



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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

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YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, MARCH 11, 1991

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. Sibbeston, Mr. Whitford, Hon. Gordon Wray, Mr. Zoe

ITEM 1: PRAYER

--Prayer

SPEAKER (Mr. Richard Nerysoo): Orders of the day for Monday, March 11, 1991. Item 2, Ministers' statements. The honourable Member for Sahtu.

ITEM 2: MINISTERS' STATEMENTS

Ministers' Statement 30-91(1): Distance Education In Secondary Schools

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. Many of the smaller high schools in the Northwest Territories are not able to offer a wide variety of courses. Until this year, students who wanted to take courses not available in their school had to rely entirely on print materials from the Alberta correspondence school.

This can be a frustrating experience for students, as they cope with delays in receiving assignments because of poor mail service and the absence of regular tutorial help. It can be difficult for them to remain motivated and stick to a regular schedule in completing assignments. The statistics show that the completion rate of these correspondence courses is 20 per cent.

In order to meet the increased demand for a variety of secondary school courses, and to help students meet their goals more effectively, an increasing number of courses are being offered through distance education technology. During the first week of February, St. Patrick's High School in Yellowknife delivered the first secondary school teleconferencing lesson in the Northwest Territories. Calculus 35, a university preparation course in mathematics, was delivered from a classroom in Yellowknife by telephone to students in Iqaluit, Rankin Inlet, Fort Smith and Inuvik.

During the same week, students in Arviat were connected by phone with a teacher in Rainbow Lake, Alberta, to begin a Physics 30 course. This arrangement between the Keewatin Divisional Board of Education and the Fort Vermilion School Division has enabled these students to take the course in their home community.

The Department of Education is currently in the process of making arrangements with the Saskatchewan Communication Network and Mackenzie Media to collaborate on the delivery of French, accounting and algebra courses from Regina to Yellowknife through Anik satellite. All cable subscribers in Yellowknife will have access to these courses. Arrangements are also being made to expand these offerings to other centres in the NWT as soon as the necessary hardware is in place.

Divisional boards of education are now reviewing the use of distance education technology in those communities where grade extensions are being planned. In the past, NWT residents frequently had to leave home to increase their level of education. Through the use of distance technology, more

and more people are able to receive high quality education without having to leave their homes and families. Thank you.

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

Ministers' Statement 31-91(1): Closure Of Colomac Mine

HON. NELLIE COURNOYEA: Mr. Speaker, because of the financial difficulties at the Colomac mine northwest of Yellowknife, it now appears that a temporary closure of the mine is unavoidable. As you have heard recently, Neptune Resources is putting in a winter road to the Colomac operation. Their intention is to haul in an additional 2.5 million litres of fuel and other essential supplies that will allow the mine to continue operation through May. At this point, the company intends to put the property into a care and maintenance mode until the economic conditions improve.

As you may be aware, Neptune and the Dogrib communities have both worked very hard to achieve 25 per cent employment of local people at the project. The full staff is 350 people. However, layoffs in December have cut this down to 268.

Of the total personnel working at the mine, 78 are Northerners and 44 are from the Dogrib communities. In addition, there are approximately seven million dollars of unsecured creditors. From one to two million dollars are northern-based businesses, and the company plans to pay these creditors off prior to putting the mine into a care and maintenance mode.

The major cause of the mine's financial difficulties has been the low price of gold. Two years ago when construction started, gold was selling in the \$450 US per ounce range. Recently gold has been trading from \$360 US to \$370 US per ounce. Compounding the mine's financial problems have been the strong Canadian dollar, poor mill through-put and somewhat lower than expected grades. As well, the weak stock market and generally difficult economic conditions make it unlikely that other private investors will be found at this time. Since the major factor in the property's financial problems is the low price of gold, there is little that the government can do to solve the problem. However, Energy, Mines and Petroleum Resources, along with Economic Development and Tourism, are examining ways to help the unsecured creditors.

A temporary closure or mothballing such as the type Colomac will undergo involves assuring that pipes, tailings lines and tanks are drained correctly, and that the machines are shut down so that restart can occur without harming the equipment. Security would also have to be maintained on site. Mothballing of this nature does not appear to be a serious problem from an environmental standpoint.

Mr. Speaker, the closure of the Colomac mine illustrates the sensitivity of the territorial mineral industry to the changes in the world economy. Just as a drop in fur prices affects trapping, a drop in the gold price affects the mining industry. We, however, remain confident that these economic factors will again change and allow the mining industry to grow. We

remain supportive of the Colomac project and the efforts of Neptune Resources.

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

Ministers' Statement 32-91(1): 1990-91 Winter Regional Games

HON. GORDON WRAY: Thank you, Mr. Speaker. Mr. Speaker, in my capacity as Minister responsible for Arctic Winter Games, Canada Games and other sports games, I would like to provide Members of the Legislative Assembly with an update on the winter regional games that have been taking place over the past couple of months in many centres across the North.

These games are supported by contribution funding from the sport and recreation division of the Department of Municipal and Community Affairs, which is, of course, my colleague's, the Hon. Tom Butters,' department. The winter regional games is a relatively new program implemented in 1989 to promote continual development of winter sport participation in Arctic Winter Games off-years.

Mr. Speaker, by the end of March there will have been six separate winter regional games competitions co-ordinated in each region, usually over two weekends. In total, 31 different communities have hosted one or more sport competitions as part of their region's winter games. Over 1750 athletes from 50 communities will be involved in this year's events.

In total, 15 different sports, including dog mushing, Arctic sports, snowshoeing, volleyball, and hockey will have been competed in. Sports were chosen by regional organizing committees for their popularity and relevance to regional needs.

The estimated budget for all winter regional games is over \$350,000, of which \$250,000 is provided by the Department of Municipal and Community Affairs, sport and recreation division. The Sport North Federation assists the organization of winter regional games and is to be commended for their efforts.

Mr. Speaker, as I mentioned earlier, the intent of the winter regional games is to provide for a major athletic event in Arctic Winter Games off-years so that NWT athletes have a consistent level of accessible competition. As I indicated to Members of the Legislature when speaking of our NWT team that recently completed competition at the Canada Winter Games in Prince Edward Island, it is sporting initiatives like the winter regional games introduced by this government in the past several years that have resulted in a marked improvement in the success and competitive levels of our NWT athletes and the general improvement of our NWT sport system.

As a final note, Mr. Speaker, I would like to congratulate all the organizers involved in the winter regional games and thank the hundreds of volunteers who have dedicated their time so that our youth can participate in sporting activity, with the resulting personal benefits derived from this participation.

Sport and recreation, Mr. Speaker, is a wise investment of this government's money and in the future of the Northwest Territories. Participation in athletics and recreational activities benefits an individual's physical, mental and social health, contributes positively to community spirit and pride, and provides a platform for social and cultural understanding for all people of the Northwest Territories.

Mr. Speaker, I am pleased to report on the positive impacts of

our government's priority on sport and recreation programs and facilities, as exemplified in the very successful winter regional games. Thank you.

---Applause

MR. SPEAKER: Thank you. Prior to proceeding to the next item, Members' statements, I wish first to draw the attention of honourable Members to visitors in our gallery, the students from the Project Change School in Yellowknife with their life skills and academic teachers, Judy Desjarlais and Margaret Purdy.

---Applause

Legislative Schedule

I wish to inform the House that I have received the following communication from the Commissioner of the Northwest Territories: 'Dear Mr. Speaker: I wish to advise that I recommend to the Legislative Assembly of the Northwest Territories, the passage of Bill 22, An Act to Amend the Income Tax Act, during the eighth session of the Legislative Assembly. Yours truly, D L Norris, Commissioner.'

Speaker's Ruling

I also wish to deal with the question of the Speaker's ruling with regard to the point of order raised by the honourable Member for Rae-Lac la Martre on March 8, 1991. The Chair has reviewed the point of order raised by the Member for Rae-Lac la Martre on Friday, March 8, 1991.

The point of order raised by Mr. Zoe was that the Member for Slave River's Member's statement was an infraction of Rule 23(4), and I quote, 'A Minister may make a statement in accordance with Rule 23(1) but such statements must not relate to the Member's responsibility as a Minister.'

The Chair has reviewed the events surrounding the Minister's statement and the Member's statement for March 8, 1991, and find that Mr. Zoe does have a point of order. On dealing with points of order of this nature that are after the fact, and when the Member for Slave River had already made her Member's statement, the Chair cannot chastise the Member.

I would like to indicate that if the point of order had been raised by the Member during the statement, then the Chair could have dealt with it at that time by determining if there was a point of order or not, and appropriately ruling the Member out of order to continue her statement if in fact it was against the rules. Thank you.

Order please. Item 3, Members' statements. The honourable Member for Baffin South.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Environmental Effects Of James Bay II Project

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I rise today to voice some of my concerns about the proposed Hydro-Quebec development of James Bay II. This is an important item that our colleague for Hudson Bay has been pursuing.

I am going to speak to you today about the scope of the project as it has been explained to me by those knowledgeable in this subject. If the current plans for this project are completed, 25,835 square kilometres of land will be devastated forever, according to the Canadian Arctic resources committee. Mr. Speaker, this is an area almost as large as

Great Slave Lake and is comparable in size to Cumberland Sound near Pangnirtung, for example. A total of 15,519 square kilometres of this land will be flooded as a result of the diversion of rivers and construction of dykes. In the rest of the reservoir area, roads, power lines, and huge concrete structures will dominate an inland landscape that is now rich with forest and animals. There will be mercury contamination of the marine environment and the diversion of a river at site GBI will affect marine wildlife migration. This was acknowledged by the hydro officials themselves when they were in Sanikiluaq last year, I am told.

Why is this being done, Mr. Speaker? This is being done for the \$8.4 billion in potential profits for Hydro-Quebec and the associated revenue for the Quebec government...

MR. SPEAKER: Order. The honourable Member's statement time is up. The honourable Member for Baffin South.

MR. ARLOOKTOO: (Translation) I seek unanimous consent to finish my Member's statement.

MR. SPEAKER: The Member for Baffin South is seeking unanimous consent to conclude his Member's statement. Are there any nays? There are no nays. Proceed.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. Mr. Speaker, this project must be stopped before it damages the environment in northern Quebec, the Belcher Islands and Hudson Bay. Our government must be alerted to these environmental dangers and it must be prepared to take all necessary actions to protect the ecology of Hudson Bay. It is time for all Members of this House to rally behind the people of the communities of Hudson Bay and stop this environmental catastrophe. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Hudson Bay.

Member's Statement On The Importance Of Scientists Act

MR. CROW: Thank you, Mr. Speaker. Mr. Speaker, there once was a time in the Northwest Territories when people in our communities were at the mercy of scientific researchers who would travel northward from their southern Canadian universities to collect data, disrupt local affairs and then depart. More often than not, this safari research resulted in published findings that were erroneous, biased or used to mislead panels of inquiry about the people and environment of the North. Communities had no say about when these researchers would arrive or what they would do. They were almost never allowed to review research findings and correct inaccuracies that might be printed about their race, their culture or their homeland.

In 1974, the Council of the Northwest Territories introduced new legislation titled the Scientists Act to better regulate the activities of researchers. Hansard reports that two of my honourable colleagues, Mr. Sibbeston and Mr. Butters, were present that day and they must have been proud indeed of the bold step they were taking.

The step they took is as important today as it ever was. With environmental assessment and review panels placing a high value on the evidence provided by researchers, it is important to...

MR. SPEAKER: Order. Your time has expired for your Member's statement. The honourable Member for Hudson Bay.

MR. CROW: Mr. Speaker, I wish to get unanimous consent to complete my Member's statement.

MR. SPEAKER: Thank you. The honourable Member for Hudson Bay is seeking unanimous consent to proceed with his Member's statement. Are there any nays? There are no nays. Proceed.

MR. CROW: Thank you, Mr. Speaker and colleagues. The step they took is as important today as it ever was. With environmental assessment and review panels placing a high value on the evidence by researchers, it is important to ensure that northern data are collected with permission of the people and scientific procedures that are free from bias.

With the Scientists Act, Mr. Speaker, researchers wishing to collect data in the Northwest Territories must receive a licence from the Science Institute. Consultation with the community is mandatory during the licensing process and allows our people to review the design of proposed research projects. Municipalities are able, under this act, to halt the activities of poorly planned or intrusive research. They are able to prevent irresponsible researchers from misrepresenting who we are and how we live.

Mr. Speaker, I believe that the Scientists Act is a legal tool that is important to keep close at hand. Our constituents will no longer need to be subjected to faulty, biased or unethical research, so long as we have a government that has the courage and integrity to use this legislation. Thank you, Mr. Speaker.

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

Member's Statement On BC Supreme Court Ruling

MR. GARGAN: Thank you, Mr. Speaker. I rise today to speak about a court decision handed down on Friday by the BC Supreme Court on the aboriginal rights claim made by the Gitksan and Wet'Suwet'en tribes of BC. The judge has ruled, Mr. Speaker, that these two tribes in northern BC have no claim whatsoever to ownership of the land or jurisdiction over the territory in which they live.

I want to express my outrage at this decision. Mr. Speaker, this decision is a devastating blow to the fair and just land claims negotiation process in BC and Canada. It should be reminded, Mr. Speaker, that these people have never signed treaties ceding the ownership of the land and the judge has thrown out the validity of the Royal Proclamation of 1763, a document issued by King George III acknowledging Indian rights to the territories.

We, the aboriginal peoples of Canada, have been patient with the people of Canada, Mr. Speaker, but this latest court decision has set us back by decades. It ignores section 35 of the Constitution Act, which recognizes existing treaty and aboriginal rights, Mr. Speaker. I have no doubt in my mind that this BC Supreme Court decision was a political one, one that is designed to serve the interests of forestry and mining companies and its beneficiaries, one that will open wide the way for resource exploitation unburdened by aboriginal title and one, Mr. Speaker, that has no regard for those who have lived and owned the land for thousands of years.

I want to make it clear, Mr. Speaker, that we will not give up our fight to have our land claims settled fairly and aboriginal rights recognized, in law and in practice. We will use all means available to us whether it is through the courts or by political means.

Further, Mr. Speaker, we will not sit idly by and watch this kind of gross injustice done to the aboriginal people of Canada. We will fight till the end of the day and this should serve as a warning to all those concerned about peaceful

existence between the peoples of Canada.

MR. SPEAKER: The honourable Member, your time period has expired. The honourable Member for Deh Cho.

MR. GARGAN: Mr. Speaker, I would like to get unanimous consent to finish my statement.

MR. SPEAKER: Thank you. The honourable Member is seeking unanimous consent to conclude his Member's statement. Are there any nays? Proceed.

MR. GARGAN: Thank you, Mr. Speaker. Thank you Members. When justice is denied, the only option left is to fight for survival. What happened at Oka last summer could happen again, and perhaps on a much greater scale, Mr. Speaker, if the governments do not accept their responsibility to do what is right and just for the aboriginal people of Canada. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Tu Nede.

Member's Statement On Opening Of Fort Resolution Arena

MR. MORIN: Thank you, Mr. Speaker. Mr. Speaker, I would like to thank the honourable Minister, the Hon. Gordon Wray, as well as Mr. Butters and, as well, ordinary Members, Mr. Gargan and Mr. Sibbeston, for coming down to Fort Resolution and supporting the community on its official opening of the arena. Mr. Speaker, a good time was had by all. I would also like to thank the Old Timers' hockey club of Fort Resolution for a great hockey game between themselves and the "Legislative Assembly Chiefs".

By the way, Mr. Speaker, Mr. Wray was our coach and he tried to stress strategy which was to keep the puck out of our net and put it in theirs. It did not work for the first two periods, but thanks to Mr. Sibbeston, who scored five goals in the third period, it did work in the final period with his pep talk.

Also, Mr. Speaker, I would like to let Members of this Assembly know that Mr. Sibbeston is dubbed with a new name. He is now known as "Tricky Nicky" in Fort Resolution because of all his tricky moves on the ice.

---Laughter

I would also like to thank the community members, Chief Bernadette Unka and Tasia Lyall, recreation co-ordinator, for their well-organized efforts in preparing for the weekend. We also had the honour of participating in a community feast and I would like to thank the cook, Lena McKay, for an excellent meal.

Mr. Speaker, the Fort Resolution arena was built as a community project and of the \$1.3 million dollars allocated for this project, about 60 per cent stayed in the community. The only other people brought in were electrical and mechanical contractors. All the rest was local residents under the leadership of John Bjornson. Mr. Speaker, I would also like to congratulate Melvin McKay, a young man of Fort Resolution whose leadership and commitment to the project was excellent. Melvin ran the project a lot of the time in John's absence. We have a good work force trained because of the project, Mr. Speaker, and we are willing and able to build any capital project going into Fort Resolution. So, Mr. Butters, in the future we look forward to negotiating with you on future capital projects. Thank you, Mr. Speaker.

MR. SPEAKER: After that I would like to remind the honourable Members that your Member's statement should be

refined to one subject. I was not quite sure what the subject was, weekend or whatever. Members' statements. The honourable Member for Baffin Central.

Member's Statement On Holding Arctic Winter Games In Smaller Communities

MR. KILABUK: (Translation) Thank you, Mr. Speaker. I am going to deal with what I consider to be a very important issue, which is recreation, and I have brought this matter up quite a few times in the House. I fully enjoy it myself and the younger people enjoy recreation, and especially when there is competition between communities or different regions, everybody enjoys that.

Once the competitions are over in the regions, they get prepared for the Arctic Winter Games, but what I have observed from the beginning is that it seems like the winners in the regional trials only seem to come to Yellowknife or to the Western Arctic. I would encourage the Members to consider the different regions because they have adequate facilities, which are comparable to the facilities in Yellowknife, and I would want the people responsible for recreation, whether it be in Kitikmeot or Baffin, to consider holding the Arctic Winter Games in those regions. The Arctic Winter Games could help the communities because the smaller communities could use the financial contributions from the competitors. I think it would be even more enjoyable if those competitions were held in the smaller communities or centres, and I would like this to be considered. Thank you, Mr. Speaker.

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

Member's Statement Of Thanks For Childhood Upbringing

MR. NINGARK: Thank you, Mr. Speaker. Sometimes we forget who we are and where we are. It took me many months to really realize how I am here. It was my stepfather, Mr. Speaker, Patrick Qaggataq, and the Grey Nun Sisters of Chesterfield Inlet and priests, who looked after me when I needed someone, who fed me when I was hungry, who comforted me when I was sick and depressed and, most of all, who educated me so that I could get by in my culture and in the modern culture. Mr. Speaker, when I remember my childhood and the Chesterfield Inlet residential school, I remember what kind and gentle people they were. There were bad times too, but these bad times and disciplines were given to me when I did not behave. I was disciplined by my guardians but was never abused.

Mr. Speaker, good things have come my way because of my stepfather, my supervisors, the Grey Nun Sisters and the priests, and as a Member of the NWT Legislative Assembly I would like to remember only the good things about them. I am not about to turn my back on the people who brought me to where I am today. To all of them I would like to say thank you so very kindly. Thank you, Mr. Speaker.

---Applause

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

Member's Statement On Northern Program Of Indian And Northern Affairs

MR. LEWIS: Thank you, Mr. Speaker. I have raised this issue in the past, and I note that as recently as October 31st, Mr. McLaughlin raised the issue of the continuing role of the northern program of DIAND.

Mr. Speaker, in 1969, with the transfer of federal programs to territorial control, everybody assumed in Ottawa that that northern program would disappear and everything would be devolved to the Government of the Northwest Territories.

I learned on Friday, Mr. Chairman, that one of my colleagues that I knew in 1969-70, who spent two years in Yellowknife in order to complete the transfer -- his name is Carol Baker -- and everybody assumed that after that job as the liaison man between the federal and territorial governments, that it would be all over. In fact, that man retires this coming summer. So it has been 20 years since the time he was told that it was all over, to the current time when DIAND still continues in Ottawa, still has a northern program and still is as strong as ever in the minds of people in its control of things that happen in the NWT.

Mr. Speaker, our government has set up a committee on constitutional development. It has made several statements about the way our constitution is going to emerge, what political developments are going to take place. But in my view, until that northern program disappears, it will still seem to many people that we are still colonized, that we really do not have real power, that this is sort of a fake Assembly, it is not real because the people in Ottawa still control things.

So I would suggest that if in future we are going to have further major developments in the NWT, I would not want to see people in Ottawa saying, because this or that is going to happen in the North, we still have a continuing role to play here. So for the next 20 or 30 years, as my friend assumed in 1969 that he would be out of work in a couple of years, we should be cautious and on guard to make sure that that northern program disappears before we make any move to make major political developments in the NWT. Thank you.

---Applause

MR. SPEAKER: Thank you. Members' statements. Item 4, returns to oral questions. Honourable Member for Slave River.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question O169-91(1): Inuit Translators At Senior Citizens' Home, Yellowknife

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I have two returns to oral questions, both asked by Mr. Ningark; one asked on February 27th in respect to Inuit in the senior citizens' home.

Currently there are no Inuit seniors residing in the Mary Murphy Home. However, there are four Inuit seniors residing at the Aven Seniors' Centre. The Aven Seniors' Centre has access to the translator services through the Government of the NWT and the translators at Stanton Yellowknife Hospital. In addition, on many occasions residents of Yellowknife have volunteered to act as translators.

Return To Question O174-91(1): Group Meeting For Handicapped

I have a return to another question asked in respect to group meetings for the handicapped, asked by Mr. Ningark on February 27th. Currently there are no plans to hold a meeting for handicapped groups in the spring. However, National Access Awareness Week is from May 27 to June 2, 1991. The week is intended to provide all Canadians with an opportunity to examine their communities and develop strategies to effect permanent changes for the disabled. Activities leading up to and including this special week are being co-ordinated by the NWT Council for Disabled Persons. Some of the activities planned are a poster contest throughout the schools in the

NWT and an awareness brunch for Members of the Legislative Assembly on Sunday, March 17, 1991. Members of the Legislative Assembly who will be able to attend will be paired with either an advocate for the disabled or a consumer of disabled services. Individual invitations have been prepared for the Members of the Legislative Assembly of the NWT by the NWT Council for Disabled Persons on behalf of the NWT steering committee.

MR. SPEAKER: Returns to oral questions. Item 5, oral questions. Honourable Member for Yellowknife South.

ITEM 5: ORAL QUESTIONS

Question O292-91(1): Fee Structures For Big Game Hunting Licences

MR. WHITFORD: Thank you, Mr. Speaker. I would like to direct a question to the Minister responsible for Renewable Resources. Is his department proposing any new fee structures for hunting licences, in particular big game hunting licences, for 1991 in the NWT?

MR. SPEAKER: Honourable Member for Amittuq.

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I will take the question under notice.

MR. SPEAKER: The honourable Member is taking the question as notice. Oral questions. Honourable Member for Baffin South.

Question O293-91(1): Government Position On James Bay II Project

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. My question is directed to the Government Leader regarding the James Bay II project. The information I have received about the project is that it is dangerous to the people and the environment in that area. I wonder if the government will be opposed to having that project built.

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

Return To Question O293-91(1): Government Position On James Bay II Project

HON. DENNIS PATTERSON: Mr. Speaker, the government has great concerns about this project. However, I believe that the responsible thing for our government to do is what we have done at this stage, to recommend that there be a full and thorough environmental review of that project; that the people of Sanikiluaq have a voice into who will sit on that panel, which we have helped them get; and that they be provided with resources through intervenor funding so that they can make sure that their interests are considered at the environmental review.

Mr. Speaker, to answer the Member's question, we are not a lobby group; we are a government. As a government the responsible thing for us to do is recommend a thorough and full public hearing as we did with the ALPAC project, as we did with the Kiggavik project, before we take a stand on the project. If we were to take a stand in advance of thorough and full public hearings, we would lose credibility in the eyes of the Government of Quebec and the Government of Canada who are going to be making decisions on this project.

So I want to emphasize, we have concerns; but we think the best way of dealing with those concerns is to support the fullest, most thorough, environmental hearing, which will be an objective way of bringing the dangers of this project forward

before a decision is made. Thank you.

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

Supplementary To Question O293-91(1): Government Position On James Bay II Project

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. How will the people from Sanikiluaq be able to voice their concerns on that project? Will they be attending the meetings? They have to voice their concerns before it is too late. Thank you.

MR. SPEAKER: Honourable Member for Iqaluit.

Further Return To Question O293-91(1): Government Position On James Bay II Project

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, the Minister of Renewable Resources, the Hon. Titus Alloo, has urged the federal Minister of Environment to keep a place open for a person on the 15-member environmental panel who could be appointed on the advice of the Government of the Northwest Territories, who would be someone acceptable to the people of Sanikiluaq. That is one way that we hope the people of Sanikiluaq will be represented at the hearing, by someone they trust through this environmental panel.

Secondly, Mr. Speaker, the Minister has also supported that intervenor funding should be made available directly to the community so that representatives of the people of Sanikiluaq can themselves commission research, get help and actually directly participate in preparing a case to make to the environmental panel.

So there will be two means by which they would participate, Mr. Speaker: through nominating a person to the panel – and we hope the nomination will be accepted, although it is not up to our government, we supported it; secondly, by getting direct funding so that they can prepare their own case and speak directly themselves at those hearings. Thank you.

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

Supplementary To Question O293-91(1): Government Position On James Bay II Project

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I still did not get a definite answer. I was asking when they would get a nominee for the environmental review panel. When are they going to recruit someone from Sanikiluaq? I was asking when they would start on that panel. Will it be soon, or later in the year? Thank you.

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

Further Return To Question O293-91(1): Government Position On James Bay II Project

HON. DENNIS PATTERSON: Mr. Speaker, the Minister of Renewable Resources has consulted the community of Sanikiluaq, through the committee that has been formed to deal with this issue. The Minister has obtained a name of a person acceptable to the community. The Minister has nominated that person on behalf of our government and recommended that person to the federal Minister of the Environment, Hon. Robert de Cotret, and we are now awaiting Mr. de Cotret's decision.

Mr. Speaker, as of today there is no word on whether or not the nomination will be accepted, and whether the community's nomination and our government's nomination will be a person appointed to that panel, or when the panel will start its work. As soon as we have that information, Mr. Speaker, through the Minister of Renewable Resources, this House will be informed. Thank you.

MR. SPEAKER: Oral questions. The honourable Member for Hudson Bay.

Question O294-91(1): Monitoring Of Research Activities By Science Institute

MR. CROW: Thank you, Mr. Speaker. Mr. Speaker, I have a question for the Government Leader in his capacity as Minister responsible for the Science Institute. Mr. Speaker, will the Government Leader assure this House that the Science Institute is actively monitoring research activities in the Northwest Territories through the issuance of licences as required by the Scientists Act? Thank you.

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

HON. DENNIS PATTERSON: Mr. Speaker, since the Member refers to legislation that I do not have at hand, I think it is best that I take that question as notice.

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

Question O295-91(1): Referral Of Wilfred Giroux's Case To Department Of Finance

MR. MORIN: Thank you, Mr. Speaker. My question will be for the Minister of Finance. Mr. Minister, the Minister of Social Services has referred Wilfred Giroux's case to your department. About 10 days ago I asked you whether or not you could find some way to help Mr. Giroux's case. As of today, have you made any progress on that issue?

MR. SPEAKER: The honourable Member for Yellowknife North, Minister of Justice.

Return To Question O295-91(1): Referral Of Wilfred Giroux's Case To Department Of Finance

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I just received some information in my department today, that there is no legal requirement for the government to make any payment. Ultimately, it is a policy decision, so it will have to go back to the Executive Council to look at it as a policy decision.

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

Supplementary To Question O295-91(1): Referral Of Wilfred Giroux's Case To Department Of Finance, Ruled Out Of Order

MR. MORIN: Thank you, Mr. Speaker. How long will that process take?

MR. SPEAKER: I am going to have to rule that question out of order. No one can make a judgment on the time period of that particular type. Oral questions. The honourable Member for Natilikmiot.

Question O296-91(1): Renewable Resources Policy Regarding Rabies

MR. NINGARK: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Renewable Resources. Dogs and foxes tend to have rabies and when they contract rabies they tend to get very dangerous. I am wondering if the department has a policy regarding Renewable Resources officers having to attend to these dogs with rabies. Do they have a policy as to how they have to give shots to dogs every year? Thank you, Mr. Speaker.

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

Return To Question O296-91(1): Renewable Resources Policy Regarding Rabies

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. The government has no policy or regulations in place, or even an act, to give shots to dogs who are infected with rabies. But we tend to encourage dog owners to have their dogs given shots every year. Thank you, Mr. Speaker.

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

Supplementary To Question O296-91(1): Renewable Resources Policy Regarding Rabies

MR. NINGARK: (Translation) Thank you, Mr. Speaker. Is this the case in Canada? Are there no regulations and acts regarding dogs with rabies? Thank you, Mr. Speaker.

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

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I did not quite get whether he was talking about rabies or acts and policies in place in Canada. Thank you.

MR. SPEAKER: Oral questions. The honourable Member for Natilikmiot, supplementary.

MR. NINGARK: Thank you, Mr. Speaker. I wonder if there is a policy in place anywhere in Canada that states that the dogs should be vaccinated once a year. Thank you, Mr. Speaker.

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

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I do not know if there is a law that requires dogs to be vaccinated, but I will look into the matter for the Member. Thank you.

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

Question O297-91(1): Radio Station Facilities, Pangnirtung

MR. KILABUK: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Culture and Communications. As we all know, our post office in Pangnirtung burned down and there was also a radio station in that building. As of today, there is no radio station being utilized in Pangnirtung and they had to remove some of the equipment to another building. They were asking for CBC people to come to the community to fix the radio station in Pangnirtung, and CBC were not able to go to the community, so the hamlet of Pangnirtung had to pay for the construction of a radio station. I want to ask the Minister, if there is a population of 500 or more, do they have to pay for their own

radio facilities and equipment to be upgraded? If that is the case, will the Minister of Culture and Communications look into this matter? Thank you, Mr. Speaker.

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

Return To Question O297-91(1): Radio Station Facilities, Pangnirtung

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. I will look into this matter.

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

Supplementary To Question O297-91(1): Radio Station Facilities, Pangnirtung

MR. KILABUK: (Translation) Thank you, Mr. Speaker. The Minister said he would look into this matter. They had relocated to the original place, and can the Minister look into this matter urgently and ask the CBC to go to Pangnirtung and fix the radio station? Because the people in the community have no radio facilities at this time. Can the Minister look into this matter urgently? Thank you.

MR. SPEAKER: The honourable Member for Amittuq.

Further Return To Question O297-91(1): Radio Station Facilities, Pangnirtung

HON. TITUS ALLOOLOO: (Translation) Yes, Mr. Speaker, certainly.

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

Question O298-91(1): Release Of Kitikmeot Region Economic Strategy

MR. PEDERSEN: Thank you, Mr. Speaker. To the Minister of Economic Development and Tourism. I think it was in May of last year that there were the results of a two year study submitted to the Minister, I believe it was called the Kitikmeot Region economic strategy, with some community economic plans attached to it. It was done by a person called Les Zeteregren so the Minister will be familiar with it. The communities in my constituency, the hamlet councils, are asking when this will be made public. They had an awful lot of input into it and they are wondering when the Minister will either make it public or provide copies to them of this report. Thank you.

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

HON. GORDON WRAY: Thank you, Mr. Speaker. I will take that question under notice.

MR. SPEAKER: Thank you. The honourable Member is taking the question as notice. Oral questions. The honourable Member for Rae-Lac la Martre.

Question O299-91(1): Consultation On Economic Development Agreement

MR. ZOE: Thank you, Mr. Speaker. My question will be directed to the Minister of Economic Development and Tourism and it is with regard to the new Economic Development Agreement. Mr. Speaker, my question is: Has our government consulted with the aboriginal groups in the North in terms of developing new policies for the EDA?

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

Return To Question O299-91(1): Consultation On Economic Development Agreement

HON. GORDON WRAY: Thank you, Mr. Speaker. Yes, there has been an ongoing consultation, not only from the department but the special committee on the northern economy, for example, that went to every community and had input from various organizations. Some of the negotiating framework that we had came out of the SCONE hearings and the SCONE report, and as a matter of fact, today we are beginning the final round of consultation and negotiations in Baffin. These will be conducted over the next 10 or 12 days in all regions of the Territories, including the Member's region of North Slave, where invitations have been sent out to people such as Joe Rabesca, Alex Nitsiza, Peter Arrowmaker, John Bekale, Charlie Charlo, Eddie Koyena, Curtis Grosco. We will be bringing all those people into a regional setting and meetings will be held with them. I think that is planned for March 14.

As well, we are meeting with territorial organizations here in Yellowknife, I believe on March 21st or 22nd. Yes, there is an extensive round of consultations taking place.

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

Supplementary To Question O299-91(1): Consultation On Economic Development Agreement

MR. ZOE: Thank you, Mr. Speaker. My understanding of the Minister's response is that this is the first consultation that they are doing, that is coming up on Wednesday, and I assume that there are going to be further meetings later on in the month. Once the department consults with those groups, then I assume they are going to start developing the policy and then they would meet again and review the proposed policy and so forth. Is that the plan?

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

Further Return To Question O299-91(1): Consultation On Economic Development Agreement

HON. GORDON WRAY: Thank you. No, this is the final round of the consultations. Consultations have been ongoing for the last two years, and not only have we been consulting, but this Legislature has consulted. We have had many letters from nearly every organization in the Territories about the old EDA and all the problems with it. There is not a lot of need to consult more people on the old EDA and the problems. We already know that. The packages of the new EDA were sent to these people quite some time ago and so they have had time to look them over. This is the final phase of just sitting around and now that people have had time to see it, look at it, decide what they think of it, whether we should make changes here, whether we should make changes there, hopefully after this meeting what will happen is that from these meetings we will get input from the various groups as to where they may think we should make changes, or maybe the strategy is not quite right, whatever, and then we will make those changes.

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

MR. ERNERK: (Translation) Thank you, Mr. Speaker. My question is to the Government Leader. My constituents, particularly the students and teachers have been insulted by

the Government Leader's statement on Thursday, March 7, 1991. Listening to the Government Leader like that must be very hurtful to our constituents. I made a reference about teachers and students being sick with headaches and stomachaches from the fumes in the Leo Ussak School. The Government Leader remarked, and I quote him...

HON. DENNIS PATTERSON: Point of order.

MR. SPEAKER: Point of order. The honourable Member for Iqaluit.

Point Of Order

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I rise on a point of order, Mr. Speaker. I think you should caution the honourable Member about making quotes from an unedited version of the Hansard, which I think he was about to read. Thank you.

MR. SPEAKER: I would just like to take a moment. I am conscious of the issue with regard to the rules and I will rule accordingly. However, the matter that has been raised has been a matter that I have also raised previously with regard to the quotes from unedited Hansard. It is not usual parliamentary practice to quote from an unedited Hansard for the purposes of raising questions or matters in this House. It is unusual. However, also a note of caution to the honourable Members, when one raises a point of order, please note the appropriate rule that is being broken because it makes it difficult for the Chair to address the matter of a point of order if it is uncertain what rules have been broken.

Oral questions. The honourable Member for Aivilik.

Question O300-91(1): Apology Requested From Government Leader

MR. ERNERK: Thank you, Mr. Speaker. I am going to repeat my question in English and it is directed to the Government Leader. Mr. Speaker, my question to the Government Leader, according to the unedited version of the Hansard of March 7, 1991, Thursday, the Government Leader was supposed to have said, when referring to the children and teachers who are sick in the Leo Ussak School, "it is all in their minds." I want to ask this question because teachers in my riding in Rankin Inlet and their students, dedicated teachers, and I am sure the other teachers throughout the Northwest Territories, were shocked to hear the statement coming from the Government Leader, Mr. Speaker; my question to him is this, will the Government Leader be prepared to apologize for that remark to the people, to the teachers, to the students of Rankin Inlet Leo Ussak School? Thank you very much.

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

Return To Question O300-91(1): Apology Requested From Government Leader

HON. DENNIS PATTERSON: Mr. Speaker, as I tried to indicate in rising on my point of order, it is not proper for the Member to make statements based on unedited transcripts in this House. It is not proper parliamentary practice and until he can attribute the remark to the authorized version of Hansard, then it is not proper to repeat it in this House. I therefore will not respond. Thank you.

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

Question O301-91(1): Government Assistance For Communities Re Income Tax Returns

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. My question is directed to the Government Leader. I will be asking a question regarding income tax returns. Coming from the unilingual side of people, I have been elected as a representative of my constituents who only read and write Inuktitut. All income tax returns are written in English. I am asking the Government Leader if the unilingual Inuit who do not read or write English in the communities can be assisted by the government. Just like there are some financial groups in Yellowknife that can help with income tax returns, I think there is going to be one set up in Iqaluit for that purpose. I am asking whether the smaller communities will be assisted in that regard. Thank you.

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

HON. MICHAEL BALLANTYNE: Mr. Speaker, it is a good question. I will get back to my department and see what our government can do or if we can put pressure on the federal government to assist unilingual people at the community level. I will take the question as notice and go to work on it and get back to the Member as soon as possible.

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

Question O302-91(1): Continuation Of Building Phases, Gjoa Haven Arena

MR. NINGARK: Thank you, Mr. Speaker. My question is for the Minister responsible for Municipal and Community Affairs. Mr. Minister, it is my understanding that phase one construction of a new hockey arena for Gjoa Haven will commence. My question is, in order to prevent further delay in the construction, I wonder if the construction can go without having to stop between the phases over the next year? Thank you.

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

Return To Question O302-91(1): Continuation Of Building Phases, Gjoa Haven Arena

HON. TOM BUTTERS: Mr. Speaker, I believe the first phase amounts to some \$800,000 plus and the second phase, I think is approximately \$1.5 million. What I hear the Member asking is that the second phase money be allowed to be spent in the first year, in effect to bring up the capital spending into the next fiscal year. This is done in some circumstances but it is not usual. I will look into the request made by the honourable Member, but I do not know if I can hold out a great deal of assurance that this will be done. I will certainly look into it.

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

Question O303-91(1): Chief Judge, NWT Supreme Court

MR. LEWIS: Thank you, Mr. Speaker. My question is for the Minister of Justice. Since we are involved in all kinds of constitutional development work and since we are dealing with his department today in committee of the whole, I would like to ask the Minister of Justice, why is it that although we have a chief judge in the territorial court, we do not have a chief judge in the Supreme Court of the Northwest Territories as other jurisdictions have?

MR. SPEAKER: The honourable Member for Yellowknife North.

Return To Question O303-91(1): Chief Judge, NWT Supreme Court

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. The question has been asked to me by other people also. The reason up to this point is that historically we have had a senior Supreme Court judge. As you know, when Justice Marshall left the Territories to work with the executive director of the judicial education centre, we had an agreement that we would have the third position. Once that third position is filled, that would seem to be a more appropriate time to designate that particular position. That is the reason.

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

Supplementary To Question O303-91(1): Chief Judge, NWT Supreme Court

MR. LEWIS: Thank you, Mr. Speaker. Would the Minister of Justice confirm that it is within our jurisdiction to name a chief judge, or is it something that we have to just recommend to the federal government that this be done?

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

Further Return To Question O303-91(1): Chief Judge, NWT Supreme Court

HON. MICHAEL BALLANTYNE: Thank you, very much. The decision will be made ultimately with the territorial government in concert with the federal government. I think, but I will confirm, that it might have to either be changed to their legislation or it might, in fact, be a federal ploy on the recommendation of our government. If I could get back to the honourable Member with the details on that.

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

Supplementary To Question O303-91(1): Chief Judge, NWT Supreme Court

MR. LEWIS: Thank you. I am not sure if the Minister was taking the last part of my question as notice, so I would like to ask him, will he confirm that in order for us to have our own chief judge in the Northwest Territories, there have to be changes in federal legislations so that can happen?

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

HON. MICHAEL BALLANTYNE: Thank you. I have not actually looked at this issue for quite a while, so I will take the question as notice and bring back the exact details for the Member.

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

Question O304-91(1): Chipewyan Interpreters Available In Edmonton

MR. MORIN: Thank you, Mr. Speaker. My question is to the Minister of Health. Madam Minister, last week I requested your department to send someone to travel with an elder from one of my communities to Edmonton. At that time I got a positive response from the department, which was very good.

It was also brought to my attention that people travelling to Edmonton have the availability of Chipewyan interpreter services in the city of Edmonton, so I requested the names of these Chipewyan interpreters in Edmonton from your department. Going back to my riding, this weekend I talked to people who travel with elderly people to Edmonton and not one of them has heard of any Chipewyan interpreter services available in Edmonton for patients. Madam Minister, do you have the names of those people who are available to your department and have any of them been hired by your department?

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

HON. NELLIE COURNOYEA: Mr. Speaker, I was not aware of the Member's request asking for names that would be available for interpreting in Edmonton when people are referred for medical care. I would like to take that as notice, and I will see what is happening with regard to providing that information.

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

Question O305-91(1): Arctic Winter Games Regional Trials Held In Yellowknife

MR. KILABUK: (Translation) Thank you, Mr. Speaker. Perhaps I will direct this question to the Minister of Municipal and Community Affairs. It is with regard to the regional competitions or regional trials. Whenever there are finals, we always have to go to Yellowknife. Is this done because Yellowknife is the cheapest for the final competitions or final trials to be held for those people who are going to be participating at the Arctic Winter Games?

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

Return To Question O305-91(1): Arctic Winter Games Regional Trials Held In Yellowknife

HON. GORDON WRAY: Thank you, Mr. Speaker. Over the last two Arctic Winter Games there has been extensive use of regional communities for finals. In fact, in the last Arctic Winter Games I believe there were only two or three sports where the finals were here in Yellowknife. The finals are now spread out all across the North. I know in the last Arctic Winter Games there were finals in Rankin Inlet, Iqaluit, another community in Baffin where there were finals, Inuvik, Aklavik, Fort Smith, and Hay River. These finals are now spread out over a whole vast number of communities.

The process is that there are regional playdowns for the Arctic Winter Games which are hosted in many communities, and then the finals of the Arctic Winter Games themselves are held in major communities. The games themselves were held here in Yellowknife and that will always be the situation, that the Arctic Winter Games themselves will be held in one community because of the logistics involved. The regional playdowns and the finals are now spread through all the communities.

If the Member wants, I can get a list of communities for him of where the last finals were held, and I think he will see that they were in many communities. The regional finals are not held in Yellowknife any more. In fact, there are very few in Yellowknife. They are spread out through a number of communities. Thank you.

MR. SPEAKER: Thank you. Point of order. The honourable

Member for Kitikmeot West.

Point Of Order

MR. PEDERSEN: Thank you, Mr. Speaker. I rise on a point of order on a question four back, the question posed by the Member for Aivilik to the Government Leader. Mr. Speaker, the question was not ruled out of order and was, therefore, in order and I submit, Mr. Speaker, that the Government Leader does not, according to our Rule 55(3)(a)(b), have the option to decline to answer a question. That rule clearly states that the Minister may, in reply to an oral question, (a), "forthwith answer the question." That is one option.

The second option, (b), "state that he takes the question as notice and answer it orally on a subsequent day under the item, 'Returns to Oral Questions'." The Minister does not, in fact, have the option to decline to answer a question in this House, Mr. Speaker.

MR. SPEAKER: Thank you. I will review your point of order and report back to the House appropriately. Oral questions. Oral questions. The honourable Member for Aivilik.

Question O306-91(1): Change Of Hunting Season For Migratory Birds

MR. ERNERK: (Translation) Thank you, Mr. Speaker. This is directed to the Minister of Renewable Resources. (Translation ends) Mr. Speaker, this is to do with migratory birds. Mr. Speaker, the Minister knows that these migratory birds come around to our communities in the spring. (Translation) The Inuit start hunting those migratory birds when they come back in the spring. (Translation ends) Mr. Speaker, hunting season opens in the fall. (Translation) ...when the birds have migrated out of our area already to wherever they spend their winters. My question is, how much has the department or the territorial government and the Government of Canada done to change the hunting season for migratory birds so that the Inuit will be able to hunt those birds legally and without the fear of reprisals? Thank you.

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

Return To Question O306-91(1): Change Of Hunting Season For Migratory Birds

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. In 1988, the territorial government co-sponsored a conference with the provincial wildlife Ministers. I put our position forward in regard to migratory birds, to get provincial support to change the outdated law that was passed in 1916 by the British government and by the United States that resulted in the Migratory Birds Convention Act. I am trying to get that changed and we asked the Government of Canada to start negotiating changes to legislation that would allow Northern people to harvest birds in spring and early fall. The Government of Canada agrees with our concerns and we have been told that they are going to go ahead with those discussions with the American government regarding this legislation or an agreement in 1992. Thank you.

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

Question O307-91(1): Court Decisions Under Appeal

MR. GARGAN: Mr. Speaker, I would like to direct my question to the Minister of Justice and it is with regard to court decisions that are appealed. I would like to ask the Minister if a court decision is under appeal, does the original decision come into force or not?

MR. SPEAKER: The honourable Member for Yellowknife North.

Return To Question O307-91(1): Court Decisions Under Appeal

HON. MICHAEL BALLANTYNE: Thank you very much. I was going to make a short statement tomorrow and I will table the actual decision in British Columbia. I am hesitant to discuss it in too much detail because, as the Member says, that is the Supreme Court of British Columbia. I think there is every chance that this will be appealed to the Appeal Court and then to the Supreme Court of Canada. I will make a statement tomorrow, but at this point I think it would be safe to say that there is every possibility that this case at this point is not over, and there are a couple of more steps that this case can go.

MR. SPEAKER: Oral questions. The honourable Member for Deh Cho, supplementary.

Supplementary To Question O307-91(1): Court Decisions Under Appeal

MR. GARGAN: Thank you, Mr. Speaker. I was not talking about any specific case. I was just referring to a process. I would like to ask the Minister whether or not if a court decision has been made, regardless of what level and an appeal is made, is that original decision still in force?

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

Further Return To Question O307-91(1): Court Decisions Under Appeal

HON. MICHAEL BALLANTYNE: Thank you. In some cases there is a time period for appeals, so that the decision of a court would not come into effect until after that time period had expired. Thank you.

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

Question O308-91(1): Funding For Cleaning Up Old Camp Sites

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I will direct my question to the Minister of Renewable Resources. In the early 1970s when skidoos first came out and were being used in the communities there was a lot of garbage left at the old camping sites. Can any funding be provided to clean up those areas, especially where chemicals were left behind? Thank you, Mr. Speaker.

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

Return To Question O308-91(1): Funding For Cleaning Up Old Camp Sites

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. The sites that need to be cleaned up are close to the communities. Whenever we can identify that there were chemicals involved we try to clean up those places. The camp sites that are used by the hunters, especially where there are old barrels, the hunters and trappers associations are starting to work on them in some communities. I am aware of two communities that have been assisted financially from environmental partners funding. We can assist a little bit. They are provided funding from the Department of Indian and Northern Affairs, and Environment Canada can assist also. The hunters and trappers association has to initiate the clean-

up in those camps. Thank you.

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

Question O309-91(1): Ministerial Meeting With Coalition Of NWT Groups Opposing Pulp Mill Development

MR. MORIN: Thank you, Mr. Speaker. It has come to my attention that there has been a coalition of groups in the NWT formed to oppose the development of pulp mills in Northern Alberta that may affect and pollute territorial waters. My question will be for the Government Leader. Mr. Government Leader, I understand that this coalition has requested a meeting with the Government Leader, the Minister of Renewable Resources and other Ministers. Is the Government Leader willing to have his Ministers and himself meet with this coalition? Thank you.

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

Return To Question O309-91(1): Ministerial Meeting With Coalition Of NWT Groups Opposing Pulp Mill Development

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I am personally not aware of such a request for a meeting but since the Member has brought this to my attention here in the House I want to assure him that we will consider such a request and respond once it comes to our attention. Thank you.

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

Supplementary To Question O309-91(1): Ministerial Meeting With Coalition Of NWT Groups Opposing Pulp Mill Development

MR. MORIN: Thank you, Mr. Speaker. A supplementary, Mr. Government Leader. I was glad to hear that you would consider possibly responding positively. It has also come to my attention that this coalition has no financial backing to it. Would the government also consider paying for such a meeting? Thank you.

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

Further Return To Question O309-91(1): Ministerial Meeting With Coalition Of NWT Groups Opposing Pulp Mill Development

HON. DENNIS PATTERSON: Mr. Speaker, as I said, I am not aware of such a request, other than what I have heard in this House, but if it does come to my attention I will treat it seriously. The request for funding would depend on a number of things. We have criteria for granting funds, including the make-up of the coalition and whether or not it is a non-profit organization, whether they are resident in the NWT, et cetera. Mr. Speaker, we would respond to the request seriously and where possible, positively. Thank you.

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

Item 6, written questions. Written questions.

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

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

Item 9, petitions.

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

ITEM 11: TABLING OF DOCUMENTS

MR. CROW: Thank you, Mr. Speaker. I wish to table Tabled Document 42-91(1), a letter from the director of impact studies for Hydro-Quebec addressed to His Worship Mayor Peter Kattuk of Sanikiluaq and dated March 8, 1991. The letter advises that two unlicensed researchers will arrive this week in Sanikiluaq to collect data dealing with Hydro-Quebec's arguments to the environmental review panel on social aspects of the James Bay II project. Thank you, Mr. Speaker.

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

MR. ERNERK: Thank you, Mr. Speaker. I would like to table Tabled Document 43-91(1), a letter to myself from the NWT Teachers' Association, Mr. John F. Rouble, president. The letter details the temperature conditions at the Leo Ussak School on March 5 as well as March 6, 1991. I should just indicate to this House, Mr. Speaker, at one point the temperature was...

MR. SPEAKER: Order please. Order. The honourable Member has indicated the reason for tabling of document. Tabling of documents. The honourable Member for Yellowknife South.

MR. WHITFORD: Thank you, Mr. Speaker. I would like to table Tabled Document 44-91(1), a letter that deals with the licence fee changes proposed by the Department of Renewable Resources along with letters of instructions as to what to do and when to implement these changes.

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

MR. MORIN: Thank you, Mr. Speaker. I would like to table Tabled Document 45-91(1), a press release by the NWT coalition to oppose pulp mills in northern Alberta and the coalition is made up of the Slave River coalition, NWT Federation of Labour, Ecology North, Sahtu Regional Council, Dene Nation, Metis Association, NWT Deh Cho Regional Council and Mackenzie Diocese. Thank you, Mr. Speaker.

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

MR. LEWIS: Thank you, Mr. Speaker. I would like to table Tabled Document 46-91(1), a statement of operations for the proposed participation of the Government of the Northwest Territories at Expo in Seville. It is three pages; statement of operations, statement of food and beverages and statement about arts and crafts.

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

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. I wish to table Tabled Document 47-91(1), Help Improve the Education Act, Learning Tradition and Change in the Northwest Territories. It is tabled in both English and Inuktitut versions. Thank you.

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

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I wish

to table Tabled Document 48-91(1), proposed bill, An Act to Amend the Environmental Protection Act.

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

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, pursuant to Rule 57(10), I wish to table Tabled Document 49-91(1), response to Petition 1-91(1), presented by Mr. Kilabuk and responded to by the Minister of Education; and Tabled Document 50-91(1), response to Petition 11-91(1), tabled by the Clerk of the House on behalf of Mr. Nerysoo and responded to by the Minister of Education.

MR. SPEAKER: Thank you.

Item 12, notices of motion. Notices of motion. Item 13, notices of motions for first reading of bills. Notices of motions for first reading of bills. The honourable Member for Slave River.

ITEM 13: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

Notice Of Motion For First Reading Of Bill 16: Locksmiths, Security Guards And Other Security Occupations Act

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I give notice that on Wednesday, March 13, 1991, I shall move that Bill 16, Locksmiths, Security Guards and Other Security Occupations Act, be read for the first time.

MR. SPEAKER: Thank you. Notices of motion for first reading of bills. The honourable Member for Inuvik.

Notice Of Motion For First Reading Of Bill 3: Liquor Act

HON. TOM BUTTERS: Thank you, Mr. Speaker. I give notice that on Wednesday, March 13, 1991, I shall move that Bill 3, An Act to Amend the Liquor Act, be read for the first time.

MR. SPEAKER: Thank you. Notices of motion for first reading of bills. The honourable Member for Yellowknife North.

Notice Of Motion For First Reading Of Bill 1: Adoption Of The French Version Of Statutes And Statutory Instruments Act

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Wednesday, March 13, 1991, I shall move that Bill 1, Adoption of the French Version of Statutes and Statutory Instruments Act, be read for the first time.

MR. SPEAKER: Thank you. Notices of motion for first reading of bills. Item 14, motions. Motion 6-91(1). The honourable Member for Deh Cho.

ITEM 14: MOTIONS

Motion 6-91(1): Increase In Supplementary Benefits To NWT Seniors

MR. GARGAN: Thank you, Mr. Speaker.

WHEREAS seniors in the Northwest Territories receive supplementary benefits from the Government of the Northwest Territories;

AND WHEREAS seniors who are eligible and who

receive the federal guaranteed income supplement presently receive \$107.50 per month from the Government of the Northwest Territories;

AND WHEREAS the supplementary benefit is to assist with the high cost of living in the Northwest Territories;

AND WHEREAS the cost of living for seniors continues to rise at an alarming rate;

AND WHEREAS the Government of the Northwest Territories should continue to increase the supplementary benefits to seniors to keep pace with the cost of living;

NOW THEREFORE, I move, seconded by the honourable Member for Aivilik, that the Legislative Assembly recommends to the Executive Council of the Northwest Territories, that it consider an increase in the payment of supplementary benefits to all seniors in the Northwest Territories.

Thank you, Mr. Speaker.

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

MR. GARGAN: Thank you, Mr. Speaker. This program started in 1979 and it started out with \$50 and went on to 1982; in 1983 it was increased to \$75 up to 1986; in 1987 it was increased from \$75 to \$85; in 1987 I made a motion that year to have it increased to \$100; and in 1988 to 1989 it remained at \$100 until last year, Mr. Speaker, the government, on their own initiative, increased it by \$7.50, where it now stands at \$107.50. At \$107.50 a month for all senior citizens it costs this government \$1,692,000. If we were to have another increase this year, just using an estimate, perhaps to increase it to \$125 per month for seniors at the present population, we would probably look at something like about \$157,000.

Mr. Speaker, under the federal program right now, the senior citizens get an increase on their guaranteed income supplement four times a year. Also this year with the introduction of the GST, the tax applies to everybody including senior citizens. So this is an extra burden on them. Also the cost of living has also gone up and there has not been that much changed under the federal system regarding income tax.

Mr. Speaker, if this government is going to run the deficit in any way, I would also like to see much of it benefit the poor people, the ordinary people that would otherwise not benefit. I made a motion four years ago on an increase and perhaps it would be in order that the government seriously considered giving an increase, maybe even as soon as the beginning of this fiscal year. Thank you, Mr. Speaker.

MR. SPEAKER: The honourable Member for Aivilik.

High Cost Of Living In Arctic Communities

MR. ERNERK: (Translation) Thank you, Mr. Speaker. I would like to thank the MLA for Deh Cho for asking me to second this motion. We have to care for our senior citizens in every sector of the NWT. (Translation ends)

The cost of living across the Territories is extremely high. It is much higher now with the introduction of this unwanted GST. It is causing a lot of problems in our communities.

(Translation) Mr. Speaker, in Repulse Bay the groceries and other items are very expensive in both the co-op and the Northern Stores. This is a list to inform the other Members of this House. (Translation ends) Pilot biscuits are \$6.69; Red Rose tea is \$4.71; co-op flour, whole wheat, 2.5 kilograms, \$6.60; Blue Ribbon baking powder, 450 grams, \$5.51; sugar for a kilogram, \$9.95; powdered milk, \$5.45.

I am using these as examples to try and make myself clear as to the cost of living for everyone in Repulse Bay, as they relate to the senior citizens. Five Rose flour, \$12.95; Tenderflake lard, three pounds, \$6.04; Beatrice milk, one litre, \$4.48.

(Translation) Mr. Speaker, it is very expensive in our communities. I want to assist the elders, they are the ones who raised us. It has been a very hard time for them because they are not working, they are not employed. The pension that they are receiving is not enough, especially if they have a large family they usually try to assist their families with the pension they receive from the government. So I wanted to inform the House of the cost of groceries in Repulse Bay. I think we should try to help the elders. It is time for us to assist them now and I would like to encourage the other Members to support this motion. Thank you very much.

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

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I just want to speak very briefly with respect to the motion on the floor. There is no doubt that each and every one of us Members try to find ways to lessen the burden for senior citizens across the North. However in respect to this motion, as the Member noted, this government has already placed two increases to the supplementary benefit that we, as a government, finance to seniors and a request for another one is being placed in front of us.

In reviewing this particular motion prior to the Member bringing it forth to the House, I specifically asked the department to consider looking at the senior citizens supplementary benefits, determining whether we can afford an increase. It was determined at the time that we may possibly be able to assist with an increase that was projected by the consumer price index of possibly a 4.3 per cent increase. Inasmuch as I would like to look at an increase to cover the GST, we would probably run into a deficit within our program and then we would require more funding from this House.

I guess the note that I do want to make Members aware of is, the amount of seniors accessing this particular program has increased significantly over the years. Initially, as far back as 1980, there were 972 seniors accessing this program and our current figures are showing up to 1300 now accessing this program, which I think is good, which means there are more seniors possibly living longer.

Mr. Speaker, I do want to let the Member know that as he had indicated last year it was on the government's own initiative to increase the supplement. This increase was to match the consumer price index in the past two years. We are always looking at ways to lessen the burden that seniors have to absorb. We certainly will continue to try to alleviate financial burdens to seniors across the North in our term of government. Thank you.

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

Large Percentage Of Seniors Live In Yellowknife Centre

MR. LEWIS: Thank you, Mr. Speaker. I had not been aware

of the number of senior citizens in my constituency until Mr. Kakfwi asked us to distribute the book about the Pope's visit to Fort Simpson. I then realized that they were a sizeable group, even in my area. Should I decide to run in Yellowknife Centre in the next election, Mr. Speaker, in addition to the Mary Murphy Home there will be people in Aven Senior's Centre who are senior citizens, and also a large number of people in Northern United Place. So this would be a sizeable percentage of the number of senior citizens who live in the city of Yellowknife.

I am not yet of the age where I have to worry about such things, Mr. Speaker, but in supporting this motion I would like to suggest to Members that looking at the good health of people here I expect that many Members in this House would also reach that stage where they are going to depend upon receiving assistance from government in one form or another. For that reason, as well as all of the other good reasons of examining the needs of old people in their constituency, they should consider this as an issue for all the Northwest Territories because probably nowhere in Canada do people have to adjust to such a high cost of living as we do in the Northwest Territories. Looking at the difficulty of the environment in which we live we should be well aware that this is the kind of motion that I have no difficulty in supporting, much as in the same way that we looked at the kind of help we thought we should give to disabled people that live in this very tough environment, and where the cost of living is so high. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. To the motion. Final remarks, the honourable Member for Deh Cho.

MR. GARGAN: Thank you. Just for the information of the Members, if we were to look at a number to determine what kind of increase we were looking at, if we were to increase it to \$125 a month, that is a \$17.50 increase. In this government's budget for that one year which we have increased by \$17.50 it will cost this government \$565,500.

I would like to remind the Members that a lot of senior citizens that tap into this program, the benefits that the territorial government has implemented, are people that never worked in their lives. Those are people who were brought up when this government did not exist. They did not have education, nor did they have social programs. That is why that extra money is required.

The other thing is that everybody gets an Old Age Security pension when they become 65 years of age and for spouses it is 60 years of age. The guaranteed income supplement that the federal government gives is over and above the Old Age Security, for people who do not have any other source of income and who did not contribute to the Canada Pension Plan. Those senior citizens were brought up in the situation where government did not exist and I think we do owe a bit to those people for carrying on without government programs. They were the teachers, they were the social workers, they were the doctors and the midwives. They had an important role to play with the development of the North, prior to government existing. Even when the government did exist the social programs did not exist until later on. If it is a \$565,500 deficit that exists that is not very much compared to other jurisdictions that have millions and billions of dollars in their deficit. So, I would like all Members to support this motion.

Mr. Speaker, I would just mention that I notice, even in this House, there are Members that are not present to cast their vote in support of the senior citizens for this increase. It is a shame that not all Members feel that senior citizens are that important and do not feel it is an issue in their constituency when, in fact, I am sure that it is an issue in all constituencies. It is embarrassing when we talk about these kinds of delicate

issues and we do not find Members here. However, I would like to thank the Members who are present here and I would request a recorded vote.

---Applause

Motion 6-91(1), Carried

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

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

MR. SPEAKER: Thank you. All those opposed to the motion, please rise? All those abstaining from the motion, please rise.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Wray, Mr. Ballantyne, Mr. Patterson, Mr. Butters, Mrs. Marie-Jewell.

MR. SPEAKER: Thank you. Record of the recorded vote, 10 in the affirmative, no opposition, five abstentions. The motion is carried.

---Carried

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

ITEM 15: FIRST READING OF BILLS

First Reading Of Bill 22: Income Tax Act

HON. MICHAEL BALLANTYNE: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 22, An Act to Amend the Income Tax Act, be read for the first time.

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

AN HON. MEMBER: Question.

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

---Carried

Bill 22 has had first reading. First reading of bills.

Item 16, second reading of bills. Item 17, consideration in committee of the whole of bills and other matters: Bill 7; CR 2-91(1); Bills 8, 9, 10, 17, 19, 20 and 21, with Mr. Ningark in the chair.

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

CHAIRMAN (Mr. Ningark): The committee will come to order. Last Friday we were dealing with the main estimates, Department of Justice. Before we continue we will have a 15 minute break.

---SHORT RECESS

Bill 7: Appropriation Act, 1991-92

Department Of Justice

The committee will now come to order. Mr. Minister, would

you like to bring in your witnesses please? Would you introduce your witnesses for the record?

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I have with me Geoffrey Bickert, deputy minister of Justice; Louise Dundas-Matthews, director of finance and administration, Department of Justice.

Directorate, Total O And M

CHAIRMAN (Mr. Ningark): Thank you. We are on page 7.10, directorate, total O and M, \$2,549,000. Mr. Ernerk.

MR. ERNERK: Thank you, Mr. Chairman. I do have a question for the Minister's department and it has to do with "project surname" which continues to be a big problem among the Inuit population. I will not go into the history of it, because I have talked about this on a number of occasions. Many of the names of Inuit, including mine, are misspelled even between close family members sometimes. I wonder if the Minister would be favourable to checking into the spelling of Inuit names to see if we could come up with the proper spellings. Thank you, Mr. Chairman.

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

HON. MICHAEL BALLANTYNE: Thank you. I would be happy to assist the Minister of Safety and Public Services under whom vital statistics falls, so I will pass on your comments to her. If there is anything our department can do to be of assistance, we will. Thank you, Mr. Chairman.

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

MR. LEWIS: Thank you, Mr. Chairman. Several times in this House, Mr. Gargan has raised the whole issue of custom law as it relates to the system of law that existed before the government introduced the laws of Canada. This morning I was interested in sitting in on Mr. Ernerk's legislation committee where they were discussing marriage and custom laws as they related to marriage and so on. I would like to ask the Minister, what is the law reform committee looking at right now. I really get the impression that it is not active and that there could be an awful lot of work being done to examine some of our laws to make sure that they reflect the needs of the society in which we find ourselves. What is the law reform committee working on right now?

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

HON. MICHAEL BALLANTYNE: Basically the prime focus of the department right now to deal with these issues is through the family law review. I have talked about that many times in the House. The whole aspect of aboriginal custom law right now is through the review of the Dene Cultural Institute which we are funding. At this point in time, that committee is not dealing in those issues. In fact, it has been relatively dormant because these other bodies have really taken over that issue and are the prime focus right now.

CHAIRMAN (Mr. Ningark): Thank you. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. Just on this matter of the law reform committee that exists. Could the Minister describe for my benefit a little bit more about what it does. Does it just look at rewriting old laws, or would it also look at other issues like general legal issues that would maybe principally apply across all laws, that kind of thing? Maybe he could outline what it does. Would they do research if the Minister required it in a certain area, or give advice in a certain area if he asked them to do something?

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

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I missed the very first part. What particular committee were you referring to, Mr. Chairman?

CHAIRMAN (Mr. Ningark): Member for Pine Point.

MR. McLAUGHLIN: Thank you. The committee on law reform. Basically, what was it envisioned to do and what does it, in actual practice, do? Does it do specific jobs that you might request or that the department might request, general rewriting of a major law, or what, for example?

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

Functions Of Committee On Law Reform

HON. MICHAEL BALLANTYNE: Basically, when I set up that committee it had two functions. One was for it to independently decide to look at various aspects of the law; the other one was that they would take on tasks that I gave to them. The sort of work they have done up to now -- they did very significant work on the Jury Act amendment, for instance. That was one area where they had two reports. They have done a lot of research on that particular amendment. The Bulk Sales Act which is before this House is another area that the law reform committee looked at. They have also looked at the Corporations Act and companies legislation.

As I said to Mr. Lewis, the focus has been in the last year or year and a half with the family law review. That is where we have been really focussing our energy in the last year and a half. Resources are a little bit limited so that we decided that was where we would focus. That committee is there, as I said, to pretty well look at any aspect of the law and to do the sort of research you are looking at, to modernize the law. For example, the Jury Act, because it was a new concept in the country, to give us that sort of an objective analysis and, ultimately, their concurrence for the Jury Act amendments.

CHAIRMAN (Mr. Ningark): Thank you. Mr. McLaughlin.

MR. McLAUGHLIN: With that mind, I would like to make this comment about the law and justices of peace. A lot of times there are laws that exist which we pass in this House and the penalties are actually prescribed right in the law. When a person is guilty, then automatically this is the fine or range of fines that can be applied and it is usually pretty straightforward, and I do not have too much concern with that.

However, there are other instances in the law where a justice of the peace can make a major decision. For example, one thing a justice of the peace can do under existing laws is suspend the ability of a person to operate a taxi for as much as a year, I think. If a person is found guilty under the Liquor Act of a certain offence, one of the options that a JP would have, in addition to a fine, would be suspension of the taxi driver's operating permit for as much as a year. In other words, the JP is put in a position where he can actually take away a person's livelihood from them and cause them to be without a job, which I think is a really onerous type of a sentence.

What I would like to ask, or suggest to the Minister, is that maybe this committee on law reform might want to look at what things we should let justices of the peace do and what things should be left to judges. When you have a situation where in the court the person's livelihood could be taken away, that is a really heavy-duty penalty. When a judge makes that decision, he is usually a person who has been involved in the legal system for 10 or 15 years before he became a judge. In the case of a JP, it could be a person who just became a JP last week, and he could be in a position to actually suspend a person's ability to have a job,

in a few instances, like the one that I gave. I would like to suggest that the Minister have someone look into this, maybe this committee, as to how far you would allow a justice of the peace to go — what kind of parameters you would let them have, as opposed to a judge. I agree that when JPs are trained and have a lot of experience they would be careful on this, but there is the possibility that a brand new JP with a lack of experience might give the ultimate penalty to, in this case, a taxi driver, for example, and suspend his permit to operate a taxi for a year and, therefore, take the person's job away which I think might be too big a penalty to not have it prescribed in law as such. In other words, I think in some cases I would be pretty leery to have JPs do that type of thing. I would rather see that in the court judge's jurisdiction.

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

Right To Appeal Decision Of Justice Of The Peace

HON. MICHAEL BALLANTYNE: One thing that we have to be very cognizant about is that JPs are judges. They are judges and they handle thousands of cases every year. It is amazing, if you look at the number of cases, how few are appealed. Anybody who appears in front of a JP, when the JP makes the decision, they have the right of appeal. JPs have done a pretty good job. They can put people in jail, not just take away their livelihood. They are a level of judge.

What we have tried to do as a result of the task force on JPs and coroners, is: one, to increase the training available to JPs, which we have done, and I think we have done a pretty good job on this; and two, as I said on Thursday in response to Mr. Whitford's question, there is now a pretty thorough evaluation being done of each JP in the system, their experience, and their capability. What we are heading toward is a number of tiers in the system where the more experienced, more senior JPs will handle the more difficult and more complex cases, cases that actually could do have stronger penalties and what have you.

The process has been under fairly significant review for the last three and a half years. For one, I am pretty satisfied with the level of competence of our JPs, with the training that we are giving JPs, and with the direction that we are going with JPs to enhance their training and to categorize them. I think that your question probably would have been more appropriate four years ago, and that was one of the reasons why we had the task force on JPs and coroners. We have come a long way since then, and I am quite satisfied right now with the progress that we are making. It is under constant review. Right now we are looking at ways to increase the training of JPs.

CHAIRMAN (Mr. Ningark): Thank you. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. I just want to reiterate that I do not want to denigrate the job that JPs are doing and how important they are in the legal system, but it does concern me when we give a wide range of latitude like that. You could be looking at a person who has a bank loan for the vehicle or vehicles and owns or operates a taxi business and when there are laws in place that specifically say what the penalty is, that does not concern me so much. A lot of times it is a \$200 fine, or go to jail, or maybe both, and there are real limits on it. It seems to me that when the court judgment goes beyond a fine and a penalty of days in jail and enters into the person's ability to earn a livelihood — for me, seeing that JP put the person in jail for three months would not be as bad as the penalty of taking his right to earn a living away. It seems to me that the penalty imposed on a person when it takes away their right to earn a living is so much more heavy than a fine and imprisonment.

I think there will be an appropriate time for me when some other legislation, late in the session, may come forward, to revisit this. I just want to put those comments on record. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark): Thank you. Are there any more comments, Mr. Minister?

HON. MICHAEL BALLANTYNE: I note the Member's comments and, as I said before, I am quite satisfied with the competence that JPs have. I want to emphasize again to the Member, if a case does come up whereby somebody feels that the sentence is not fair, they do have the right to appeal. So there always is a safeguard there in the system. If you look at the records, JPs have a very fine record with the lack of appeals to their decisions. I think they are doing a pretty good job generally, but I thank the Member for his concerns.

Police Services, Total O And M, Agreed

CHAIRMAN (Mr. Ningark): Thank you. We are on the Department of Justice, main estimates. Page 7.11, police services, total O and M, \$22,827,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Legal Aid, Total O And M, Agreed

CHAIRMAN (Mr. Ningark): Page 7.12, legal aid, total O and M, \$4,369,000. Agreed?

SOME HON. MEMBERS: Agreed.

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Lawyer Support Services, Total O And M, Agreed

CHAIRMAN (Mr. Ningark): Page 7.13, lawyer support services, total O and M, \$2,068,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Registries And Court Services, Total O And M, Agreed

CHAIRMAN (Mr. Ningark): Page 7.14, registries and court services, total O and M, \$7,793,000. Mr. Pollard.

MR. POLLARD: Thank you, Mr. Chairman. Mr. Chairman, I wonder if the Minister could tell us if the court services, the number of judges that we have handling cases in the Northwest Territories, if they are getting behind in dispensing justice, as it were, Mr. Chairman. Is there a backlog? Thank you.

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

HON. MICHAEL BALLANTYNE: Thank you. I have mentioned a couple of times in the House that the crime statistics are changing in the Northwest Territories. There is a fairly significant increase in the number of people who are appearing in front of courts. More people are being arrested and more people are being charged. There are any number of theories as to why this is happening, but it is happening. What I have done now is I have set up, in co-ordination with Chief Judge Halifax, a committee which includes my deputy minister and the director of the federal government Department of Justice, the Chief Prosecutor, Don Avison; Chief Superintendent Wilson; representatives from the Department of Social Services and the legal services board. We have had

a couple of meetings and we are analysing the statistics. I think that every indication, and they seem to be consistent across the system, is that there are bigger demands on the system. I told Chief Judge Halifax that I think we should analyse the stats and, if necessary, I would be prepared to bring forward to this Legislature a request for an extra judge, for instance. In times of restraint I want to make it very, very certain that the increases are not just a spike that happens in one year and that they are well justified. I thank the Member, and I have tried to put Members on notice that there are ever-increasing demands on our system which, as an Assembly, we might well have to deal with in the near future. Thank you.

CHAIRMAN (Mr. Ningark): Thank you. Registries and court services, total O and M, \$7,793,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Grants And Contributions,

Grants, Total O And M, Agreed

CHAIRMAN (Mr. Ningark): Thank you. Page 7.15, details of grants and contributions, grants, total grants, \$100,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Contributions, Total O And M, Agreed

CHAIRMAN (Mr. Ningark): Page 7.16, contributions, total contributions, \$2,007,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Grants And Contributions, Total O And M, Agreed

CHAIRMAN (Mr. Ningark): Total grants and contributions, \$2,107,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ningark): Page 7.17, detail of work performed on behalf of third parties, estates clerk, total estates clerk, \$61,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ningark): Legal services for NWT Housing Corporation, total legal services for NWT HC, \$46,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ningark): Western Arctic land claim implementation. Any general comments? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ningark): Page 7.18, northern oil and gas action program, total northern oil and gas action program, \$80,000. Agreed?

SOME HON. MEMBERS: Agreed.

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CHAIRMAN (Mr. Ningark): Page 7.19, language bureau enhancement, total language bureau enhancement, \$356,000. Agreed?

SOME HON. MEMBERS: Agreed.

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CHAIRMAN (Mr. Ningark): Page 7.20, official languages agreement, total official languages agreement, \$663,000. Agreed?

SOME HON. MEMBERS: Agreed.

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CHAIRMAN (Mr. Ningark): Total department, \$1,206,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Total O And M

CHAIRMAN (Mr. Ningark): Any general comments? We will go back to the summary on page 7.9. Any comments on this page? Program summary, total O and M, \$39,606,000. Mr. Morin.

MR. MORIN: Thank you, Mr. Chairman. Members of the Assembly, I think we should look seriously at whether or not we should defer Justice until we are assured by the Minister that our constituencies will be given equal treatment to that of Yellowknife, Inuvik, Hay River and Iqaluit, the major communities that have lawyers available to their constituents when going to court. Right now, my understanding of the justice system is that the small communities are getting the short end of the stick. The small communities are not getting treated equally by this department. Under every other department in this government, the Housing Corporation, Economic Development, Health and MACA, we all get treated fairly equally with the big communities. Because of the way the justice system and the legal aid system are set up right now, we are not being treated equally in the small communities. It is a fly-in, quick operation for courts, and people do not get equal access to lawyers; and our people, in turn, do not get equal access to justice because you are not able to seek out and get good advice from the lawyers. The lawyers are overloaded during court days in the communities.

I do not think the system is just and I think the Minister should relook at how he deals with that and possibly come up with a plan on how to treat all residents of the NWT equally. I guess I am interested in hearing what the Minister has to say on that issue. Thank you.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Morin. Mr. Minister.

HON. MICHAEL BALLANTYNE: I think that is a very unfair comment and I think that if you look at the record over the past five years, that is not the case. We have made tremendous strides. We have probably the best legal aid

system in the country now by far. In fact, northern Ontario has used Malliganik as a model.

Since I have been Minister of Justice we have put legal aid clinics in Tuktoyaktuk, Pond Inlet and Rankin Inlet and we are putting one into the Kitikmeot this year. We have probably tripled the number of dollars put into our whole legal aid system. We have put resident judges into Inuvik and into the Baffin. We have negotiated by far the most favourable legal aid agreement in the country. We have improved the system, I think, very much, and I am surprised to hear the Member say that after all we have done over the last five years, there is not equal treatment. If you look at a comparison of what we do here and what they do in southern jurisdictions in their rural areas, we are doing better than any other jurisdiction in the country.

I have acknowledged that there are always ways where you can improve that, and year by year we have done it. This year we are putting in a legal aid clinic in the Kitikmeot. Every year there have been significant incremental improvements to the justice system in the NWT.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Minister. Mr. Morin.

MR. MORIN: Thank you, Mr. Chairman. I am aware of what has happened in the past and I am not really interested in listening to the Minister pat himself on the back. I have a concern that in my riding my constituents are not treated equally to those in Hay River or those in Yellowknife. We have a lawyer come into the community with the court party. That is it. We do not have any other access to lawyers. There are no other lawyers in the community. I am sure many other small communities are in the same boat as mine, and that is where I feel the system is not just and it is not equal, and that is a concern. I think that the Minister should take that concern seriously and come up with some idea of how to solve that problem. That is his job, and I think he should do that fairly quickly. I think we as Members should defer the budget until he does come up with some ideas of how he can solve that problem. Thank you.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Morin. Mr. Minister.

Lawyers in Communities Costly

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I have given a lot of thought to it, and I think we have made tremendous improvements and will continue to make improvements. It comes down to the cost if we put a lawyer in every community and we put a courthouse in every community. We have tried to get lawyers in a day before. We have sent new lawyers on the circuit, and I am open to specific concerns of the Member. The Member has never brought me specific concerns from his constituency, but if there are specific things that we are not doing in his constituency, I am more than open to try to improve the situation. I thought we had done reasonably well over the years and made tremendous strides, but I am definitely open to improving the situation. If the Member could give me specific details as to the problem, I would be more than happy to go to his community and meet with the community and talk to them about what their problems are and see what we can do about it.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Minister. Mr. Morin.

MR. MORIN: Is the Minister saying that he is willing to send a lawyer in prior to court dates? Is that what I am hearing?

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: The Legal Services Board, an independent board which is funded by this government, makes those decisions as to how to allocate their funds. What they have been doing on a number of circuits is sending in lawyers a day early. I can tell the Member that our legal aid costs have escalated rapidly and the federal government has capped it so we are paying dollar for dollar now for legal aid. I am prepared to send somebody in, go in myself, or whatever, if the Member can show me the actual number of cases I have there and the sorts of services that I have, and I would be prepared to take that concern to the Legal Services Board. I am sure they would be more than happy to send someone to the Member's community to see ways that they can identify and try to help if there is a real problem there.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Minister. General comments, program summary. Mr. Morin.

MR. MORIN: Thank you, Mr. Chairman. I still think that my questions and concerns have not been addressed and I am not really happy with leaving it up to a legal service board. The Minister is responsible for this. The board is not in here defending the budget; he is. He is answerable to us; not the board, at this time. Possibly later today I will move a motion to defer this budget. Thank you.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Morin. Mr. Gargan.

Report From Family Law Review Committee

MR. GARGAN: Thank you, Mr. Chairman. Mr. Chairman, last week when we were discussing the department the Minister referred to the family law review committee and the work that they are doing in a variety of areas. However, they are operating with, I believe, \$280,000. That is how much has been spent to date, I believe. The Minister has not really said anything about whether there is going to be any -- we do not have a report, Mr. Chairman. That is what I am concerned about. We have a body that is operating and spending money, but nothing is coming, no reports are coming out with the result or for measurement or whatever you call it. Mr. Chairman, what I am concerned about is that we have a committee that is spending money but we really do not have anything to indicate that they are progressing or how far they have gone. Money is being spent without there being any reports, and I would like to know if the Minister might be in a position to provide us with some indications that work has been done and those are the results of his work. Or are we still pretty well at the stage where work is being done but we are not prepared to provide the Members with the results of that work?

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

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I would be quite prepared during this session to give an update, progress report, on details on what they have done and the timetable as to when I expect to get information, and what I expect to give out to the communities. So I am prepared to make that commitment now.

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

MR. GARGAN: Mr. Minister, do you get a report from the committee, the family law review committee? Do they submit a report to you every month, every year, every six months, every two years? What is the process that is being used in order for commitments of money to be expended? Do we have a monthly report? You must have something in order to

continue.

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: We have one of our staff who is on the committee so she is privy to the working papers and what have you. They monitor it for me. What I am waiting for is a number of interim recommendations that I can then hand out to the communities. My staff is monitoring it, but until I get something substantial I do not really want to interfere with the work of the committee. As I said, we set up representation from the aboriginal organizations and I want them to develop it without interference from me. I am expecting, from them, some interim recommendations that I can pass out to the communities.

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

Fairness Of Justice System Across The North

MR. GARGAN: Mr. Chairman, one other problem, and the Member from Tu Nede brought it up already, is with regard to the court circuit. Mr. Chairman, I would like to ask the Minister, would the process of implementing justice in the North -- that the Minister has statistics to indicate that people living in Yellowknife are getting just as fair a system of delivery of justice as would a person in Holman, Resolute, Fort Providence or Kakisa. Can the Minister say that?

Mr. Chairman, the reason I am saying that is that we are not getting any co-operation from corrections with regard to getting statistics on the number of people who are being incarcerated, not only here but in Iqaluit. The department is not willing to co-operate in giving us statistics. They say that in the Deh Cho region there is this number of people being incarcerated; in the High Arctic there is this number; in the Eastern Arctic there are that many. To indicate that perhaps there is a trend, you have to be able to say, "Yes, we believe that because Yellowknife has the lawyers and the justice system, and the judges are always available and the JPs are always on call 24 hours a day, justice could be served as well for people that are caught with an offence and have the availability of lawyers to go and get relief, and that sort of thing."

Mr. Minister, do you keep track of statistics that are now available or do you, in fact, keep statistics to indicate whether or not justice is fairly distributed right across the North?

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Gargan. Mr. Minister.

HON. MICHAEL BALLANTYNE: I think I see what the Member is getting at. I suppose to do an evaluation of relative fairness would be difficult. It would depend on the criteria that one would use to decide what is fair. I am not sure that the number of incarcerations per capita -- it varies dramatically from community to community, based on all sorts of social factors, other factors besides access to lawyers. The number of people who plead guilty in small communities compared to large communities, I do not know if we can get that, but I think they are relatively similar. The time it takes to get to trial in the NWT, again, is the best in the country. The per capita spending on legal aid here is many times what it is anywhere else in the country. I think that where 10 years ago, for instance, there were obvious inequities in the system, we have come a long way, at pretty heavy expense, to try to deal with those inequities, and the problem that we have here is not different from the problem you have in Ontario. If you live in Toronto you have access to more lawyers than you do if you live in northern Ontario.

It comes down to a matter of cost. Is it practical to put a

lawyer, a courthouse, in every community, and will it make that much difference in every community? It would cost tens of millions of dollars to do it, and from indications that I have seen, though I am not exactly sure what statistics the Member will be interested in, the value you get for spending all that money would probably be better spent on education, on training or on other programs. I guess it is a matter of where, as a society, we spend our money. Do you spend your money at the back end of the system and put all your resources there? Because that would eat up a good percentage of the resources of the government, to provide more lawyers and what have you. If you do that, then you have to take it from somewhere else; you have to take it from schools; you have to take it from somewhere. It is a limited resource.

As I said, and people should keep it in perspective. We provide at the regional and community level by far the best legal aid system in the country. We have come a long way in the last five years. After that, it becomes a matter of dollars and cents. We are always looking at ways where we can improve the system, but it is a matter of so many dollars. We spend a big amount of our dollars on legal aid. I am not sure if that has answered your question, but your question is a difficult one. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ernerk): Thank you, sir. Mr. Gargan.

MR. GARGAN: Mr. Chairman, I would like to thank the Minister for his response, but the Minister just indicated that our legal aid system is one of the best in the country. He also said that there are a number of factors with regard to the statistics that have to be considered, but it is those factors that I am questioning the Minister on, Mr. Chairman. I would like to find out from the Minister, when he says that we have the best legal aid system in Canada, what factors has he used to justify that or measure that we are the best in Canada. There must have been a number of factors that he came up with in order to say that. I am also suggesting that there are a number of factors out there which indicate that perhaps there are more people in the communities with less than 1000 population going to jail than there are in communities with a population of over 1000. I want to get some kind of a figure in my head that suggests that the administration of justice is fair.

I would think that if I went to the correctional centre here, Hay River, or Iqaluit, I would find that there would be very few people from Yellowknife and maybe Fort Smith and those places where they have lawyers and where judges are available, and JPs are available in all communities. If a person commits a crime, he goes to jail. If he gets caught, he goes to jail. If he is suspected of a crime, he goes to jail until he makes a confession and then they let him go as soon as a confession is made; otherwise they could keep the person for several days without any reason. If there is a suspicion, then they are in jail until they confess. After two days if they do not confess, then they usually let them go, but they still keep after them to get a confession.

Lawyers Needed To Advise The Accused In Communities

Those individuals do not have the benefit of the lawyers beside them to give them advice. Although you do have that "anything you say may be used against you in a court of law", everybody says it so it is always used against them in a court of law; whereas if a lawyer is beside you he can say, "He does not want to answer that because it might incriminate him." We do not have that, and naturally by the time it gets to the court and the court circuit gets into the community, it is a matter of process for punishment rather than for a trial. You have a situation where the guy already committed the crime and has confessed to the crime, or else he never goes to trial.

That is what I am getting at, and I would think that in most cases it is a plea bargaining thing and even though you have a plea bargain situation, where you admit the crime, you still go to jail anyway. A high percentage of the people still end up being jailed from the smaller communities and that is what I am trying to get at. What I have been trying to get from the Minister, Mr. Chairman, is whether or not what I am saying pretty well sums up what it is like out there.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Gargan. Mr. Minister.

HON. MICHAEL BALLANTYNE: Two comments I would like to make. One, I think Mr. Gargan has some misinformation as to how the system works and I would like to clarify a number of things. Under the Criminal Code you cannot hold a person longer than 24 hours. The police cannot do that without taking them to a JP. Number two, confessions obtained without Charter of Rights to counsel are thrown out of court, they are not admissible. Those things do not happen.

When you look at what the criteria are right now we have the best system in the country, JPs in every community. Part of what we have been aiming toward in the last four or five years, many of the initiatives which you have supported have been a community based justice system. We have JPs in every community who should, in theory have a much better sense of the values and mores and customs in the communities. We are increasing the training of those JPs, and the JPs deal with at least 50 per cent of the people who appear in court. I think that has improved dramatically. The number of lawyers we have put into clinics around the Territories, at tremendous cost, has improved dramatically the access of people to lawyers.

Keep in mind that we have a huge area here with a small population, so compared to other areas in the country -- obviously if you live in a big centre there are some advantages, there are more hockey arenas, there are more of many things. There may be more lawyers, but it does not necessarily mean that because you have more lawyers that you have less people going to jail. I think that is a basic fallacy. When we look at that one aspect of our society as to where we should have focussed our resources, the reality in the NWT is that a lot of people are committing violent crimes. I think where we have to focus our resources are with the youth, with alternate programs, with some very hard looks at how we behave as a society. Putting lawyers into communities is going to do very little to change that. I think we have come a long way.

The reason there are a lot of people in jail is not just the function of the justice system, it is a function of society and how are we as society, how are we as communities, and how are we as parents dealing with the issues.

I think we have come a long way and we intend to improve, but it will cost a lot of money to get more lawyers in every community, which might or might not help. I am not convinced that will make a tremendous difference to the system at all. I do not know where you are going to get the money from. If you give me five million dollars I can do more legal aid. I can do more circuits and we can do all sorts of things. I am not really sure that you are going to address the fundamental problems that we have here. If that is what you are asking, or Mr. Morin is saying, you want to spend five million dollars, is that going to do what you want it to do?

Mr. Chairman, in order to do more it will cost more and the federal government has capped legal aid, so we are already spending four million dollars, or what have you. I am not sure if I can answer Mr. Morin's question or Mr. Gargan's question by saying that I have a magic answer to make things better.

I think things are pretty fair, pretty even and we have come a long way and there are a lot of improvements we can make. I would be interested in the comments of the Members on some of the things that we could do. I do not pretend to have all of the answers. We spend a lot of time and effort to try to improve things but if the Members have some suggestions for me I would be more than prepared to look at them.

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

Disadvantages Of Not Having Lawyers In Communities

MR. GARGAN: Thank you. Mr. Chairman, how long can a person be held against his will without it violating his rights? Is it 12 hours, 24 hours, what is it? Mr. Chairman, we negotiate police contracts and we are the ones who suggest increases and decreases and things like that. In the communities where there are no lawyers available are instructions given to the RCMP to ensure that they are not violating the rights of those individuals, because individuals are not aware of what their rights are?

The other thing is because there are no lawyers in some of the communities, the RCMP should be made aware that those communities are at a disadvantage. I do not think they should try to force people to make confessions in order to get released. It is not going to cost this government anything if you were to make some kind of arrangements so that what those RCMPs say with regard to what you say or do not say, may be used against you in a court of law. Even if the guys do not say it they eventually make those confessions. I am just suggesting that the local detachment might have a role to play with regard to fair play.

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

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I think one of the areas where we have got into over the last three years, but where we could do a lot more, is public legal education. At the community level where people are not as aware of their rights as they should be is an area that Arctic PLEI Society, Public Legal Education and Information, is getting more and more into. I think that is an area that MLAs have a role they can play. It is something that we, the police, or the legal services board would be prepared to send people into communities and hold workshops, for instance, on individuals' rights. I do agree that is where we can focus more attention and energy. Thank you.

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

MR. GARGAN: Thank you, Mr. Chairman. I know in a lot of cases where a suspect is picked up, that even though a charge is not laid -- the police officer would go up to an individual and say, "You are under arrest on such and such a crime", and they will be picked up and brought to the detachment and they say that on or about this date you did this and that. Most of the native people will confess -- if they did a crime they will confess to it. It is difficult for a native person to be dishonest and I believe that a lot of times, Mr. Chairman, that honesty has always been a fault to an aboriginal person. I am sure that people who become police officers know the psychology of human behaviour, based on culture.

I know that the Minister is suggesting that it is an area that we should be working on, but whether or not, they might be able to work with the police officers to see how we might be able to apply justice equally, and how they might be able to contribute to that. We have a situation where a guy is always at a disadvantage when there is no lawyer and the Minister recognizes that, but there certainly must be a way where we

might be able to address a portion of it so that we at least get some kind of sense that there is some initiative on the part of this government to do something because that has not happened. I have not seen anything dramatically improve, with the exception of where leaders have made an effort to change a community, that has been successful. There has to be some indication that efforts are being made.

Small Communities Should Have Access To Legal Aid Services

Legal aid workers is an area that it might help. We used to have one in Providence, Mr. Chairman, and I do not know why that has been eliminated. Now they have a legal aid person in Hay River, where there are lawyers too. I do not know what the rationale was behind doing that. You have legal aid people here too. Even though you have the availability of lawyers you still need these legal aid people to help because of the large population. It should be that the department considers relocating those legal aid positions to the communities where they are most needed. I would like a response from the Minister on that, Mr. Chairman.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Gargan. Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. I think the Member talked about a couple of issues. I can check with the legal services board as to why they do not have a member in Fort Providence and there definitely might be some use to at least having people come through on a regular basis talking to people and explaining to them their rights.

On the police side, I think the key to the community liaison with ongoing dialogue with the police is very important and that cultural understanding that the Member talked about is very important. We are prepared to assist the Member or any other Member, with any problems that they may have setting up these committees. I think that is the key to a lot of the equality issue that you are talking about. It is just a better understanding between the police and the community.

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

MR. GARGAN: Mr. Chairman, I appreciate the Minister suggesting to look into that. We do not have legal aid in Fort Providence. My question was why do we have legal aid here in Yellowknife, in Hay River, where there are all kinds of lawyers available. If you could establish one in Fort Providence I would appreciate that. But I am just asking whether or not all these legal aid people here in Yellowknife and in Hay River is where they should be, or whether they should be out there in the communities where they are most needed.

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

HON. MICHAEL BALLANTYNE: There is not really a large legal aid staff here at all. There is the executive director, his secretary, a court worker who lives here but operates in Fort Rae; that is really about it. There is not a lot of legal aid staff living here in Yellowknife. In fact the legal aid people are out in the communities. It is very decentralized.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Minister. Mr. Gargan.

MR. GARGAN: Can the Minister provide me with who those legal aid people are and in which communities they are at?

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: Certainly, I would be

pleased to do that.

CHAIRMAN (Mr. Ernerk): Mr. Gargan.

MR. GARGAN: When?

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: Two days, by the end of this week. I will get it to you tomorrow if I can. I do not know if they can get their hands on it but by the end of the week.

CHAIRMAN (Mr. Ernerk): Thank you. General comments, program summary. Mr. Ningark.

MR. NINGARK: Thank you, Mr. Chairman. Since the legal aid service only came to Natilikmiot about a year ago, maybe about a year and a half ago, just to satisfy my curiosity, Mr. Minister, I would like to know the chain of command; who do the legal aid workers within the community report to? Is it the regional representative or do they report to headquarters here in Yellowknife? Thank you.

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: Normally you would have the workers report to the clinic; the clinic would report to a board of directors; the board of directors would report to the legal services board.

CHAIRMAN (Mr. Ernerk): Mr. Ningark.

MR. NINGARK: Thank you, Mr. Chairman. Since we do not have a real lawyer, the real thing, a legal aid worker is the closest we can get to the real thing, I wonder if the training that is being given to those legal aid workers will be ongoing. We know we should not be getting anything less than what the Prime Minister of Canada is getting but that is as close as we can get for the time being. Thank you.

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: My understanding is that in your region the hope is at some point there will be a lawyer there resident in the community. Right now training in your area is provided by both Maliiganik and the Mackenzie court workers.

CHAIRMAN (Mr. Ernerk): Thank you, Mr. Minister. Mr. Ningark.

MR. NINGARK: Thank you. The final question I have for now is what is the educational grade level that is part of the criteria for a person who wants to take up legal aid training?

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: I will see if there is anything in policy that I can give you. My understanding is that it is pretty flexible and it depends on someone's experience, but I do not think there is rigid educational criteria. I will get back to you with the details.

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

Need Access To Lawyers On A Regular Basis

MR. MORIN: Thank you, Mr. Chairman. Mr. Minister, earlier I referred to the legal aid system and lawyers availability in the communities and you said it is going to cost a lot of money to put a lawyer in each community, a courthouse in each community. I was not talking about that and I do not think you should blow it out of proportion so that it makes it look

like that is what I was asking for. The question was very simple; that what we wanted was the people in the small communities to at least have access to the legal aid services. Right now the only time they have it is when the court comes in; when they come in with the court party that is it.

As far as I am concerned that is not equal opportunity to use your department by all NWT residents. I am pretty sure that if other departments can find ways of getting people in to service communities, yours should be able to too, without sending them in on a court day. People need access to those lawyers to defend them. They need access if they have a problem with land or estates to settle, or if they want to sue someone. None of that is really available to them. I do not think it is an equal justice system, equal to all people, unless it is. Are you understanding my request better?

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

HON. MICHAEL BALLANTYNE: I do. I think the Member has clarified it. I took it as a much more general and bigger request than was originally made. I think if the issue is one of access, then we are definitely open to ways in which we can improve access. Because of some of the complaints that we have had, we are doing a pretty thorough review of legal aid right now to see if in fact, we are providing as good a service as we should, especially in the smaller communities.

What I would like to hear from the Member is some ideas as to the form service should take. Would it for instance, help at least for part of the problem to have better phone access; would it help to have lawyers come through on a regular basis, not for specific cases but just generally to be available so people can come and talk to them? We are quite open to ideas in that area and I have said the legal services board is undertaking a review and the base structure review that I am doing, the government is looking at legal aid as to how we can best provide service and how we can, as you say, try to make it more equitable if we are not doing everything that we should. I am quite open to that aspect of it, yes.

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

MR. MORIN: What I am pretty sure we would like to see happen in the small communities is a lawyer coming into the community, to serve the community the same as a doctor would, maybe one day a month, whatever. The demand would justify the supply, I guess, of your department's services to that community -- other than a court day. There are also the lawyers that come in for court, maybe they will be the same lawyer, I do not know, but people have to be able to talk to a lawyer and not be rushed and be able to work on other things, other than just getting the lawyers to stand up in court and plead guilty for them. I would like to see what you plan to do with that. I would like to see that in black and white before we finish with your budget.

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

HON. MICHAEL BALLANTYNE: As I said, because this is really the first time a Member has identified this particular problem to me, and especially in his communities the problem may be very different in different communities throughout the NWT. I have asked that a review be done. I will definitely take the Member's concern seriously and will try to address it. I cannot promise that I am going to have an answer for you by the end of this month. The problem in your community may be quite different from the problem in other communities. I will have to get an idea of how much it would cost, but I am prepared, for instance, to look at the possibility, I will talk to the legal services people. I will look at the possibility in a couple of communities and try, on an experimental basis, to send lawyers in on a regular basis just to see what the

demand is. I hope that satisfies the Member.

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

MR. MORIN: Thank you, Mr. Chairman. Another issue I would like to find out about. We are always hearing that the RCMP is costing us more money. I would just like to say that the members who are stationed in my riding get along well with the people and if those members have the right attitude it seems to make their job easier, and that seems to be working in Fort Resolution and Snowdrift. They get along well with the people and they fit in well, but the one thing that may help members is that if you have a cultural aspect for your member; for example if he is transferred from wherever, Yellowknife to Fort Resolution, he should go out on the land with people, not on his days off on his own time, but as part of his job. He should be told to do that because, especially if he is a greenhorn, he would be very dependent on those aboriginal people on the land, his life would depend on them being able to survive the same as a lot of aboriginal people depend on him to do his job properly in the community. That would help, and I have brought that up to the Minister before. Have you done anything on that issue?

CHAIRMAN (Mr. Ningark): Mahsi cho. Mr. Minister.

Cross Cultural Training Objective For RCMP

HON. MICHAEL BALLANTYNE: As a result of the Member's concern, I think it was last year, I have made it a priority, a priority that I set for the RCMP that cross cultural training has to be a key ingredient of, especially, a new member's introduction to the North, or to a new community. I would like to say that we are following up very strongly on that. I think the RCMP recognize that is very important for them. Again, this is an ideal place to use the vehicle of a community policing group or a community policing committee. I think that each community may have different aspects of culture or what have you that they would like a member to get acquainted with in their community. I have followed up on that since we last talked. It is now a prime objective and we are making some progress in that area. Thank you.

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

MR. MORIN: Thank you, Mr. Chairman. One other issue is that in this budget, 57.6 per cent is for police services. How much of that percentage is in Yellowknife, and how much has Yellowknife grown compared to the other communities since you have been Minister?

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

HON. MICHAEL BALLANTYNE: Since I have been Minister I have added no police to Yellowknife. In fact, Yellowknife right now is the most seriously under-represented community in the NWT as far as the RCMP is concerned. The problem is quite serious here. Because of the concern that I know Members have to ensure that smaller communities are policed, we have made that a priority. We have made aboriginal policing a priority, but there is a problem here right now. In fact, Yellowknife is under-policed. If you are out on Saturday night, as you know, in some areas of this town it is very difficult for the police. We are trying to look at ways where we can perhaps change some of the administrative positions into working police positions. I have made a point to try not to steal from the outlying communities for Yellowknife, but I think the Member will recognize that the basic criteria we have to use is where police are needed the most, then here is probably the most serious problem in the NWT, in Yellowknife.

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

MR. MORIN: Thank you, Mr. Chairman. Mr. Minister, I believe we have three RCMP in Fort Resolution and there was supposed to be a special constable stationed there. What happened to him or her; did we lose that position?

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

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I cannot answer that right off the top of my head. As you know, there have been some pretty profound changes in the last year and a half with the special constable designation. Many of the special constables, somewhere in the range of 23 of the 30, have become full-fledged members now, so how they are using the remainder I cannot say. I will find out for the Member and get back to him.

CHAIRMAN (Mr. Ningark): Thank you. Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. I want to make a brief comment on legal aid services in the communities. I have noticed a few people who have been in legal aid services quitting their jobs, and I have noticed that they have not been replaced. How can you eliminate this problem in your department because whenever one quits legal aid they do not get a replacement for them. Perhaps there is nobody available in the community who is capable of working as legal aid, and this has become a problem in the communities. I am asking you why they do not get replacements in the communities even when one person quits legal aid services. How come this is the case in the communities?

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

HON. MICHAEL BALLANTYNE: Thank you. I understand that at the last legal services board meeting Neil Sharkey, who is the lawyer for Maliiganik in Iqaluit, acknowledged, as the Member has said, that there has been a problem in the last few months that where people have quit and they have not been replaced, so the Maliiganik board made this a priority to replace individuals when they leave Maliiganik. I understand that Maliiganik is also, right now, looking at getting somebody in to train some of the legal aid workers. We are aware of the problem and the board, right now, is working very hard to try to resolve that problem.

Total O And M, Agreed

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Program summary, total O and M, \$39,606,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that the Department of Justice, 1991-92 O and M main estimates, is concluded?

SOME HON. MEMBERS: Agreed.

---Agreed

Registries And Court Services

Buildings And Works, Headquarters, Total Capital, Agreed

CHAIRMAN (Mr. Gargan): We will move to capital, detail of capital. Page 7.9, registries and court services, buildings and works, headquarters, total region, \$400,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Buildings And Works, Total Capital, Agreed

CHAIRMAN (Mr. Gargan): Total buildings and works, \$400,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Registries And Court Services, Total Capital, Agreed

CHAIRMAN (Mr. Gargan): Total activity, \$400,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that this concludes the 1991-92 capital estimates?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): I would like to thank the Minister and the witnesses. Mr. House Leader.

HON. MICHAEL BALLANTYNE: Thank you. With the House's concurrence, can we do one act, An Act to Amend the Tobacco Tax Act?

CHAIRMAN (Mr. Gargan): Does the committee agree that we deal with Bill 21, An Act to Amend the Tobacco Tax Act?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Mr. Ballantyne.

Bill 21: Tobacco Tax Act

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. This one is quite straightforward. It is to increase the tax rate on loose cigarette tobacco. Members will recall, during the 1989 winter session, Members of the Assembly agreed that as this product was then untaxed, the tax would be phased in over three years. In 1989 the tax rate was initially set at 25 per cent of retail price; 1990 it was increased to 40 per cent; this is the last of the agreement that we made, to increase it to 60 per cent of retail price. The rate, now, on loose cigarette tobacco would be equivalent to that on all other tobacco products. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you. The standing committee on finance. Mr. Pollard.

Comments From The Standing Committee On Finance

MR. POLLARD: The standing committee on finance concurs with the Minister's arrangements and recommends the bill to the House, Mr. Chairman. Thank you.

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

MR. ERNERK: No comment.

CHAIRMAN (Mr. Gargan): Does the committee agree that we

go clause by clause?

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

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

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that Bill 21, An Act to Amend the Tobacco Tax Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Mr. Government House Leader.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. The government is prepared to proceed with the Department of Health.

CHAIRMAN (Mr. Gargan): Thank you. Does the committee agree that we go to the Department of Health?

SOME HON. MEMBERS: Agreed.

--Agreed

Revert To Bill 7: Appropriation Act, 1991-92

Department Of Health

CHAIRMAN (Mr. Gargan): Madam Minister, do you have an opening statement prepared?

Minister's Opening Remarks

HON. NELLIE COURNOYEA: Mr. Chairman and honourable Members, I wish to present the Department of Health's budget for the 1991-92 fiscal year. In the coming year, the department will concentrate on gaining a better understanding of those influences which would adversely affect the health of the population and on ensuring that the resources allocated to health care are wisely spent. It will achieve these aims by improving the financial control capabilities of the Department of Health and hospital and health boards; by fostering the development of public policies which promote health; by strengthening health promotion and disease prevention activities; by supporting educational, research and policy efforts which deal with Arctic contaminants; by examining the feasibility of birthing closer to home; and by developing a human resources plan for staffing the health system.

The mandate of the department is "to assist residents of the Northwest Territories to attain, maintain or regain their highest achievable health status". However, the extent to which this

can be accomplished through health care services is coming under increasing scrutiny, largely because of spiralling costs. Although health care services are often successful in dealing with the health problem of individuals, there are other more effective means to improve the health of the population.

Some common themes have emerged from recent reports issued by provincial commissions and study groups, such as: a call for greater emphasis on health promotion and disease prevention activities; concern that public policies which promote health, health public policy, should be given serious attention by all departments and levels of government in the planning and conduct of their activities; the need to provide for co-ordinated and integrated service delivery, with active citizen involvement at regional or community levels; and the need to develop more effective and efficient health care services.

Before describing the 1991-92 key result areas and budget highlights, I would like to share with you some of the achievements and problems we have experienced during the past fiscal year.

Health Promotion And Disease Prevention

Health promotion and disease prevention activities remained a high priority during 1990-91. The year began with the wrap-up of "Health is a Community Affair", a territorial-wide health education campaign aimed at better informing all NWT residents about the hazards and risks associated with tobacco use, and the threat posed by sexually transmitted diseases, including AIDS, if safe sexual practices are not followed. Health promotion information materials were developed describing the nutrient value of northern foods. A video about nursing bottle tooth decay among young children has been prepared to assist NWT residents to better understand and combat this serious problem.

At the conclusion of the fall session of the Legislative Assembly, I tabled a report on "Health and Health Services in the Northwest Territories". Some of the concerns highlighted in the report are: 38 per cent of deaths between 1984 and 1989 were unnecessary, or in other words were potentially preventable; 20 per cent of deaths between 1984 and 1989 were caused by accidents, many of which were related to alcohol abuse; lung cancer is the most common cancer -- the Northwest Territories rate for years of life lost from this is twice the Canadian rate for males and four times the rate for females; 62 per cent of students aged 15 to 19 smoke cigarettes, the highest rate in Canada; mortality among Dene and Inuit infants is more than twice the Canadian rate; during the 1980s, the suicide rate was more than twice the Canadian rate -- in the 15 to 24 age group, the NWT rates were five times the Canadian rate; tuberculosis is increasing among Inuit and Dene at a rate comparable to Third World countries; confirmed gonorrhoea rates for age 15 to 24 are six times the Canadian rate; the meningitis rate among Inuit is 10 times the non-native rate; dental caries and missing teeth rates for children are the highest in Canada; and the contamination of the environment in general, and the arctic food chain in particular, are major concerns which cannot be resolved easily or quickly.

The report also identified issues arising from the structure and operation of the health care system which are of concern and will need our attention: Most hospitals have stable or declining occupancy rates of under 50 per cent; about 40 per cent of hospital days and 30 per cent of newborn days occur outside the NWT; medical travel costs exceed total medicare payments; the recruitment and retention of professional staff continues to be difficult, particularly that of nurses qualified to provide primary care in the settlements; since only a small proportion of native students complete high school, and few

achieve the requirements for university entrance, the representation of native residents in health professions will remain at a less than desirable level for some time to come.

Improved Access To Affordable Appropriate Health Services

During 1990-91 expanded medical benefits were introduced for specified disease conditions, and boarding home benefits were added for NWT Metis and non-native residents lacking such coverage through employment. To date these enhancements have been implemented within the resource allocation received for the 1990-91 fiscal year. In addition, new public information brochures describing the health insurance benefits available to NWT residents were developed and widely distributed.

Nurses who accept the responsibility for delivering health care in isolated communities are now able to receive additional preparation through the advanced nursing skills in-service program, ANSIP. The first call of seven completed the program in February 1990. A further 12 nurses are currently enrolled and will complete the program this month.

During 1990, 28 community health representatives, CHRs, graduated from training programs in Yellowknife, Inuvik and Iqaluit. The focus for these health care providers is on health promotion and education activities. Candidates for this program are selected from the communities and return to live and work in that community. Eight more are expected to graduate in June 1991. An in-service training conference to provide continued support for those CHRs already practising in the field is to be offered in March 1991.

Approximately 46 hospital and health board employees have taken one or more modules of the interpreting and translating short courses offered by Arctic College.

Environmental Concerns

In April 1990 a very successful meeting of circumpolar countries was held in Yellowknife, resulting in a draft circumpolar memorandum of understanding on protecting arctic flora and fauna. There have since been follow-up meetings focussing on Arctic contaminants. In November 1990 a meeting was held in Oslo, Norway, to develop a circumpolar Arctic monitoring program. Canada led the discussion on the assessment of human health risks.

The department's contaminants unit was established in June 1990. The role of the unit is to facilitate the assessment of health risk to humans in the Northwest Territories and to coordinate the dissemination of information on contaminants and its related human health risk to native organizations and communities, as well as to the general public. The Government of the Northwest Territories has continued to participate on the federal-territorial technical committee on contaminants in northern ecosystems and native diets. A five year, comprehensive Arctic contaminants research plan has been developed which will be included in the arctic environment strategy, one component of the green plan recently announced by the federal government.

Further projects, in collaboration with other territorial and federal departments, are planned which will support a better understanding of human health and contaminant issues in the NWT.

In an attempt to keep health legislation current, amendments to the Dental Profession Act and the Mental Health Act were approved during the past session.

Escalating Costs In The Health Care System

Mr. Chairman, the department is faced with escalating expenditures for health services. The major reasons for these increases are the relatively poor health status of the population; increasing public expectations of the health care system; increasing utilization of out-of-NWT hospitals; under-utilization of available NWT facilities and substantial increases in air travel costs. Many of the costs associated with out-of-NWT hospital care and the associated travel could be avoided by the development of a team of medical specialists with support services at Stanton Hospital. This would permit the GNWT to provide a broader range of services to NWT residents and allow for more cost and service-effective use of existing NWT facilities.

During the current fiscal year hospital and health boards initially requested \$11 million more than had been approved for 1990-91. As a consequence, it has been necessary for the department to devote a substantial amount of time during the past year reviewing the budget submissions from the boards in order to eliminate ineligible funding requests for service enhancements and to identify legitimate forced growth problem areas which had to be addressed either through supplementary estimates or by offsetting funds derived through program reductions.

Significant cost reduction measures have already been identified and implemented. Ward consolidation at the Inuvik Regional Hospital has permitted the reduction of 20 beds and the deletion of 28 positions. Staff reductions have also been made by the H.H. Williams Memorial Hospital Board. Neither action has resulted in significant service loss.

In addition, other measures have been taken to address deficiencies identified in health board funding and other projected departmental requirements for medical travel, medicare and out-of-NWT hospital expenditures through the 1990-91 supplementary estimates process.

The health board funding deficiency will probably result in further supplementary funding requirements in 1991-92 as health boards are budgeting based on 1990-91 service levels. However, the department is developing staffing standards for NWT health facilities, and future funding requirements will be assessed in relation to these standards.

During 1990-91, 16 new requests for information were received from families who had lost touch with relatives sent south for medical treatment in years past. To date, records have been obtained and forwarded to 14 inquiring families. Since the project began, the Department of Health has been able to provide substantive information regarding 67 of the 77 patient inquiries, which is 87 per cent.

During the present year various capital projects have been initiated or completed to provide for new or improved health facilities, particularly in smaller communities such as Grise Fiord, Rae Lakes, Chesterfield Inlet and Fort McPherson.

Key Result Areas For 1991-92

Mr. Chairman, a number of key result areas were identified and included in the main estimates budget document in the narrative portion of the departmental overview. I would like to comment on each of them.

Describing the health status of the population is the unique function of the department, even more basic than the provision of services. Such information should influence the activities and structures of the department in support of effective interventions. One of the objectives within this key result area in the coming year will be to produce a document describing

the health of regions and communities.

In addition to the development and implementation of improved financial planning and control measures, specific effort will be focussed on more efficient utilization of NWT health facilities and services, careful monitoring of medical travel, and more appropriate use of out-of-NWT hospitals. Because the communities in the NWT are small, much of the specialized medical care must be provided away from the home community. As a result, we spend very large amounts for medical travel. For the past several years, in fact, we have spent more on medical travel than we have on our total medicare payments.

With the opening of the new Stanton Yellowknife Hospital in 1988, and with the addition of more specialists, we began a process of increasing the services that could be provided in the NWT so that the need for residents to travel further south could be reduced. Currently in Yellowknife there are resident specialists in general surgery, internal medicine, orthopedics, obstetrics, pediatrics, ophthalmology and radiology. A second obstetrician will be recruited as soon as possible to provide a greater depth of service.

With the support of my cabinet colleagues and the Legislative Assembly, a substantial commitment has been made to support the regional status and specialist function of Stanton Yellowknife Hospital. We must now encourage the use of these NWT health care facilities which have been developed at great expense.

Recommendation For Health Public Policy

It is becoming increasingly clear that many health problems faced by NWT residents, particularly native people, stem from social and economic conditions and will not be solved by the health system alone through treatment or education. I will be asking the Department of Health to identify, in consultation with affected government departments and other organizations, health public policy initiatives which can be undertaken by the GNWT to improve the health of territorial residents.

Efforts will continue through the coming year to promote healthy lifestyles, prevent disease and to make people more responsible for their own health decisions. Education materials appropriate to northern needs, native culture and language will be developed. The dangers of smoking and AIDS education will continue to be emphasized, as well as accident prevention and nutrition.

There is a need to identify gaps in current research and to promote co-ordinated and appropriate research related to the contamination of traditional foods. Risk benefit analysis must be undertaken to assist in directing residents regarding the consumption of native foods, which are nutritionally superior to many store-bought foods.

Ways and means to provide birthing closer to home, including the possibility of a pilot project in Rankin Inlet, will be determined. Safe outcomes for mother and baby will remain key to whatever action is taken in response to client requests for more family involvement in birthing closer to home.

The major issue facing the Department of Health over the next several decades will be the staffing of the health service. Since its inception in the 1950's under the Department of National Health and Welfare, the system has been dependent upon recruitment of professional staff from outside of the NWT. The circumstances which fostered such recruitment no longer prevail, and maintenance of an adequate number of suitably prepared staff is becoming increasingly difficult and is expected to get worse. It has become apparent that the department must first examine the issue of what specific

providers of care are needed to deliver primary care services and what education or training they require, and then it must ensure that the educational and training opportunities are accessible.

1991-92 Budget Highlights

The 1991-92 budget proposes a controlled approach to addressing the government's obligation to provide accessible, affordable and appropriate health services. There are additional expenditures for 1990-91, not yet reflected in the main estimates document, which are to receive consideration through supplementary estimates later in the current session of this Legislative Assembly. Any resource requirements requested over and above the revised main estimates in the present document stem from the costs associated with new facilities and the anticipated impact of the 1991-92 collective agreement provisions on the health system. In recognition of the need for fiscal restraint, key result areas will be pursued through the reallocation and refocussing of existing resources. These activities will be monitored to determine the effects on the health system and on the total GNWT.

In this budget it has not been possible to deal with the motion in the Legislative Assembly that the department provide benefits for NWT Metis residents equivalent to those provided by Health and Welfare Canada under the federal Indian health policy. However, I have asked department officials to review the supplementary health program to determine whether expanded Metis benefits can be accommodated.

Another issue not fully addressed in this budget is midwifery and its potential role in the Northwest Territories health system. The department is currently working to identify sources of funding for a pilot project on community birthing in the Keewatin Region.

Finally, the current budget does not take into account the full impact on the medical travel program of increasing travel costs which are the result of recent frequent airfare increases.

As Minister of Health, I have the obligation to recommend the funding requirements which are necessary for the effective and efficient provision of health services. In attempting to do so, the department has the advantage of an excellent range of program services and facilities, and a work force of confident, devoted health care providers. Collectively, the government has the opportunity to develop, co-ordinate, and implement public policy initiatives beyond the health care sector, and to improve the health of NWT residents. Those are my opening remarks. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Madam Minister. The standing committee on finance. Mr. Pollard.

Comments From The Standing Committee On Finance

MR. POLLARD: Thank you, Mr. Chairman. Mr. Chairman, the standing committee on finance expresses its concern that the department has not reduced the size of the Territorial Hospital Insurance Services activity and does not provide a summary of funding to boards and hospitals in the main estimates and SCOF documents as an information item.

Motion To Recommend That Department Of Health Reduce Size Of THIS Activity And Provide Summary Of Funding To Boards And Hospitals In 1992-93 Main Estimates, Carried

Therefore, I will move the following recommendation, Mr. Chairman: I move, the standing committee on finance recommends that the Department of Health reduce the size of the Territorial Hospital Insurance Services activity and provide a summary of funding to boards and hospitals in the 1992-93

main estimates and SCOF documents as an information item. Thank you, Mr. Chairman.

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

AN HON. MEMBER: Question.

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

---Carried

Mr. Pollard.

MR. POLLARD: Thank you, Mr. Chairman. Mr. Chairman, the Department of Health spends a considerable amount of money on the housing of nurses. The standing committee on finance believes that the accommodation of nurses should be handled the same way as the GNWT staff accommodation and follow the general staff housing policy.

Motion To Recommend That Department Of Health Consider Transferring Responsibility For Nurses' Housing To Department Of Personnel, Carried

Therefore, I move recommendation 29, Mr. Chairman: The standing committee on finance recommends that the Department of Health consider transferring the responsibility for the housing of nurses to the Department of Personnel and to follow the general staff housing policies. Thank you, Mr. Chairman.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Gargan): Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Pollard.

MR. POLLARD: Thank you, Mr. Chairman. Mr. Chairman, the standing committee on finance is concerned with the following departmental issues: The requirement for \$14,722,000 in supplementary funding in 1990-91. In the 1991-92 proposed estimates, the increase is only \$1.7 over 1990-91. The revised estimates could be unrealistic, Mr. Chairman. There are quite high medical travel costs; the lack of criteria for planning new capital facilities; and the admission that capital costs are poorly estimated in many cases. As a result, the committee does not believe that the department can assure the Assembly that its operations are effective and are being carried out with due regard for efficiency and economy. Although the department is proposed to be included in the planned base review, the committee wishes to ensure that an independent review is conducted as soon as possible.

Motion To Recommend That Legislative Assembly Requests Auditor General Of Canada To Undertake Comprehensive Audit Of Department Of Health, Carried

Mr. Chairman, I would say that nobody in the Department of Health should take this personally, but recommendation 31 is: I move that the standing committee on finance recommends that the Legislative Assembly requests the Auditor General of Canada to undertake a comprehensive audit of the Department of Health and report thereon to the Legislative Assembly. Thank you, Mr. Chairman.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Gargan): Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Pollard.

MR. POLLARD: Mr. Chairman, for some time the standing committee on finance has been concerned with the under-utilization of the Stanton Yellowknife Hospital. The committee is concerned not only with the high cost of travel to transport patients to and from southern facilities, but even more so with the high cost per day paid to southern hospitals to maintain patients – we believe that in some cases that is \$1000 per day, Mr. Chairman – and a general leakage from the NWT economy.

Further steps can be taken, in co-operation with other NWT medical facilities and in light of total cost benefits, to increase the utilization of Stanton Yellowknife Hospital. If increased staffing levels at Stanton Yellowknife Hospital are required to provide specialist services in order that more patients may be treated in the North rather than going south, then the committee would support such an initiative.

Motion To Recommend That Department Of Health Develop Action Plan To Optimize Use Of Stanton Yellowknife Hospital, Carried

Recommendation 32: I move, Mr. Chairman, the standing committee on finance recommends that the Department of Health develop an action plan in conjunction with Stanton Yellowknife Hospital and the other hospitals and boards to optimize the use of Stanton Hospital taking into account all the costs and benefits from doing so. Thank you, Mr. Chairman.

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

AN HON. MEMBER: Question.

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

---Carried

Mr. Pollard, is that it?

Department of Health, 1991-92 main estimates. Does the committee agree that the Minister brings in her witnesses?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Thank you. Madam Minister, for the record would you introduce your witnesses?

HON. NELLIE COURNOYEA: Thank you, Mr. Chairman. I have with me, Mr. Bob Cowcill, deputy minister; and Mrs. Elaine Berthelet, assistant deputy minister.

CHAIRMAN (Mr. Gargan): Thank you. Department of Health, general comments. Mr. Lewis.

MR. LEWIS: Mr. Chairman, I would like to ask that we report progress.

CHAIRMAN (Mr. Gargan): I have a motion on the floor to report progress, which is not debatable. All those in favour? All those opposed? The motion is carried.

--Carried

I will now rise and report progress.

I would like to thank Mrs. Berthelet and Mr. Cowcill.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: I would like to call the House back to order. Item 18, report of committee of the whole. The honourable Member for Deh Cho.

MR. GARGAN: Thank you, Mr. Speaker. Your committee has been considering Bill 7, Bill 21 and CR 2-91(1) and wishes to report progress, with four motions being adopted. Mr. Speaker, Bill 21 is ready for third reading.

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 Hudson Bay.

MR. CROW: Mr. Speaker, I seek unanimous consent to return to Item 11, tabling of documents.

MR. SPEAKER: Thank you. The honourable Member is seeking unanimous consent to return to Item 11, tabling of documents. Are there any nays? There are no nays. Proceed.

REVERT TO ITEM 11: TABLING OF DOCUMENTS

MR. CROW: Thank you, Mr. Speaker. I wish to table Tabled Document 51-91(1), a copy of the Scientists Act. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Item 20, Mr. Clerk, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, there will be a meeting of ajauqtit at 9:00 a.m. tomorrow morning; at 10:00 a.m. caucus.

ITEM 20: ORDERS OF THE DAY

Orders of the day for Tuesday, March 12th.

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 7; Committee Report 2-91(1); Bills 8, 9, 10, 17, 19 and 20

18. Report of Committee of the Whole

19. Third Reading of Bills

20. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:30 p.m., Tuesday, March 12th, 1991.

--ADJOURNMENT

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