arrangements For Divisional Boards Of Education

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker, a supplementary. I fully understand what the Minister is saying with respect to the funding. If the boards were to be funded

on a monthly basis, the books that are printed in Inuktitut would just stop once they were not earning any more interest. At the same time we are trying to work hard to produce Inuktitut material -- whatever was produced will just go down the drain if they were to get their funding on a monthly basis. We do not want to see the Inuktitut material just going down the drain; we want that to continue. Thank you.

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

Further Return To Question O300-90(2): Funding Arrangements For Divisional Boards Of Education

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I fully understand the Member's concern. It comes down, ultimately, to a matter of dollars and cents. When we prepare our budget, depending on what happens on this issue, we are going to have to take the concern into account. As I said, we were still talking. I want to talk to the public accounts committee. We are still talking with the Auditor General, and I do not want to play my whole hand here publicly as to what will go on in those negotiations. I very much understand the Member's concerns. Thank you.

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

Question O301-90(2): Process Of Funding Divisional Boards Of Education

MR. LEWIS: Mr. Speaker, I would like to ask the Minister of Education how he arrives at the amount of money that the Baffin Divisional Board of Education gets. Is it done through a process of negotiation?

AN HON. MEMBER: A good question.

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

Return To Question O301-90(2): Process Of Funding Divisional Boards Of Education

HON. STEPHEN KAKFWI: Mr. Speaker, the way we fund boards is through a formula. I cannot articulate exactly what the formula is here, but it is done according to a formula. There are no special or unique arrangements with each individual divisional board at this time. Thank you.

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

Supplementary To Question O301-90(2): Process Of Funding Divisional Boards Of Education

MR. LEWIS: Thank you, Mr. Speaker. If the funding is done by formula, and for the provision of funding for casual wages for the divisional board, or the \$800 per year as provided, which provides nothing at all for casual funds for janitors or secretaries, just simply for sick days for teachers -- if this \$800 per year only covers the time for teachers to be off sick for five days in the year and yet the agreement provides them to have 15 days a year, then what formula is being used to get this \$800 per person per year?

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

HON. STEPHEN KAKFWI: Mr. Speaker, I will have to take that as notice.

MR. SPEAKER: Thank you. The honourable Member is

taking the question as notice. Oral questions. The honourable Member for Aivilik.

Question O302-90(2): Funding Equity For Studies In English And Inuktitut

MR. ERNERK: (Translation) Thank you, Mr. Speaker. I have a question to the Minister of Education with regard to the Keewatin Divisional Board of Education. Mr. Speaker, in the Keewatin the students are given \$210 to take English, and for native languages it is only \$75 per student. I would like to ask the Minister if he is prepared to try and match the dollars in English and in Inuktitut. Thank you.

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

HON. STEPHEN KAKFWI: Mr. Speaker, I am not clear what figures the Member is talking about and what the money allocated is for. I am not clear on whether he is talking about the cultural inclusion money and the amounts we used to give to schools, based on the number of students, and what the boards used to historically give. I think if that is what it is, then I just need to confirm that with the Member.

MR. SPEAKER: I just want to indicate to the honourable Member that it is unusual for the government to be asking ordinary Members a question, even for clarification. If the honourable Member does not know what has been asked then he should take the question as notice and then review the Hansard appropriately, because the intention of supplementaries are to clarify further the question that has been asked. Oral questions. The honourable Member for Baffin Central.

Question O303-90(2): Increase In Funding For Instruction To Physically Handicapped Children

MR. KILABUK: (Translation) Thank you, Mr. Speaker. I have a question to the Minister of Education. You might recall last year during the fiscal and budget estimates session we concentrated on trying to further Inuktitut cultural instructions in the classrooms. The Baffin Region Divisional Board of Education has worked very hard to implement these programs within the schools to include the physically disabled. We understand there were 11.5 person years allocated for that particular fiscal year. Now we are wondering if there will be an increase to instruct physically handicapped children.

As Joe Arlooktoo stated earlier, the funding formula will be allocated on a monthly basis and the Baffin Region Divisional Board of Education works hard at producing materials in Inuktitut and producing materials in traditional values and languages and I understand they receive \$200,000. I wonder if there are any special considerations that will be aimed at providing special education and perhaps increasing the person years under that program. Thank you, Mr. Speaker.

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

Return To Question O303-90(2): Increase In Funding For Instruction To Physically Handicapped Children

HON. STEPHEN KAKFWI: Mr. Speaker, I believe the Member is trying to get some assurance that the money we allocate in Education, in the area of special needs, is going to continue to grow. The special needs money is money identified for students who need special help and assistance in the schools. What I can tell the Member is that there is a commitment on the part of this government to try to continue increasing the level of funding every year in the area of special needs so that, hopefully, in a few years we can come

close to meeting the full needs that we have in that area. If the assurance he wants is to know whether we are going to try to continue increasing the budget allocated for special needs, then the answer is yes.

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

Question O304-90(2): Provision Of Staff Housing For Teachers

MR. LEWIS: Thank you, Mr. Speaker. To the Minister of Education. Since funding for divisional boards is done on a formula basis, the Baffin Divisional Board of Education will need 10 single units for teaching accommodation at Apex, Arctic Bay, Broughton Island, Cape Dorset, Grise Fiord, Hall Beach and Igloodik. How does the government provide this accommodation by formula? How is this done?

MR. SPEAKER: The honourable Member for Sahtu.

Return To Question O304-90(2): Provision Of Staff Housing For Teachers

HON. STEPHEN KAKFWI: Mr. Speaker, in the Baffin we know, and it is a matter of public record, that we do not have enough staff houses for the number of employees that we have. The shortage is the most severe in the Baffin Region, of all of the regions in the North. It is particularly severe with the teachers. As you know, a couple of years ago we stated that in some communities some of the teachers were doubling up. I think in one community there were four of them in one housing unit. Since then we have done an emergency housing package which delivered across the Territories 18 units that were built as an emergency measure. I cannot remember how many of them were in the Baffin. I think there were 13. I am not sure that there is a staff housing shortage in Iqaluit but the allocation of houses is made by Personnel and DPW and not the Department of Education.

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

Supplementary To Question O304-90(2): Provision Of Staff Housing For Teachers

MR. LEWIS: Since the divisional board has no control whatsoever over housing and obviously is not included in the formula, how will the divisional board go about getting the 10 single units that it needs for its staff in the coming year?

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

Further Return To Question O304-90(2): Provision Of Staff Housing For Teachers

HON. STEPHEN KAKFWI: Mr. Speaker, there is some provision for trying to address this need through the government's short-term housing strategy, but as I have said earlier, in many places in the North there is a shortage of staff housing, not only for Education but for Social Services, for the Housing Corporation, for Renewable Resources, for DPW. We are acknowledging that we cannot continue to provide housing to all our staff in the way we have. We have tried to address some of the problems through the government's housing strategy and in places like Iqaluit, where there is a growing market for housing, perhaps we will be able to find ways to save money so that in areas where there is no market -- in the smaller Baffin communities, in many of the small communities across the North -- we can free up money to provide housing to the staff, so we do not have to do it all across the Territories and hopefully that would help. Thank

you.

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

Question O305-90(2): Rescinding Previous Electoral District Boundaries Commission Act

MR. McLAUGHLIN: Thank you, Mr. Speaker. Earlier in the year, I believe it was during the budget session, it might have been earlier than that, I indicated to the Minister of Justice that I was concerned that the most recent Electoral District Boundaries Commission Act which was enacted by this House did not have a clause in it that rescinded the previously existing Electoral District Boundaries Commission Act. I expressed my concern at that time and he indicated to me that that was basically a new legislative drafting technique that was used. Mr. Speaker, I would like to ask the Minister if he has done any further looking into that because my enquiries to the Law Clerk here and law clerks in other parliaments, indicate that in fact if that has not happened, then both laws are still on the books. I would like to know if he has looked into that and found out if in fact, both of those laws are still in existence.

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

Return To Question O305-90(2): Rescinding Previous Electoral District Boundaries Commission Act

HON. MICHAEL BALLANTYNE: I will try to answer that, if I have the question correctly. If the Member is asking if the original Electoral District Boundaries Commission Act is still in the books or not, the answer is no.

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

Supplementary To Question O305-90(2): Rescinding Previous Electoral District Boundaries Commission Act

MR. McLAUGHLIN: Mr. Speaker, that was not my question. That was the answer that the Minister gave me at the time and I would like to ask him if he has done any subsequent research, because the Law Clerk's advice here and the advice of law clerks in other legislatures is that if you do not rescind the previously existing act, then both acts are still in the books and I am asking him if he has done any research since then.

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

Further Return To Question O305-90(2): Rescinding Previous Electoral District Boundaries Commission Act

HON. MICHAEL BALLANTYNE: No, the Member has not conveyed to me that he had any concerns. The Law Clerk has not conveyed to me that he had any concerns and law clerks across the country have not phoned me up saying they have concerns. My officials have assured me that automatically the original act is finito, done, complete, and I have no reason to consider that there is any problem with that. If the Member has some other legal advice that he can make available to me, I could reconsider and have another look at it. I am satisfied with the advice I have received from my legal official.

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

Question O306-90(2): School Gymnasiums For Chesterfield Inlet And Repulse Bay

MR. ERNERK: (Translation) Thank you, Mr. Speaker. Further, a question to the Minister of Education concerning my riding of Aivilik. Mr. Speaker, I am aware that in Chesterfield Inlet and in Repulse Bay there is no gymnasium for those schools. My question to the Minister is: Would he consider providing the Keewatin Divisional Board of Education gymnasiums for those schools that I just mentioned? Would this be possible in the future? If so, I would be very pleased to hear the information. Thank you.

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

HON. STEPHEN KAKFWI: Mr. Speaker, in the small communities in the North I understand that it has been government policy since before my time that we try through the resources of Municipal and Community Affairs and the Department of Education to ensure that all communities have a recreational facility. In some places the gymnasium was attached to the municipal facilities; in other places they came as part of the schools. In some of the communities there was joint planning to make sure that the resources allocated to Municipal and Community Affairs and the Department of Education were used in the best manner so that the community itself profited from it.

In Broughton Island, for instance, a number of years ago the school was delayed a couple of years or so, I think more than that, because they could have a new gym only if they passed up the construction of a community hall. So what they did was, they took the old gym, which was part of the hamlet's facility, and used that as a community hall and they used the money allocated for the community hall for the construction of a gym, which was attached to the new school. I do not know if it is complicated, but it is trying to get the resources all co-ordinated through the capital plan to do it. I do not know offhand what is the plan for Repulse Bay and Chesterfield Inlet, but I would be interested to know myself since I do not know the answer. I will get back to the Member on it. Thank you.

MR. SPEAKER: So, is the honourable Member taking the question as notice after that statement? Is the honourable Member taking the question as notice?

HON. STEPHEN KAKFWI: Mr. Speaker, just to be more clear, I am saying it is...

MR. SPEAKER: Order. It is not usual for Members to question the Speaker for clarification on any issue. You indicated at the end of your comments that you did not know the answer to a question. The usual process is to take that as notice. Is the honourable Member taking the question as notice? Is the Member taking the question as notice?

HON. STEPHEN KAKFWI: Yes.

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

Question O307-90(2): Interpretation Services For Patients Travelling To Hospitals

MR. NINGARK: (Translation) Thank you, Mr. Speaker. To the Minister of Health. Patients coming from the communities to Yellowknife or to southern hospitals who cannot speak English, who come in by charter or by regular sched -- I wonder if they have to have an interpreter en route to the hospitals, or after they arrive at the hospital facility they are going into. That is my question. Would they have to have an

interpreter accompanying them?

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

Return To Question O307-90(2): Interpretation Services For Patients Travelling To Hospitals

HON. NELLIE COURNOYEA: Mr. Speaker, the general policy is that when a person does not speak the language, and if it is requested at the community level that they travel with someone who can interpret for them, that is generally done. Thank you.

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

Question O308-90(2): Funding For TEP Student Replacements

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. This is a question to the Minister of Education. The government wants to see some aboriginal people become teachers and we are very happy to have aboriginal teachers that are teaching in the communities. In the Baffin Region the students in the TEP program take their education at Arctic College in Iqaluit. During their education at Arctic College the community has to find a replacement for that student so that the TEP program can continue. Would you have any money available to pay the replacement while the student is taking some further education in Iqaluit? Do you have any money available for those people that replace them? Thank you.

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

Return To Question O308-90(2): Funding For TEP Student Replacements

HON. STEPHEN KAKFWI: Mr. Speaker, the answer is yes. Thank you.

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

Question O309-90(2): Interpretation/Translation Services For Divisional Boards Of Education

MR. LEWIS: Thank you, Mr. Speaker. To the Minister of Education. Under the agreement whereby divisional boards look after education in the Baffin Region, personnel duties are performed by the Government of the Northwest Territories and any need for interpretation or translation is done through the Department of Culture and Communications. When these services are not available through the Department of Culture and Communications because people are being otherwise used, does the department provide money to the divisional boards so that they can cover those costs when the government is not able to?

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

Return To Question O309-90(2): Interpretation/Translation Services For Divisional Boards Of Education

HON. STEPHEN KAKFWI: Mr. Speaker, the answer is no.

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

**Supplementary To Question O309-90(2):
Interpretation/Translation Services For Divisional Boards
Of Education**

MR. LEWIS: Thank you, Mr. Speaker. Will the Minister then provide, in the next meetings with these divisional boards, a sum of money so that they can provide their own services for translation and interpretation because they cannot depend upon a steady accommodation by the Department of Culture and Communications?

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

**Further Return To Question O309-90(2):
Interpretation/Translation Services For Divisional Boards
Of Education**

HON. STEPHEN KAKFWI: Mr. Speaker, I cannot make that commitment. Thank you.

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

**Question O310-90(2): Amending Electoral Boundaries
Legislation**

MR. McLAUGHLIN: Thank you, Mr. Speaker. During the committee of the whole recently I indicated that one administrative problem with the present electoral boundaries legislation as it affected the work that the commission was able to do, was the fact that there was difficulty getting population figures for all the communities that were basically obtained from the same base. I would like to ask the Government Leader, taking this into consideration, would he consider bringing before the Assembly, during the budget session, an amendment to that act which would basically amend that legislation so that the electoral boundaries commission will go into the field every 10 years immediately in the year following the Canada census which occurs in 1991, 2001, et cetera?

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

**Return To Question O310-90(2): Amending Electoral
Boundaries Legislation**

HON. DENNIS PATTERSON: Mr. Speaker, I am not sure from the Member's question whether he is proposing that we have another electoral boundaries commission in 1991, that is next year. To answer the question that we consider his suggestion of triggering the establishment of a new electoral boundaries commission to follow a major national census, yes, the government could consider that suggestion. Thank you.

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

**Question O311-90(2): Update On Parking System,
Yellowknife Airport**

MR. LEWIS: Two weeks ago, Mr. Speaker, I asked the Minister of Transportation to do something about the parking at the Yellowknife airport, and I did receive a copy of a very well-written letter from his department to the Department of Transport. Could the Minister give us any further update on information that he has received about the parking system at the new airport, especially as it relates to the cost of installing that thing?

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

**Return To Question O311-90(2): Update On Parking
System, Yellowknife Airport**

HON. GORDON WRAY: Thank you. There is a bit of an update. We have not had a reply to our letter, but I can report that they are no longer ploughing the section behind the parking area where people park for free, so now people are being forced to use the parking lot. I can also indicate that information I received shows that what they call "improvements" to the parking lot, which ostensibly is the new parking system, added approximately \$147,000 to the cost of the airport. My calculation is that at 60 cents a pop they have to have 245,000 cars go through that airport before it pays for itself.

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

**Question O312-90(2): Funding Provided For Oral
Traditions Program**

MR. ERNERK: (Translation) Thank you, Mr. Speaker. My question is to the Minister of Culture and Communications, Hon. Titus Allooooloo. Mr. Speaker, I would like to ask the Minister, can anybody apply for funding for the oral traditions program if they want to get some funding to help them out to do the oral traditions program? Is that so, Mr. Minister?

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

**Return To Question O312-90(2): Funding Provided For
Oral Traditions Program**

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. The people in the communities can request funding to do the oral traditions and they can request some funding from my department. Anyone who would like to do oral traditions, legends or whatever, can apply to my department. Thank you.

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

**Supplementary To Question O312-90(2): Funding Provided
For Oral Traditions Program**

MR. ERNERK: (Translation) Thank you, Mr. Speaker, supplementary. The Minister knows about this book called, "Our Link to the Past", a collection of stories written by the elders of Coral Harbour, Northwest Territories. I know that the Minister is aware of that book. Mr. Speaker, there are a number of people who have contributed to that book and they have requested some funding from his department but they were told that your department does not have any money to do those kinds of things. Thank you, Mr. Speaker.

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

**Further Return To Question O312-90(2): Funding Provided
For Oral Traditions Program**

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. Yes, we are aware of this. We are aware of what the Member is asking about. If my department said that they did not have any funding for that it is probably because our funding was exhausted at that time. I will look into it and see what position we are at now in the way of funding for those kinds of things. Thank you.

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

Supplementary To Question O312-90(2): Funding Provided For Oral Traditions Program

MR. ERNERK: Mr. Speaker, supplementary to my question to the Minister of Culture and Communications. Is the Minister aware that this pamphlet, "Our Link to the Past," was received by UNESCO, with UNESCO granting it as one of their sponsorships? So it is a very important book, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.
Further Return To Question O312-90(2): Funding Provided For Oral Traditions Program

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I will look into the matter to see if there is a possibility of helping this organization that might be seeking some assistance from our government. Also, I would like to point out that in a lot of cases, since my department is relatively very small, we cannot meet all of the demands that are required of my department. Mr. Speaker, I will seriously look into the Member's concern. Thank you.

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

Question O313-90(2): Tanker Traffic On Arctic Coast

MR. McLAUGHLIN: Thank you, Mr. Speaker. I have a question for the Minister of Government Services as a follow-up on the question I had to the Minister of Energy, Mines and Petroleum Resources about tanker traffic on the Arctic coast. It relates, Mr. Speaker, to the resupply of communities in the Northwest Territories. The report basically dealt with crude oil being transported. In fact, we have tanker traffic which brings refined products to our communities. I would like to ask the Minister responsible, since we are the purchaser and we pay for the cost of this operation, do we as a government have any say in the types of construction and the quality of construction and the class of tanker which is used to resupply the communities on the Arctic coast?

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

Return To Question O313-90(2): Tanker Traffic On Arctic Coast

HON. TOM BUTTERS: Mr. Speaker, the Canadian coast guard acts as our contractor in identifying ships which would be carrying petroleum products into the Arctic. My understanding is that the coast guard would not accept any ships that have not complied with the requirements of the Canada Shipping Act, Transport of Dangerous Goods Act, Arctic Waters Pollution Prevention Act, Environmental Protection Act and Carrier of Goods by Water Act. We rely on the coast guard to determine that the shipping that comes into the Arctic is indeed seaworthy and able to operate in the conditions found here.

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

Supplementary To Question O313-90(2): Tanker Traffic On Arctic Coast

MR. McLAUGHLIN: Thank you, Mr. Speaker. I have a supplementary. Will the Minister meet with the federal officials or Minister responsible and ascertain specifically what the classes and safety conditions are for those vehicles and what is set out, so that we can be assured that at least the safety

procedures used and the classes of hulls meet standards that this government can accept?

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

Further Return To Question O313-90(2): Tanker Traffic On Arctic Coast

HON. TOM BUTTERS: Yes, Mr. Speaker, there will be a meeting of our departmental officials and persons who receive goods in the Eastern Arctic in Iqaluit in November, at which time the Canadian coast guard and our shippers will be present. I will assure the Member that his question will be directed to the appropriate people on that occasion.

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

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

ITEM 7: RETURNS TO WRITTEN QUESTIONS

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, a return to Question W5-90(2) asked by Mr. Whitford to the Minister responsible for the Workers' Compensation Board, concerning compensation for a former employee of Yellowknife Correctional Centre.

Return To Question W5-90(2): Compensation For Former Employee Of Yellowknife Correctional Centre

Hon. Jeannie Marie Jewell's return to Question W5-90(2), asked by Mr. Whitford on October 24, 1990, regarding compensation for former employee of Yellowknife Correctional Centre: The person who was injured as a result of the 1973 riot at the Yellowknife Correctional Centre was Mr. Harry Przibill. Contact with Mr. Przibill was broken in late 1973 when he moved to Castlegar, British Columbia and did not provide a forwarding address. Until June, 1990, the Workers' Compensation Board had no contact with Mr. Przibill and to the best of our knowledge, neither did any department of the government. The matter resurfaced as a result of a story in the Yellowknifer in March, 1990.

Subsequently, the Workers' Compensation Board was asked to investigate the matter and prepare a recommendation for the government since this accident occurred prior to the establishment of the Workers' Compensation Accident Fund. On June 16, 1990, the Workers' Compensation Board requested that Mr. Przibill provide medical documentation to complete his medical profile as a first step to establishing continuity of treatment. This information normally includes names of doctors, cities, treatment, etc. The Workers' Compensation Board received the first information on October 5, 1990. However, the medical information received deals only with the psychological aspects of the case. No medical information has been received that pertains to the physical person and any reoccurring impairment that the individual has. This information is required before any assessment of medical disability can be made and subsequent to that a recommendation to the government would be made. The Workers' Compensation Board has again contacted Mr. Przibill to request that the missing information be provided. Once the information has been received an evaluation will be made by the board and the government will be advised of the recommended course of action.

MR. SPEAKER: Thank you. Returns to written questions. Item 8, replies to Opening Address. Replies to Opening

Address. The honourable Member for Sahtu.

ITEM 8: REPLIES TO OPENING ADDRESS

Mr. Kakfwi's Reply

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. I wish to make some comments today regarding constituency concerns and a few unrelated items. First of all I should, for the record, describe each of the communities in my constituency starting with the name of the constituency, the word Sahtu. This in the Dene language literally translates to Bear Lake. It does not adequately describe the constituency, but it is a contemporary label that all of us that live in the constituency have agreed to accept at this time. In the constituency there are a number of dialects that are spoken. The community of Colville Lake speaks a dialect that is understood probably only by Fort Good Hope to a large degree. Fort Good Hope itself is made up of quite a number of different groups, Hareskin and Mountain people, Loucheux people. In Fort Norman they speak a couple of dialects there as well, Mountain and Willowlake and in Fort Franklin there is largely a dialect peculiar to that community. Some of the people there also speak, in fact a large number of people understand and speak the Dogrib language.

I spent some time this summer building a small house in Fort Good Hope and learned to appreciate the many problems that come with trying to do a project like this in a community that is so isolated. As you know, the barge strike this summer took the North by surprise by its length. Where I had originally planned to start building a house in the first or second week of July, I did not get started until the third week of August directly as a result of the barge strike. It has caused a tremendous amount of problems in the two communities of Fort Norman and Fort Good Hope because the construction season is so short. This year Fort Good Hope is going to try and join other communities to have some of their housing materials barged in through the winter road so they can at least get the framing material in so they can start earlier in the year.

Colville Lake

In the community of Colville Lake, after a number of years requesting and debating whether or not they should go for a separate status from the community of Fort Good Hope, they have finally decided to do this and I think it is going to be important for the Members here to understand the incredible differences between a place like Colville Lake and say, some place like Yellowknife, or even one of the other centres. In Colville Lake there is no road to speak of. There is absolutely no service that is provided at this time. What you have there is a number of log houses, with a church, a small museum, a fishing lodge, a new school, a small log community hall, a small outpost for the nurse that visits and a small co-op store, but it does not have any electricity. It has no roads, no municipal services at all. There is no running water; there are no provisions for delivering water to the communities. People literally still go down to the lake at this time of the year, chop a hole in the lake with an axe and haul their own water up there.

As Members know, we put a teacher in there a couple of years ago because of the high drop-out rate of students who go to Fort Good Hope to go to school. It has worked well. This year we are finishing off a small two classroom log school and the community has now asked for electricity. I hope that when the time comes that the Members will acknowledge that any community that asks for such a fundamental basic service should get our full support if it is requested by the community and in this case, it has.

I had the privilege to attend a triple wedding this fall in Colville Lake. Three young couples all got married on the same day. Bishop Croteau, the Catholic bishop travelled all the way up there to officiate. It is a growing community. There are always people coming and going from Fort Good Hope.

It is going to be of interest to Members as well, to note that communities like Colville Lake have no idea of how they go about asking for things. For a number of years they have wanted electricity. For a number of years, they have wanted some services but they thought if they just asked, somebody is going to take care of it somewhere. When I came along, I suggested that maybe a petition would help since I noticed on the order paper when we are in session there is always a time for petitions and many of the Members in this House make good use of that provision.

During my first year, Members will remember, I filed a petition on behalf of the community of Colville Lake, in which they requested that electricity be provided to their community at the earliest possible date. I know that we are a government and a Legislature that tries to stick to procedures and proper process when we ask for things and people that try to do things differently are often given a verbal or other form of reprimand. I tell you that not all of us in the North yet have figured out what the head or tail of government is and how to approach it.

Fort Good Hope

On to Fort Good Hope, I want to tell you that in the community of Fort Good Hope there is an interesting proposal by the council. I want to tell you very simply what one of the current thinkings in Fort Good Hope is. All of us in the North are aware that a large number of our population, the people we represent in the communities, at least half of them are under the voting age. It has been the view of the people in Fort Good Hope that the elected bodies, particularly the community council, more and more are starting to see that the people that they have to work to represent and deliver services to, traditionally used to be the married people, the people between the age of 25 to 65. More and more, the majority of people they represent now are, in fact, under 19 years of age.

The community right now is grappling with ways in which they can use the existing service personnel, the facilities in the schools and the community, like the church, the nurse, the teachers, the social workers, the alcohol drop-in centre, the chief and band council; how to get all these people together. Through a workshop or series of workshops, to come up with a plan on how the community, with its existing resources and facilities, can come up with a comprehensive community plan of living for young people, so that instead of catering all the time to creating jobs for married couples, instead of running bingo for everybody in the community, doing all the things that we do, try to rearrange the scheduling and the habits of the parents so that, in fact, much of our resources, time and energy is spent on helping our young good people go to school, go through cultural programs created by the community, go to things that will spiritually enrich them; good sports programs so that every night, every day, every weekend, there is something going on for young people.

This is the current growing preoccupation of the leaders in Fort Good Hope. Hopefully, by the winter session I will have something more to talk to you about because I think it is an interesting -- not a phenomena -- move to do something, instead of always talking about particular problems of young people, as if their problem is to try to address them as the most important part of our population right now and forget about ourselves a little bit.

Fort Franklin, Cutback In Weather Service

In the community of Fort Franklin, I want to say that I appreciate the support that Members of this House and the Minister of Transportation have given to the cutback in service for the weather station in Fort Franklin. What the federal government has been doing for a number of years is they have given a minimal amount of money to the regional airline operating out of Fort Franklin to give weather reports two or three times a day. What the airline has done is they have hired a person full time to provide this service, not only to themselves, but to everybody else that comes and goes from Fort Franklin. When the bids came out this spring, the operators of the regional airline said "Let us put in the true costs of providing this service and not just what the department is asking us to bid on because it is insufficient to start with."

There is a recognized requirement that that airport is so busy, the weather patterns change so quickly, because of its proximity to the Barren Lands -- it is on the shores of one of the biggest lakes in the world, I think it is the seventh biggest lake in the world -- that the weather changes so fast that it requires a full-time weather service.

Commemoration Of 1984 Plane Crash

This summer the chief of Fort Franklin, with some help from myself, managed to put the money together in a project and we saw a monument built to commemorate the death of the six young people who died in a Twin Otter crash there in 1984. I had the privilege to attend the blessing of this monument, and it is much more than just a slap in the face to the people of Fort Franklin for them to hear now that after all the fuss that was made about the lack of service that led to the plane crash in 1984, that the federal government is now totally withdrawing any support for providing this service. People are just astounded with the Canadian government that they are so totally insensitive and so far removed from people.

I raise the question all the time that if it had been perhaps six white people that had died in that plane crash, the reaction might be different. I say that because I have been watching the world news for years and I know that whenever people of European origin meet some catastrophe the reaction by the media is always much more dramatic. If you know that 23 people died in a riot in South Africa, it is not a big deal, but when you see six Englishmen killed, for instance, then all of a sudden it has a totally different ring to it. I really wonder whether the differences would have been much in the eyes of the federal government if the people in Fort Franklin were not all only native.

I cannot for a second begin to understand why the federal government would react the way it has. It is totally, totally insensitive to the needs of the people, and the people who want to go to places like Fort Franklin to provide the services that the community needs, it is literally unsafe to try to fly into that community, and it is with many other communities in the Arctic.

The people in Fort Franklin, as well, have seen the completion of the arena and it is looking very good and they are quite excited about making full use of that facility. They are working hard, as well, to get the senior citizens home in that community, and this work will be ongoing.

Fort Norman

In Fort Norman we saw the election of a new chief this summer. The new chief is a woman, Theresa Etchinelle. She is new to the political arena and I hope that all the things that the band council strives to achieve, that she will be able to do

well in her job.

I want to acknowledge as well the new principal in the school there, Angus Lennie, who was raised in Fort Norman. He is a Metis from Fort Norman, who has, after teaching in other communities in the North, finally returned home.

We have an office complex that is going up in Fort Norman that has a very interesting and attractive design, sitting right on the high bank of the community. I think it is going to add, more than just providing another facility for the community, an attractive attraction for tourists and visitors and the people of Fort Norman as well.

Norman Wells

In Norman Wells, for those of you who attended the session there last fall, we remember that we have a nice airstrip there. What we do not have is a terminal. It has a terminal that was built in the 1950s and it is too small. As someone said last year, every time people start raising a fuss about getting a new terminal, Transport Canada comes along and gives it a new paint job.

It is a point that I used to get one of the former Ministers of Indian Affairs, Mr. Bill McKnight, to look at it on his visits to Fort Good Hope some years ago. I got him to stop in Norman Wells on his way out just long enough so that he could run in and out of that building. So when it ever came up in Cabinet he would be able to speak to the issue by saying, "Yes, I was there and I agree that it is ugly, small, old, outdated and it needs to be replaced immediately." The danger here is although it is allocated it may be cancelled or delayed and we need to do everything we can to keep pushing the government to provide these services and these facilities that are so strongly needed.

Claims Negotiations

I have some special comments with regard to the recent developments on the claims negotiations and the status of the territorial organizations, the Dene Nation and Metis Association. Our current questions in the Sahtu region and some of the background to the reasons why the Sahtu has decided to also negotiate regionally for the claims. They feel that if they do it themselves, if they receive the money themselves, if they hire the staff themselves, if they organize the meetings themselves, and if they do their own community work, they will be more able to accomplish the things that need to be accomplished. It is unclear to many of my constituents what the role of the Dene Nation and the Metis Association is going to be. But what I think is clear to everybody is that there is no statement coming from the region that says we have nothing to do with other Metis and Dene outside the region. In fact, it is my view that in order for the people of the Sahtu to have a strong, healthy, ongoing relationship with other Dene and Metis in other parts of the North, that they have to take this course of action and continue to relate with other communities and other regions up and down the valley. If that mechanism is the Dene Nation or the Metis Association then that is what they would do.

It has always been the view of the Sahtu communities that the main decision-making body is the communities and so by going regional they are just, in my view, giving substance to that position. If you look at what they are trying to do in community self-government and suggesting it be done there, they believe as well that the Dene Nation and the Metis Association are not the vehicles to negotiate community self-government. When Fort Franklin wants to begin work to reorganize themselves and to set a pace for accepting further responsibilities, programs, whatever, that they are the ones that are going to make that decision and they want to be in

control of the process that gets under way there. One of the realizations that people have had in the Sahtu, as well, is that, and it is a concern and a factor in the claims negotiations.

When you look at what happened with the Mohawks in Quebec, for many years these people had, perhaps, an opportunity to negotiate or perhaps they did not, but one thing is certain that they have never, as a people, given up their rights to their land or any other rights that they have as a nation. Yet today, this year of 1990, we find that people who are living in proximity of the most populated areas of Canada, in small little areas and reserves, that all their traditional lands have been totally taken away from them and they really have no traditional lands left to speak of. They can claim that they have never given up any of their rights, yet they find themselves in a situation where they can exercise very little of it because a large part of their land base has been totally eroded. It is the view of many people in the Sahtu that as long as we keep delaying the settlement of a claim that the land base that we have available to us will continue to diminish and what we have to do is to make sure that the claims negotiations process is continued and that we work hard to do what we can do to improve the claims package that we will have before us, to do what we can ourselves to put together a self-government package. That way people will be assured that they are not only going to get some land and resources and money through a claims package, but that their communities and their leaders will exercise some real responsibility and authority and that there is a clear agreement on how this will be done.

I want to give you a little comment about governments. All across Canada and even across the western world there is a growing malaise, you might say, with politicians and the comfort that the common people find in the integrity and commitments that are made by their elected representatives. The reputation and the esteem in which politicians are held across this country have been severely diminished in the last few years.

Yellowknife City Politics

A couple of weeks ago I went to visit our colleagues, you might say, our fellow elected people in the city hall of Yellowknife. I must say that listening to them conduct their business -- and I went there as a taxpayer, but for some reason the mayor chose to announce me as an honourable Minister of this government. I thought surely in a small place like this, unlike the business of this House, that it is possible somewhere, perhaps everywhere, for people to have a clear plan about how they are taking care of the interests of their constituents and taxpayers like myself. But in fact I came away from the meeting very, very perplexed about how decisions are made. People openly admit that even though they commission plans to be made for up to \$70,000 a shot, they are quite prepared to say, "I am not going to wait for the plan, anyway." But they have no qualms about making the commitment to spend this kind of money.

I was disappointed to know that there is really no plan and no coherent thought about where the municipal planning about parts of this city are going. It astounded me because I live in the old part of the city and I have lived here pretty well steadily since 1976, except for a couple of years, and I have grown to like the many characters that this city has and many of the people that live here. When I first moved here the city was very small and life was relatively slow and manageable, and because I lived here I never developed a dislike for the city, as some people have stated publicly over the years. But in recent years I have really seen a dramatic change in this city. I think all of us are acutely aware of some of the violent crimes that are being committed in the city -- in one case, a woman being picked up right off the street and being raped

and brought back to town, and women who have been murdered. Really for me there is a growing ugliness to this place that is becoming increasingly apparent. It bothers me because I live here and yet the little comfort that I went to seek by going to my elected representatives in city hall, I will say was very disappointing. Anyway, I will go again and see if they do better tonight.

Residential Schools

I want to say a little about this business of students living in residential schools because the Members are aware it took up two nights of the National News last week. The chief of the Manitoba native peoples made a public statement about some of the abuses, physical, psychological, mental, and sexual abuse, that he has suffered and that he knows that many other native people who had to go through residential schools run by the churches and the governments went through.

For myself, I can tell you that I went in 1960 to Grollier Hall. I was nine years old. I went in the middle of the winter. Many of the children that I grew up with were sent by their parents because they were trappers, because they could not take care of their children, because they were widows, because, for other residents, they were destitute. I always wanted to go. Every fall when these kids went out by boat or by plane, I always felt I was really missing the experience of my life, so I was always upset that my parents would not let me go. When I finally had to go it was because my entire family was sent to the hospital for tuberculosis. My grandparents, my father and mother and brothers and sisters all went. Only three of us, one of my older sisters and my older brother and myself, did not have to go to the hospital. So they sent us off in February of 1960 to Grollier Hall. I remember having a pillowcase in which I had some toys and comics and a change of clothes because I did not have a suitcase. I was all ready to go and I remember my father standing in the house with tears in his eyes because he could not believe the incredible situation that we found ourselves in as a family. I was nine years old at the time and I was totally oblivious to what was happening. To me the excitement of going on the plane, finally going to this curious place where all the kids used to go, was upon me and I could not wait.

I remember I got to Inuvik and for the next five months after that it was an experience, and I do not want to dwell on these things at great length, because this is not really the place for it, but I think it is important for people to know that little kids like that, all across the North probably, had the same treatment. They bring you into a room and they throw some oil on your head and they cut all your hair off, they just leave about a quarter of an inch of hair on your head. That is just so you do not get lice or if you had it, it would get rid of it, and also you do not have to bother combing it. I am sure the psychological effects stay with many of us to this day.

I had the misfortune to arrive there too late to get a pair of duffles, and since you were not allowed to keep anything of your personal belongings -- my little pillow case and my personal clothes were all taken away -- I was given new clothes, but I did not have mukluks, so for the rest of that year I wore a pair of rubber boots with duffles. I remember the weather was cold and they would lock us all out so we could not come inside to warm up when it was time to play.

I do not know how we made it through those times because it really was a difficult time to be there. And for myself, because I came in the middle of the year, I did not have a place in the pecking order. There were older boys and younger boys and everybody had somebody to watch over them. Somehow the way I survived was by fighting all the time, with big kids, with little kids, and I was being punished all the time for it. I remember two ways in which it was done.

There was the usual strapping, but they used to take those of us who misbehaved and lock us up in a room that had no light in it. They would throw us in there and lock us in and turn the lights off and leave us there for I do not know how long, because it was pitch dark in the room and we had no sense of time or anything. I never thought there was anything wrong because I always thought I was bad and that is why these things were happening to me.

I remember getting punished in other ways that today would really be considered physical abuse. Terrible physical abuse. I know that there were many things that happened to me at that time that I did not know what they were. I think I was so young that I could not think very well.

I know that when we all left there in June, all of us were so happy to be finally going home. I remember landing in Fort Good Hope late in the evening on the river, and it was not until I got out of the plane and was standing on the dock and saw all the parents and people coming down to claim us, that I realized that my parents were not there. It was a good thing that although my grandparents were not there, they did send a message for us to come to their place.

Residential School Experiences Both Negative And Good

I just offer these comments because I know for myself that it is very very difficult to talk about personal things like this in public. It is not because I do not want to. I think it is because I do not know how to do it, to talk about some of the experiences that all of us had, and there are hundreds of us across the North who have had to live the residential life. Some of us were traumatized much more than others. Some of us survived much better. Some of us believe that it was a better option than staying home where our parents were very destitute and unable to provide for us, where we had very little clothing, we did not have enough food, where problems with alcohol and other social problems were just so severe that it was a welcome alternative to go to a place where you could at least have three meals a day and a bed, and for most of the year a warm place to have for yourself.

I know that all the people I have grown up with and many of the people that I have worked with over the years have gone through these experiences, and I think that is what bonds a lot of us in the North together. It affects so much of the way we live and the way we relate to each other that I think that for those people who were really traumatized with this experience, for those people who have really been hurt by these experiences, we should consider providing a forum, a mechanism, a process for people to let this out. I really believe that many of us do not even know and are unable to articulate just how much we have been traumatized by that period in our life. There is a tremendous amount of healing and forgiving to be done. Many of the social problems that we have, our generation and our children are having, perhaps can be addressed only after we can come to grips with the real experiences we have had as younger people during those years.

I know that there are many, many negative things to be said about those years, but I also know that there are many, many good things to be said by some of us about the good things that resulted from this option that we had. Not all of us react to the same things the same way. I know that many of my friends were very happy to leave home, they were very happy to literally get away from their parents because of the family life that they had -- literally the fact that they had no family life -- and because they were so poor, so destitute, that it was a relief and comfort to go where you at least had a schedule, you had a bed, you had things to do. Some of us never had any choice; we were sent away.

Some of my friends, I know, were sent away from when they were five or six years old and went through their entire childhood years away for 10 months at a time from their parents. In fact, some of my friends never connected with their parents until they were well into their 20s, and some people I know are still trying to finally relate to who their mothers and fathers are.

I have said that because I grew up so much in the residential life I have no idea of what you are supposed to do as a parent. How do you raise children? How do you relate to children? Because I was growing up so much in the residential life, I really had no idea of what a parent is supposed to do because my parents were not there for me in the years that they should have been, perhaps. This has led to the government looking at parenting programs and workshops for people like myself who really want to be good parents, but have no idea of how to go about it, and providing us with some suggestions on how to make ourselves to be better parents. Those are just some personal comments I wanted to make.

Oka Crisis

I wanted to make some comments about the crisis at Oka this summer. I was clearly very concerned about what I saw happening. My belief to this day is that there was no enemy down there. The Mohawks were not the enemy. The S.Q. were not the enemy, nor the federal government, nor the provincial government. The enemy truly was just the lack of understanding and the clear lack of the relationship between all these forces.

What I found in my visit to Montreal, visiting with the Quebec Minister at the time, talking to the federal Minister of Indian Affairs, to the aboriginal leaders, the Mohawk chiefs, was that people did not know how to talk to each other, since they have not done much talking to each other in the past. When the crisis happened, people did not know how to react.

I can tell you that when I left I was building my house in Fort Good Hope and literally in a matter of an hour I decided I had to go there. I went, but it was very clear in my mind that I was putting myself personally in some danger because, unlike some of us, I do not have the comfort of being mistaken for another nationality. I am unable to pass myself off as somebody else. I am a first nation citizen; I am Dene. In the streets of Montreal, in the streets of Yellowknife, I cannot be mistaken for an Arab or Japanese, or a Jew -- I cannot be mistaken for anything else.

When I went I knew what I was getting myself into, and as you will recall there was some severe reaction from Quebecers and people down there to native people -- not only to native people in general, but kids and old people -- severe to the point of throwing rocks at them, chasing them in the streets of Montreal, physically attacking people. I knew before I left that this is what was going to happen because it was a crisis that nobody knew where it was going to stop; guns had been taken up. I also knew in my heart that I had to be with the Mohawks because here are a people who have been pushed far, far beyond what people should be pushed.

Like the Palestinians, I suppose these people almost literally have no land. Somebody else has taken the land away from them, and as a people they have rights to a land base. Nobody in this world can say that they have a right to take away land from the Mohawk people, and yet the Canadian government has done it, the provincial government has done it. What they are unable to do is justify why they had to do it in the first place and try to find a way to give it back. It is the same situation that we find in the Middle East with the Palestinians -- nobody can tell them why they do not have any

land but simply that they have no right to rebel to get their land back.

When you saw the TV coverage of Oka the one thing that struck me from the beginning of it, as well, was the total absence of anybody asking the question, "So how do the Mohawks represent themselves?" Every day they had a different spokesman for one reserve behind the barricades. Then you have an elected chief, a traditional chief, the clan mothers, they had people in the long house, they had people from the confederacy, but nobody asked the question, "Who and how do the Mohawks govern themselves?" I think this question was never asked by the media in all the analysis that they did and so why is it so confusing? Is this the way the Mohawks always made the decisions and represented themselves or is there really fighting inside the Mohawk community about who has the legitimate right to speak on what issue and who has the legitimate right to represent people? My belief is that there is and the federal government is the source of this problem.

Mohawks Lacked Specific Proposals

I think that all of us were left short by the lack of specific proposals that the native people, the Mohawks, were able to propose. Aside from the continuing rhetoric about being sovereign and being a nation that never compromises rights, we never got beyond it by saying, "So how are the Mohawks going to regain control and how do they propose to do it? Where is the plan? What is the proposal?" so that ordinary Canadians all across this country could say, "Yes, sovereignty is not such a threatening, dangerous notion because very clearly it is common sense, it is manageable, and we can live with it." Because there were no proposals with some substance, it never happened. For me this was unfortunate because I think it could have been used for much more than saying, "Back off, do not let the army come in, leave the barricades up, give them sovereignty, give them back the golf course." Aboriginal leaders had an opportunity and perhaps for circumstances beyond their own control they were unable to do it, but I believe we lost an opportunity there.

On the other part, my own impression of the federal government is that they are totally unprepared for this kind of crisis. I think for years people in the government have believed that native people would not do anything rash and I think there is where the security and intelligence that advises the federal government have always differed from the politicians. I really believe that since the 1970s, since the American Indian movement in the United States, since the Berger Inquiry, that there has always been an element in the internal security forces of Canada that believed that Indian people were at the point where they are so frustrated and so angry that they would resort to civil disobedience and perhaps even physical violence to draw attention to their aspirations.

I think everybody would agree that the federal government really did give up any pretence to try to carry out the constitutional responsibilities that they have to aboriginal people in Canada in this crisis. They bowed to the political forces of Quebec and finally, even when Quebec did not know what to do with this crisis and said it was up to the federal government, the federal government said it was a law and order issue, that this was a situation where a bunch of people were simply deciding to disobey the law, the laws of Canada, and that it did not matter what the reasons were. The only important thing about this case was a bunch of people breaking the rules of law and order.

Native People Planning For Next Summer

It is my belief, now that the summer is over, and I do not know if people are aware of it but all through history, at least

in this part of the world, you stop fighting when the winter comes because that is the way that we survive. You go and you take care of your families and you regroup and I think this is what has happened after Oka. Fall came and winter is with us and I think all across the North and in Canada that people are simply planning for next summer. If the federal government does not come up with a clear, mutually agreed to process for airing aboriginal concerns, for hearing them out, and for dealing with them, if they do not come up with a process that is agreed to by the Metis, Inuit and First Nation leaders of Canada on how to address these issues, next summer will be a much more difficult summer for all of us.

I think the situation in Oka was a very small part of what is going to happen next summer and I really hope that the federal and provincial governments will recognize the real danger that we have. The danger is much more real than Quebec leaving Canada. This is a situation where the first people of this country, the First Nations of this country, could have, with fairly globally recognized legitimate reasons for rocking the very foundations and shattering the image of Canada, of shattering an image that this country has worked so hard to develop and preserve over the years; and that unless all of us as native leaders, elected people, people who represent the federal government and provincial government can come together and come up with some processes for addressing our differences and our problems, that Canada will not really be Canada any longer. What you have is a situation where really they will be different. It would be different for perhaps very ugly reasons. Thank you for your time. Thank you for listening. Mahsi.

---Applause

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

Mr. Whitford's Reply

MR. WHITFORD: Thank you, Mr. Speaker. I would not want to let the second occasion of my admittance to the House go by without saying a few words in reply to the Commissioner's Opening Address, now called Speech from the Throne. Mr. Speaker, I am quite pleased to have been here serving the constituency of Yellowknife South, now into my second term. I got elected on October 31, 1988. In that period of time I have certainly learned a lot. It has been a learning experience, quite unlike anything else that I have ever done in my life. It has not only been one sided.

I have had an opportunity to lobby my colleagues in the government on behalf of my constituents on a number of occasions, on a number of different subjects. Most of the lobbying I must say, thank you, has been successful. Some I am still working on that requires a bit more work. It will continue in the next year as we wind down the 11th Assembly and start preparing for our 12th. I look forward to the next few months because the budget session is one that the economy of the NWT depends on and not one, of course, that is without problems.

Potential Of Territories In Oil And Gas Industry

The Territories has experienced a bit of a downturn in the last little while due to a number of different factors, not only in the NWT; but factors that affect us from other parts of the country, the crisis in the Middle East being a major one. The effects have not really hit us yet, Mr. Speaker, but I am sure they will, if hostilities over there continue. We are quite fortunate I guess in some ways to be sitting in an area that is rich in potential. We have a lot of potential in the mining area. We certainly have a lot of potential in the oil and gas industry. In the 1970s the big push in exploration took place and again,

not without positive results. The Beaufort is poised and ready for development if ever Canada is in a situation where the price of Middle East oil goes out of range; we at least have that. It is sad to see the Norman Wells field being pumped daily southward without us getting much benefit from it. The big economic benefits have ceased on that and I am certainly looking forward to a time when the Beaufort gas and oil starts to move south to customers and that we reap more economic benefits from it.

I would also like to see some of that oil used here in the Territories, Mr. Speaker. I used to work for the Power Commission many years ago and they used to pump oil up from the barges on the river, up to the power plant. I asked, "Where does it come from?" That stuff came from Norman Wells. It was Bunker "C"; it was oil almost right out of the ground, usable. We also had gas, fuel and all that from it but sad to say, I guess we do not use it as much. We still depend largely on southern imported fuels. We will certainly feel that bite this winter. Unfortunately the cold weather has already struck in most of the Territories now, and a little bit earlier this year. I think next year we are certainly going to realize how important our resources are.

Energy Conservation

This brings me to the conservation area, which I think we all can do, and this government has already done a considerable amount of work in that area of conserving energy by promotion of conservation methods. I am sad to say, however, that the efforts that were begun in the 1980s by the federal government soon fell off and I think we, as consumers, have reverted back quite a lot to our old habits. We drive a little bit too much; we use our boats a little bit too much; we use snowmobiles a little too much in some areas for recreational purposes, rather than using the natural forms of recreation like skiing and snowshoeing and things of that nature. We use resources that are not infinite for recreational purposes and I think that we could all make efforts in that area. But I want to see a little bit more promotion by the government to encourage the conservation of energy by switching to alternates.

It is sad that we do not use water power a little bit more than we already do. We do have a number of rivers that can be harnessed without much damage to the environment. I know the Taltson River back in the 1960s was said to be a storehouse of power. The construction of the dam took place in the mid-1960s and it was on time and under budget and it provided the industry at Pine Point with all of the cheap power that was required to mine lead and zinc over those many years. It paid for itself in a very short time. The impact on the environment, Mr. Speaker, was not that substantial. The dam of course, held back the major part of the river into a reservoir but it did not harm the environment to any extent because the gorge that was harnessed was such a force to be reckoned with that no fish could go up that gorge anyway. It did not interfere with the migration of fish and did not interfere at all with travellers, because it was just as Charles Camsell had discovered it in 1914 when he went down the river. I have pictures that showed the area that the dam was built at. They look the same. The only difference is there is a dam there now holding back a bit of water. I say these things, Mr. Speaker, to assuage any fears that building dams is going to be environmentally disastrous. I realize of course that in James Bay that harnessing of those rivers -- now that is a different kettle of fish we have there. We have something there that is taking half a continent and it has backed up waters into areas where there had been no waters in 50,000 to 100,000 years, Mr. Speaker, because it all ran away into the rivers and Hudson Bay and other areas through the tributaries now that are harnessed. The environmental people use that as a reference always when they say that damming a river is

going to be environmentally hazardous to all life and to the inhabitants of the area.

Mr. Speaker, we are talking about two different magnitudes. Here in the Northwest Territories we have a number of smaller rivers that can be harnessed without too much damage to the environment, using different techniques than James Bay and those types. I do not envisage anything across the Mackenzie at the moment but there is the second wheel on the Taltson River, there is the possibility of a third wheel on the Taltson River, again without very much environmental impact downstream.

The economic future of the Northwest Territories I think will change if and when the land claims are settled. Right now in the western part of the Territories we depend quite a lot on mining and exploration. Exploration has dropped off dramatically in the last couple of years, partly due to the effects of land claims or the stalemate that exists in the signing of these agreements and ownership of land. No one really wants to get out in the field and stake areas and develop areas and all that not knowing who the owner is going to be in a year or two years or so. Once the land claims issue has been settled I think we will see an increase in exploration and the discovery of minerals that we can mine that can provide jobs for our young people who are just now coming out of schools and looking for work.

Mr. Speaker, we do have a good crop of young people coming up if you can judge by the enrolments in schools in the last year. Sir John Franklin High School and the other schools in Yellowknife are overflowing. Some of those people are coming from other communities in order to pick up higher education.

Fourth Seat For Yellowknife

Just moving back to the city again, Mr. Speaker, the constituency I represent is growing. When I started this career it was somewhere around 8000 and we are getting close to 9000 now. If you look at our map you will see that expansion that is taking place is in the constituency that I represent. I am happy to say that very shortly we will be getting another Member to represent some of those people.

It has been a contentious issue and I certainly hope it has not divided the House. There has been some criticism indicating that Yellowknife may be overrepresented, but I think we have managed an equitable compromise and I am encouraged and the people of Yellowknife are encouraged, to see that this House has united in recognizing that dicey problem and coming to grips with it and making efforts that would alleviate that problem of underrepresentation.

Housing Problems In Yellowknife

In the constituency that I have had the pleasure of representing this last year, I have been quite involved with people-type problems. We have here in the city a large number of people that are not adequately housed. I guess when you look at the overall numbers of houses that are available in the city, you could say we do have plenty, but those homes are not aimed at the lower income and the single parent family. It is sad sometimes, Mr. Speaker, when you get a call late in the day from people who just cannot find a place to live anymore. They know there is a house available somewhere and there are many for sale when you look at a paper, but the down payments and the mortgages are impossible for single parent families and low income families and persons on assistance, for many, many reasons. It is sad that we are not able to help them other than to sympathize with them and maybe appeal to the housing authorities who are already 150 to 200 applications behind.

I have had a lot of contact with housing authorities this past summer. I have visited homes where people were looking for larger accommodation but they could not afford them and I have gone to appeal to the housing authorities on their behalf. But they are strapped as well. They do not have the resources. We are living in an area that many consider to be the land of plenty, but when you do not have much of an income and you have a large family and you are a single parent, it is very, very tough to live here. I think that is where we must focus some attention.

The problem is not only here, but it is magnified here because we have large numbers of native people coming in from other communities for whatever reasons. There are medical reasons, educational opportunities, employment opportunities, protection. A lot of times people come from a small community to this city because we do have safe homes, we have the facilities to look after spousal assault victims and as part of the program they stay in a safe house and after they are finished the second phase, they move into a home so that the family can be together. That puts a strain on the availability of low income facilities here in the city. I appeal to my colleagues to recognize that, that the facilities are here because of the location of the professional people that are required and the availability of help that people need when they have to flee a community because of spousal or family assault.

So when I ask for more attention to be paid to low income housing, it is not for selfish reasons, it is for reasons that are servicing the other communities. I know that it would be nice if those facilities were available in all those communities, but the reality is that they are not. You cannot have the professional people in every community right now because of the infrastructure required and they are available here and people do come here. We have a magnificent hospital, we have facilities that are here to provide the psychiatric and social work counselling to people, but of course that puts a strain on the facilities that are available here. It is on their behalf that I make that appeal and at some point in time I am sure that communities will develop the infrastructure to look after their own.

Detox And Treatment Centres

Mr. Speaker, I move to the detox and the treatment centre that is being constructed now on the road to Dettah. I had the occasion to visit it a couple of times. I was there for the official opening the past year, the sod turning, and it is a pleasure to see the progress that the facility is making. Compliments must go to the Northern Addiction Services, both the staff and the board of directors, for their diligence in getting it established, getting it off the ground, the funding, the construction, and getting this facility, Mr. Speaker, under way so that long-term help can be given to those persons afflicted by substance abuse which, in my opinion and I am sure in the opinion of many Members here, is the root cause of many of our social problems such as spousal assault and child assault. Many crimes here in the North stem from substance abuse, many untimely, unnecessary deaths, ruining our youth, and we need facilities like that. It is good to see that this centre here is well under way and will soon be used by people to put them back on the road to recovery.

Mr. Speaker, that is not the end of it. There is more needed and I am sure that the Minister responsible for the department looking after that is constantly aware that other communities need those particular facilities as well and I trust that in the future they will get them. Hopefully there will be a time when they will not be needed, Mr. Speaker, but right now they are and it is a sad commentary on our society that we have to spend so much of our resources treating self-inflicted illness such as substance abuse in whatever form it may take. You

can read a newspaper any time of the week and you are going to see in there numbers of different crimes that are committed based on the fact that either the person had been drinking or they have died because of sniffing, propane being the latest. There is an excellent campaign now to show people -- I do not like to use the word "evils" -- the dangers in overabuse of any substance, be it alcohol or drugs, both legal and illegal, and other things, Mr. Speaker. I think we live in a world that is not perfect and I guess if you want to get into trouble you do not have to look too far to find a source for it.

We owe a debt of gratitude to many people, social workers, psychiatrists, psychologists, the alcohol treatment people, that have gone and put themselves on the line to help people to overcome an addiction. We owe them a debt of gratitude and I want to express that here. Unfortunately, this summer we lost a good alcohol treatment worker on the highway between here and Fort Rae. It is sad to say here that if he had been wearing his seat belt he might be alive today, but it is sad that he did succumb to that.

Mr. Speaker, I do not really have a very structured return to the Commissioner's remarks and I do not have a fish head to illustrate some of the great things that are happening here but I want to touch, at random, on a few things.

Not Enough Exposure For Deputy Commissioner

I am a little disappointed, Mr. Speaker, that the present day Deputy Commissioner, Ann Hanson, is not being exposed enough in the Northwest Territories. I regret not seeing her in the last little while. I think that our Deputy Commissioner should be used a little bit more. I think she should be here once in a while in the House in the absence of the Commissioner. I would like to go on record as expressing my disappointment in not seeing the Deputy Commissioner being used for functions and for ceremonial purposes that are more exposed here. I would like to see her or anyone who is the Deputy Commissioner and I think that perhaps in the next year I shall make an effort to push that a little bit more.

Commonwealth Parliamentary Conference

Mr. Speaker, I had an occasion this summer to travel a bit and it was very opportune timing. The Speaker was not able to go to the 36th Commonwealth Parliamentary Conference in Harare, in Zimbabwe, and I just happened to be in the hallway at the right time after he had tried to get alternates and he asked me if I would go and of course by the time he finished the sentence I said yes. I very much enjoyed that opportunity because I got to speak to a number of people at the Small Countries Conference and I spoke on a number of different things, as I said earlier, on the subject of natural disasters and that we do not have as many natural disasters here in the North. We have no hurricanes, we have no cyclones, typhoons, tornadoes, at least not that we know of. We do not have very many earthquakes either. Maybe we have them in the Nahanni area but they do not cause too much of a problem. But over there they do, in the majority of smaller countries they do. They have cyclones and lots of people lose their lives and there is untold property damage. They look forward to help from the richer countries, Canada being one, and we are pretty generous when it comes to looking after some of the island communities. I said that we are not out of the woods ourselves, we do have the potential and the threat in the event, Lord help us, if there is ever a nuclear conflict we are right in the middle of the battlefield between the Russians and the Americans.

Environmental Concerns

We also have more subtle forms of danger. We have contaminants coming down our rivers, we have air-borne

contaminants coming into the areas of our North and it settles in here. It is not something like hurricane damage in that it is here today and they can repair it tomorrow. Once that stuff gets in our snow, ice, water and sediments in the rivers, it is there forever. Ducks dig down in the mud and they are going to go through that little layer and they are going to end up with whatever is deposited this year and they are going to end up with it next year by digging down. If you have a flood it stirs everything up and we have the same problem. So we are not living in an area, although we are isolated, where we are free of dangers. We can handle natural disasters but it is the man-made disasters, the man-made problems that we have to worry about. We cannot let our guard down at all when it comes to promoting the causes that go into making the rest of the country aware that we are concerned that ALPAC is going to try a new system.

I had the occasion to travel to some of the pulp mills this past year, Mr. Speaker, and even the pulp people say that the technology that people are saying is safe, is not proven and it does not work properly in cold climates. What will end up happening after they get the permission, Mr. Speaker, is that they will try it out for six or 10 months and they will find out that it does not work. So they are not going to scrap hundreds and hundreds of millions of dollars worth of facilities simply because the technology that they are using is not working, they are going to go back to the old way. They will use the chlorinated process and then we will be back to where we started. That is why we have to be diligent in questioning any approval of that ALPAC proposal.

I said this to them when I was in Fort Smith and I still say it now, even more so, because I have had occasion to visit some of these places that are using current technologies under ideal conditions and they still cannot produce 100 per cent effluent-free discharge into rivers. If they can, then fine, we will give them our blessing but we must be diligent in keeping the subject active, not simply to say, "I guess we gave it our best shot and nothing is going to happen." I know this government is not doing that but we must not even show that we are going to let up at all. Daishowa has slipped through the cracks, they are already in progress and they are in production now and it is just a matter of time before we start feeling those effects.

The other subjects that we had at the Small Countries Conference were immigration -- some things did not affect us too much -- I know that I have had a chance to speak with a number of people dealing with the federal government's proposal to bring in another 250,000 immigrants. I guess the North is big enough that we can accommodate many, many more people, but we have a hard time looking after the ones we have here now. So it remains an issue that some people have expressed to me, that we have to educate and house and feed and service all of our own people before we can start bringing in more. I do not know if we can ever shut the doors of the Territories to anybody. I know we do not have a problem with illegal immigration -- this is what I said at this conference. We do not have that many people for the amount of land we have, but again you cannot put too many people in an area where we do not have the same facilities and ability to sustain ourselves as well.

Mr. Speaker, the conference, needless to say, was a success. I think we brought the Northwest Territories to Zimbabwe. We had a chance -- I use "we" literally -- we spent as much time as we could meeting as many people as we could and promoting the Northwest Territories. I have addresses of some young people that I am writing to. I say this because I guess a lot of things we have here we take for granted. We have a good education system, over there they do not. We have a good health system, over there they do not. We have good social programs here in the North, over there they do not.

You are on your own pretty well over in this country I am referring to. If you get sick you are in trouble. Here if you get sick we have the territorial health service that looks after us. We have a pretty good education service here that gets us through from kindergarten to anything we want. I point this out to illustrate our good fortune. I guess when I hear some criticism from some of my constituents about wanting a little more, I say, "Look, there are people in the world that do not even have the basics of what we have here."

Mr. Speaker, I want to close with a thank you, for the opportunity to express some of the concerns in my constituency. We know that we live in a territory that has many diverse languages and cultures and by asking for more representation we were not excluding them, not showing a sign of being greedy. We appreciate the part that we play, the city plays, in the governing of the North. It is a pleasure to see the Assembly building is going to go ahead now and that will mean a lot to the people of the North. We will look at that as our home for the future. So I wanted to test out something, which I did today, and I close my remarks by saying to the people I represent, thank you, and to my colleagues for the past two years, thank you. I certainly look forward to the next sessions here. It sounds like a resignation speech, but it is not. I am going to be around for a little while, Mr. Speaker. It has been a learning experience, it has been a wonderful experience. Thank you.

---Applause

MR. SPEAKER: Replies to Opening Address. The honourable Member for Aivilik.

Mr. Ernerk's Reply

MR. ERNERK: (Translation) Thank you, Mr. Speaker, and honourable colleagues. I am very pleased to reply to the Commissioner's Opening Address because I have some great concerns about the future of the NWT, in general and more specifically, Nunavut. I will speak to these concerns briefly.

Mr. Speaker, in 1967 when I served as a Page during a session of the Northwest Territories Council in Ottawa, I was inspired to some day become a Member of this important Legislature, to represent our people. I very much believe in the workings of this Assembly and in the people that put us here. It is the forum for the people to voice their opinions and concerns through us.

This seat that I occupy belongs to the people of the Aivilik riding. I, as their MLA, and ambassador, have tried to represent their views, their aspirations and concerns to the best of my ability and experience. I am honoured and ever thankful to the people and Aivilik riding for the opportunity to do so. I wish to acknowledge gratefully their continued support and input, morally and spiritually and look forward to the same as we enter the final year of my term in this Assembly.

I wish to acknowledge the ongoing efforts of the youth in the Aivilik riding as they work to become more and more involved with everything that affects them such as education, employment and their well being in general. To them I commit my continued support in their endeavours. The youth are the most important resource that we have. I ask you to stand tall. No goal is too high to aim for. (Translation ends)

Nunavut

Mr. Speaker, Nunavut is the destiny of my fellow Inuit. Nunavut is the promised homeland of all Inuit, which we have worked toward for many years and will continue to do so until it becomes a reality. We hope and believe that day is coming

soon. Mr. Speaker, the Nunavut government will be a representative of all of the people that it serves. I fully support the implementation of the Tungavik Federation of Nunavut land claims as outlined in the agreement in principle. I believe it is the vehicle that will help us greatly toward the self-determination that we aspire. I ask my fellow Inuit to remain united in this issue as co-operation is the trait of the Inuit. We must avoid the infighting that is occurring among our Dene cousins regarding their land claim in Denendeh.

Mr. Speaker, Inuit have always lived in harmony with the environment for thousands of years and we will continue to do so for many years to come. As we work for the economic benefits in Nunavut, sustainable development will be the rule. Mr. Speaker, the environment is the most precious thing that we have. We must always treat it with care and respect as it is what feeds us, clothes us and sustains us. Mr. Speaker, my ancestors left this land for us to manage. I have the courage, wisdom and determination to take on this challenge. Thank you, Mr. Speaker.

--Applause

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

Mr. Lewis's Reply

MR. LEWIS: Thank you, Mr. Speaker. I am in my 55th year and I have spent most of it, I suppose, at least most of my working life, doing public service. I find that the last three years has been an extension of that, and I still really feel that I am serving the public, even as an elected person -- perhaps even more so as an elected person than I did for the 20 odd years before that.

I had intended today, Mr. Speaker, to make some remarks about the upcoming budget in February, some remarks on the recession that we have begun to feel, something about inflation and the dangers of inflation, the interest rates, problems of constitutional development and the direction I see in which we are going. I had intended to talk about the news media, about how, for some strange reason, they get very excited about little people and about talking to parking meters and all kinds of things like that, but never seem to pay much attention to the serious issues of our day. I had intended to talk about leadership problems, the problems of being a leader in this kind of government. I had intended talking about elections and how we should proceed maybe from this time forward in electing our government and determining the form it should take.

I worry a little bit about the future of the western part of this Northwest Territories when Nunavut is eventually created. I worry about the priorities of economic development, why we do this rather than that. Even though you announce a series of things that you think should be priorities, why you in fact choose one over another. Also, I would have liked to have pursued the whole idea of reforming the education system -- Mr. Kakfwi has begun to at least make some moves in reforming the education system in a way that is perhaps consistent with the aspirations of northern people.

However, Mr. Speaker, instead of doing all those things, which I could have done perhaps today at length, I would like to tell people, my colleagues around this Assembly chamber, that I have enjoyed working so much with the other Members of the Legislative Assembly of the Northwest Territories, and that whether we are successful or not in passing the new act that will provide four seats for Yellowknife, I shall be seeking re-election a year from now in one of the ridings in Yellowknife. Thank you.

AN HON. MEMBER: Hear, hear!

--Applause

MR. SPEAKER: Replies to Opening Address.

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

ITEM 10: REPORTS OF STANDING AND SPECIAL COMMITTEES

Report Of Special Committee On Constitutional Reform

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. Mr. Speaker, my report of the special committee on constitutional reform will be quite short and to the point. I have three recommendations on behalf of the committee that I will put to the House.

Before I start my report, Mr. Speaker, I would like to thank the Members of the committee for their work during the Meech Lake process; the Hon. Stephen Kakfwi, Mr. Red Pedersen, Mr. John Ningark, Mr. Henry Zoe, the Members of the committee. Alternate Members of the committee are Mr. Sam Gargan and Mr. Bruce McLaughlin. We have had the privilege of having ex-officio on our committee, the Government Leader, the Hon. Dennis Patterson, and the Speaker, the Hon. Richard Nerysoo. I would also like to thank the staff of the committee, Doug Schauerte, Geoffrey Bickert and Bernie Funston.

Mr. Speaker, your special committee on constitutional reform is pleased to submit its report on its activities in relation to proposed amendments to the Constitution of Canada contained in an agreement of First Ministers dated June 3, 1987, formally known as the Meech Lake Accord, and resolutions tabled in the Legislature of New Brunswick on March 21, 1990, the New Brunswick Companion Resolutions. Mr. Speaker, the terms of reference of the committee are found within the report, so I will not read them out, but they are there for Members information. I would like though, very briefly, to convey to the House the activities of our committee.

On March 27, 1990, soon after the committee was established by the Legislative Assembly, the House of Commons also established an all-party special committee to study the proposal for a companion resolution to the Meech Lake Accord, which had emerged from the Legislature of New Brunswick. This special committee, the Charest committee, conducted hearings across Canada and invited presentations from the Canadian public, as well as from elected representatives. The Charest committee held hearings in Yellowknife on April 17 and 18, 1990. A joint presentation to the Charest committee was made on April 18th by your committee through myself as chairman and two Members, the Hon. Richard Nerysoo and Mr. John Ningark. A copy of this joint presentation is in appendix B.

During the course of the presentations the Charest committee invited further written submissions of a technical nature and your committee subsequently provided such submissions on May 2, 1990. A copy of the technical brief is in appendix C.

The Charest committee report addressed several concerns raised by your committee in its presentation and was tabled in Parliament on May 17, 1990. However in the course of events which were to follow, the Charest report did not become the basis for discussions between First Ministers. On June 2nd First Ministers commenced private meetings which continued until the evening of June 9th. A public meeting of

First Ministers commenced later on June 9th. Between June 2nd and June 9th Members of your committee were in Ottawa and were available by teleconference for consultations and the positions to be taken by the Government Leader in discussion with other First Ministers.

The final communique which was delivered by First Ministers at the public session on June 9th and 10th, 1990 is in appendix D. Although the final communique was intended to lead to a ratification by the Meech Lake Accord by Manitoba, New Brunswick and Newfoundland, only New Brunswick subsequently ratified the accord. On June 23, 1990, the Meech Lake Accord expired without any amendments having been made to the Constitution of Canada. A table of the activities of your committee and other important dates are found in appendix E.

Mr. Speaker, I think a very important consideration of this Assembly is that even though Meech Lake failed, the efforts of your committee, your government and this House were not in vain and I am convinced that our constitutional position now, in comparison to our constitutional position when the Meech Lake Accord was first announced some three and one-half years ago, is much stronger. Governments across Canada, I think, are very aware of our strong position and many of them are very sympathetic to our strong position.

I think more importantly, people of Canada during the process, have been made aware of the very serious legitimate concerns of the people of the Northwest Territories. And whether there is an amendment to the Canadian Constitution a year from now or 10 years from now or 15 years from now, I think the work of this Assembly, the work of this government, the work of your committee, will form a very strong basis on which future governments and future Legislative Assemblies of the NWT can make their case to the Government of Canada.

As Members are aware, Mr. Speaker, events are going ahead and your committee, I think, to do a bit more work. Right now the Government of Canada has just struck a new committee to deal with constitutional matters, a number of provinces are doing the same, and I think that your committee has a responsibility to at least do a watching brief on what transpires across the country between now and the budget session.

Your committee is required to present a report to the Legislative Assembly on strategy to deal with the Meech Lake Accord and any amendments or subsequent constitutional amendments. At the expiry of the Accord on June 23rd, national constitutional discussions were temporarily postponed. The federal government and several provinces are presently evaluating their objectives and their strategies for constitutional reform.

In light of these circumstances, the committee has the following recommendations:

1) The committee shall continue to monitor developments in other jurisdictions relating to constitutional reform resulting from the expiry of the Meech Lake Accord and in particular any proposals, suggestions or matters which have been proposed or may be proposed by the Government of Canada, provincial governments, Yukon government, which may affect constitutional reform in Canada and the NWT.

2) The committee should continue with its mandate under its terms of reference to undertake such consultations, discussions and meetings that are necessary with authorized federal and provincial bodies and appropriate territorial bodies that have the responsibility to consider matters arising from the failure of the Meech Lake Accord.

3) Prior to the dissolution of the 11th Assembly, the

committee shall prepare reports and recommendations to the Legislative Assembly on a strategy for the Legislative Assembly to deal with any proposals for reform of, or amendments to, the Constitution of Canada.

Motion To Accept Report Of The Special Committee On Constitutional Reform, Carried

Mr. Speaker, that concludes my report and, I move, seconded by the honourable Member for Natilikmiot, that the report of the special committee on constitutional reform be received and adopted.

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? The motion is carried.

---Carried

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

ITEM 11: TABLING OF DOCUMENTS

HON. GORDON WRAY: Thank you, Mr. Speaker. Mr. Speaker, I wish to table Tabled Document 58-90(2), Northwest Territories Team, Arctic Winter Games 1990. Mr. Speaker, I wish also to table Tabled Document 59-90(2), 1990 Arctic Winter Games, a pictorial account. Thank you.

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

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I wish to table Tabled Document 60-90(2), Sustainable Development in the Northwest Territories, Balancing Conservation and Development, October 1990, in English and Inuktitut.

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

MR. ERNERK: I would like to table Tabled Document 61-90(2), a letter from the Keewatin Inuit Association, Louis Pilakapsi, president, to Michael Wilson, Minister of Finance, House of Commons, Ottawa, opposing the GST.

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

MR. NINGARK: Thank you, Mr. Speaker. I wish to table Tabled Document 62-90(2), a letter from Lyall Construction regarding support of business in Spence Bay. I wish to table Tabled Document 63-90(2), a letter from the Gjoa Haven Community Education Council regarding a link between two schools.

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

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I would like to table Tabled Document 64-90(2), a letter from the Baffin Divisional Board of Education chairmen, Joe Enook and John Tinashlu.

MR. SPEAKER: Tabling of documents.

Item 12, notices of motion.

Item 13, notices of motion for first reading of bills. Item 14,

motions. Motion 20-90(2), honourable Member for Tu Nede.

ITEM 14: MOTIONS

Motion 20-90(2): Legal Action Against ALPAC Mill

MR. MORIN: Thank you, Mr. Speaker.

WHEREAS Alberta-Pacific Forest Industries, ALPAC, has a proposal to build and operate a pulp mill in northern Alberta;

AND WHEREAS the effluent of this pulp mill will flow into the Slave-Mackenzie watershed;

AND WHEREAS this effluent will adversely affect the environment and residents of the Northwest Territories;

AND WHEREAS the ALPAC proposal has been reviewed for its environmental impacts but has since been revised;

AND WHEREAS the revised ALPAC proposal is currently under consideration for approval by a committee of the Government of Alberta cabinet;

AND WHEREAS the Government of the Northwest Territories has not concluded a transboundary water agreement with the Government of Alberta;

AND WHEREAS the Government of the Northwest Territories, the Dene Nation, the Metis Association of the NWT and other organizations have opposed the ALPAC and Daishowa pulp mills;

NOW THEREFORE, I move, seconded by the honourable Member for Deh Cho, that the Government of the Northwest Territories consider initiating legal action to obtain an injunction against the Governments of Alberta and Canada, and ALPAC, should the proposed ALPAC mill be approved without any further opportunities for public hearings in the Northwest Territories under the federal environmental assessment and review process;

AND FURTHER, be it resolved that the Government of the Northwest Territories Minister of Justice convey this motion to the Premier of Alberta as soon as possible;

AND FURTHER, be it resolved that negotiations between the Government of the Northwest Territories and the Government of Alberta over a transboundary water agreement should continue with the full involvement of aboriginal peoples. Thank you, Mr. Speaker.

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

MR. MORIN: Thank you, Mr. Speaker. We have all been through hearings on pollution, hearings on development, hearings on the buffalo slaughter, and such things. We have all contributed our time, we have travelled distances to make presentations; but once again it sounds like Alberta pulled a quick move. They want to build this pulp mill, they want to build this pulp mill outside of Athabasca, they want to pollute our waters, they want to kill our fish.

To them it does not matter what happens in the Territories because their voters are not living up here; the voters are the

oil people and the people with equipment, loggers, and such. Those are the people they have to satisfy so they do not really give the Northwest Territories residents a second thought.

Mr. Speaker, the reason I am moving this motion today is so that possibly, if this motion passes, our Minister of Justice can relay it to the Premier of Alberta and hopefully wake them up and let them know that there are people that live and depend on water North of the 60th parallel, and we cannot continue to have them polluting our waterways.

Mr. Speaker, if this motion goes through this Assembly I think it would give the cabinet and the Minister of Justice all that more teeth to do battle with Alberta. As a consensus government it would let Alberta know that it is the wish of the whole Assembly that the government is doing this. I think legal action is not something to take very lightly. It is something that you have to consider, and that would basically be your last recourse of action.

Our people in the Northwest Territories seem to be going through a lot of legal battles these days. Snowdrift, as well, has taken the federal Department of National Defence to court on pollution east of Great Slave Lake, and I believe that we have passed motions in this Assembly before supporting them. For the Eastern Arctic Members that are not aware, this Slave River is a tributary right into the Mackenzie valley. This pollution if it comes, will completely pollute Great Slave Lake and go on further down all the way to Tuktoyaktuk, where it would end up. That is the watershed we are talking about. The very first filtering system is right on my doorstep in Fort Resolution. It is called the Slave River Delta, so we in Resolution will be affected the most. Mr. Speaker, I urge the government, as well as ordinary Members of this Assembly, to support the motion. Mahsi cho.

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

MR. GARGAN: Thank you, Mr. Speaker. The main reason for seconding the motion is that the public process has already been implemented and the recommendations with regard to the final report are not to allow the pulp mills to go ahead. Unfortunately, what happened with regard to those recommendations is that the Alberta government and the federal government have decided to get a new body of people to rule perhaps in favour of the pulp mills. That was the intention of creating a whole new body, which is doing an internal review. It is not a public process any more, it is a private process, perhaps the Alberta government and a federal government initiative to rule in favour of the pulp mills, and basically that is the reason why I seconded the motion. If in the event this new body of people does make a recommendation that the pulp mills should go ahead, then at least the government has direction from this Assembly that perhaps the way to stop those people is through legal action. I am requesting that Members support this motion. Mahsi cho.

MR. SPEAKER: Thank you. To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. To the motion, the honourable Member for Yellowknife North.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. The government takes this motion very seriously. I think with this motion, and the statements that have been made in the House on previous motions, the government fully understands the deep and sincere concern that the Legislative Assembly and the MLAs have about this issue, and that they are representing their constituents here in this House on this very

important issue.

The honourable Members are aware that we have intervened in the case of the Daishowa project. Right now our lawyers are in serious and constant consultations with many other groups who are involved in this particular process to develop the best strategy to fulfil the wishes of this House and of the people of the Northwest Territories.

We look at this motion as a strong indication of the feelings of this House and I can give honourable Members our assurance that we will try our very best in our dealings with the federal government and with the Alberta government, whether it is through negotiations or, as Mr. Morin said, ultimately through court action, to protect the interests of the people of the Northwest Territories. Thank you.

MR. SPEAKER: To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. The honourable Member for Tu Nede, final reply.

MR. MORIN: Just a recorded vote. Thank you.

Motion 20-90(2), Carried

MR. SPEAKER: Thank you. A recorded vote has been requested. All those in favour, please rise. Mr. Clerk.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Crow, Mr. Arlooktoo, Mr. Kilabuk, Mr. Pedersen, Mr. Pollard, Mr. Morin, Mr. Pudluk, Mr. Ernerk, Mr. Lewis, Mr. Whitford, Mr. Ningark, Mr. Gargan, Mr. McLaughlin.

MR. SPEAKER: Thank you. All those opposed? All those abstaining, please rise.

CLERK OF THE HOUSE (Mr. Hamilton): Ms. Cournoyea, Mr. Allooooloo, Mr. Ballantyne, Mr. Patterson, Mr. Kakfwi, Mr. Butters, Mrs. Marie-Jewell.

MR. SPEAKER: The counts for the recorded vote. Order please. The counts for the recorded vote are 13 in the affirmative, no opposition and seven abstentions. The motion is carried.

---Carried

---Applause

Motion 23-90(2): The honourable Member for Sahtu.

Motion 23-90(2): Assembly Appreciation To Miss Canada, Leslie McLaren

HON. STEPHEN KAKFWI: Mr. Speaker, I would like to move a motion, seconded by the honourable Member for Baffin South:

WHEREAS the House has continually expressed its support for the fur industry;

AND WHEREAS Leslie McLaren was chosen as Miss Canada;

AND WHEREAS Leslie McLaren had the courage to speak out in support of the fur industry as part of her aboriginal heritage;

AND WHEREAS Members of the Legislative Assembly wish to express their support and

appreciation to Leslie McLaren;

NOW THEREFORE, I move, seconded by the honourable Member for Baffin South, that this Legislative Assembly express its appreciation to Leslie McLaren, Miss Canada, for her support of the fur industry;

AND FURTHER, this House invite Leslie McLaren to visit the Northwest Territories during her reign as Miss Canada.

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

HON. STEPHEN KAKFWI: Mr. Speaker, as you know over the years our people all across the North have had a growing problem with people, primarily in the South and Europe, who have chosen to place the rights of animals above the rights of aboriginal people to harvest and make use of the wildlife that we have managed and made use of over countless centuries. We have found many public people, politicians alike, who have for different reasons chosen to speak in favour of the animal rights people. When we have a chance to find individuals who very clearly recognize, as native people, the importance we place and have on harvesting wildlife, it is very important for us to support these types of individuals.

AN HON. MEMBER: Hear, hear!

HON. STEPHEN KAKFWI: In the case of this young lady, for whatever reason she has decided to speak her mind to clearly state where she stands on a very controversial issue in our society today, and I know based on the knowledge that all of us have about the over-zealousness that some of these people have in the animal rights movement, that there is some degree of truth in saying that she places herself personally in some danger of being reprimanded or even attacked by some of these people. Yet, she has given the public a chance to look at this issue again to show that there is nothing terrible about the things that we are asking and that harvesting wildlife and trapping is an important part of our economy. It is an important part of our way as native people. It is a good activity in support of our traditional lifestyle, living on the land. Too often southern people mindlessly, needlessly, disrupt and do great damage to those of us that live in the North and those of us that are aboriginal people, those of us who represent aboriginal people, those of us that live in parts of the world where people are still practising and living very much a traditional lifestyle.

I think she is very gutsy. The Member from Fort Smith says she is very courageous. I would say that we need more people like this to speak out and to tell the animal rights people that they are wrong; not only that they are wrong, in many ways they are dead wrong. We need more and more people to have the courage to stand up and speak like that. The only way they will do it and continue to do it is if people like ourselves also stand up and show our full support for them when they do it. Thank you.

AN HON. MEMBER: Hear, hear!

---Applause

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

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I am very pleased to second this motion. In the old days our livelihood was crushed by animal rights activists. Furs, foxes and seals -- the industry has declined due to the animal rights activists. I am very pleased to second this motion. I feel very

strongly about it. In regard to the Eastern Arctic Inuit, they have suffered and they do not understand why the sealing industry and fur industry have declined in the last few years. They have no understanding of it whatsoever. Keeping this in mind, I am very happy that they made a motion in regard to this issue. I think we should keep this issue going and speak out at animal rights activists because this was our livelihood and it is very important to us. We are going to have to think of some way to activate our industry in regard to fur.

I really thank the honourable Member for putting this motion out. It is very clear and I am sure they are helping us in every way they can. I am sure the people of the NWT will appreciate this motion. I am very sure that my constituency will be very happy and the Inuit in particular will appreciate this motion. I wanted to thank the honourable Member and the rest of the Legislative Assembly that I am going to be seconding this motion. I am very happy to say that Inuit people will be pleased with it. Thank you.

---Applause

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

MR. ERNERK: Thank you, Mr. Speaker. I do want to indicate to the mover and the seconder of the motion that I am very appreciative of this motion because I think it is very important, not only to the NWT but I think for all of Canada. Firstly, I do want to thank Ms. McLaren on behalf of my constituents in Aivilik and, for that matter, on behalf of all the people of the Northwest Territories, because the fur industry is still a very important occupation. Mr. Speaker, the fur industry is the very foundation of this nation. I do want to say to Ms. Leslie McLaren, what a great Canadian you are. Thank you, Mr. Speaker.

---Applause

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

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I appreciate the motion and I will be supporting it myself. My constituents were deeply hurt by the animal rights activists when the prices declined and it is not a major activity now for the hunters. We know that every summer there are a lot of seals that go up to my constituency and we are also aware that they are always in that region. If the population of the seals was to decline, especially the ring seals... (Translation ends)... could be made in this House. Also a person like Leslie McLaren could publicly state her support of the animal trappers, people who are probably the most fortunate in our society who rely heavily for supporting their families on their pursuits, that she could publicly support them. I think she needs praise from the Canadian public.

Also I would like to mention that the very basis of our economy, when Canada was being built, was trapping, which the honourable Member for Aivilik stated earlier. It is very important and it is the foundation of this country, which started being recognized as a country that other Europeans could look to and also to emigrate to because there were a lot of possibilities for their future and their future generations. I would like to say that she will be appreciated by the Canadian native communities, especially Canadian northern native communities. Qujannamiik.

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

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I am

very pleased to speak in favour of this motion, Mr. Speaker, after the controversy in this Assembly about a year ago about the very unpopular and insensitive actions and comments of Her Worship, the Mayor of Edmonton. All I want to say in speaking in favour of this motion is, I cannot think of a better city in this country to be associated with a prominent, intelligent, articulate woman who is willing to speak in favour of the traditional economy of the aboriginal people who helped build that city, than the city of Edmonton.

We look forward to meeting her, greeting her, welcoming her and honouring her for helping undo the hard feelings that developed between the NWT and a city with whom we have had so many good and beneficial relations over the years, and for recognizing the dignity and worth of her aboriginal ancestors in Alberta and those that we represent in the Territories and, indeed, across this country. Thank you.

---Applause

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

MR. KILABUK: (Translation) Thank you, Mr. Speaker. It is very good to see a motion like this and it affects all of us. Just as the Hon. Dennis Patterson mentioned, about the mayor of Edmonton who was opposed to that, now we see a motion that is in support of the industry. On behalf of my constituency, because they have also been affected by the decline of the fur industry and because we all know of the different animals we have over here in the Western Arctic -- there are no seals or polar bears but in the Eastern Arctic -- there are no seals or polar bears but in the Eastern Arctic we do not have the abundance of the land animals you have over here and it is all different all over Canada. We have been working hard, but even though this is opposed by the animal activists, she can stand on her own two feet and say that in front of Canada. I fully support the motion. Thank you.

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

MR. WHITFORD: Thank you, Mr. Speaker. Briefly to the motion. I will be supporting the motion with a great deal of pleasure and sincerity. Mr. Speaker, what this young lady, Miss Canada, has done has taken a lot of courage in this day and age when you have a lot of groups, Greenpeace, animal rights, k d lang, Mayor Reimer, championing causes that are detrimental to northern activities and northern ways of life, and it is refreshing to see someone on our side for a change, Mr. Speaker. Unfortunately, many Canadians are ill-informed about our ways of life and Ms. McLaren has had the courage to stand up to these critics already and set the record straight. It is no doubt that she will be criticized and abused over the coming year but this motion will help to encourage her and let her know that we are behind her.

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

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. Very quickly, just a couple of comments. I must say that I am very very pleased to be able to support the motion and I really applaud my colleague for thinking and bringing it forward, and giving credit where it is due.

I sincerely have noticed the decline of the fur industry in the Territories and the devastating effects it has on the different areas in the Territories, particularly recognizing what it has done in the Baffin with the loss of the seal industry. I think that is one of the factors that certainly led to a lot of our social problems that we have, particularly, at times, I even think it is one of the causes of the suicide problems that we have. I think if we can find more people in Canada to speak out on

this issue in support of it, recognizing that Canada, our nation and our Territories were so fully dependent of fur in the early days and that is what built our nation. I applaud Ms. McLaren for taking her stand but I want to also note to Members -- and I think it is very very courageous of this young lady to make those comments -- but on another note I would also like to let Members know that I find it often takes women to be so courageous.

---Laughter

I would also like to send her a bouquet of thank you from a lot of women in the Territories because they too also work a lot with fur, inasmuch as we often overlook that. But the stand that she took has to be applauded, not only by this House but by territorial residents. Thank you.

---Applause

MR. SPEAKER: To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Question. Final reply, honourable Member for Sahtu.

HON. STEPHEN KAKFWI: Mr. Speaker, for the record I should recognize the important advice of the Member for Mackenzie Delta in regard to this motion. There are a lot of things that can be said for quotes, but I wanted to quote another famous politician or leader and I cannot remember who said it, but certainly the lady, Ms. Leslie McLaren, is our kind of Miss Canada. It has finally put some meaning and context to this position that I have heard about on and off over the years. It has put some meaning to it and I think, by the many statements that we made today, all of us are saying that this is the kind of Miss Canada that we all want for our country. Certainly she is the kind of Canadian that we would all like to see speaking on issues like this. Just to paraphrase an old quote, "She is personally, for me, my kind of woman."

---Laughter

MR. SPEAKER: Question has been called.

AN HON. MEMBER: Recorded vote.

Motion 23-90(2), Carried

MR. SPEAKER: Recorded vote has been requested. All those in favour, please rise.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Gargan, Mr. Ningark, Mr. McLaughlin, Mrs. Marie-Jewell, Mr. Butters, Mr. Kakfwi, Mr. Patterson, Mr. Ballantyne, Mr. Alloo, Mr. Cournoyea, Mr. Wray, Mr. Whitford, Mr. Lewis, Mr. Ernerk, Mr. Pudluk, Mr. Morin, Mr. Pollard, Mr. Pedersen, Mr. Kilabuk, Mr. Arlooktoo, Mr. Crow.

MR. SPEAKER: All those opposed, please rise. All those abstaining, please rise. I wish to indicate that the record of votes is 21 in the affirmative, no opposition, no abstentions. The vote is unanimous in support of the motion. The motion is carried.

---Carried

---Applause

Motions. Item 15, first reading of bills. The honourable Member for Yellowknife Centre.

ITEM 15: FIRST READING OF BILLS

First Reading Of Private Members' Bill 17: Environmental Rights Act

MR. LEWIS: Mr. Speaker, I move, seconded by the honourable Member for Baffin Central, that Private Members' Bill 17, Environmental Rights Act, be read for the first time.

MR. SPEAKER: 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? The motion is carried.

---Carried

Bill 17 has had first reading. First reading of bills. The honourable Member for Slave River.

First Reading Of Bill 19: Legislative Assembly And Executive Council Act

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 19, An Act to Amend the Legislative Assembly and Executive Council Act, be read for the first time.

MR. SPEAKER: Thank you. The motion is in order.

AN HON. MEMBER: Question.

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

---Carried

Bill 19-90(2) has had first reading. Item 16, second reading of bills. The honourable Member for Yellowknife Centre.

ITEM 16: SECOND READING OF BILLS

MR. LEWIS: Mr. Speaker, I seek unanimous consent to proceed to second reading of the Environmental Rights Act.

MR. SPEAKER: The honourable Member for Yellowknife Centre is seeking consent to proceed with second reading of Private Members' Bill 17. Are there any nays? There are no nays, please proceed.

Second Reading Of Private Members' Bill 17: Environmental Rights Act

MR. LEWIS: Mr. Speaker, I move, seconded by the honourable Member for Baffin Central, that Private Members' Bill 17, Environmental Rights Act, be read for the second time. The purpose of this bill is to provide environmental rights for the people of the NWT. The bill provides for access to environmental information in the possession of or under the control of a Minister of the government and for the commencement of investigations by the Minister. The bill also provides for the commencement of prosecutions of alleged statutory offenses and for the commencement of actions to protect the environment by the Government of the NWT. The bill further provides for protection of employees from the actions of employers and for the preparation of the Minister of an annual report.

MR. SPEAKER: Thank you. The motion is in order. To the principle of the bill.

AN HON. MEMBER: Question.

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

---Carried

Private Members' Bill 17 has had second reading. Second reading of bills. The honourable Member for Slave River.

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I seek unanimous consent to proceed with second reading of Bill 19.

MR. SPEAKER: Are there any nays? There are no nays, proceed Madam Minister.

Second Reading Of Bill 19: Legislative Assembly And Executive Council Act

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 19, An Act to Amend the Legislative Assembly and Executive Council Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to repeal the schedule of descriptions of electoral districts of the Northwest Territories and substitute a new schedule of descriptions; and to provide that this bill comes into force on the first dissolution of the Legislative Assembly after January 1, 1991.

MR. SPEAKER: Thank you. The motion is in order. To the principle of the bill.

AN HON. MEMBER: Question.

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

---Carried

Bill 19 has had second reading. Prior to moving into committee of the whole, by the authority that has been given to me by this House, I will allow the House to continue in committee of the whole until they are prepared to report back. Item 17, consideration in committee of the whole of bills and other matters: Bill 8; Bill 16; Bill 18; Private Members' Bill 17; Bill 19; Ministers' Statement 57-90(2), with Mr. Pudluk in the chair.

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

CHAIRMAN (Mr. Pudluk): The committee will come to order. We have before us Bill 8, Bill 16, Bill 18, Private Members' Bill 17 and Bill 19 and Ministers' Statement 57-90(2). What does the government wish to do?

HON. MICHAEL BALLANTYNE: I understand that the ordinary Members would like to deal with the Private Members' Bill first. The government will concur with that if that is the wish of the committee and then following that with the supps.

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Before we proceed with Private Members' Bill 17 we will take a 15 minute coffee break.

---SHORT RECESS

The committee will come to order. I believe there are some changes planned. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Thank you. After very productive consultation with the other Members, there was a consensus reached that tonight the committee would deal with Bill 19, Legislative Assembly and Executive Council Act; Bill 16, Elections Act; and Private Members' Bill 17, Environmental Rights Act.

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 19. Madam Minister.

Bill 19, Legislative Assembly And Executive Council Act

Minister's Opening Remarks

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, the purpose of the amendment to the Legislative Assembly and Executive Council Act is to confirm in legislation the adopted recommendation of the committee of the whole upon its completion of the review of the 1989-90 report of the Electoral District Boundaries Commission. The amendments are to repeal Schedule A and replace it with descriptions of the electoral districts of the Northwest Territories.

Mr. Chairman, I would like to make special mention of Wayne Barraclough and David Sutherland of Municipal and Community Affairs, who in a very short time legally described the boundaries. I would also make mention of the staff of the legislation division of the Department of Justice and in particular Denise Gagnon who was hired especially to translate all the boundaries into French.

Mr. Chairman, I am pleased to recommend these amendments to the committee for consideration. Thank you.

CHAIRMAN (Mr. Pudluk): Does the chairman of the legislation committee have any remarks? Mr. Ernerk.

MR. ERNERK: Mr. Chairperson, no comment.

CHAIRMAN (Mr. Pudluk): Does this committee agree that we go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Schedule A. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Does the committee agree that this bill is ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Now we will go to Bill 16, Elections Act. Madam Minister.

Bill 16, Elections Act

Minister's Opening Remarks

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, the Elections Act permits the administration of elections to allow eligible voters of the NWT the ability to elect individuals to the Legislative Assembly. The Chief Electoral Officer of Canada is still, under an agreement between the Commissioner and himself, legally responsible for administering our Elections Act. The majority of work, however, is carried out by the Clerk's office and the many people across the Territories who work on administering the election procedures during general and by-elections.

At the conclusion of each general election, the Chief Electoral Officer of Canada is required, by statute, to submit a report on the administration of the election and this was done and was subsequently tabled in the Legislature. The report to the Legislative Assembly contained a number of recommendations for amendments to the act, and if it was amended, the Chief Electoral Officer felt it would result in a more efficient election administration. The amendments before you are a result of the Chief Electoral Officer's report and the experience of returning officers across the Northwest Territories and only address administrative matters. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. Chairman of the standing committee on legislation.

Comments From The Standing Committee On Legislation

MR. ERNERK: This bill represents a response to the report of the Chief Electoral Officer of Canada. In reviewing electoral procedures, several suggestions were made that would improve our territorial Elections Act. The bill would amend the Elections Act in a number of ways. In situations where the opening of a polling station has been delayed, the NWT Chief Electoral Officer would now be able to extend the hours of operation. This would ensure that everyone in community settings has a better opportunity to vote, even if weather conditions or transportation difficulties prevented a timely opening of the polls. The bill would also require candidates to inform the territorial Chief Electoral Officer if they donate surplus campaign contributions to a charitable organization. The bill would also create more workable strategy for the reimbursement of candidates' out-of-pocket travel and living expenses incurred during the election campaign. It would also provide the opportunity for an unsuccessful candidate to apply to the territorial Chief Electoral Officer to extend the time period for making a declaration of campaign contributions and expenses. It would also replace the use of the term "election clerk" with the term "assistant returning officer". These changes and wording amendments in the bill would have the effect of improving the elections legislation by clarifying roles

and removing redundancies.

Mr. Chairperson, the standing committee on legislation reviewed this bill at its meeting on October 22, 1990. At that time we were assisted by the Chief Electoral Officer of the Northwest Territories, Mr. David Hamilton. Mr. Chairperson, the committee was of the opinion that this bill had been thoughtfully considered during preparation of the report from the Chief Electoral Officer for Canada. Amendments contained in this bill would make a constructive improvement to elections legislation in the NWT. At our October 22nd meeting, the standing committee agreed to refer this bill for consideration by this House.

CHAIRMAN (Mr. Pudluk): General comments.

SOME HON. MEMBERS: Clause by clause.

CHAIRMAN (Mr. Pudluk): I wonder if Madam Minister would like to bring any witness to the witness table.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, if there are going to be any questions, I would like to ask assistance from the Clerk of the Legislative Assembly and legal counsel from the department.

CHAIRMAN (Mr. Pudluk): Are we ready to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 6, appointment of returning officers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, attendance in office. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 10, proclamation by returning officer. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 11, proclamation to be posted. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 12, inadvertent failure. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 13. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 14, filing of nomination paper. Mr. Pollard.

MR. POLLARD: Thank you, Mr. Chairman. Where it makes mention of 2:00 p.m. on the 28th day in that clause, does it have to specify local time? How does the 2:00 p.m. work in, is it just taken as being the local time?

CHAIRMAN (Mr. Pudluk): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, it has always been my understanding that was the time frame, but just for clarification may I ask that the Law Clerk be brought in as a witness?

CHAIRMAN (Mr. Pudluk): Does this committee agree?

SOME HON. MEMBERS: Agreed.

--Agreed

HON. JEANNIE MARIE-JEWELL: Apparently in another section of the act it states that it could be local time but not specific time. Maybe if I could ask the Law Clerk to jog her memory she might know what section that is in. Thank you.

CHAIRMAN (Mr. Pudluk): Legal Adviser.

LAW CLERK (Ms. MacPherson): Mr. Chairman, I do not have that section on hand but perhaps if I could look for it while we consider other sections.

CHAIRMAN (Mr. Pudluk): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Under clause 29, subsection (3.2), it states that the Chief Electoral Officer may, on an application brought under subsection (1.1) or (3.1), extend the time limit for transmitting the return. No, that is not the section, I apologize.

Clause 14, Bill 16, Deferred

CHAIRMAN (Mr. Pudluk): We will defer clause 14 for a moment and then we will come back to it. Is this House agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Clause 15, appointment of official agent. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 16. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 17. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 18, delegation of powers. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 19. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 20. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 21, books of ballot papers. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 22. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): I believe we have an answer for clause 14. Legal Adviser.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, the Member

asked if it could be 2:00 p.m. local time. It is 2:00 p.m. local time, applicable to each constituency, according to the appropriate time zone.

CHAIRMAN (Mr. Pudluk): Clause 14. Mr. Pollard.

MR. POLLARD: Is that a given, Mr. Chairman? Where does it say that? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Legal Adviser.

LAW CLERK (Ms. MacPherson): Thank you, Mr. Chairman. In the Interpretation Act it provides that any reference to time shall be deemed a reference to standard time and then goes through various terminology and geography to provide that it is their local time. That is in the Interpretation Act; therefore, unless otherwise specified in the Elections Act, it would be local time.

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

MR. POLLARD: This is at the urging of Mr. Pedersen. I cannot take credit for this one. Mr. Chairman, are there any constituencies that span two time zones? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, no, there are not any.

CHAIRMAN (Mr. Pudluk): Thank you. Clause 14. Agreed? Mr. Pollard.

MR. POLLARD: Mr. Chairman, this is on the time zone issue. I have been just thinking.

---Laughter

May I ask the question, Mr. Chairman?

CHAIRMAN (Mr. Pudluk): Go ahead, Mr. Pollard.

MR. POLLARD: Under the new arrangement, Mr. Chairman, Sanikiluaq is in the Keewatin...

AN HON. MEMBER: South Baffin.

MR. POLLARD: Okay, it is the same?

CHAIRMAN (Mr. Pudluk): Clause 14. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 23. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 24. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 25. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 26, notice to Chief Electoral Officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 27. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 28, application by official agent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 29. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 30, publication of returns. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 31. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 32, transmission of returns and declarations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 33. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 34. Mr. Gargan.

MR. GARGAN: Mr. Chairman, when we refer to the "notwithstanding subsection (1)", which subsection (1) are we talking about?

CHAIRMAN (Mr. Pudluk): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, I am not too sure if I heard. Did he indicate under clause 34, subsection (1)? Does he want to know what subsection it is referring to?

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

MR. GARGAN: This "notwithstanding subsection (1)", refers to a section that does not apply in 34(1.1), that is what I mean. Which section is that notwithstanding section?

CHAIRMAN (Mr. Pudluk): Thank you. Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, I will let the

Clerk answer that.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Chairman, section 203(1) of the act is the section that deals with the people who are allowed to administer oaths under the Elections Act. The new section we are putting in, (1.1), waives the requirement in areas where we cannot find a person to administer an oath.

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

MR. GARGAN: Mr. Chairman, this would mean that where you do not have an officer that would take oaths, the Chief Electoral Officer will, is that correct?

CHAIRMAN (Mr. Pudluk): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, may I ask the Member to repeat the question?

CHAIRMAN (Mr. Pudluk): Mr. Gargan.

MR. GARGAN: Mr. Chairman, it means then that where you do not have an officer to administer the oath, the Chief Electoral Officer could waive that for the purposes of the oath.

CHAIRMAN (Mr. Pudluk): Thank you. Madam Minister.

HON. JEANNIE MARIE-JEWELL: That is correct, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Clause 34, waiver of requirement for oath. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill as a whole. Mr. Ernerk.

MR. ERNERK: Thank you, Mr. Chairman. I have a question for the Minister. What happens if on election day there is a really bad storm -- sometimes when there is a bad storm all the government offices are closed -- at the community level during voting day? Can you delay the election for one day? What happens here?

CHAIRMAN (Mr. Pudluk): Thank you. Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, if I could ask the Member to refer to clause 5, that is the particular reason for clause 5 being inserted. It indicates that paragraph 6(3)(a) is repealed and the following is substituted: "5(a) a returning officer informs the Chief Electoral Officer that (i) the opening of a polling station has been delayed, or (ii) the returning officer has had to suspend voting at a polling station during any part of the polling day because of an accident, riot or other emergency; and..."

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Bill 16 is now ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. I would like to thank the witnesses at the table, Madam Minister. Now we go to Private Members' Bill 17, Environmental Rights Act. Does the House agree? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Lewis, would you like to make your opening remarks?

Private Members' Bill 17, Environmental Rights Act

Member's Opening Remarks

MR. LEWIS: Thank you, Mr. Chairman. In introducing this Private Members' Bill, I should tell Members that work on this bill began over a year ago, and what you have in front of you is the 12th draft of that bill. Work was begun on this bill because in the very first year of the mandate of this Assembly several Members raised the issue of the northern arctic environment being endangered. There were several statements made in this House about PCBs, about mercury poisoning, the need to clean up DEWline sites, concern about uranium mining, the lack of our capability to handle oil spills. Because Mr. Kilabuk was one of the early people to raise this issue I asked him to second the motion to introduce this bill into the Assembly.

I was also aware at our meeting last fall, Mr. Chairman, in Norman Wells that the problem of the protection of the northern environment was a particular problem for this jurisdiction because there was great uncertainty as to what the mandate was. In determining the responsibility for the northern environment, it was unclear where the jurisdiction lay, where the territorial government's responsibilities and the federal government responsibilities began and ended. It makes sense, therefore, that our government continues to discuss with the federal government how this can be handled.

Mr. Chairman, this Private Members' Bill on environmental rights seeks to complement what the government has already proceeded to provide us with for environmental protection, and it makes environmental protection a matter in which all citizens of the Northwest Territories can play a role since it establishes the protection of the environment as a right of all citizens in the Northwest Territories.

I should point out, Mr. Chairman, that in preparing this bill there has been considerable support from the government because it was seen as something which would both complement and support the efforts of the Department of Renewable Resources to undertake its mandate. After a year's work, we proceeded to work with Mr. Alloo's department on something like 30 small word changes to the act to make it consistent with many of the other things that were already being planned by that department.

There was considerable consultation throughout the Northwest Territories with local communities, with hunters and trappers and also with various environmental interest groups.

Mr. Chairman, I could proceed at great length in describing the process by which this bill has come to this stage anyway in our House, but rather than go into all those details perhaps I could leave them until we get to examination of the bill in detail.

I would like to say, though, Mr. Chairman, that I have noted that since 1988 there has been a movement right across the country to attempt to integrate private Members into the activities of the various Houses in the provinces and in the

federal House of Commons. Two important bills, in fact, did pass in the House of Commons; one of them was a very important bill about the political rights of public servants and another one, which was an anti-smoking bill, also went through that House. It is gradually being established that when we are talking about rights and the rights of citizens, an ordinary Member, in fact, is in a good position to present those rights in the legislature without really upsetting the normal legislative program of the government in office at that time.

Mr. Chairman, rather than go into great detail at this stage, I would like to ask if I could have some assistance because the person who has been working with me for a year has been a lawyer who has assisted our standing committee on legislation on other pieces of work that we have in this House, and I would like to have that witness with me, if I could.

CHAIRMAN (Mr. Pudluk): Thank you. Does this committee agree? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Proceed. Mr. Lewis, would you introduce your witness for the record?

MR. LEWIS: Excuse me, Mr. Chairman, as you know, my hearing is not the very best, so I have to go and get my hearing aid.

CHAIRMAN (Mr. Pudluk): Okay now? For the record, would you introduce your witness?

MR. LEWIS: Thank you, Mr. Chairman. I have with me Mr. David Wright, a lawyer who specializes in environmental law and many other things.

CHAIRMAN (Mr. Pudluk): Thank you. I wonder if the standing committee on legislation has any opening remarks on this bill. Mr. Ernerk.

Comments Of The Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairman. Members will know that the seventh session of our Assembly has seen the introduction of several legislative initiatives aimed at safeguarding our northern environment. We have seen, for example, amendments to the Environmental Protection Act that tightened the enforcement provisions and stiffened the penalties for infractions, and introduction of improved legislation regulating the transportation of dangerous goods and contaminants. Earlier today we heard the Minister of Renewable Resources outline details of this government's sustainable development strategy.

Mr. Chairperson, this concern for environmental protection is most welcome. Perhaps nowhere else in Canada is integrity in caring for the environment more important to the cultural survival and economic development of the people than here in the NWT. In our northern setting every citizen has a stake in ensuring that the environment is adequately protected from pollution. Mr. Chairperson, the Private Members' Bill before us today would provide an environmental bill of rights which recognizes that very fact. The bill would essentially provide individual residents of the NWT with the right to take direct action against any person or corporation who would harm our environment and a statutory process for doing so. The honourable Member for Yellowknife Centre, who is sponsoring this Private Members' Bill today, has outlined the various provisions that would establish rights in this area. I am sure he will elaborate on these further as we discuss the bill in

committee of the whole today.

Mr. Chairperson, the standing committee on legislation has had a lengthy acquaintance with this bill during its development. It was previously reviewed by the standing committee during the sixth session when it was presented under the draft title, Environmental Bill of Rights. We reviewed the bill again during our pre-session meetings and also at our October 25, 1990, meeting during the seventh session of our Assembly. On each occasion the bill has been revised to include new refinements and improvements. The bill before the House this afternoon has again been refined since our last review. We have not, Mr. Chairperson, specifically reviewed the final version of the revised bill which the Member has brought before the committee of the whole this afternoon.

As such, it is not proper for me, as chairperson, to indicate to you that the standing committee on legislation was in agreement that this specific bill was ready for the House. This is a matter of logistics only. I can tell you, however, that the standing committee has been closely involved in the developmental process leading up to the drafting of this bill. I can also tell you that the Members of the standing committee have been most interested and rather impressed with the concept of this legislation.

Some of the areas we have discussed during our review of earlier versions of this bill may be interesting to the committee of the whole, since they likely still apply to the version of the bill which is in front of us now. We noted, for instance, that the concept of establishing citizens' rights to protect the environment in legislation has not been embraced in most of the Canadian jurisdictions, although similar efforts to accomplish this through Private Members' Bills have been tried unsuccessfully.

Involvement In Protection Of The Environment

The bill would represent a new and unique approach to ensuring the involvement of all our people in protecting the environment. The standing committee was interested in sections of the proposed legislation that would provide protection for residents who choose to take action against their own employers under the Environmental Rights Act. These provisions, commonly referred to as "whistle blower protection" provisions, would safeguard residents from being dismissed, threatened, coerced, or penalized. The standing committee recognized that this was an important component to the success of the intervention framework outlined by this bill.

I am pleased to report that several refinements in these protection clauses have been made by Mr. Lewis in response to the standing committee's suggestions. Specifically the bill now includes provisions that would allow an employer to put a halt to a troublesome employee who tries to launch frivolous complaints. As well, it now also contains penalties for any employer who is found guilty of harassing an employee under these circumstances.

Finally, Mr. Chairperson, I note that the standing committee on legislation circulated the draft Environmental Bill of Rights tabled last session for public input. Briefs were gratefully received from the Enterprise settlement council, the Fort Simpson Dene Council, the Town of Inuvik, the City of Yellowknife, and Ecology North. We also received briefs from organizations outside the NWT, like the Environmental Law Centre in Edmonton and the West Coast Environmental Law Association in Vancouver.

The standing committee on legislation reviewed the points made in these briefs very seriously and ensured that they were brought to the attention of the bill's sponsor. We are

pleased to see that several of the suggestions received from the public organizations have now been incorporated into the proposed legislation. Mr. Chairperson, I look to further review of this bill during today's consideration in committee of the whole. Thank you.

CHAIRMAN (Mr. Pudluk): General comments. Mr. Alloofoo.

Government And Private Member Worked Closely On Bill

HON. TITUS ALLOOFOO: Thank you, Mr. Chairman. As Members stated earlier, the government and the private Member who drafted this bill have been working closely to make the bill better and represent what the Member had tried to achieve. We have been working very closely, as was stated. This is the 12th draft of the bill. Our legal counsel from the Department of Justice has had the opportunity to review most of the drafts and has provided comments to Mr. Lewis on this bill. We are pleased to see that Mr. Lewis has considered and accepted several of these changes which we proposed and which are now incorporated into the proposed Environmental Rights Act. In the government's view, this co-operative effort is an indication of the strength of the consensus government process.

The current version of the bill has benefited from careful review and input from our Department of Justice. I would like to highlight for Members some of the changes which has resulted from those efforts.

First, section 5, which deals with prosecution of statutory offenses, has been radically changed from the provisions proposed in the earlier drafts of the bill tabled by Mr. Lewis. The original provision proposed by Mr. Lewis would have required that a person seeking to prosecute an offence under section 5 appear before a justice of the Supreme Court to secure his permission to enable them to proceed with the prosecution. The way that provision was worded would actually have taken rights away from persons seeking to prosecute environmental offenses, because those requirements were more difficult and onerous to meet than those currently in place under the Criminal Code. I would point out that subsection 5(1), which now merely affirms that private individuals can bring a prosecution, imposes no additional burden on them.

I would further point out to Members that subsection 5(2), which provides for fine splitting, means that individuals who successfully bring a prosecution under the Environmental Rights Act may share in a fine assessed by courts. This provision was also suggested to Mr. Lewis by our Department of Justice. This is an important provision. As Members will realize, it is very expensive for a private individual to have recourse to the courts and to run a prosecution. However, subsection 5(2) is now clear about the proportion of a fine that an individual will receive. Thus, in the government's view, although the private prosecution provisions outlined in section 5 are now more realistic and available to all residents of the NWT, there is further room for improvement in subsection 5(2).

The government intends to make a motion to amend subsection 2 to make it clearer and to prevent persons employed by the government to enforce environmental legislation from sharing in a fine.

Mr. Chairman, as a further result of government input, paragraph 6(3)(c) was inserted into Mr. Lewis's bill. The government will make a motion to further amend section 6 so that damages to the environment in general can be paid into a special fund which will be spent to repair or enhance the environment.

The government is also pleased to see that paragraph 3(4)(e)

has been retained in the proposed bill. Our lawyers had raised the concern that the access to information provisions in section 3 might result in information received from other governments being inadvertently released and thus jeopardizing intergovernmental relationships. Paragraph 3(4)(e) provides for the refusal of an application for access to information when release of this information would jeopardize intergovernmental relationships. The government supports retention of this paragraph in the proposed Environmental Rights Act.

This bill has been improved as a result of co-operative efforts made between Mr. Lewis's counsel and our government legal counsel. Its format is now more consistent with that used in the government bills. Its language is clearer and its provisions have been strengthened. As I mentioned earlier, the government intends to make several motions to further improve this bill. We hope that honourable Members of this House will join us in supporting these motions to further strengthen and improve the bill. Mr. Speaker, I would like to bring in witnesses to assist me in deliberating this bill. Thank you.

CHAIRMAN (Mr. Ernerk): Thank you. What is the wish of the committee? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ernerk): Thank you. Please proceed with your witnesses, Mr. Minister.

HON. TITUS ALLOOFOO: Mr. Chairman, I would like to bring in our legal counsel, Mr. John Donihue.

CHAIRMAN (Mr. Ernerk): Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I have some brief general comments. I would like first of all to compliment Mr. Lewis in the manner in which he has proceeded with this Private Members' Bill. As you know, Private Members' Bills in this Assembly and other assemblies have had an uncertain past. We think it is very important if the government is to support a bill, that a certain process takes place. With this particular bill the government has been in a better position in the last few weeks to make some suggestions and comments to Mr. Lewis. During this session the government has passed amendments to the Environmental Protection Act and the government will be tabling future amendments that we hope to bring forward during the budget session. Because of these amendments we were better able to make constructive suggestions to Mr. Lewis so that our amendments and his bill work well together.

Fate Of Private Members' Bills

I think another factor that we should all consider -- Mr. Lewis tabled a document dealing with Private Members' Bills, called "Private Bills and Public Needs". I think all Members have a copy of the document. It was interesting that the conclusion of this particular document about the fate of Private Members' Bills across the country was interesting and I would like to read into the record the conclusions that the person who wrote this document had about the fate of Private Members' Bills across the country:

The first conclusion was, "An appropriate role for the Executive in the development of these bills has not yet been determined. There appears to date to have been little consultation by the private Members with a Minister on the substance of a bill. More effort and attention needs to be paid to the bills by the Executive and the civil service." That was the first conclusion.

We are talking about Private Members' Bills across the country.

The second conclusion of this particular paper is that historically, "The quality of the bills is inferior to that of government bills," for a number of reasons. Members are mistrustful of bureaucratic advice to improve the legislative language, for instance, and ordinary Members historically, across the country, have not had the same access to expertise that the government has had.

Thirdly, and I think an important one, is that the private Members are uneasy about approving bills until they can be sure that all the implications are known. They are conscious of the importance of creating the law of the land. I think Mr. Lewis has taken into account, in putting forward his bill, problems that Members have run into across the country. Mr. Lewis tabled his bill early at the last session to give the public and government ample opportunity to review the bill. Mr. Lewis brought his bill forward to the standing committee on legislation to allow Members of the committee to look at his bill, to allow counsel from the Legislative Assembly to have a look at his bill. We think that Mr. Lewis has been responsible in the way that he has proceeded with his bill and so the government took his bill very seriously. We think that the quality of the bill has improved. The consultation that our lawyers have had with Mr. Lewis's lawyer, have been very helpful. We think that the bill now, and its consistency with our legislative style and interpretive tools, has been improved. I must say that Mr. David Wright, who is Mr. Lewis's counsel is, in our mind, a very competent and very experienced lawyer who has taken his role very seriously. Our lawyers, in their dealings with Mr. Wright, found him to be very open and they have had, I think, a very constructive dialogue over the past two or three weeks. I think it has been very helpful to the end result, which is a bill that ordinary Members and the government can support; but more importantly, a bill that is going to be a real tool in protecting the environment. We hope that the process that Mr. Lewis is championing is really, I think, the first time we are seeing this sort of process set out. It can be a prototype for private Members' bills in the future.

I know that in co-operation with legislative counsel and with the counsel of the Legislative Assembly and our counsel and various committees of this House we will be looking at ways that we can perhaps streamline the process for Private Members' Bills. I think Mr. Lewis has, quite rightly, shown that Private Members' Bills properly done with the proper process for public consultation, review by lawyers of the Legislative Assembly, lawyers of the government, so that the public's interests are protected from start to finish, can be, I think, a very useful and productive part of consensus government.

So as I said, I think that our lawyers have found the process useful and constructive. I know that Mr. Allooooloo and myself, in our dealings with Mr. Lewis, have found him to be responsible and reasonable as to his approach with this bill. We hope that the amendments that Mr. Allooooloo has proposed -- we see them as a way to improve Mr. Lewis's bill, and we think that the end product will be a bill that this Legislative Assembly as a whole can take a certain amount of pride and ownership of and I think one that the residents of the Northwest Territories can feel fairly confident will go a long way toward improving the ways which we, as a Legislative Assembly through our laws, are able to protect the environment of the Northwest Territories. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. Mr. Morin.

MR. MORIN: Thank you, Mr. Chairman. I would like to start off by congratulating Mr. Lewis and saying that he must have

put many hours of work into this to bring it this far. It is something that has been a long time in coming. My understanding is that it is one of the first in Canada and it should be considered as an interim measure until we have the right to a clean environment entrenched in the Canadian Constitution.

Mr. Lewis, in the bill -- maybe I am not reading it right or do not understand it exactly, the rights that are contained in the act imply the right to a clean environment and it would logically flow from such a right. Is that right stated in there? How is that stated?

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Lewis.

MR. LEWIS: Mr. Chairman, the Member is right. There have been several attempts to develop bills along these lines and I did consider, originally, placing that right in this act because it had appeared in several other places that I had looked at. The problem with putting that right into this act is that they have to be quite specific things so that anything you would put in here as a right would have to have some remedy that you could propose to the government to do something about it. The words, "the environment", are so general that you could establish it as a principle, I suppose, of the bill. I could have put it, for example, in the preamble that that is what we want to have, a clean environment; but to state it as a right immediately, I suppose, we would have to say, "Well, because we have an environment that is in the state that it is, how can you remedy that and take it as a right that an individual has to blame somebody for the state of the environment the way it is right now?" It is so broad and general that I could not find a way of putting it into the body of the act so that remedies could be proposed by somebody we wanted to prosecute.

CHAIRMAN (Mr. Pudluk): Mr. Morin.

MR. MORIN: Thank you, Mr. Chairman. Maybe I can get some assistance on this. What would stop us from putting it in as a preamble? For example, "Every resident in the NWT has a right to a healthy environment and to protect the integrity, diversity and productivity of the ecosystem in the NWT" as one of the "whereas" clauses. Is there a problem with that? I would like to get Mr. Lewis's feelings on that. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Lewis.

MR. LEWIS: Thank you, Mr. Chairman. I would have no difficulty with including that as a goal of philosophy that we are aiming toward, but to have it in the body of the act would pose all kinds of problems for us because it could not be handled. In the preamble to the act it would be possible to include something like that as the third "whereas" before the "now therefore". The third "whereas" clause could include that provision for a clean environment.

CHAIRMAN (Mr. Pudluk): General comments. Mr. Morin.

MR. MORIN: Thank you, Mr. Chairman. At the appropriate time I will have to move a motion to try and address that. Also, I did not get all the amendments the government is proposing. Maybe some of the concerns are addressed through that, but basically in this act it only allows for action against any person releasing or discharging any contaminants into the environment. Also, I would like to address the problem of a person, or whatever, who is about to do or likely to do any act or thing to contaminate the environment. There could be measures there so that we could stop people from acting not only after the fact but prior to it. I do not know if Mr. Allooooloo's amendments have addressed that or not.

I would also like to have residents of the NWT allowed access to the raw data, not just reports. Mr. Chairman, I will get assistance from the Law Clerk to draw up a motion on that one item. I think some of them are addressed by the government's amendments already, I believe.

CHAIRMAN (Mr. Pudluk): Thank you. I would like to inform this committee that this bill has a preamble and the preamble will be the last one we deal with after we go clause by clause; we will come back to it and deal with it then. General comments. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Further to that, Mr. Chairman, maybe to assist Mr. Morin we could ask legal counsel for the government and legal counsel for Mr. Lewis if perhaps between them they could work out something in the preamble that would satisfy Mr. Morin before we get to that point.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. What is the wish of the committee? Clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 1, definitions. Mr. Alloofoo.

Motion To Amend Clause 1, Private Members' Bill 17, Carried

HON. TITUS ALLOOFOO: Thank you, Mr. Chairman. I would like to move that the definition of "contaminant" in clause 1 of Private Members' Bill 17 be amended by striking out paragraphs (b), (c), (d) and (e) and by substituting the following: "(b) causes injury or damage to plant or animal life; (c) causes harm or material discomfort to any person, or adversely affects or impairs the health or safety of any person; or (d) renders the environment unfit for use by any plant or animal life or by any person."

CHAIRMAN (Mr. Pudluk): Thank you. The motion is in order. To the motion. Mr. Lewis.

MR. LEWIS: This change has the effect of combining (b) and (d) and does not change the clause at all except to shorten it. I have no problem with the amendment.

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Morin.

MR. MORIN: Mr. Chairman, I raised it earlier that it affects -- in this clause it says to release into the environment.

CHAIRMAN (Mr. Pudluk): To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? All those opposed? The motion is carried.

--Carried

Clause 1, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Clause 2, application. Mr. Alloofoo.

Motion To Amend Clause 2, Private Members' Bill 17, Carried

HON. TITUS ALLOOFOO: Thank you, Mr. Chairman. I move that clause 2(1) of Private Members' Bill 17 be struck out and the following substituted: "2. (1) This act applies to the whole of the Territories."

CHAIRMAN (Mr. Pudluk): Mr. Minister, are you willing to use the word "application"?

HON. TITUS ALLOOFOO: Mr. Chairman, yes.

CHAIRMAN (Mr. Pudluk): Thank you. To the motion. Mr. Lewis.

MR. LEWIS: Mr. Chairman, this particular wording we use because it is in the current Environmental Protection Act but I understand the government is making some changes to that act and this new wording would be consistent with the new act that we will see amendments to, perhaps tomorrow. So we have no problem with the change.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? All those opposed? The motion is carried.

--Carried

Clause 2, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Pudluk): Mr. Alloofoo.

Motion To Further Amend Clause 2, Private Members' Bill 17, Carried

HON. TITUS ALLOOFOO: I move that clause 2(3) of Private Members' Bill 17 be struck out and the following substituted: "Where there is a conflict between the terms of this act and the terms of any other enactment, this act shall prevail to the extent of the conflict."

CHAIRMAN (Mr. Pudluk): Mr. Minister, could you read the marginal note again, please?

HON. TITUS ALLOOFOO: Mr. Chairman, "paramountcy".

CHAIRMAN (Mr. Pudluk): Now your motion is in order. To the motion. Mr. Lewis.

MR. LEWIS: The same thing applies to this clause, Mr. Chairman. It would be consistent with the wording for the revisions to the current Environmental Protection Act. We have no problems with it.

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? Opposed? The motion is carried.

--Carried

Clause 2, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 3, access to information. Mr. Minister.

Motion To Amend Clause 3, Private Members' Bill 17

HON. TITUS ALLOOLOO: Mr. Chairman, I move that clause 3(2) of Private Members' Bill 17 be amended by striking out "thereof" and substituting "of the document, data, or information".

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

CHAIRMAN (Mr. Pudluk): Mr. Minister.

Motion To Further Amend Clause 3, Private Members' Bill 17, Carried

HON. TITUS ALLOOLOO: Mr. Chairman, I move that clause 3(3) of Private Members' Bill 17 be amended by striking out "thereof" and substituting "of the report, memorandum, data or information".

CHAIRMAN (Mr. Pudluk): The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? Opposed? The motion is carried.

---Carried

Clause 3, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 4, investigations. Mr. Lewis.

Motion To Amend Clause 4, Private Members' Bill 17, Carried

MR. LEWIS: Mr. Chairman, on examination of clause 4(2), there has been an omission which I would like to remedy. My motion is that clause 4(2) of Private Members' Bill 17 be amended by adding the words "has been released into the environment" after the word "contaminant".

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour, please raise your hand. Opposed? The motion is carried.

---Carried

Clause 4, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 5, standing to prosecute statutory offences. Mr. Minister.

Motion To Amend Clause 5, Private Members' Bill 17, Carried

HON. TITUS ALLOOLOO: I move that Private Members' Bill 17 be amended by deleting clause 5 and substituting the following: "Subsection 5. 1) Any resident of the Territories who, on reasonable grounds, believes that an offence has been committed under an act listed in schedule A may lay an information in writing and under oath before a justice. 2) Where a resident who lays an information under subsection (1) conducts the prosecution on that information, the court may order that a portion of any monetary penalty imposed as a result of the prosecution be paid to the person conducting the prosecution to reimburse that person for costs and expenses incurred by that person in the conduct of the prosecution. 3) Subsections (1) and (2) do not apply in respect of persons who are employed by the Government of the Northwest Territories to enforce the provisions of the acts listed in schedule A."

CHAIRMAN (Mr. Pudluk): Thank you. Your motion is in order. To the motion. Mr. Lewis.

MR. LEWIS: Thank you, Mr. Chairman. The first two sections that are being proposed as an amendment are rewordings of the clauses in the act and do not change the meaning at all, so I have no difficulty with that. The last part is, in fact, an addition which was not in the act and clarifies it, and I have no problem with any of the three parts to replace section 5.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Pudluk): 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. Pudluk): Clause 6, right to protect. Mr. Minister.

Motion To Amend Clause 6, Private Members' Bill 17, Carried

HON. TITUS ALLOOLOO: I move that clause 6 of Private Members' Bill 17 be amended by (a) striking out paragraph (3)(c) and substituting the following: "(c) order the defendant to pay an amount by way of satisfaction or compensation for loss or damage resulting from the release to (i) any person having an interest in property that is adversely affected by the release of the contaminant into the environment, and (ii) the Minister; and"; (b) adding the following after subsection (4): "(5) Any money received by the Minister pursuant to an order under paragraph (3)(c) shall be deposited in an account in the consolidated revenue fund and disbursed for the following special purposes: (a) the repair of any damages caused by the release of the contaminant; or (b) where action is not practicable under paragraph (a), the enhancement or improvement of the environment."; and (c) renumbering

subsection (4) as subsection (5).

CHAIRMAN (Mr. Pudluk): Thank you. The motion is in order. To the motion. Mr. Lewis.

MR. LEWIS: There is a change here, Mr. Chairman, to what was originally intended. The first part of (c) is really rewording (c)(1), except that now in addition to having money going to the individual having an interest in the property, moneys could also be paid to the Minister. It is not clear from the wording of this whether it is one or the other, whether it is to the person or to the Minister because the word that has been used here is the word "and" and the impression is created that an amount could be paid to both of them, both to the person injured and to the Minister and I am wondering whether the word "or" should have been used rather than the word "and".

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

HON. TITUS ALLOOLOO: Mr. Chairman, we had consulted with the legal drafters of such bills and they told us that in subsection (c), the word that is used there is "and" and apparently it is the right word and the moneys could be paid to the Minister and to the individuals, or either one, depending on the circumstances.

CHAIRMAN (Mr. Pudluk): Thank you. To the motion. Mr. Lewis.

MR. LEWIS: If that is a drafting problem then, Mr. Chairman, I would want it on the record that under this act moneys would not be paid jointly. In other words the word "and" is not used conjunctively so that both the Minister and the person injured would both be paid. If that is not going to happen I have no problem with it.

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

MR. GARGAN: Mr. Chairman, can we have a legal opinion from our Law Clerk?

CHAIRMAN (Mr. Pudluk): Madam Legal Adviser.

LAW CLERK (Ms. MacPherson): Mr. Chairman, I can see how a lay person or even a lawyer who is not very skilled in legal drafting, or does not do legal drafting full-time, can read it as being jointly payable to both, given that the use of the word "and" in legislative drafting appears to be fairly specialized. I think that Mr. Lewis having stated his intentions on the record with respect to the possibility of moneys being paid to both people, should be sufficient to establish that it is the intention that money could be paid to a person or the Minister or even conceivably both.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Clause 6, as amended. Mr. Minister.

Motion To Further Amend Clause 6, Private Members' Bill 17, Carried

HON. TITUS ALLOOLOO: Mr. Chairman, I move that subsection 6(4) of Private Members' Bill 17 be amended by:

(a) striking out "will be and will remain" in subparagraph (a)(i) and substituting "is and will remain"; and (b) striking out subparagraph (a)(ii) and substituting the following: "(ii) does not and will not materially impair the quality of the environment; or".

CHAIRMAN (Mr. Pudluk): Thank you. The motion is in order. To the motion. Mr. Gargan.

MR. GARGAN: What does "materially" as opposed to "quality of the environment" -- is there a reason for that specific word?

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Minister. Mr. Gargan says no problem. To the motion. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Clause 6, right to protect, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 7, protection of informants. Mr. Minister.

Motion To Amend Clause 7, Private Members' Bill 17, Carried

HON. TITUS ALLOOLOO: Mr. Chairman, I move that clause 7(3) of Private Members' Bill 17 is struck out and the following substituted: "Every person who contravenes subsection (1) is guilty of an offence and is liable on summary conviction to a fine not exceeding \$5000 or to imprisonment for a term not exceeding 90 days or to both."

CHAIRMAN (Mr. Pudluk): Thank you. Your motion is in order. To the motion. Mr. Lewis.

MR. LEWIS: This is just a wording change to this clause and does not change the meaning at all. We have no problem with it.

CHAIRMAN (Mr. Pudluk): Thank you. To the motion. Mr. Whitford.

MR. WHITFORD: On the amount of money, Mr. Chairman, is this deemed to be sufficient of a penalty under the circumstances, you know the nature and the seriousness of this matter. In some cases it is probably cheaper to dump contaminants and things rather than dispose of them properly. A fine of \$5000 is nothing. I am just wondering if the parameters of the penalties are high enough. I think we are talking here that in an environment, in order to dispose of something properly it would probably cost a lot more and if the penalties are not stiff enough, it might cause people to look at this as an alternative. I was wondering if there is enough dollar value to that section.

CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TITUS ALLOOLOO: Thank you, Mr. Chairman. If I could point out that we are dealing with clause 7 which is the protection of the informant. It has nothing to do with contaminating the environment. This is to protect the person who may give information to the authority, if the employer dumps contaminants onto the environment. This is to protect the employee.

The other concern the Member raised will come under the Environmental Protection Act, which is substantially higher in terms of fines.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Clause 7, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 8, annual report. Mr. Minister.

Motion To Amend Clause 8, Private Members' Bill 17, Carried

HON. TITUS ALLOOLOO: Thank you, Mr. Chairman. I move that clause 8 of Private Members' Bill 17 be amended by, (a) striking out the word "and" in paragraph (e); (b) adding the following after paragraph (e): "(f) the disposition of any moneys received under subparagraph 6(3)(c)(ii); and"; and (c) renumbering paragraph (f) as paragraph (g).

CHAIRMAN (Mr. Pudluk): Thank you. Your motion is in order.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Clause 8, as amended. Mr. Minister.

Motion To Further Amend Clause 8, Private Members' Bill 17, Carried

HON. TITUS ALLOOLOO: Mr. Chairman, I move that clause 8 of Private Members' Bill 17 be amended by striking "Legislature" and substituting "Legislative Assembly".

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Clause 8, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Clause 9, remedies preserved. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Schedule "A". Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. We have to go back to the preamble on page one. Mr. Morin.

Motion To Amend Preamble, Private Members' Bill 17

MR. MORIN: Thank you, Mr. Chairman. In the preamble, I would like to move a motion that after the last word "persons" to put in the word "and", and add the following clause: Whereas the people of the Northwest Territories have a right to a healthy environment and a right to protect the integrity, biological diversity and productivity of the ecosystems in the Northwest Territories. Mr. Chairman, I do not have this typed or translated?

CHAIRMAN (Mr. Pudluk): May I have a copy of your motion, please? Before I rule on the motion, we will take a 10 minute recess to have the amendment typed and translated.

---SHORT RECESS

The committee will come back to order. For the record, Mr. Morin, could you read the motion again please?

MR. MORIN: Thank you, Mr. Chairman. That the preamble to Private Members' Bill 17 be amended by adding the following after the word "persons"; and "whereas the people of the Northwest Territories have the right to a healthy environment and a right to protect the integrity, biological diversity and productivity of the ecosystems in the Northwest Territories" and at the end there should be a semi-colon.

CHAIRMAN (Mr. Pudluk): Thank you. Your motion is in order. To the motion. Mr. Morin.

MR. MORIN: Mr. Chairman, by reading through the bill, and I have asked Mr. Lewis, in this act it talks about the right to a clean environment, but the actual right is missing and I guess you cannot put it in the act because it is too broad. According to what was explained to me, people cannot be held, for example the government cannot be held, responsible for what has already happened to the environment.

Mr. Chairman, I feel that we should at least have it in the preamble so we have some direction from it basically saying that it is a bill of rights for a clean environment. At least if it is in the preamble, then we are referring to it. I would rather see it in the preamble than not see it there at all. With that, I would encourage Members to vote in favour of it. Thank you.

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

AN HON. MEMBER: Question.

Motion To Amend Preamble, Private Members' Bill 17, Carried

CHAIRMAN (Mr. Pudluk): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Preamble, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): This bill is ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk): Thank you. I would like to thank Mr. Lewis, Mr. Minister and their witnesses at this time. What is the committee's wish? Mr. Gargan.

MR. GARGAN: I move that we report progress.

CHAIRMAN (Mr. Pudluk): The motion to report progress is not debatable. All those in favour? All those opposed? The motion is carried.

---Carried

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: I wish to call the house back to order. The honourable Member for High Arctic.

MR. PUDLUK: Mr. Speaker, your committee has been considering Bills 19, 16 and Private Members' Bill 17 and wishes to report that Bill 19 and Bill 16 are ready for third reading, and that Private Members' Bill 17 is 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 19, third reading of bills. The honourable Member for Yellowknife Centre.

ITEM 19: THIRD READING OF BILLS

MR. LEWIS: Thank you, Mr. Speaker. I seek consent to give third reading to Private Members' Bill 17.

MR. SPEAKER: The honourable Member for Yellowknife Centre is seeking consent to proceed with third reading of Private Members' Bill 17. Are there any nays? There are no nays. Proceed.

Third Reading Of Private Members' Bill 17: Environmental Rights Act

MR. LEWIS: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Baffin Central, that Private Members' Bill 17, Environmental Rights Act, be read for the third time.

MR. SPEAKER: 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

Private Members' Bill 17 has had third reading.

---Applause

Third reading of bills. The honourable Member for Slave River.

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I seek unanimous consent to proceed with third reading of Bill 19.

MR. SPEAKER: The honourable Member for Slave River is seeking consent to proceed with third reading of Bill 19. Are there any nays? Proceed.

Third Reading Of Bill 19: Legislative Assembly And Executive Council Act

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 19, An Act to Amend the Legislative Assembly and Executive Council Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 19 has had third reading. Third reading of bills. The honourable Member for Slave River.

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I seek unanimous consent to proceed with third reading of Bill 16, An Act to Amend the Elections Act.

MR. SPEAKER: Thank you. The honourable Member for Slave River is seeking consent to proceed with third reading of Bill 16. Are there any nays? There are no nays. Proceed.

Third Reading Of Bill 16: Elections Act

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 16, An Act to Amend the Elections Act, be read for the third time.

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

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 16 has had third reading. Prior to proceeding to orders of the day, I just want to indicate to the honourable Members the authority that has been granted to me through a motion in this House to set the hours of sitting. On Tuesday, November 6, we will begin sitting at 10:00 a.m. and go until 12:00 noon and from 1:30 until the conclusion of the business of this House. Item 21, Mr. Clerk, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, a meeting of ajauqtit at 9:00 a.m. tomorrow morning.

ITEM 21: ORDERS OF THE DAY

Orders of the day for Tuesday, November 6th.

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; Bill 18; Ministers' Statement 57-90(2)
18. Report of Committee of the Whole
19. Third Reading of Bills
20. Assent to Bills
21. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Tuesday, November 6th, 1990, at 10:00 a.m.

---ADJOURNMENT