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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

Speaker

The Hon. Richard Nerysoo
Fort McPherson, N.W.T.
X0E 0J0
(403) 873-7629 (Office)
(403) 873-5788 (Home) (Yellowknife)
(403) 979-2668 (Home) (Inuvik)
(Mackenzie Delta)

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

Arlooktoo, Mr. Joe, M.L.A.
General Delivery
Lake Harbour, N.W.T.
X0A 0N0
(819) 939-2278 (Office)
(819) 939-2363 (Home)
(Baffin South)

Ballantyne, The Hon. Michael, M.L.A.
P.O. Box 1320
Yellowknife, N.W.T.
X1A 2L9
(403) 873-7658 (Office)
(403) 920-2963 (Home)
(Yellowknife North)
Government House Leader
Minister of Finance and Justice

Butters, The Hon. Tom, M.L.A.
P.O. Box 1069
Inuvik, N.W.T.
X0E 0T0
(403) 979-2373 (Office)
(403) 979-2373 (Home)
(Inuvik)
Minister of Municipal & Community
Affairs, Government Services and
NWT Housing Corporation

Cournoyea, The Hon. Nellie, M.L.A.
P.O. Box 1184
Inuvik, N.W.T.
X0E 0T0
(403) 873-7128 (Office)
(403) 977-2405 (Tuktoyaktuk)
(403) 979-2737 (Inuvik)
(Nunakput)
Minister of Health, Energy, Mines &
Petroleum Resources, Public Works and
NWT Power Corporation

Crow, Mr. Charlie, M.L.A.
General Delivery
Sanikiluaq, N.W.T.
X0A 0W0
(819) 266-8940 (Home)
(Hudson Bay)

Emerk, Mr. Peter, M.L.A.
Box 182
Rankin Inlet, N.W.T.
X0C 0G0
(819) 645-2800
(819) 645-2500
(Aivilik)

Gargan, Mr. Samuel, M.L.A.
General Delivery
Fort Providence, N.W.T.
X0E 0L0
(403) 873-7999 (Office)
(403) 874-3230 (Hay River)
(403) 699-3171 (Home)
(Deh Cho)
Deputy Speaker and Chairman, Committee
of the Whole

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

Kilabuk, Mr. Ipeelee, M.L.A.
General Delivery
Pangnirtung, N.W.T.
X0A 0R0
(819) 437-8827 (Home)
(Baffin Central)

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

Marie-Jewell, The Hon. Jeannie, M.L.A.
P.O. Box 1051
Fort Smith, N.W.T.
X0E 0P0
(403) 873-7959 (Office)
(403) 872-2940 (Home)
(Slave River)
Minister of Social Services and Safety &
Public Services

McLaughlin, Mr. Bruce, M.L.A.
P.O. Box 1320
Yellowknife, N.W.T.
X1A 2L9
(403) 873-7999 (Office)
(403) 873-6220 (Home)
(403) 874-2884 (Hay River)

Morin, Mr. Don, M.L.A.
General Delivery
Fort Resolution, N.W.T.
X0E 0M0
(403) 394-3471
(Tu Nede)

Ningark, Mr. John, M.L.A.
General Delivery
Pelly Bay, N.W.T.
X0E 1K0
(403) 769-6703
(Natilikmiot)

Patterson, The Hon. Dennis, M.L.A.
P.O. Box 310
Iqaluit, N.W.T.
X0A 0H0
(403) 873-7112 (Office)
(819) 979-5993 (Office)
(403) 873-2802 (Home)
(Iqaluit)
Government Leader,
Chairman of Executive Council,
Minister of Executive

Pedersen, Mr. Red, M.L.A.
General Delivery
Coppermine, N.W.T.
X0E 0E0
(403) 982-5788 (Coppermine)
(Kitikmeot West)

Pollard, Mr. John D., M.L.A.
Box 1095
Hay River, N.W.T.
X0E 0R0
(403) 874-2345 (Office)
(403) 874-2600 (Home)
(Hay River)

Pudluk, Mr. Ludy, M.L.A.
P.O. Box 240
Resolute Bay, N.W.T.
X0A 0V0
(819) 439-8898 (Arctic Bay)
(819) 252-3719 (Home)
(High Arctic)
Deputy Chairman,
Committee of the Whole

Sibbeston, Mr. Nick, M.L.A.
P.O. Box 560
Fort Simpson, N.W.T.
X0E 0N0
(403) 695-2452 (Fort Simpson)
(403) 873-6215 (Home)
(Nahendeh)

Whitford, Mr. Tony, M.L.A.
P.O. Box 2772
Yellowknife, N.W.T.
X1A 2R1
(403) 920-8010 (Office)
(403) 873-5328 (Home)
(Yellowknife South)

Wray, The Hon. Gordon, M.L.A.
P.O. Box 35
Baker Lake, N.W.T.
X0C 0A0
(403) 873-7962 (Office)
(819) 793-2700 (Baker Lake)
(Kivallivik)
Minister of Transportation and Economic
Development & Tourism

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

Officers

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

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

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

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

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

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YELLOWKNIFE, NORTHWEST TERRITORIES

THURSDAY, JUNE 27, 1991

MEMBERS PRESENT

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

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Richard Nerysoo): Prior to proceeding with the orders of the day, I have received a message from the Commissioner of the Northwest Territories: "Dear Mr. Speaker. Please be advised that I wish to recommend to the Legislative Assembly of the Northwest Territories the passage of Bill 46, Supplementary Appropriation Act, No. 1, 1991-92, during the eighth session of the 11th Legislative Assembly. Yours truly, D.L. Norris, Commissioner."

Orders of the day for Thursday, June 27, 1991. Item 2, Ministers' statements. The honourable Member for Amittuq.

ITEM 2: MINISTERS' STATEMENTS

Ministers' Statement 77-91(1): Declaration To Protect The Arctic Environment

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. Mr. Speaker, on June 15, 1991, Ministers of the eight circumpolar countries met in northern Finland to sign a declaration to work together to protect the Arctic environment. I represented our government as part of the Canadian delegation at the signing ceremony, along with representatives of indigenous people of the Arctic circumpolar countries.

By signing this declaration, the eight circumpolar countries will adopt four measures to protect the Arctic environment. An Arctic environmental strategy was developed which outlines the major threats to the Arctic environment and potential actions to reduce these threats. An Arctic monitoring and assessment program will establish a circumpolar network of monitoring stations. The data will be used to prepare "state of the environment" reports. The countries have agreed to share information on research and management of land and marine plants and animals. Lastly, countries have agreed to develop ways to provide early notice of emergencies in the Arctic. They will also co-ordinate and share contingencies plans to respond to emergencies like oil spills.

The Government of the Northwest Territories has been an important member of the Canadian delegations throughout the two years it has taken to complete this process. Members will recall that in April 1990, our government hosted one of the meetings of officials from all the Arctic countries, in Yellowknife. Now it is up to the Arctic governments to follow through on the actions that have been proposed. Canada will begin by inviting the eight Arctic countries to a meeting to discuss the concept of an Arctic council. Canada will also host a meeting to further co-operation on the conservation of Arctic plants and animals. The next ministerial meeting of the eight Arctic countries will be in 1993 in Greenland. Our government will continue to monitor the progress of the work and participate as required.

Mr. Speaker, I must add that this is the first declaration that all Arctic countries have signed as one unit. It is fitting that it has been the concern for our shared environment that has brought

the countries together. Our northern natural resources are the most important heritage we will provide to our children. We must work together if we are to be successful. Qujannamiik.

MR. SPEAKER: Ministers' Statements. The honourable Member for Amittuq.

Ministers' Statement 78-91(1): The First Aboriginal Arctic Leaders' Summit

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. Mr. Speaker, on June 20, 1991, the first aboriginal Arctic leaders' summit signed a declaration on circumpolar co-operation. Aboriginal leaders from the Soviet Union, Scandinavian countries, Canada, Alaska and Greenland met for four days in Denmark to discuss common Arctic issues. These included major topics like environmental degradation, economic underdevelopment, and social and cultural changes in their respective regions. The leaders agreed to develop common strategies dealing with problems of all Arctic peoples as well as create partnerships to work on solutions. Mr. Speaker, on request of the Government Leader, Mr. Dennis Patterson, I represented the Government of the Northwest Territories, along with my colleague from Natilikmiot, John Ningark. Many other government leaders from the other circumpolar countries also participated in the discussions leading to this declaration.

This historical event was organized by ICC, Inuit Circumpolar Conference, in co-operation with the Nordic Saami Council and the Association of Northern Small Peoples of the Soviet Union. Our government expressed strong support for this kind of co-operative initiative, by aboriginal people of the circumpolar homeland, that is in keeping with our other circumpolar efforts to respond to Arctic issues.

Mr. Speaker, I was particularly pleased to participate in discussions on renewable resources issues which became priority topics of discussion for this summit. This first Arctic aboriginal leaders' summit also delivered for the international community a consensus statement on subsistence and renewable resources harvesting. The circumpolar aboriginal leaders unanimously agreed that the anti-harvesting animal rights movement poses adverse threats to aboriginal cultural survival. We called on all governments and non-governmental organizations to co-operate with aboriginal people in dealing with this issue.

These two statements closely reflect key factors that have long been in the policies of this government; therefore, we can make a positive contribution to this significant development in working with aboriginal people and other state governments in the circumpolar north for the survival of all northern peoples.

It is now up to all of us in this government to ensure, that there continues to be support for the working group, leading to a second Arctic leaders' summit to be organized by Nordic Saami Council in 1993. Mahsi cho.

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

Ministers' Statement 79-91(1): Community Aerodrome Radio Stations Enhancement

HON. GORDON WRAY: Thank you, Mr. Speaker. Mr. Speaker, most Members will recall my announcement in late March concerning the agreement with the federal government to enhance the level of service and reliability of CARS, Community Aerodrome Radio Stations, at NWT airports. Today, I would like to report progress on this important initiative.

The formal agreement with Transport Canada concerning the additional funding that will be directed to improving the CARS services, and the new role for the GNWT in the provision of air navigation services at Arctic B and C airports, has been completed and executed.

Extensive consultation with air carriers serving all NWT community airports to determine the most appropriate hours of operation for each CARS has been completed. I expect Transport Canada concurrence of the recommended hours of operation within the next few days. Under the agreement, 23 of 27 existing CAR stations will operate in excess of 40 hours per week and one new CAR station will be added at Fort Franklin.

I am pleased to announce that CARS service in excess of 40 hours per week will be available at 14 of the sites on or before August 1, 1991. At these sites, additional or back-up observer/communicators have already been trained and certified and are currently available for work.

The new CARS at Fort Franklin will be operational on a 40-hour week by August 1. Recruitment and selection of a second observer/communicator for this CARS is currently under way and training is scheduled for the next course beginning in August. The station hours will be expanded in early November following training and certification.

Recruitment and selection for observer/communicators in seven communities other than Fort Franklin is also under way. These students will be trained on the course beginning in August with graduation, on-the-job training and certification completed by early November. As the new graduates are certified, the hours of operation of their CAR stations will be expanded. Training for the final site scheduled for enhancement will begin in late October, allowing the expanded hours of operation to be put in place by January 31, 1992.

For the benefit of the Members, Mr. Speaker, I have prepared a schedule that sets out the proposed new hours of operation for all CARS in the NWT and includes the approximate dates that the extended hours of service will begin. It is attached to this statement, Mr. Speaker.

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

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Recognition Of Interprovincial Pipe Lines Limited

MR. SIBBESTON: Mr. Speaker, while I have had my differences with IPL, Interprovincial Pipe Lines Limited, I never thought I would stand in the Assembly praising them. I am here today doing so because since they have built the pipeline they have become very good corporate citizens in our area of the North. I want to give recognition to the manager of IPL in Fort Simpson, Mr. Mark Gerlock, and other employees. The company, on two occasions this past year, when there were accidents on the highway and in an

emergency situation, helped deal with the accidents by making employees and equipment available, and in the last case, a helicopter.

The first accident occurred on the winter road south of Wrigley where a vehicle was overturned and a young child was pinned beneath the vehicle. IPL staff attended the scene and maintained communications with the hospital and ambulance and assisted with the rescue of the child under the vehicle.

In the second case, an accident occurred on the Mackenzie Highway on June 7, where there were two persons involved and where one person was killed and the other one seriously injured. IPL employees and the manager were made aware of the accident, and with just one phone call to the manager, Mr. Gerlock redirected a helicopter and staff to tend to the accident. As a result, the life of one of the passengers was saved and the other one, although he died en route to the hospital, was given CPR and assistance by Mr. Jim Mason right to the end of the rescue. This latter effort was made even though IPL had its own pipeline emergency. In fact, the pipeline was shut down at the time and they diverted the helicopter from their emergency to help out with this.

As a result of these moves, this assistance by the company, the community appreciates their efforts and wanted me to publicly commend them for their concern on being good corporate citizens and thank the individuals involved. Thank you.

--Applause

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

Member's Statement On Tourism In Natilikmiot

MR. NINGARK: (Translation) Thank you, Mr. Speaker. The people of Natilikmiot are in the Central Arctic where tourism has not really developed. I was one of the people who participated in the opening ceremonies of the visitors' centre in Cambridge Bay. I thought that even though the building is there as a visitors' centre -- it is a good facility and an expensive one -- I think it is just going to be a show-piece because we do not get that many tourists in the Natilikmiot region. If we are not going to receive support from the government to attract tourists to our region, I think that our communities are going to be suffering. One of the largest communities is Gjoa Haven in my constituency, and there are many people who are unemployed in that community.

I think we all know that the fur trade and carvings are in a poor situation. I think that tourism is going to be one of our main ways of attracting more money to the communities. The tourists who go into the communities also help other businesses such as hotels. They spend their money in the local stores. They buy carvings from the carvers themselves. Through this government I think that we have to promote tourism in Natilikmiot so that we will be able to get more money to our region, and our economic development and tourism officers will be asking your support, as a government, in this endeavour. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Prior to proceeding with this particular item I just wish to draw the attention of honourable Members to His Worship Mayor Bill Adamache, of Coppermine, in our public gallery.

--Applause

Members' statements. The honourable Member for Rae-Lac la Martre.

Member's Statement On Opening Of Rae Lakes Health Centre

MR. ZOE: Thank you, Mr. Speaker. Mr. Speaker, last Friday I had the great pleasure of participating in the official opening of the Rae Lakes health centre. This facility, which provided 32 jobs and numerous spin-offs for the community, will provide the people of Rae Lakes with comprehensive public health, primary care and health education services for the next 25 to 30 years.

Mr. Speaker, the Hon. Nellie Cournoyea pointed out during the official opening that the Rae Lakes health centre is more than just a building. It will serve as a meeting place for all residents, both young and old; a home for health care professionals; a place where residents of Rae Lakes can come for health care, and just as important, a place where they can continue to learn how to live healthy lives.

This facility is also a prime example of what can be achieved in an exceptionally short time when people work together. We were able to complete this facility in 23 months because of the high level of co-operation and the productive working relationship that developed among myself, the Hon. Nellie Cournoyea, Chief Henry Gon, his band council, the Department of Health, the Department of Public Works, the Mackenzie Regional Health Services, and also the architect, Ferguson Simek Clark, and the contractor, Treeline Construction Ltd.

Mr. Speaker, on behalf of all my constituents, I would like to thank all those people for their outstanding efforts in making this exceptional facility a reality. Mahsi cho.

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

Member's Statement On Housing On Hay River Reserve

MR. GARGAN: Thank you, Mr. Speaker. Mr. Speaker, I would like to make my statement today with regard to the Hay River Reserve. It is with a bit of frustration that I am making this statement. Back in 1972 when the reserve first came into being there was a span of four or five years in which there was no housing made available to the reserve. It was only in 1977 that housing, under the SSHAG small settlement home assistance grant, program, started on the reserve, and since then the home-ownership program.

Firstly, if we want to address the poorer category of people that are not living in HAP houses due to the policy, then the only other option is public housing. Under that option, Mr. Speaker, the requirement on southern reserves is to get a ministerial guarantee. In the NWT, through arrangements between the federal and territorial governments, the government must provide what is known as indemnification in the case of default, payments by/for non-profit housing.

I have waited for the last year and have been patient with this government, and I have postponed making any statements in public due to the request by the Housing Minister, but I have also been requested, yesterday, to postpone making any statement until next week, in which case the House could very well be concluded and the concerns would not be expressed. Mr. Speaker, I thought I would get up today to express a concern that we are not addressing housing on the reserve for a certain category of people. I would like the Minister to resolve that issue once and for all.

Perhaps, Mr. Speaker, I will be directing questions to the Minister with regard to that concern and with regard to what has been done to date to resolve the whole issue of

ministerial guarantee, or indemnification. Thank you.

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

Member's Statement On Delays In Passing Legislation

MR. LEWIS: Thank you, Mr. Speaker. This session of the Assembly which began on February 13, and still sits on June 27, is a long one because this House has committed itself to finish some business which began as long as three years ago when Mr. Richard, as the chairman of the rules, procedures and privileges committee, suggested that we were weak as a Legislature and had not made a proper commitment to the public, by not having conflict of interests provisions in our act. It has also been an issue, which was raised two years ago in Baker Lake by our current Speaker, that we should develop these before the next election. It has also been raised by our Assembly, and both the Leader and the Speaker were told that we should get on with it and get it done before we go to the election in the fall.

Mr. Speaker, I believe that both that issue and the issue of the access to information, which also is of concern to the general public, should be dealt with by this House. We would not be doing our duty if this legislative program is not completed before we go to the polls in the fall. Thank you.

MR. SPEAKER: Members' statements. The honourable Member for Hay River.

Member's Statement On WCB Loan Of Money To Power Corporation

MR. POLLARD: Thank you, Mr. Speaker. Mr. Speaker, yesterday we heard about the WCB being somewhat hesitant to loan the Power Corporation money. That money is derived from employers in the NWT, Mr. Speaker, and the WCB are mere custodians of that fund. Most of the money would be put in there by private businesses. Those private businesses, in general, support the business incentive policy that this government has put forward, giving businesses an advantage with the government -- northern businesses, that is. I do not think it would be unreasonable to expect those businesses to exert some pressure on the WCB to explain to the board that perhaps it would be a good idea if their money was invested some way in the Northwest Territories. Thank you, Mr. Speaker.

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

Member's Statement On Utilization Of Local Communities

MR. ERNERK: (Translation) Thank you, Mr. Speaker. Today I do not have any written statements so I will do an oral statement. Mr. Speaker, I have a concern about the territorial government and economic development. I have two letters here from my constituency, Mr. Speaker, about the work that will be done in Rankin Inlet by Gely/Gaugec Construction and MACA, that I was given by Betty Palfrey in Rankin Inlet, the manager of the Siniktarvik Hotel, which caters food for the Kivalliq Hall students.

Mr. Speaker, I know that the special committee on the northern economy had stated that the northern communities should be utilized more by the government, so that the money can stay in the communities. Thank you, Mr. Speaker.

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

Member's Statement On Protection For Soapstone Carvers

MR. CROW: Thank you, Mr. Speaker. Mr. Speaker, recently the national media has focussed its attention on research which suggests that soapstone from some areas of the Northwest Territories contains fibres which could cause lung disease, including cancer. This is a major concern to the people of Sanikiluaq, Mr. Speaker. As you know, soapstone carving in the Belcher Islands is not only an important economic activity, but it is also a vital element of our cultural heritage. I have obtained a copy of the report and feel that further scientific research is necessary. I must say that after reading the researcher's careful conclusions, though, I am uncertain that carving presents as great a health risk as some media reports have suggested. However, I am also wondering whether our government could be doing more to identify sites where the soapstone is concentrated with dangerous fibres. I believe that our Science Institute could be working to develop better protective equipment. I also believe that more public education on this matter is needed. I will be raising these concerns in the House over the next few days, Mr. Speaker. Thank you.

--Applause

MR. SPEAKER: Members' statements. Item 4, returns to oral questions. Returns to oral questions. The honourable Member for Amittuq.

ITEM 4: RETURNS TO ORAL QUESTIONS**Return To Question O125-91(1): Existence Of Historical Advisory Board**

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Gargan on February 22, 1991, pertaining to the existence of the historical advisory board. During the earlier part of this session, you asked about the status of the historical advisory board which was established under the Historical Resources Act. The board has not been active since 1979, the year the Prince of Wales Northern Heritage Centre was established. It was decided to dissolve the board and transfer the responsibilities to staff of the centre because of the costs associated with holding board meetings.

Historical site preservation is a concern of the Northern Heritage Centre and this government. To ensure the preservation of all appropriate sites, my department is undertaking a thorough review of the Historical Resources Act. This review will assist us in determining the role of the historical advisory board.

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

If I may, Mr. Speaker, I have another return to an oral question asked by Mr. Ningark on March 11, 1991. I have indicated to Mr. Ningark in a letter that there are no federal or territorial regulations that require the vaccination of dogs against rabies. However, some communities, like Yellowknife, have municipal by-laws that require the annual vaccination of dogs for rabies.

Further Return To Question O346-91(1): Manning New Complex In Lac La Martre

If I may, Mr. Speaker, I have another return. Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Zoe on March 13, 1991. I have indicated to Mr. Zoe in a letter that the Department of Renewable Resources will not make a decision on staffing the proposed office complex in Lac la Martre before 1992.

Return To Question O361-91(1): NWT Laws Governing Hunting Of Migratory Birds

Mr. Speaker, I have another return, if I may. Thank you. I have a return to an oral question asked by Mr. Pudluk on March 15, 1991. The law regarding hunting of migratory birds, Migratory Birds Convention Act, is the same whether you are in the Yukon, Northwest Territories or Quebec. It applies the same all across Canada. Technically, it is illegal to hunt migratory birds in the spring. Enforcement agencies in the Yukon, Quebec and the Northwest Territories have relaxed their enforcement efforts where native people are hunting for subsistence. However, enforcement officers will prosecute individuals hunting migratory birds in the spring under the following circumstances: 1) the harvest is for commercial purposes; 2) endangered species are being harvested; 3) there is observed wastage, or for some other conservation issue.

In conclusion, Mr. Speaker, the Northwest Territories has been ahead of other jurisdictions when it comes to harvesting migratory birds in the spring for subsistence. The Department of Renewable Resources has been very understanding on this issue for some time. Thank you.

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

Return To Question O513-91(1): Awarding Contract, Baffin Day-Care Centre

HON. NELLIE COURNOYEA: Mr. Speaker, I have a return to a question asked by Mr. Arlooktoo on June 25. It is in regard to the awarding of a contract at the Iqaluit student hostel. In response to the question, I believe the project the Member is referring to is the contract awarded to build a student hostel in Iqaluit and not a day-care centre. I am not aware of a day-care centre being built in Iqaluit by the Department of Public Works. The student hostel is a 40-bed hostel for senior high school students attending the Gordon Robertson Education Centre in Iqaluit and is being constructed by DPW on behalf of the Department of Education.

The GNWT tenders and awards the vast majority of its contracts through a public tendering process. In order to support the involvement of Northern businesses and workers, the GNWT has implemented a broad range of tendering policies.

The contract for the Iqaluit student hostel was publicly tendered in May, 1991, and the lowest submitted price was from a joint venture involving a Quebec firm. However, after applying the business incentive policy, which provides contracting preference for Northern and local content, the lowest adjusted bid was received from an Iqaluit firm, Jomanic-Can. Jomanic-Can is an approved northern contractor which has operated in Iqaluit since 1982. A contract has now been awarded to Jomanic-Can.

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

Further Return To Question O528-91(1): Administrative Line In Memorandum Of Understanding With Yukon Re Beaufort Sea Oil And Gas

HON. NELLIE COURNOYEA: Mr. Speaker, I have a reply to a question asked by Mr. Lewis on June 26, 1991, regarding the administrative line in memorandum of understanding with the Yukon regarding the Beaufort Sea oil and gas. Mr. Speaker, the honourable Member for Yellowknife Centre yesterday asked a number of questions regarding the

memorandum of agreement signed between this government and the Yukon territorial government regarding oil and gas arrangements in the Beaufort Sea.

The honourable Member asked whether I brought up in this House the issue of whether there were to be negotiations with the Yukon regarding where a boundary between the two jurisdictions should be and why it was necessary to draw a line when both territories have agreed to a single common regulatory board.

Mr. Speaker, between October 1989 and April 1990 this government developed, with the involvement and participation of the aboriginal organizations of the NWT, a comprehensive proposal for the finalization and implementation of the Northern Accord. Schedule A to this proposal, which was tabled with the federal government in May 1990, contained a detailed proposal on arrangements for the Beaufort Sea. These arrangements, which are also summarized in section five of the proposal, included provisions for the establishment of an administrative line through the Beaufort Sea.

As Members may recall, the enabling agreements on the Northern Accord signed by the federal government and each territory in September 1988, committed the two territorial governments to negotiate an agreement on the Beaufort Sea. On October 26, 1990, I provided a statement to this House on the Northern Accord and I indicated that the proposal was for a final Northern Accord has been distributed to Members of this Assembly. I welcome Members' comments on the proposal. Members have had the opportunity to review this proposal for many months; it has not been a confidential document, and it is distributed to anyone who has asked to see it. We have made ourselves available to the ordinary Members committee.

I would like to remind the honourable Member that we have negotiated an administrative line but not a boundary. A change in the boundary of the NWT can only come about through changes to the NWT Act or other federal legislation. Moreover, I should remind the honourable Member that the Canadian Laws Offshore Application Act, passed recently by the federal government, provides for the establishment of a line to demarcate the offshore areas with respect to provinces and territories. The Hon. Tom Siddon has stated his intention to apply the principles of this legislation to the issue of sharing legislative responsibilities in the Beaufort Sea.

Finally, I should mention that a line has already been established for the purpose of defining the role of the Yukon in the Beaufort Sea for the purposes of the Inuvialuit final agreement. The honourable Member asked why this line was necessary if the two governments have agreed to a common regulatory board. Mr. Speaker, I should begin by pointing out that the key policy areas in the oil and gas sector concern the management of rights and interests, the management of northern benefits and the determination of royalties and other revenues. According to our agreement, these matters are to be negotiated bilaterally between ourselves and the federal government for areas east of the line with no involvement of the Yukon. We are proposing that all of these key policy matters be the responsibility of the Government of the NWT. Again, this is consistent with the principles of the Canadian Laws Offshore Application Act.

The technical regulation of the industry, as opposed to policy matters, is best carried out by a competent board and should not require input of a policy or political nature. All three governments recognize a need to establish a common board to ensure efficiency, stability and effectiveness. It makes little sense to set up one board on one side of the line and another board on the other side of the line. Both boards would have the same responsibilities, both would be subject to federal

legislation, and neither would have much work to do from one year to the next. There is very little to be gained by establishing separate boards for this activity.

Significant decisions made by the board would still be subject to approval by Ministers, according to the terms of our final agreement, which is yet to be finalized with the Government of Canada. Thank you, Mr. Speaker.

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

Further Return To Question O522-91(1): Monitoring Licensed Premises Re Underage Teenagers

HON. TOM BUTTERS: Mr. Speaker, a return to a question asked by Mr. Lewis on June 26th regarding monitoring of licensed premises and underage teenagers in such premises. Serving minors in a licensed establishment is viewed as a very serious matter. Inspections for these types of infractions of the Liquor Act remain a high priority with the department. Extra efforts are made during the summer months to ensure that minors are not being served.

As for details about bar closures, since January 1990, the following licenses have been suspended after a hearing before the Liquor Licensing Board: February 1990, Bayshore Hotel, Iqaluit, suspended 10 days plus \$800 fine, five violations including serving a minor; May 1990, Gold Range Hotel, Yellowknife, suspended three days for allowing drunkenness; Checkers Bar, Yellowknife, suspended three days for two violations of allowing minors in licensed premises; July 1990, Pinecrest Hotel, Fort Smith, suspended two days for supplying liquor to intoxicated persons.

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

Further Return To Question O406-91(1): Recovery Of Costs Of Searching For Lost People

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. This is a return to a question asked by Mr. Lewis on April 9, 1991 to do with the recovery of costs for searches for people who are lost. Mr. Lewis asked whether the RCMP were proposing a scheme to recover the costs of search and rescue operations for people who have been the subject of searches.

This is not the case. The RCMP are not planning on charging the cost of co-ordinating searches to the person who is lost. They are, however, interested in reducing the number and extent of unnecessary searches. They have been involved with DIAND and the GNWT emergency measures organization in a pilot project to equip wilderness travellers with emergency location beacons which, through satellite technology, provide instant location bearings of lost or injured persons. Thank you.

MR. SPEAKER: Returns to oral questions. Item 5, oral questions. The honourable Member for Aivilik.

ITEM 5: ORAL QUESTIONS

Question O534-91(1): Setting Up Of Credit Unions In Communities

MR. ERNERK: (Translation) Thank you, Mr. Speaker. This is a question to the Minister of Economic Development and Tourism. I received letters from the co-op and they want to set up a banking system called a credit union in the communities. I would like to ask the Minister, when they start setting up credit unions in the co-op, would your department be able to assist them in setting them up?

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

Return To Question O534-91(1): Setting Up Of Credit Unions In Communities

HON. GORDON WRAY: Thank you, Mr. Speaker. At present this complex issue is still being discussed within the various departments. There are two impediments right now. The Co-op Development Fund had hoped to secure funding through the CAEDS program, the Canadian Aboriginal Economic Development Strategy. However, CAEDS has ruled that they cannot fund because credit unions are a deposit-taking institution. The restriction was imposed by the federal Department of Finance. I know that a co-op delegation has met with officials from Finance Canada, who were not aware of the restriction and apparently there are discussions ongoing now between Finance Canada and Industry, Science and Technology, who are responsible for the CAEDS program.

Without federal funding it would mean that this government would probably be required to contribute something in the neighbourhood of six million dollars. We just do not have that kind of funding at present. As well, our legislation has to be updated. The two problems are legislation update and the fact that we would have to try and find six million dollars if no funding were to come from anywhere else. Those issues are now being discussed. We are in discussion with the co-ops and have had several meetings with them. They are aware of the problems, and hopefully, over the course of the next few months, we will be able to resolve some of the outstanding issues.

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

Supplementary To Question O534-91(1): Setting Up Of Credit Unions In Communities

MR. ERNERK: (Translation) Thank you, Mr. Speaker. I would like to thank the Minister for the response that he just gave me. Supplementary question to the same Minister. The NWT Development Corporation, I think, has quite a bit of money. Would you be able to get some funds from the NWT Development Corporation to set up the credit unions?

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

Further Return To Question O534-91(1): Setting Up Of Credit Unions In Communities

HON. GORDON WRAY: I really cannot respond to that question for the time being, because I do not think we have even got that far in our thinking yet. We are still working on some basics. I do not know if it would even be in the mandate of the Development Corporation to do something like that. It is something we would certainly have to look at. However, I think that until we resolve the issue of legislation and the issue of where the funding may come from and the federal rule, it is a little bit premature to start talking about options. I know there is, and has to be, a lot of discussion to take place yet with regard to the whole concept.

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

Question O535-91(1): Help For Building Of HAP Houses In Cape Dorset

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister responsible for the

Housing Corporation. On June 17, the Baffin Housing Corporation visited the community of Cape Dorset, and they were meeting with those people whose HAP houses have not been completed to date. The Housing Corporation staff said that the HAP houses have to be completed by the end of November, 1991. I would like to ask the Minister responsible for Housing, will the people that are constructing the HAP houses, be able to get some assistance through the Housing Corporation in completing their HAP houses? Thank you.

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

Return To Question O535-91(1): Help For Building Of HAP Houses In Cape Dorset

HON. TOM BUTTERS: As I do not know the specific individuals who are seeking such assistance, I cannot respond directly to the question. But in a general sense we have recently instituted a similar program in the Eastern Arctic as is being carried out in the Mackenzie, in the Western Arctic, which is assisting those successful HAP applicants who have had trouble completing their homes for reason of infirmity, or age or some other good reason.

Yes, there is a program being carried out in the Eastern Arctic, and I can check to determine whether the constituents of Mr. Arlooktoo will be assisted under that program, but I do not know personally.

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

Question O536-91(1): Provision For Public Housing, Hay River Reserve

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Housing. It is with regard to housing, public housing, on the Hay River Reserve. Mr. Speaker, under the National Housing Act, in order for houses to be built on reserves you require a ministerial guarantee. In the NWT the moneys allocated for the reserve are given to the territorial government through block funding, and so in order for the reserve to build non-profit housing, Mr. Chairman, the Government of the NWT must give what is known as an indemnification in the event that there is a default in payment. I am sure that this particular arrangement has been arranged as far back as 1979 or 1972, when the funding for housing from Indian Affairs was given in block funding to this government.

I would like to ask the Minister of Housing what seems to be the difficulty; why this indemnification cannot be given in the event of default if the reserve were to go into non-profit housing?

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

Return to Question O536-91(1): Provision For Public Housing, Hay River Reserve

HON. TOM BUTTERS: Before responding, Mr. Speaker, I will indicate, as the Member will confirm, that the people on the reserve are presently receiving their full entitlement of housing in accordance with the need identified by the needs survey that is carried out in every community. There is no reduction in the housing being provided to the reserve.

Relative to the matter of the ministerial guarantee and the problem of the reserve, the territorial government does not accept the position of Indian Affairs and Northern Development that it transferred the responsibility for housing by block

funding in the 60s or the 70s. The correspondence and the information we have does not clearly indicate this, and for the territorial government to accept that total responsibility would see heaped on us, possibly, all kinds of expenditures which we have not expected nor have been negotiated.

That is a problem. It is still a disagreement between the federal government and the territorial government with regard to the responsibility that was devolved to the territorial government in those years.

I agree that this problem has been around for a long time. I was down to the reserve, some year and a half ago, with the Minister of Indian Affairs and tried to negotiate with him, but he was unwilling to budge from that position. I am still hopeful that we can determine and identify once and for all who has that full and final responsibility. I did know that there was an attempt made to work with CMHC and the Housing Corporation and the band to develop a process by which a non-profit organization could establish itself on the reserve and enter into an agreement with CMHC. I was sorry to hear that that has not been possible, but we are still continuing to seek ways to provide housing on the reserve, as required by the people.

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

Supplementary To Question O536-91(1): Provision For Public Housing, Hay River Reserve

MR. GARGAN: Mr. Speaker, just a point of clarification. Referring to CMHC-sponsored programs, this is where the difficulty is. The HAP houses -- there is no difficulty; yes, I understand that. I would like to ask the Minister whether or not he might be able to provide to me the housing transfer agreement that was entered into by Indian Affairs and this government.

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

Further Return To Question O536-91(1): Provision For Public Housing, Hay River Reserve

HON. TOM BUTTERS: Yes, I will provide him with a copy of that document, which I am sure he already has. It is one of the documents which is being discussed and debated between our government and the federal government.

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

Supplementary To Question O536-91(1): Provision For Public Housing, Hay River Reserve

MR. GARGAN: Thank you. I would also like to ask the Minister whether he might consider, if this guarantee is not resolved, requesting that the portion of money allocated to the reserve for public housing be withheld by the federal government so that it goes directly to the reserve.

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

Further Return To Question O536-91(1): Provision For Public Housing, Hay River Reserve

HON. TOM BUTTERS: I would point out, Mr. Speaker, that the amount of money that is being provided to the reserve now is their full entitlement under their needs allocation. The problem that the Member has raised is relative to the public housing. In many communities, as we well know, the

allocation for the community is split between public housing and HAPs. In the reserve situation, as I understand it, the houses that have been built have been solely HAP; the Member is enquiring about this problem of providing the public housing element on the reserve, and that is what I think we are trying to address.

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

Question O537-91(1): Sanikiluaq Nominee Re James Bay II Assessment

MR. CROW: Thank you, Mr. Speaker. My question will be directed to the Minister of Renewable Resources. On Tuesday, June 25, and again yesterday, Wednesday, June 26, a group of Cree protestors in Kuujuaq blocked Quebec Hydro officials from holding public meetings to deal with road and infrastructure development. They did this because they believe current plans to review the James Bay II project make a mockery of the environmental assessment process. I happen to agree with them, Mr. Speaker. My question is this, Mr. Speaker. Since James Bay II will have a direct impact on the Northwest Territories, especially Sanikiluaq, will there be a nominee from Sanikiluaq on the panel which assesses proposed road and infrastructure development in northern Quebec? Thank you.

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

Return To Question O537-91(1): Sanikiluaq Nominee Re James Bay II Assessment

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. As the Member is very well aware, our government assisted the community of Sanikiluaq to put forward a person that was recommended by the community. We have taken the name to the Government of Canada and also to the Government of Quebec to make sure that this person is appointed to the federal and provincial environmental assessment. As far as I know, his name is still being considered by the proper authorities. Thank you.

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

Question O538-91(1): Possible Contravention Of NWT Act And Yukon Act

MR. LEWIS: Thank you, Mr. Speaker. I was delighted with the long and complete response to my question about the agreement on the Beaufort Sea between the Yukon government and the Government of the Northwest Territories. I have a question for the Government Leader. In light of the fact that the Minister of Energy, Mines and Petroleum Resources said that when this agreement was made in the Yukon it was all done perfectly, according to all the other agreements that had been made -- there was nothing wrong done at all -- I would like to ask the Government Leader, why is it then in Whitehorse, after the signing of this agreement, you said publicly, and I quote: "As far as the NWT is concerned, we have not been bound by the anachronistic provisions of the NWT Act or the Yukon Act. We possibly could have relied on these ancient and outdated documents."

In light of the fact that he has admitted that they have chosen to ignore those two acts, what is it then that he has done in signing this agreement that contravenes the anachronistic provisions of those two acts?

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

Return To Question O538-91(1): Possible Contravention Of NWT Act And Yukon Act

HON. DENNIS PATTERSON: Mr. Speaker, as the Minister of Energy, Mines and Petroleum Resources indicated yesterday, the Canadian Laws Offshore Application Act, which has relatively recently been passed by the Government of Canada, provides principles which guided us in determining how provincial and territorial laws should apply in the offshore. The basic principle is the principle of adjacency; that laws should apply from the territory which is adjacent to the offshore.

Mr. Speaker, what I was referring to in those comments was the fact that we have used the principle of the Canadian Laws Offshore Application Act which, since it was passed, does influence the issue of the jurisdiction of the Northwest Territories over the boundaries and is a means of interpreting the provisions of the NWT Act that may be applied to the offshore. That is what I was referring to, the recent Canadian Laws Offshore Application Act, which is the most modern federal statute on the issue and does affect, whether we like it or not, the provisions of the NWT Act and the Yukon Act. Thank you.

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

Supplementary To Question O538-91(1): Possible Contravention Of NWT Act And Yukon Act

MR. LEWIS: I would like to ask the Government Leader, since he is the Government Leader and everything we do in this territory we do under the provisions of the NWT Act, why did he find it necessary to publicly state that what we were doing was in violation of the acts which set us up?

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

Further Return To Question O538-91(1): Possible Contravention Of NWT Act And Yukon Act

HON. DENNIS PATTERSON: Mr. Speaker, the question of marine boundaries was really at issue here, and it was at issue because of the agreement that was publicly signed here in Yellowknife in September 1988 with the Prime Minister of Canada, whereby we agreed -- and the document was tabled in this Legislature -- that we would sort out with the Yukon how we would, together, share responsibilities in the offshore in advancing the Northern Accord. That agreement, Mr. Speaker, required us to figure out how we would work together in the offshore, and the spirit of the enabling agreement was that it would be better for two northern jurisdictions, together, to try and solve that problem rather than have a solution imposed on them by the Government of Canada.

This issue of resolving marine boundaries, Mr. Speaker, is a complicated one and there are many ways of approaching the problem. You could use principles of marine and international law, you could use the principles under the Canadian Laws Offshore Application Act, or you could use boundaries provisions in the NWT Act and the Yukon Act. I think what we did, Mr. Speaker, was we did not simply rely on one approach. We used international marine law principles and hired the best experts in the country to tell us how other jurisdictions would settle these matters of marine disputes. We used the principles in the Canadian Laws Offshore Application Act. We used models of the East Coast Accord because Newfoundland and Nova Scotia had these problems to deal with and settle as well. What I was trying to say was

that we used creative solutions and we did not simply rely on one approach and we did not simply rely on the Northwest Territories Act and the Yukon Act, which were passed at a time way before it was ever contemplated that the Territories would have province-like responsibilities in natural resource management. Although there are provisions in that act that might have assisted in some way, the act was out of date because it never contemplated that we would someday be acting like a province in the natural resource field. That is what I was trying to say. We could not alone rely on the NWT Act or the Yukon Act. We had to look at a whole number of modern realities, including the Atlantic Accord, to find a solution. That is all I was trying to say, Mr. Speaker, is there is no simple solution based on the NWT and Yukon Act. It involved many more principles and many more realities than just that act. Thank you.

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

Supplementary To Question O538-91(1): Possible Contravention Of NWT Act And Yukon Act

MR. LEWIS: Thank you, Mr. Speaker. In light of the Government Leader's explanation, then, which does not really answer the question as to why he was forced to indicate that this agreement violated the provisions of the NWT and the Yukon Act, can he confirm today that although this particular agreement, memorandum of agreement, has to be done with some kind of authority, that as far as the NWT Act or Yukon Act are concerned, that memorandum of agreement does violate both the Yukon and the NWT Act? Will he confirm that?

MR. SPEAKER: The honourable Member for Iqaluit.

Further Return To Question O538-91(1): Possible Contravention Of NWT Act And Yukon Act

HON. DENNIS PATTERSON: Mr. Speaker, the enabling agreement required us to come to an agreement on shared responsibilities, how we would sort out responsibilities in the offshore between the Yukon and the Northwest Territories. In order to achieve an agreement, Mr. Speaker, in order to allow the people of the North, for the first time, to have any role in management of oil and gas off shore -- right now we have no role -- the accord will allow us to have a role. What we had to do, Mr. Speaker, was find a flexible way of sorting out this problem. We could have taken the position based on an interpretation of the NWT Act that the Yukon had no interest in the Beaufort Sea whatsoever. Similarly the Yukon could have and did take a position that they had an interest in all the resources of the Beaufort Sea. Between those two extreme positions, for which there were arguments on both sides -- between those two extreme positions, we decided to act as if we were provinces-in-waiting, apply principles that have been applied by other provinces in sorting out offshore responsibilities, have regard to the new federal legislation, and come up with a compromise position, Mr. Speaker. We could have taken an extreme position. Yukon could have taken an extreme position and the federal government could have retained responsibility for oil and gas off shore forever, and there were some people in bureaucracies in the federal government that would have loved to have seen us never come to an agreement forever, because the people of the North would have been effectively kept out of oil and gas management. However, we were in the spirit of seeking agreement. We committed to that in the enabling agreement for the Northern Accord, so we did not take rigid approaches and we worked hard and came up with an agreement which I think is to the benefit of both Territories, Mr. Speaker. Thank you.

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

Supplementary To Question O538-91(1): Possible Contravention Of NWT Act And Yukon Act

MR. LEWIS: My final then, Mr. Speaker. In light of the fact that this memorandum of agreement, which I intend to table today, by the way, Mr. Speaker -- in light of the fact that this now only awaits implementation, will it require a change to the NWT Act and the Yukon Act before, in fact, this agreement could be implemented?

MR. SPEAKER: The honourable Member for Iqaluit.

Further Return To Question O538-91(1): Possible Contravention Of NWT Act And Yukon Act

HON. DENNIS PATTERSON: Mr. Speaker, the Member is certainly welcome to table the agreement, but I believe that it was tabled by the Minister yesterday, so Members can have two copies if they wish.

---Laughter

Mr. Speaker, I would like to make it clear that the Northwest Territories Act does not provide for any responsibility in the natural resources area for the Government of the Northwest Territories. That is one area in which we are quite different from a province. However, the federal government has the power to devolve those responsibilities to us by agreement. So the Northern Accord will be an agreement which will allow the federal government to basically take its constitutional responsibility for off shore and give that authority to us, the same as we would as a province. It is not a violation of the NWT Act because the NWT Act never contemplated powers over natural resources, including oil and gas. In fact, the NWT Act does not deal with natural resources at all, and therefore we can sign a Northern Accord final agreement without any amendments whatsoever being required to the NWT Act. We have met with Ministers of the federal government and been congratulated on our success in achieving agreement. So we can take the next step and give the people of the North some powers over this critical area that they have never enjoyed up till now. Thank you.

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

Question O539-91(1): Increase Of Legal Services To Small Communities

MR. MORIN: Thank you, Mr. Speaker. My question will be for the Minister responsible for Justice. Mr. Minister, last winter in this Assembly I brought up the issue of equal access to the justice system for the people in the small communities. I asked you at that time to increase the services to the communities that I represent so that lawyers are available to people that have been charged under certain crimes, or whatever. Right now, still, when you go into court at the community hall in Fort Resolution, the lawyers are overloaded. They do not have time to pay attention to individuals. Have you made any action on that yet?

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

Return To Question O539-91(1): Increase Of Legal Services To Small Communities

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I remember well the comments and the questions of the honourable Member during the budget session. Subsequent

to that, as I had promised, I wrote a letter to the Legal Services Board. I indicated to them that there were concerns. I have just received a letter from the executive director of the Legal Services Board. I wanted an opportunity to talk to the chairperson of the board. I will have a formal response for the Member from the board, from me to the Member, on this particular issue. Just by a quick look at the facts from the Legal Services Board, it seems that there are some differences of opinion as to the workload in the communities. I would like to talk to the Member about that. I hope in the next week to have a formal response to the Member on this issue. Thank you.

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

Question O540-91(1): Gjoa Haven Centre Proposal

MR. NINGARK: (Translation) Thank you, Mr. Speaker. I would like to direct my question to the Economic Development and Tourism Minister. At this time in Gjoa Haven, we are in our planning stages to raise money for a centre -- I guess you have received my letter. I was wondering if he would be in support with the hamlet of Gjoa Haven with this matter. Thank you.

MR. SPEAKER: Honourable Member for Kivallivik.

Return To Question O540-91(1): Gjoa Haven Centre Proposal

HON. GORDON WRAY: It sounds good, but really until I see a proposal and know what it is all about, I would be reluctant to say that I support something I just have not seen.

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

Supplementary To Question O540-91(1): Gjoa Haven Centre Proposal

MR. NINGARK: Thank you, Mr. Speaker. The Gjoa Haven hamlet council is in the process of making a tourism proposal. I wonder if the honourable Minister would instruct his staff to help them out with the process. Thank you.

MR. SPEAKER: The honourable Member for Kivallivik.

Further Return To Question O540-91(1): Gjoa Haven Centre Proposal

HON. GORDON WRAY: Thank you, Mr. Speaker. That indeed is a request that I can support and I will so instruct my staff.

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

Question O541-91(1): Awarding Of Contracts To Southern Firms

MR. ERNERK: Thank you, Mr. Speaker. I think this question will be directed to the Minister of Economic Development and Tourism. In my Member's statement I tried to indicate that there seemed to be a continuing trend that other companies are getting contracts in Rankin Inlet instead of the local companies in Rankin Inlet. Mr. Speaker, I am not satisfied. Mr. Speaker, I understand from talking with the president of the Siniktarvik Hotel in Rankin Inlet, that catering services for Kivalliq Hall, a student residence, went to a southern firm. I am not satisfied.

Another one. A contract by the Department of Municipal and

Community Affairs with regard to a water reservoir in Rankin Inlet -- a Quebec firm got the contract to do the water reservoir in Rankin Inlet. And, Mr. Speaker, I am not satisfied. I want to ask the Minister of Economic Development what he can do to try and reverse the decision of these two departments in the government. Thank you, Mr. Speaker.

MR. SPEAKER: Honourable Member for Kivallivik.

Return To Question O541-91(1): Awarding Of Contracts To Southern Firms

HON. GORDON WRAY: Thank you, Mr. Speaker. As the Member knows, and consistent with the government's economic strategy, our hope is to try and retain the bulk of government money in the North for the benefit of northern citizens and northern business. Saying that, however, and achieving it are sometimes two very different propositions. I have advised my colleagues, the appropriate Ministers, that I am concerned, and I have asked them to review the situation from an economic point of view with regard to the impact on those particular companies and on the community and in general, keeping with the spirit of our economic strategy. I know those Members have concerns similar to mine. I know that they are reviewing the circumstances, and we will just have to wait and see what that review does, Mr. Speaker.

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

Question O542-91(1): Business Incentive Policy Update

MR. POLLARD: Thank you, Mr. Speaker. My question is directed to the Minister responsible for the Department of Public Works. I wonder if the Minister could tell us the progress her department is making in updating the business incentive policy. Thank you, Mr. Speaker.

MR. SPEAKER: Honourable Member for Nunakut.

Return To Question O542-91(1): Business Incentive Policy Update

HON. NELLIE COURNOYEA: Mr. Speaker, the preference policy paper has been completed, and I hope that I will be able to carry it through the cabinet this week or, at the latest, next week. Thank you.

MR. SPEAKER: Honourable Member for Hay River, supplementary.

Question O543-91(1): Legislation For Deposit Returns On Aluminum Pop Cans

MR. POLLARD: Mr. Speaker, my question is to the Minister responsible for Government Services. I wonder if the Minister could tell the House what progress he is making with regard to legislation for deposit and deposit returns on aluminum pop cans. Thank you, Mr. Speaker.

MR. SPEAKER: Honourable Member for Inuvik.

Return To Question O543-91(1): Legislation For Deposit Returns On Aluminum Pop Cans

HON. TOM BUTTERS: The matter is under study, Mr. Speaker. It is not a very simple problem because the cans and containers that the Member is talking about are not distributed by the government; they are distributed by other suppliers who, I feel, should be taking some responsibility in dealing with the problem as well. However, I would point out to the Member that there has been a surfeit of legislation presented to the Department of Justice over the last 12

months and only the most important legislation has been able to be countenanced. So in terms of legislation there has been no proposal presented and nothing moved in that particular area. As I say, it is still under review in the department.

MR. SPEAKER: Honourable Member for Hay River, supplementary.

Supplementary To Question O543-91(1): Legislation For Deposit Returns On Aluminum Pop Cans

MR. POLLARD: Mr. Speaker, the Minister's department did a great job on beer cans, and they installed all those wonderful machines to chew them up and ship the aluminum back south. I compliment the Minister on that; but I think that the department is dragging its feet with regard to aluminum pop cans, and I think it should do something about it as quickly as possible. I have talked to them off the record for some couple of months, Mr. Speaker, and I think it has gone just a little too far. I would ask the Minister if he is prepared to act on this thing just as soon as possible. Thank you.

MR. SPEAKER: Honourable Member for Inuvik.

Further Return To Question O543-91(1): Legislation For Deposit Returns On Aluminum Pop Cans

HON. TOM BUTTERS: I will review the work that has been done and advise my colleagues and see what action might be taken that is practical.

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

Question O544-91(1): Economic Development Officer, Fort Providence

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Economic Development and Tourism. I was very pleased on the 10th of this month when he wrote me a letter to tell me that a new economic development officer position would be established in Fort Providence. However, the present arrangement is not to use the band council or any other groups through contract arrangements for that position. I would like to ask the Minister why that decision was made when it will require additional costs to get housing and office space, et cetera, for the individual if you do it any other way. Is there a reason why your department has decided not to, through contractual arrangement, use the local organization and why the department has decided to go the route of creating the position and getting the housing for the individual and the office space?

MR. SPEAKER: Order please. I believe the honourable Member has had the opportunity of posing one question. However, he has posed more than one. The honourable Member for Kivallivik.

Return To Question O544-91(1): Economic Development Officer, Fort Providence

HON. GORDON WRAY: Thank you, I am not adverse to turning over positions to communities. However, given that Providence has not had a position before and this was a new position, I essentially wanted to get the position in there, get all of the benefits and the housing straightened away, and run the position for a couple of years, making sure that the position does report to the department -- get it up and running properly -- then after that is done, perhaps in a year or 18 months or so, we can negotiate with the community to turn the position over. That is the only rationale. I have done it where we have positions established for quite some time, but I am

reluctant to do it where it is a brand new position. I would rather get it under our control and get it working, then look at it a little bit down the road. Thank you.

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

Question O545-91(1): Federal Position On Northern Bowhead Whaling

MR. ERNERK: (Translation) Thank you, Mr. Speaker. I would like to direct my question to the Minister of Renewable Resources since I have not questioned him yet during our sitting. I wonder if the Minister could tell me, with respect to the bowhead whaling that we do, is the federal government now looking at our position on bowhead whaling in the North? Thank you.

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

Return To Question O545-91(1): Federal Position On Northern Bowhead Whaling

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. The Inuvialuit have been negotiating with the federal government and have requested permission to harvest a bowhead whale. As we are all aware, in the Keewatin Region they also had asked the federal Minister to be able to harvest a bowhead whale sometime ago and were not successful. I believe during this summer the Inuvialuit will be getting a response from the Minister for Fisheries and Oceans. Thank you.

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

Supplementary To Question O545-91(1): Federal Position On Northern Bowhead Whaling

MR. ERNERK: (Translation) Thank you, Mr. Speaker. Will the Nunavut Wildlife Management Board be talking with the Prime Minister and with the federal Minister on this matter? Thank you.

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

Further Return To Question O545-91(1): Federal Position On Northern Bowhead Whaling

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. The Minister had stated in Rankin Inlet that they will be dealing with the Inuvialuit bowhead hunting request.

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

Question O546-91(1): Possible Holdback Of Funds Re Curry Construction

MR. POLLARD: Thank you, Mr. Speaker. My question is to the Minister of Transportation. Curry Construction recently went into receivership, I believe, and I believe they left some bills around. I was wondering if they were, in fact, working for the Department of Transportation at the time of their demise, Mr. Speaker. Thank you.

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

Return To Question O546-91(1): Possible Holdback Of Funds Re Curry Construction

HON. GORDON WRAY: Thank you. Curry Construction was, and perhaps still is, working for the department. I know that there have been discussions with the business loan fund, et cetera, to see if assistance can be provided to Curry Construction, but our hope is that they can complete their work and remain solvent. They were working on a Transportation contract.

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

Supplementary To Question O546-91(1): Possible Holdback Of Funds Re Curry Construction

MR. POLLARD: Mr. Speaker, as I say, they do owe some people south of the lake some money, and it is causing those businesses a great deal of difficulty. I wonder if there is anything the Minister could do in that regard, Mr. Speaker. Thank you.

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

Further Return To Question O546-91(1): Possible Holdback Of Funds Re Curry Construction

HON. GORDON WRAY: Thank you. We have referred the creditors to the bonding company and Curry Construction directly. We do not contemplate making direct payments to creditors.

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

Supplementary To Question O546-91(1): Possible Holdback Of Funds Re Curry Construction

MR. POLLARD: Thank you, Mr. Speaker. Mr. Speaker, in light of the fact that there is knowledge that Curry Construction owes NWT companies, and in light of the fact that NWT government is going to pay money, presumably, to Curry Construction, is there any way that the Minister could hold back funds from Curry Construction until those bills are paid to those NWT companies? Thank you, sir.

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

HON. GORDON WRAY: Thank you. I am not sure of the legalities involved, Mr. Speaker, so 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 Yellowknife South.

Question O547-91(1): Government Promotion Of Deposit Refunds On Bottles

MR. WHITFORD: Thank you, Mr. Speaker. I have a question for the Minister of Government Services. Mr. Speaker, the question deals with the recycling and the deposit on bottles. There does not appear to be much advertising done in that area, and I wanted to know whether or not, subsequent to a question asked earlier concerning that, anything is being done by the government to promote the display of a refund notice either in newspaper ads or else notices in the liquor stores, or on the bottles, for example, that this bottle is, in fact, deposit refundable. There appear to be some confusions. Could I

ask the Minister if anything has been done in that area, Mr. Speaker?

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

Return To Question O547-91(1): Government Promotion Of Deposit Refunds On Bottles

HON. TOM BUTTERS: Mr. Speaker, yes, the honourable Member did ask me the question some weeks ago and I responded at that time that I believed the proper process would be followed to ensure that information was made available to the communities and the individuals interested. However, when I checked up on this recently, about three weeks ago, I found that there has been a dearth of information getting out to the communities. There was a suggestion, I think, recently, in the local paper that we should have posters in the liquor stores. I did pursue that because it is most reasonable. I know there is not a poster in the store here.

The commission did send posters to all the liquor stores on May 2 and for some reason the management of liquor stores do not seem to feel that they are required to post these documents. Because I share the concern of the Member, I have asked the department to ensure that the message regarding this program gets out and that more advertising be carried. The commission did advertise in The Hub newspaper, but that was insufficient, and I have asked the department to have that advertisement repeated in all the newspapers in areas in which the recycling program is available.

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

Supplementary To Question O547-91(1): Government Promotion Of Deposit Refunds On Bottles

MR. WHITFORD: Thank you, Mr. Speaker. I appreciate the answer and the efforts that are being made; however, I would like to suggest to the Minister that other methods be used. I understand there is a new contract being undertaken for a liquor store here in the city. I would like to know if the Minister, or his department, is contemplating including that in the contract -- that they inform the public either directly or somehow -- because not everybody reads the newspapers and all the little ads in it, unfortunately. On most bottles you will find something like, "This bottle is deposit included." Something more direct to the product other than the liquor store owning the bottles. Is he contemplating that?

MR. SPEAKER: Just to remind the honourable Member the need for a short preamble on supplementaries. The honourable Member for Inuvik.

Further Return To Question O547-91(1): Government Promotion Of Deposit Refunds On Bottles

HON. TOM BUTTERS: I am not sure at what point, Mr. Speaker, the department was aware of the fact that the current operator of our liquor outlet here was not posting the information which we supplied. Mr. Eggenberger, I believe, will do so; but whether that aspect is written into his contract, I cannot say. I will look into that.

The suggestion with regard to the material being printed on the bottle is really out uneconomical. We did check this suggestion out some years ago when we wished to put a warning on any bottles that the consumption of alcohol was dangerous to the health of an infant being carried in utero. We found that the best we could do was to put it on the bag itself. However, I appreciate the honourable Member's

comments and I agree there is a need for more information.

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

Question O548-91(1): Funding For Deh Cho Friendship Centre

MR. SIBBESTON: Mr. Speaker, I received a call from the Deh Cho Friendship Centre in Fort Simpson just a while ago indicating that they are concerned about the funding for the alcohol and drug rehabilitation program. They are presently running the program but have not heard from the department whether they are going to get new funding. Their funding apparently runs out at the end of June. I would ask the Minister of Social Services, what is the department doing in this regard?

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

Return To Question O548-91(1): Funding For Deh Cho Friendship Centre

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. All alcohol and drug programs were recently reviewed by the NWT Alcohol and Drug Services Board of Management, I believe about two weeks ago, and from that they will determine extensions of the current programs and whether they will be approved. I have not seen their recommendations as yet and further to that, I believe as a result of their meeting, they determined how much funding each alcohol and drug program should get. Since I have not seen the specific recommendations, I am unable to advise the Member; each program is approved on a yearly basis and we have been trying to ensure that we avoid this in the future in trying to extend the time frame of programs and contribution funding. I cannot tell the status of the Deh Cho Friendship Centre proposal at the moment, given the circumstances. However, as soon as I receive the information from the department, I will certainly advise the Member. Thank you.

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

Supplementary To Question O548-91(1): Funding For Deh Cho Friendship Centre

MR. SIBBESTON: Mr. Speaker, considering that the funding will be ended in just three days and there are staff involved, does the Minister not think that she has some responsibility to the Friendship Centre to at least indicate the likelihood of continuation of the program so that staff can be dealt with properly in this regard?

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

Further Return To Question O548-91(1): Funding For Deh Cho Friendship Centre

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, it has been our practice in the past, unfortunately, not to have the ability to advise the different groups in respect to the amount of funding that they should receive because we do get a substantial number of proposals sent to the department with only limited funds made available. In particular reference to Fort Simpson, I recall there were some concerns in respect to their initial proposal because of the fact that I believe the band had also asked for funding to deliver the same program. As to whether or not the board has recommended to me what proposal to award or how much funding to award, I have not yet seen that recommendation from the board of management,

so therefore I am unable to advise the Friendship Centre as to how much funding should be allocated or should not be allocated. Thank you.

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

Question O549-91(1): Difference Between Constitutional Commission And The Western Constitutional Forum

MR. LEWIS: Thank you, Mr. Speaker. My question is to the Government Leader and it relates, Mr. Speaker, to the issue of the constitutional commission and the fact that just a year ago, in September 1990, we closed down the Western Constitutional Forum. I would like to ask the Government Leader, could he explain to the House, why is it that just less than one year after we close the forum down that was charged with the responsibility of constitutional development in the Western Arctic, we are now once again trying to develop a constitution in the Western Arctic in a different way? In what way will it be different from the last way?

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

Return To Question O549-91(1): Difference Between Constitutional Commission And The Western Constitutional Forum

HON. DENNIS PATTERSON: Mr. Speaker, it was the Constitutional Alliance that really collapsed last year. It collapsed because there was a situation of tension between the Inuit members of the alliance and the Dene/Metis, primarily over the boundary, the issue of a land claims boundary. Mr. Speaker, what is proposed by the government as a result of a motion in this Legislature at the past session is that efforts now be concentrated on having the various interest groups in the western part of the Northwest Territories work together to develop a model for a new constitution in the West, recognizing, Mr. Speaker, that provisions in the TFN agreement in principle have called for our government to take action toward creation of a new jurisdiction in the eastern part of the Northwest Territories. The people in the western part of the Northwest Territories are going to have to work now, in light of these developments, to figure out what kind of constitutional future they may have for themselves should these steps take place.

Mr. Speaker, I think the idea is a practical one to recognize that the Constitutional Alliance was unable to succeed and instead concentrate on getting western leaders to work together on a constitutional future. I am pleased, Mr. Speaker, that there is support from the leaders of the aboriginal organizations in the West, including the Inuvialuit, to take this move and do this work, recognizing that if that work is not done, it is going to cause some anxiety in communities in the West who will be wondering what their future holds in case steps are taken to move forward to a new jurisdiction in the east. Thank you.

MR. SPEAKER: Thank you. Time has expired on oral question period.

Item 6, written questions. Written questions.

Item 7, returns to written questions.

Item 8, replies to Opening Address. Item 9, petitions. The honourable Member for Baffin South.

ITEM 9: PETITIONS

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker.

This is Petition 20-91(1), in regards to a credit union. It is from the hamlet of Cape Dorset. This petition was sent to me for me to support the co-op. The co-op is asking for assistance from the Government of the NWT. It is from the hamlet of Cape Dorset and the co-op. There are about 10 signatures in this petition of people that are involved in this union. It seems to be a petition, but I will table it and you can look at it. Thank you.

MR. SPEAKER: Thank you. Petitions.

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

ITEM 11: TABLING OF DOCUMENTS

MR. LEWIS: I would like to table Tabled Document 109-91(1), Mr. Speaker, from the Yellowknife Education District No. 1, addressed to Mr. Kakfwi, about a crisis in the public schools of Yellowknife, which is a merge of unkept promises made by the Minister.

MR. SPEAKER: Thank you. Does anybody have documents? The honourable Member for the High Arctic.

MR. PUDLUK: Thank you, Mr. Speaker. I would like to table Tabled Document 110-91(1), which I received, a letter from Inuujaq education council from Arctic Bay. It says we have been promised an Inuktitut curriculum for the interschool program from kindergarten to grade 12. Thank you.

MR. SPEAKER: Thank you. Tabling of documents.

Item 12, notices of motions. Item 13, notices of motions for first reading of bills. The honourable Member for Yellowknife North.

ITEM 13: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

Notice Of Motion For First Reading Of Bill 46: Supplementary Appropriation Act, No 1, 1991-92

HON. MICHAEL BALLANTYNE: Mr. Speaker, I give notice that on Monday, July 1, 1991, I shall move that Bill 46, Supplementary Appropriation Act, No. 1, 1991-92, be read for the first time.

MR. SPEAKER: Notices of motions for first reading of bills. The honourable Member for Yellowknife North.

Notice Of Motion For First Reading Of Bill 36: Borrowing Authorization Act, 1991-92

HON. MICHAEL BALLANTYNE: Mr. Speaker, I give notice that on Monday, July 1, 1991, I shall move that Bill 36, Borrowing Authorization Act, 1991-92, be read for the first time.

MR. SPEAKER: Thank you. Notices of motions for first reading of bills. Item 14, motions. Motion 19-91(1)

ITEM 14: MOTIONS

Motion 19-91(1): Funding For High School Grade Extensions

MR. SIBBESTON: Yes, Mr. Speaker:

WHEREAS many of the divisional boards throughout the NWT have been encouraged by the Department of Education to expand their secondary school programs;

AND WHEREAS the Deh Cho, Sahtu, Dogrib, Baffin, the Kitikmeot Divisional Boards of Education have been denied funding to proceed with the expansion of high school grades this coming school year, 1991-92;

NOW THEREFORE, I move, seconded by the honourable Member for Aivilik, that the Legislative Assembly recommend to the Minister of Education that he make moneys available for high school grade extensions in the 1992-93 budget estimates for all divisional boards of education who have planned for high school grade extensions.

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

MR. SIBBESTON: Yes, Mr. Speaker. Unfortunately the Minister of Education is not here today to hear me and, I am sure, other Members who feel strongly about this issue; but I am sure he will hear.

In some respects I think the Minister of Education was supportive, anyway. It was really the other Ministers that really did not support. Anyway, I will make it for those people with a view that they will eventually agree to do something about it. Mr. Speaker, in my constituency this issue is a very sensitive and highly charged issue. Everyone has become involved in the issue: the students, the parents, the teachers and the community at large. The issue has really touched everybody, and when you get people like this working together, I, as MLA, have no choice but to act very strongly and definitely on this, trying to satisfy the people. When you have people acting in unison like this, what you have is power, a force which is difficult to deny. You may be able to put them off for a while, but not for long and not forever. What happened with this issue of high school grade extension in a number of regions in the North is that not just in my constituency, but I note from the publications, the public media reporting, other communities, other regions are concerned about this.

I hear that virtually every region of the North, and many of the school boards in the North, have been affected. I note from the report that was given to me, going through all the media reports in the North about this subject, that Fort Good Hope and Fort Franklin are affected, and with respect to the grade 10s Rae Edzo is involved in their grade 10 extension. Cambridge Bay, too; even up in the Kitikmeot Region they were hoping to have grade 10; but this decision adversely affected that. Up in Igloodik they were going to have grade 12, and in Hall Beach they were going to have grade 10. It is not just my area that I am speaking for. Obviously I am speaking for a lot of regions and I believe in the end, I think, most every MLA will stand up and say something and support this motion.

In the Deh Cho area, the board of education has been working hard all of this year to establish grade 11 in Fort Simpson. The board has deemed it in the interests of the students from Fort Simpson and area that grade 11 should indeed be established in Fort Simpson and that they should not send their students to Akaitcho Hall here in Yellowknife or to Hay River in a number of instances. The desire is to have grade 11 in Fort Simpson so that the students can be closer to the parents; they can nurture them and support them and give them the love and support that is necessary to get them through the very difficult grades of 10, 11 and 12.

The success rate in Yellowknife has not been tremendously bad. I have information to the effect that there have been some drop-outs in the students that have been sent here to Yellowknife, but it has not been really devastating. I have information that from our area there were something like 48

students -- sorry, I just misplaced the figures here. I will possibly get back to that later when I am in that section of the speech.

Promise Of Funding Implied By Official Encouragement

The Minister and his staff, on the issue of grade extensions, have been very supportive and very encouraging in many ways. On February 15, 1991, there was a letter from the Minister to the chairperson of the Deh Cho Divisional Board of Education, Miss Sandra Rowe, where the Minister indicated: "I have reviewed the submissions made by your board to support establishing grade 11 in Fort Simpson in the 1991-92 school year, and this is a very good move on the part of your board," the Minister says, and throughout the letter continues to encourage and certainly gives the board the impression that the Minister would support it and that it would be possible this fall.

Although the letter did not really guarantee in black and white that it would be funded, the letter is most encouraging and would have led any reasonable person, any reasonable board, to believe that the Minister will eventually give them the money as is needed for this coming fall. Departmental officials, too, not just the Minister's word and letter, but departmental officials were on the site; they were in Fort Simpson helping the school board get ready for grade 11 this fall. They were there as early as two weeks before the decision, where they had officials helping them with planning the curriculum, planning the programs and just really there helping them in a very positive way and giving the impression that it was just a matter of time before the money would be coming from Yellowknife-on-high, from the Minister of Finance, and the program would be funded. That is the kind of support and really on-the-ground involvement that the Department of Education had.

MR. PUDLUK: Point of order.

MR. SPEAKER: Point of order, the honourable Member for High Arctic.

MR. PUDLUK: Mr. Speaker, we are dealing with a very important motion. I think when we debate this, we should have a quorum. Thank you.

MR. SPEAKER: Thank you. The honourable Member for High Arctic has drawn the attention to a lack of a quorum. There is not a quorum in the House. In light of the suggestion of the need for a quick rest here, I will take a 15 minute break and we can return with a quorum.

---SHORT RECESS

Order please. I would like to return to Item 14, motions. Motion 19-91(1), the honourable Member for Nahendeh.

MR. SIBBESTON: Mr. Speaker, I was telling the Assembly about the Minister's support and also the enthusiastic support by the Minister's staff in encouraging our divisional board in Simpson to proceed with grade 11. So it came as quite a shock and surprise to the Deh Cho Divisional Board of Education when on May 3rd they received a fax from Yellowknife indicating that moneys would not be available. In fact, the fax that I have here indicates that the fax was sent to all directors of education in the Keewatin, Sahtu, Deh Cho, Kitikmeot, Baffin and Dogrib areas. It was not addressed, as you would expect, to the divisional boards of education. It simply says "I am sorry to have to advise you that FMB has not approved any grade extension for the 1991-92 school year. Further information will be sent to you as soon as we have confirmation of the decision. Your request for grade extensions will be included in our 1992-93 operational plan."

It was signed for Mr. Joseph L. Handley by Mr. B. Menton.

Obviously it was very disappointing to many of the boards. Unfortunately, there was no explanation as to the real reason why funding was not provided and it seems, too, that as soon as the decision was made, the Minister and his deputy took off to the Eastern Arctic and left the phones and the rash of calls that would come in, to a minor official in the department's office, to deal with all the queries as to what had happened.

In the days that followed, I, as MLA for Nahendeh, was called up on the mat in Simpson. I was asked to hurriedly meet with the boards of education in Simpson and attempt to account as to why this terrible thing had happened -- the government not coming through with moneys for the grade 11 extension.

I attended a meeting with the board of education and they told me that it did not make sense to them that the department was not going to come through with the money. They said as far as they knew it would cost the government, possibly, more to send the students to Akaitcho and other places in the North, like Hay River, than having the students attend school in Simpson. They were aware that the department had given information in the winter Assembly that it was costing \$23,000 per student to house and educate them here in Yellowknife. They did some simple arithmetic and 20 students times \$23,000 amounted to \$460,000. So they could not justify how the government would spend \$460,000 rather than just the \$200,000 that it would cost to extend grade 11 in Fort Simpson.

It seems to me, as was suggested by Mr. Red Pedersen on Tuesday when he posed a question to the Minister, that why not simply shift money from one program for Akaitcho Hall to the school program? So to people in the communities it just does not make sense that the government could not do something so simple and straightforward and practical.

The parents and students in Simpson had gone through quite a debate -- it was very much of a community issue this winter -- as to whether they should have grade 11 in Simpson or not. I think initially the community was divided 50-50 on it because I think there are good arguments for both sides of the issue, as to whether students should be sent away from home or not. But I think by the end of April or May, most of the students and parents were on the side of having grade 11 established in Fort Simpson. They had done a lot of persuasion and convincing of one another that it is was the best interest of their students. So they were very concerned now, once people were on side -- it seemed the plan was in jeopardy.

The board members and parents told me of the difficulty of sending students to Akaitcho. This past year, from Fort Simpson and area, there were 46 students who were sent to Yellowknife and seven of these did not complete their term. They were either dismissed or simply could not cope with being away from home in the larger Yellowknife environment. So I think parents had a very legitimate and proper concern about some of their students not succeeding in Yellowknife, and thus having grade 11 in Simpson could be more successful. They definitely thought that there would be fewer drop-outs with the students if they were to remain in Simpson.

Besides the board meeting, I attended two other meetings with the parents and students and the local education authorities and again got the message that I, as their MLA, had to do something -- that it did not make sense for the government to make the decision they did. I indicated that I would do the best I could to get the message to the Minister and to the government. I then left for a couple of days in Fort Liard and when I came back two days later, as I was driving into town,

I really thought there was a carnival in town. I thought a show or something had come to Fort Simpson, because the streets were clogged with people, with students and parents. Students were protesting and vehicles were honking and by the school there was a great mass of people. I suddenly realized that these were the parents and students that were concerned about the grade 11 extension and were very upset with the government's decision, and they were going to do something about it. They were doing something about it. They were marching through town. They made posters, and I was a little intimidated by this too, because in all of my industrious, long career, as an MLA for 16 years, I had never seen anything like this. I was surprised myself with the amount of enthusiasm, energy and concern that these people were expressing.

I went through the crowd there and eventually went to my office, and again I was scared when the whole crowd was coming to my office. They came to my office and picketed me, and I was shaking in my boots and I did my best to try to explain what had happened. But I must say I was really scared and concerned as to what might happen to me as their MLA if I did not do anything. So I spoke to them as best as I could and then from there the students and parents marched over to the school board's office and there they gave a petition. In the two or three days they worked on it, they had amassed over 500 signatures from Simpson and from the outlying communities and they had this massive, big petition that they gave to Mr. Nolan Swartzentruber, who is the superintendent of the school board. They wanted him to give it to the Minister of Education in the government here in Yellowknife.

So that is what happened. It seemed that this issue, that started out as a small one, became a real local movement and resulted in some real action by the people and the students in Fort Simpson.

I had occasion, a few days later, to take a petition and a letter that I had prepared and give it to Mr. Kakfwi in his office here. I met with Mr. Kakfwi and showed him some of the pictures, just to prove to him that all of this in Simpson had happened -- to show him people were really concerned. Mr. Kakfwi was very concerned, and I think he was surprised there was this extent of concern. But he was very gracious and said he would take the petition and my letter and my visit to him, hat in hand, under consideration.

Mr. Speaker, I want to make it very clear to the Minister of Education and the government generally, that this extension of high school grades is a very real issue for people in the communities. It is an issue that got the attention of a lot of people and there is a real strong local desire by people in Fort Simpson and area to have grade 11 extension and then afterward grade 12.

Our government talks about education and the need for it and importance of it. So the divisional board has taken it upon itself to do something about it and have good high school programs in the communities. They have done that and really expected the government would support them forthwith, but it did not. The process has been very good and has been very educational and a good process, a means for the people to show their concerns about this issue.

Mr. Speaker, I hope that the government complies with this motion, that they do put it in the operational plans for the next fiscal year -- moneys for the grade extensions, not just for the Deh Cho but throughout all the North, because of the fact that the communities and the divisional school boards feel so strongly about that.

In the case of the Deh Cho Divisional Board, they have decided to go ahead -- despite no extra money from the

government at this stage -- to go ahead with establishing grade 11 in Fort Simpson this year. They have gone ahead and hired two teachers; they have bought supplies and materials and textbooks and so forth, all that is necessary to establish a good grade 11 in Fort Simpson. They will be spending approximately \$200,000 to do this. This motion only suggests that the money be put in the government's plans for next year, but as there is so much concern, maybe the government ought to, this year yet, provide some of the money that the school boards are spending. Mr. Chairman, I just hope that as many Members as possible support the motion and that the government in the end does listen to the people. Mahsi Cho.

MR. SPEAKER: To correct the honourable Member, it is Mr. Speaker. To the motion. The honourable Member for Aivilik, as a seconder.

MR. ERNERK: (Translation) Thank you, Mr. Speaker. The motion that is currently on the floor being proposed by the honourable Member from Deh Cho -- I was happy to second this motion. Also, this has become a concern in the Keewatin Region too, that in the communities the grades should be extended to the high school programs. Also, I would like to express my appreciation to the Minister of Education for helping to extend the grades in Coral Harbour, also in communities of my region. The divisional boards often tell me that they support these moves in all of the Keewatin -- in fact, in all of the communities. I know that parents are in full support of that, Mr. Speaker, so I will be voting in favour of this motion. Thank you, Mr. Speaker.

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

MR. LEWIS: Thank you, Mr. Speaker. I have very grave concerns about this motion. I cannot support it in its present form. I will explain why. Mr. Wray yesterday raised the issue of the standard of education that has frustrated him for the last eight or nine years and the fact that we seem to be still in the same position as we were nine or 10 years ago, not satisfied with what we were accomplishing, very unsure about the directions that we are taking.

The Minister of Education did undertake, and I take exception to Mr. Sibbeston's view that it was the cabinet that should be blamed for the failure to make the provision for the extension of grades in the community because by the Minister's own admission, there was nothing in the op-plan to allow for the extension of grades. He should be asked, in light of all the promises he has made publicly and by letter to various boards, why, in fact, he did not honour that commitment to them to provide the funds to provide this particular level of service. He is the person that has the responsibility. We gave it to him and he decided, for whatever reason, that he was not going to put that money in his budget. You cannot continue to play the game of having a certain amount of money in your budget, create a tremendous amount of public pressure, and then hope that public pressure will force the cabinet to throw an extra bunch of money into the pot.

Mr. Speaker, I have struggled in my own heart with this kind of problem for as long as I can remember. It is certainly true that young people are going to be better served if they can have people close to them, who see them every day, who are part of the community in which they live and have an understanding, when they are close to their families, and so on. There is no doubt that is the perfect solution if everything works well. The problem we have, Mr. Speaker, is that over a long period of time we have gradually extended grades and now as a matter of principle, we say we will keep on extending them without asking the basic question, what is it that we are extending? Is it good enough? What we have

here, is it good enough to now say in this place we can take the next step, I have the next grade? My guess -- and it is not a guess; it is more than a guess -- my perception and knowledge are that in many of our communities what we call a grade eight is nothing like a grade eight; what we call a grade nine is really not a grade nine.

What I would like to do -- and I do not intend to really spend a long time debating this issue, Mr. Speaker, today. It comes to the very root of our educational problems. If we are going to get a good education, we have to make sure that what we do is for the best, so that the kids get the very best education. I am going to propose an amendment which I hope Members will support and will make me happy because of my continuing interest in young people and the education that they are going to get.

Amendment To Motion 19-91(1)

I would propose this amendment, Mr. Speaker. At the end of this particular motion, I would like to add the clause, "In those schools where grades already established are tested and found to be at an acceptable standard by the Department of Education." That is my amendment, Mr. Speaker. Thank you.

MR. SPEAKER: Order please. Prior to speaking to the motion, I require, first of all, a copy of the amendment and, as important as that, I require a seconder to the amendment. The honourable Member for Yellowknife Centre.

MR. LEWIS: Thank you, Mr. Speaker. I move, seconded by the Member for Yellowknife South, the following amendment, "In those schools where grades already established are tested and found to be at an acceptable standard by the Department of Education."

MR. SPEAKER: First of all, I require, in order to give the courtesy to Members to have that particular amendment translated, that we will now take five minutes to have the matter translated.

---SHORT RECESS

Amendment To Motion 19-91(1), Ruled Out Of Order

I will now call the House back to order. I have reviewed the amendment and must rule the amendment out of order. To the motion. The honourable Member for Yellowknife Centre. The honourable Member had the floor and even though he introduced an amendment and the amendment is ruled out of order, the honourable Member had the floor at the time. The honourable Member for Yellowknife Centre.

MR. LEWIS: Thank you, Mr. Speaker. The concern I have with this motion, then, Mr. Speaker, which I am now not able to support, is that what it does is to really not give the Minister of Education any real means by which he can judge whether a request is a reasonable one or not. It seems to me that you just simply say to every divisional board, "If you want to have grade 10 on top of the grade nine you already have, right throughout the Territories, then what you are doing is really denying the Minister of Education the opportunity to exercise the main responsibility he has, which is to make sure that the quality and the standard of education in the Territories are, in fact, being protected." He is now giving up, basically, the administration of education to boards, but his main responsibility is to make sure that the over one hundred million dollars that we spend every year on education is being well spent and that we are getting good value for that money. That is his major responsibility.

By giving this responsibility to boards, to simply say, "We want it simply because we have grade nine and now we have

more kids who have finished grade nine, and are going to go into grade 10," all you are doing is saying that this government is obligated, without any criteria, to give those boards the money to extend grades, whether it is warranted or not, whether the standard is good, whether the attendance is good, whether the quality of what goes on there is good, and so on. It seems to me that that is a crucial element in anything we do in the Territories if we are really going to be serious about addressing the major problems that almost everybody has identified in this House for as long as I can remember.

If it is indeed the key to getting things moving, the human resource development to get our people to the level where they can do all kinds of things that we are not able to do now, where we still have to import hundreds and hundreds of people every year to do work; if we cannot solve that problem of getting a good education system to get people to the levels of expertise where they can do all these things, then we would be failing in our responsibility.

I have great sympathy with the intent of the motion, but it does not have in it enough provision, as far as I am concerned, to make sure that this government still can exercise its responsibility as the senior body which has that major element in its mandate, which is to make sure that what goes on is not just for the advantage of political people, but for the benefit of all the citizens of the Northwest Territories. For that reason, I cannot support this motion. Thank you.

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

Education A Fundamental Value

MR. NINGARK: Thank you, Mr. Speaker. I stand to support the motion. I am not representing Yellowknife; I am representing my community, a small community within my region. To me education is one of the fundamental values for my people, for my kids and for my future. When I was growing up some 30 years ago, and every year since, I have seen the apprehension between the parents and outgoing students.

If we are sincere about education, why do we not bring the education system to a community? We talk about retaining language and culture. Where is a better place for kids to retain their culture and language than in their home community? Even during the time when they are attending high school, when we bring the student to the larger centres, there are some drawbacks. One is that they are in a strange environment, thus bringing the student to a depression. Subsequently, they are homesick, and they are not doing as well as expected by the educators and the government. In that respect, Mr. Speaker, I will support the motion. Thank you.

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

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I would like to stand today, too, to support the motion. The business of education does not come from the North; it came from the southern institutions. I think it is very important in the Northwest Territories to educate our children and to have the grades extended in the communities. There is no other way for the kids to survive now but through education. They have to be educated in order to get jobs nowadays. Sometimes the school grades only go up to grade eight or grade 10. Some students in the communities would like to be able to take grade 12 in their own community. For those communities that only have up to grade eight, the student is still too young to leave his or her home community to take grade 12 in another

community. Because the school only goes to grade eight, the student has to leave home in order to take grade nine.

The young people that leave their communities to go to school after grade eight, a lot of them go back to their communities without finishing their schooling. If the grades were to be extended to 10, 11 or 12 in the communities, then the student would be able to have a better education right in their home community. I will be in support of the motion because we will always have education in the communities. We did not bring the education up to the North, it was brought up from the southern communities. So we would like the educators to go into our communities and educate our children right in our home town.

I do not think it is up to the government to stop education from coming into the communities, because our children should be educated in our communities and they should not use lack of funding as an excuse not to bring education to the communities, because everyone in the communities knows about education now. Let us work toward bringing grade extensions to the communities rather than trying to stop it and trying to take children to other communities to go to school. Mr. Speaker, I stand today to support the motion. Thank you, Mr. Speaker.

MR. SPEAKER: Honourable Member for Pine Point.

Grades Extended Where Numbers Warranted

MR. McLAUGHLIN: Thank you, Mr. Speaker. The special committee on education of several years ago made recommendations to support the extension of grades in communities to higher levels where numbers warranted it and the program was suitable. I commend the former Minister of Education, Mr. Patterson, and the current Member responsible for Education, Mr. Kakfwi, for continuing those efforts. Since that program was begun, more and more students from small communities have continued in school in their local communities and, where necessary, in the regional facilities, and more and more students have continued on to post-secondary education from the small communities.

So I think in general this has happened, and it has not happened just for that reason; it has also happened because of other things, most notably the efforts made to give the committees of education, as they were then, and societies, more of a sense of ownership and responsibility for the facilities and the staff working in their communities for education; and further, the development of divisional boards has turned that into a reality closer to the types of boards we have in the larger community of Yellowknife, where there is absolutely total control over the education by the boards for grades K to 9 -- and I realize that the high school is not totally under control here yet, but soon I think it will be, once there are only children from this community attending. As long as there is a predominant number from the other communities, it would be difficult to have local control, but by extending these grades in the other communities, that will eventually cause fewer students to come into Yellowknife and that would also help achieve local control in Yellowknife over the high school.

What I would like to say in particular is that I, too, at that time, expressed caution similar to what Mr. Lewis just did about the question of what is going to happen to these students who remain in their communities. Will they get a proper education? One of the things that we were told by witnesses to the special committee in those days was that in communities such as Iqaluit where there had been a regional high school in operation for a long time -- I think the school had existed for at least a decade by the time our committee was in place -- there was an argument at the meeting in Iqaluit as to whether one or two local native students, where

both parents were also native, had actually completed high school during that whole decade, whereas for students from the outlying communities such as Pangnirtung, for example, there were dozens of students who had achieved grade 12, and that was primarily attributed to the fact that they were in the residential situation and they had to do their homework and they had to go to classes every day, whereas the local students in Iqaluit did not necessarily show up for class or do their homework.

So there was a concern expressed by myself and the committee at the time that the department had to be very careful, when it extended grades in the communities, to make sure that first of all there were the numbers and the quality and the community support and the general strength of the local education committee to see the program through and see that the program would not be less than it should be.

I think that the two Ministers who have been responsible for Education since the time that committee recommended extending the grades, where appropriate, have done a job in that area with their officials, to make sure that grade extensions did not happen just because of political pressure, that they made sure the numbers warranted it, and that there was not going to be extra money spent.

I heard some people say that it is too expensive to do it because it is going to cost us more because we are going to have to build a house for the teacher as well as pay the teacher's salary for a year. But the point is that if the students are in Yellowknife, you are going to have to build a house for the teacher there. Somehow the cost of the house is going to be covered either through salary or in some manner. So I do not think those are good arguments. I think the only argument is, will the O and M cost increase? And if it does, is there a good benefit to keeping the children in school?

When you take the total cost of O and M each year that we spend and you divide it by the number of students, by the time a student reaches grade 10 or 12, we spent maybe \$100,000 on that student. To have him quit because he has to go away from home for six months at a time without being able to return, if their parents cannot afford to fly them back and forth, is a terrible waste of money. It causes students to drop out of school, return to their communities, get into trouble, and end up in the correctional centre. So I am really supportive of this and I am confident that the government will do and has been doing what Mr. Lewis is suggesting, making sure that there is a program in place that adequately keeps the children in school and teaches them the courses required by the department for their success later as adults.

Granted, I think that because we do not have a system in place like a lot of us went through, where you actually can fail a grade by not doing well, does cause, in some circumstances, children who are in their 11th year of school, to be only performing at the grade nine level. That happens. But the point is, it is happening right now because sometimes students come from the outlying communities thinking they have finished grade 10 and are going into grade 11, but when they get here they get tested and they find out they have to go back to grade nine or 10, they are very disappointed. But that is happening now and I think it will continue to happen if you do not have the attendance in the smaller communities that you do in the larger communities.

Children Stay In School Longer In Community

So it is not a new problem and it is something we have to struggle over now and we will always have to struggle over. But in general I think it has been proven that if you have the higher grades in the community, the children do stay in school longer. But I also agree with the other argument that

when those children finally do move from grade 11 or grade 12 and come to Yellowknife for grade 12 or they go down south to university, and that is the first time they have left home, there is a very special problem that has to be dealt with; and the addition of a counsellor; working out of Yellowknife or Edmonton to deal with those problems, is the way to deal with that problem. So we have to make sure that we do have the resources to keep these children in school. I think time has proven that extending the grades in the communities does cause children to stay in school longer. So I generally support the motion, with the suggestion to the Minister responsible that things have to be in place to upgrade students when they leave their community to go to the other community and to give them the support to learn how to adjust to the city life in Yellowknife and in Edmonton and other southern communities, when they go there. Thank you, Mr. Speaker.

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

Pros And Cons Of Going To Larger Centre For Education

MR. WHITFORD: Thank you, Mr. Speaker. In support of the motion, I probably would like to use a few minutes here to summarize a couple of concerns that I have with it. I know the dilemma that the Department of Education is in when it comes to funding all of the needs that the North may have for education and all the wants that communities have for education of their children. I realize how important education is to people; however, sometimes what exists is not always all that bad.

Mr. Speaker, I was born in the North and educated in a number of different places. I did not receive all my education in one spot. I was in Fort Resolution, and I came to Yellowknife to get schooling, and I also went to Calgary. I shudder to think what my life would have been had I stayed just in that one community and received all of my education and experience there.

Although students do have to travel to other communities from the regions, into Yellowknife, it may not always be that bad. Maybe what they are getting here is more than just an education. They are getting an education in more than just schooling, and it is very helpful. A quote from what Mr. McLaughlin said about exposure to post-secondary education as well. If you have to go from a smaller community to a larger community, such as Edmonton, Calgary or Montreal, places like that, there is a tremendous culture shock there, and this may be a stepping stone.

I realize that this is not exactly to the motion, but here in Yellowknife, I guess I am caught between a rock and a hard place in trying to decide which side of this motion to take. Because here I receive a letter, and my colleague, Mr. Lewis, received a letter, and we have had several meetings with the Yellowknife district school boards, and they are telling us how the school program here, the schools are bursting at the seams with students. I know Sir John Franklin has got a lot of people and perhaps if the students did not come from the communities, you would have more room for Yellowknife students to get a better education. But, I said on the first day of the opening of this session, the continuation of this session on Tuesday, how Sir John Franklin and Akaitcho Hall -- how beneficial they were.

So, to encourage the Department of Education to put high schools in every community would take away that opportunity from a lot of people. That is why I spoke in favour of retaining Akaitcho Hall and the Sir John Franklin concept. It was much more beneficial to students than just getting an education -- math, science and stuff. They met people from

all over the North. It was of greater benefit to them.

I caution my colleagues, when they look at trying to get extensions to grades in their communities. Sometimes, be careful what you wish for. You are liable to get it, and who will suffer will probably be the children. They may not get exposure to other things that are equally important, besides the ABCs and the three Rs.

Although I said I was caught between a rock and a hard place here, if we can extend the classes and the grades in all the communities, again, it will alleviate the pressures that we have here in Yellowknife in our schools, and we will be able to distribute our schools a little bit better. I will support this motion that if the Department of Education can come up with a long-range plan, we will put these things right, by having grades in the communities extended to cover everything possible. But, again, I support the fact that sometimes it may not be for the betterment of the student that these things will come about.

However, I am not going to stand in the way of my colleagues in the regions, in their desire to have these grades extended in those communities, by voting against it. I have to support them, one way or another, but I just wanted to point out those points, that it is not always just the fact that they are going to be close to home that is important. It is what they are going to benefit by going somewhere else, outside of their community, that is above and beyond a grade education that will be most beneficial to those students in the long term. Thank you.

MR. SPEAKER: Thank you. To the motion. Question has been called. The honourable Member for Nahendeh. Final remarks to the motion.

MR. SIBBESTON: Mr. Speaker. I appreciate hearing the comments that Members have made, generally in support of the motion. A matter of grade extension in the communities, indeed very important to the establishment of high schools and better education in the north. Without question, parents, teachers and students that are involved in the decision of establishing high schools in the communities deal with the question of the standard of the high school grade that is being established. It is not something that the people are unconcerned about and unaware of. It is generally done with the recognition that the school, the grades established, will be that of the highest standards possible.

I do believe in the core subjects. The basic math, english, social studies, the core subjects that the government will ensure that the standard is as high as possible. Without doubt, because many of these high schools are small they do not have the population that Yellowknife, Inuvik and Fort Smith have, which have a high number of high school students and have a wide variety of subjects and a breadth of choice.

It is generally recognized that the advantages of having students home. Outweigh the disadvantage in, perhaps, not getting as great a variety as students would get in Yellowknife, if they were to attend here.

Mr. Speaker, I appreciate the comments of the Members and, do know what Mr. Lewis was saying and what he was attempting to do in his amendment. I respect him in terms of his experience in education and appreciate what he is saying in being sure that there is a good high standard of education in the community before further ones are added. I just encourage as many Members as possible, to support the motion and I would like a recorded vote please.

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

Motion 19-91(1), Carried

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Crow, Mr. Arlooktoo, Mr. Kilabuk, Mr. Zoe, Mr. Sibbeston, Mr. Pudluk, Mr. Ernerk, Mr. Whitford, Mr. McLaughlin, Mr. Ningark, Mr. Gargan.

MR. SPEAKER: All those opposed, please rise.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Lewis.

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

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

MR. SPEAKER: Record of the recorded vote. Eleven in favour, one opposition, four abstentions. Motion is carried.

--Carried

--Applause

First reading of bills. The honourable Member for Yellowknife North.

ITEM 15: FIRST READING OF BILLS

First Reading of Bill 39: Certified General Accountants' Association Act

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I move, seconded by the honourable Member from Slave River, that Bill 39, An Act to Amend the Certified General Accountants' Association Act, be read for the first time.

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

AN HON. MEMBER: Question.

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

--Carried

Bill 39 has had first reading. First reading of bills. The honourable Member for Kivallivik.

First Reading of Bill 42: Agricultural Products Marketing Act

HON. GORDON WRAY: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member from Yellowknife North, that Bill 42, Agricultural Products Marketing Act, be read for the first time.

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

AN HON. MEMBER: Question.

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

--Carried

Bill 42 has had first reading. First reading of bills. First reading of bills. Item 16, second reading of bills. The honourable Member for Kivallivik.

ITEM 16: SECOND READING OF BILLS**Second Reading Of Bill 41: Travel And Tourism Act**

HON. GORDON WRAY: Mr. Speaker, I move, seconded by the honourable Member from Slave River, that Bill 41, An Act to Amend the Travel and Tourism Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to amend the Travel and Tourism Act to create a tourist deposit assurance program; to provide an appeal to a decision of the Minister; to increase fines; to expand the regulation-making powers to provide for the appointment of an auditor; to allow the Minister to make regulations regarding non-resident travellers; and to allow the Minister to make regulations regarding the tourist deposit assurance program. Thank you.

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

AN HON. MEMBER: Question.

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

--Carried

Bill 41 has had second reading. Second reading of bills. The honourable Member for Slave River.

Second Reading Of Bill 34: Labour Standards Act, No. 1

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I move, seconded by the honourable Member from Yellowknife North, that Bill 34, An Act to Amend the Labour Standards Act, No. 1, be read for the second time. The purpose of this bill, Mr. Speaker, is to amend the Labour Standards Act to entitle employees who are the parents of newborn children or who are adopting children to unpaid parental leave. Thank you.

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

AN HON. MEMBER: Question.

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

--Carried

Bill 34 has had second reading. Second reading of bills. The honourable Member for Deh Cho.

Second Reading Of Bill 44: Access To Information Act

MR. GARGAN: Thank you, Mr. Speaker. I move, seconded by the honourable Member from Pine Point, that Bill 44, Access to Information Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to provide a right of access to information in records under the control of a government institution in accordance with the principles that government information should be available to the public, that any exceptions to the right of access should be limited and specified and that decisions on the disclosure of government information be subject to specified methods of review and appeal. The Minister responsible for the administration of this act would be required to prepare an annual report on the operation of the act. Thank you, Mr. Speaker.

MR. SPEAKER: Motion is in order. To the principle of the bill.

AN HON. MEMBER: Question.

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

--Carried

Bill 44 has had second reading. Second reading of bills. The honourable Member for Kivallivik.

HON. GORDON WRAY: Thank you, Mr. Speaker. Third time, lucky. Could I ask for consent to proceed with second reading of Bill 42, Agricultural Products Marketing Act?

MR. SPEAKER: Thank you. The honourable Member is seeking consent to proceed with second reading of Bill 42. Are there any nays? There are no nays. Proceed. You require two nays to stop the second reading. I heard only one nay. Proceed.

Second Reading Of Bill 42: Agricultural Products Marketing Act

HON. GORDON WRAY: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member from Iqaluit, that Bill 42, Agricultural Products Marketing Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to establish the Northwest Territories Agricultural Products Marketing Council; to provide that producers may submit to the council a proposal for the establishment of a plan for the regulation by a producer board of an agricultural product; to provide for the ratification of a proposal for a plan; to provide for the making of regulations for the establishment and implementation of a plan; to provide for an appeal of a decision of a producer board to the council; to provide for the powers of producer boards and the council; to provide for the enforcement of the act; to establish offences and penalties for contravention of the act; and to provide for the making of agreements with the Government of Canada and the government of any province respecting the marketing of agricultural products.

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

AN HON. MEMBER: Question.

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

--Carried

Bill 42 has had second reading. Second reading of bills. Bills 41, 42, 34, 44 are referred to committee of the whole for today. Item 17, consideration in committee of the whole of bills and other matters with Bill 41, Bill 42, Bill 34, Bill 44, with Mr. Gargan in the chair.

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

CHAIRMAN (Mr. Gargan): The committee will come to order. Government House Leader, Mr. Ballantyne, what are the orders that you would like to deal with?

HON. MICHAEL BALLANTYNE: Thank you. The government would like to proceed with Bill 41, Travel and Tourism Act, Bill 13, Labour Standards Act, No.2; and Bill 34, Labour Standards Act, No. 1.

CHAIRMAN (Mr. Gargan): Mr. Ballantyne, Bill 13 is not in the order.

HON. MICHAEL BALLANTYNE: I am sorry about that, Bill 41 and Bill 34.

CHAIRMAN (Mr. Gargan): Does the committee agree, then, that we proceed with Bill 41 and follow with Bill 34? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 41: Travel And Tourism Act

CHAIRMAN (Mr. Gargan): Bill 41, An Act to Amend the Travel and Tourism Act. Mr. Wray, do you wish to make opening statements with regard to your act?

HON. GORDON WRAY: Yes, Mr. Chairman. Thank you. I am pleased to introduce amendments to the Travel and Tourism Act to the Legislative Assembly. The current legislation contains several limitations which are addressed by the proposed amendments. It is important for government to support the creation of a marketplace in which consumers will be afforded some measure of assurance for their personal safety and comforts in the delivery of vacation packages.

In recent years, accidental drownings and the untimely closing of two fishing lodges have emphasized the need for legislative change. I am confident that this bill and the associated regulatory changes will help to minimize unfortunate incidents, add to the strength of our industry, and enhance its reputation as a world class destination. Mr. Speaker, I believe this legislation embodies the principles of real and effective consultation.

Changes to the Travel and Tourism Act have been under review since 1988 when a discussion paper was prepared and distributed to the tourism industry and openly and frankly discussed by industry. These discussions resulted in a substantial change to the overall approach my department was initially taking.

Following the distribution of the discussion paper, my staff travelled extensively throughout the Territories seeking input and advice from the tourism industry, communities and other interest groups. Our consultation resulted in the preparation of a second discussion paper, which incorporated many of the suggestions provided to the department. The second document was released at the Tourism Industry Association's annual general meeting in 1990 and was again given wide distribution. As a matter of fact, the document was sent to every tourism operator, hunters and trappers association, community council, and to MLAs, government agencies and interest groups in the Northwest Territories.

Consultation Continued

The information, advice and input which was received following the release of the discussion papers was translated into legislation. When the tourism industry requested the opportunity to review the legislation following the May SCOL hearings, my department was quick to invite them to participate in a clause by clause review of the amendments. Constructive suggestions were again accepted and changes were made to the proposed amendments. I am now in a position to introduce to the Legislature a bill that enjoys the unqualified acceptance of the tourism industry.

In addition, Mr. Chairman, the tourism industry has been invited to assist my department in fine-tuning amendments to the outfitter regulations and the tourist establishment regulations. I anticipate that departmental policy will also be developed with the assistance of the tourism industry. Fortunately, the sudden closure of two major fishing lodges have been the only such incidents industry has experienced. The industry is growing, however, and we must recognize that a recurrence is possible. A tourist deposit assurance program

would be an effective tool to substantially reduce the negative impact such a closure can create. More importantly, the creation of such a program will serve as an indicator to businesses and consumers alike that the government has a great deal of confidence in the tourism industry of the Northwest Territories.

I am satisfied that the proposed audit capabilities will expose any operators who will be unable to live up to their commitments to deliver tourism products. Early exposure of these problems will help to avoid consumer inconvenience and the resultant damage to the reputation of our industry.

An increase in fine levels is also being proposed. It is anticipated that these proposed increases will act as a deterrent to operators who may not be prepared to operate within the bounds of the legislation. Fines are being increased from one to two thousand dollars for a first offence, and from five to 10 thousand dollars for a second or subsequent offence.

This legislative proposal will also permit the creation of regulations regarding non-resident travellers in the Northwest Territories. Such a regulation is being considered in view of the dramatic increase in the number of adventure travellers who are taking highly dangerous unescorted trips to remote areas of the Northwest Territories. It is my intention, in consultation with the tourism industry and others, to draft a regulation that would require non-resident travellers, adventure travellers, to be accompanied by an NWT guide in selected areas of the Territories.

Finally, the legislative proposal includes a change to the current licensing appeal procedure. The legislation now places the final decision of all appeals under the act with the Minister. It has been recognized that an outfitter or a lodge operator should be given the opportunity to take such an appeal to an independent source, and to this end the amendment will permit the appeal of a decision by the Minister to the Supreme Court of the Northwest Territories.

Conclusion

In conclusion, my staff has been working closely with the Tourism Industry Association of the Northwest Territories since 1988 to update this act. The amendments to the act have been presented to the standing committee on legislation on two separate occasions, May 16 and June 22; valuable input was received from SCOL and has been incorporated into the bill. I would like to express my thanks to those members of the tourism industry and the standing committee on legislation who have assisted my department in developing and refining this bill. I look forward to the passage of the bill as it represents a significant step forward toward increasing the stability of a very important sector of our economy. Thank you.

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

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairman. The standing committee on legislation first reviewed the Act to Amend the Travel and Tourism Act on May 16, 1991. We were grateful to the Minister of Economic Development and Tourism, the Hon. Gordon Wray, for presenting the bill and responding to queries from Members of the committee. The bill was subsequently reviewed on June 22, 1991, at which time Mr. Wray and his officials again assisted the standing committee with their attendance.

In addition, the standing committee had the benefit of input

during public hearings held May 13 in Hay River and May 16 in Yellowknife. Many of the suggestions received during the public hearings were subsequently discussed with the Minister and I believe that this bill now very well reflects the outcome of that public consultation process.

The standing committee spent considerable time with this bill, Mr. Chairperson. Members were mindful of the need to respond to negative public reaction to financial losses suffered by travellers in recent unfortunate incidents. The bill proposes to do that through the tourist deposit assurance program, which the Minister has outlined in his opening comments. Provisions which allow the Minister to make regulations respecting the appointment of auditors would likely assist the government in identifying firms at risk of financial difficulties.

At the same time the committee was also aware of views that government action in this area could be seen as unnecessary and an over-response. Such views suggest that the government would be better advised to provide the industry itself with the tools it needs to promote northern tourism and police its own operators. The standing committee considered seriously several alternative procedures, including establishing the requirement that operators must secure deposits in a trust fund. In the end, however, the committee came to grips with the fact that the tourism industry is a vital sector within our northern economy, and that the industry is in need of the sort of support offered by the tourist deposit assurance program. Persuasive input was received from the Tourism Industry Association of the Northwest Territories following its meetings with the Minister in May.

Before referring this bill to the attention of the committee of the whole, Mr. Chairman, I would also like to make a quick comment on the fact that the bill includes a provision giving the Minister authority to make regulations respecting non-resident travellers. The standing committee on legislation understands that the provision is intended to deal with people who undertake reckless or ill-advised expeditions in wilderness regions of our Territories. The standing committee supports the Minister's efforts in this regard.

With the bill as a whole, Mr. Chairman, the standing committee made several suggestions for clarified language and substance. Members note that these have now been included in the bill before the House today and thank the Minister for his consideration of our interests. Mr. Chairperson, I would conclude my report by commenting that the standing committee on legislation agreed on June 22nd to recommend this bill for consideration by committee of the whole today. Thank you.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Wray, do you wish to bring in your witness?

HON. GORDON WRAY: Yes, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Does the committee agree that the Minister brings in his witness?

SOME HON. MEMBERS: Agreed.

—Agreed

CHAIRMAN (Mr. Gargan): Mr. Minister, please bring in your witness. For the record, Mr. Wray, would you introduce your witness, please?

HON. GORDON WRAY: Thank you, Mr. Chairman. I have with me Mr. Alan Vaughan, assistant deputy minister, Department of Economic Development and Tourism.

CHAIRMAN (Mr. Gargan): General comments.

AN HON. MEMBER: Clause by clause.

CHAIRMAN (Mr. Gargan): Does committee agree 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): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

—Agreed

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

SOME HON. MEMBERS: Agreed.

—Agreed

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

SOME HON. MEMBERS: Agreed.

—Agreed

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

SOME HON. MEMBERS: Agreed.

—Agreed

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

SOME HON. MEMBERS: Agreed.

—Agreed

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

SOME HON. MEMBERS: Agreed.

—Agreed

CHAIRMAN (Mr. Gargan): Mr. Zoe.

MR. ZOE: Mr. Chairman, I am just wondering if the Minister has taken into consideration -- the Minister indicated in his opening remarks how this bill came about. It was because of two lodges last year that had problems or went bankrupt. Is there a retroactive clause in here? The way I understand it, under clause 8 it is going to come into force by order of the Commissioner. I do not see any retroactive clause in the bill. I wonder if the Minister considered putting it in? Because it was an issue a month ago where those individuals, the people that got hurt, were protesting in southern Canada, were protesting and giving out brochures and so forth. I think the Minister provided us copies of what they were distributing in southern Canada.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: No, Mr. Chairman, it is not retroactive, and I do not think it would be proper to do so. However, we are attempting to deal with some of those unfortunate people other ways, by making arrangements with other lodges, et cetera. So I am hopeful that we can make alternate arrangements without making this retroactive. I do not think it would be a good idea.

CHAIRMAN (Mr. Gargan): Mr. Zoe.

MR. ZOE: Mr. Chairman, you went quite quickly over those clauses. I understand in regard to the Supreme Court -- has the Minister considered another alternative rather than using the court process? Because the workload of the court -- it consumes a lot of time. I am just wondering if the Minister has considered another alternative other than using the court system.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: No, this was one that was discussed extensively and I guess the feeling was, and I shared that feeling, that there should be a right of appeal, because the final decision did rest with the Minister and I felt there should be a right of appeal. The discussions were that it should be the Supreme Court because that is the final court. If you put it to a lower court, then you are going to have somebody having to appeal the process through the entire system and the Supreme Court will make the final determination. So it was felt proper to go straight to that body.

CHAIRMAN (Mr. Gargan): Mr. McLaughlin.

MR. McLAUGHLIN: Back on clause 7, Mr. Chairman. In subsection 15(y), which falls under that clause, that is where the tourism deposit assurance program is mentioned, and I thank the Minister for co-operating with the committee and with the Travel Industry Association by removing the collection of fees from this. In order to make sure that the general public understands what is happening here, I would like to revisit some of the discussions we had in committee about a source of funds for this and the fact that this is going to be covered off by the department and that there will not be fees charged to the industry. Just so the general public understands, what is the amount of licence fees, the amount collected now from operators that you license, and what are the plans you have for the future in this area? Just so people realize the revenue which the industry provides to the government through the permits you issue them right now and a guesstimate of what you intend to do in the future. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: The revenue achieved through outfitter licences, tourism establishment licences, and building permits for 1991-92 totalled \$26,000, and it is projected for 1992-93 to be \$52,000. The Member is correct that we would not be assessing a fee; we would be looking after it internally. The reason is we think the situations that have occurred are anomalies, and with the expanded powers we do not anticipate too many of these happening in the future.

CHAIRMAN (Mr. Gargan): Mr. McLaughlin.

MR. McLAUGHLIN: I wanted to make sure people realized that even though the department is going to cover off the problems that occur in these deposit situations, there is a large source of revenue to the government coffers from the industry right now, and these are such rare occurrences that

in the future the licence fees that you collect from these operators are probably going to more than offset future costs. That is the point I wanted to make, so people could be removed from the perception that there is an absolutely free ride being given to the industry here.

The other thing is the trade-off that the industry has agreed to. Basically, they agreed that in exchange for the fact that the government is going to step in and provide confidence to people who put deposits down, that in exchange for this, the industry is willing to have the Minister have the authority to look into the books and records of operators who are collecting deposit fees when it comes to the attention that deposit fees may be at risk. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. Mr. McLaughlin is quite correct. We would say that the revenue from just two years would be enough to more than cover one of these incidents. We anticipate that there will be sufficient revenue to cover off, and yes, the expanded powers provide a measure of comfort.

I should point out that we have agreed that the ability of the government to look into the books and to appoint an auditor -- we have limited it only to deposit fees and around that area, not the entire spectrum of a business. So we are quite confident, and so is the industry, that these measures are sufficient.

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that Bill 41, An Act to Amend the Travel and Tourism Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): I would like to thank Mr. Vaughan and Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman.

Bill 34: Labour Standards Act, No.1

CHAIRMAN (Mr. Gargan): We will turn now to Bill 34, An Act to Amend the Labour Standards Act, No. 1, with Mrs. Marie-Jewell. Madam Minister, are you ready for your opening statement?

Minister's Opening Statement

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, first of all, I apologize to the committee for being unable to attend the meeting. This amendment concerns the issue of pregnancy leave and parental leave in our Labour Standards Act. The Parliament of Canada recently passed amendments to the Unemployment Insurance Act. Those amendments enhanced the benefits available to parents of newly born and newly adopted children. In order to ensure that employees in the NWT are able to take advantage of those entitlements, changes to our Labour Standards Act are necessary.

The amendments being introduced provide for two categories of leave, pregnancy leave and parental leave. Pregnancy leave for a period of 17 weeks would be available only to the

mother. However, parental leave for a maximum of 12 weeks could be taken by either parent or both parents. Pregnancy leave is intended to accommodate the physical needs of the woman. Parental leave is designed with the nurturing needs of the child in mind.

In the case of the mother, the parental leave would have to immediately follow the pregnancy leave unless, for example, a child's release from hospital was delayed. The father could take the parental leave at any time during the child's first year of life or within the first year of the child's placement with the family.

For the first time, persons adopting a child would be entitled to parental leave. The employers of the persons taking pregnancy leave or parental leave would not be required to pay the employees during their periods of leave. Instead, the parents would receive money through the unemployment insurance fund.

At the present time, the Labour Standards Act provides for maternity leave, which is available only to the mother. The act does not accommodate a wish by the father to take leave, nor is any provision made for leave at time of adoption. A fundamental purpose of the new provision is to protect the jobs of the parents during the time they are on leave. The employer would be required to give the employees their former jobs on return from leave or provide them with comparable positions.

Mr. Chairman, as I had stated earlier, I apologize to the committee for being unable to attend that particular meeting, and I thank my deputy minister for presenting this bill. However I recognize there were some concerns in respect to clause 1, and I would like to propose an amendment at the appropriate time. Thank you.

CHAIRMAN (Mr. Ningark): Thank you. Does the chairman of the standing committee on legislation have any comments?

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairman. In November 1991 the Government of Canada passed Bill C-21. Among other things, this federal legislation changed unemployment insurance benefits available to female workers during pregnancy and added new benefits to both male and female workers following the birth or adoption of a child.

On March 20, 1991, the Minister for Safety and Public Services, the Hon. Jeanne Marie-Jewell, brought a bill before the standing committee on legislation to amend our current Labour Standards Act to incorporate these changes. Under the provisions of this bill, women within the labour force would be able to combine unpaid pregnancy leave with unpaid parental leave for periods which allow them to take full advantage of the new federal unemployment insurance benefits. Men would be eligible for parental leave as well.

After the preliminary review in March, the standing committee on legislation again considered this bill during its pre-session meeting on June 22, 1991. I am pleased to report, Mr. Chairperson, that the standing committee on legislation has now agreed to recommend this bill for consideration in this session of the Legislative Assembly. In doing so, however, I would note that several Members of the committee expressed concern over parts of the bill which refer to one of the authorities accorded to the labour standards officer.

Within the existing legislation, subsection 32.4(1) states that the labour standards officer can require a pregnant employee to begin her leave on a certain date if the officer believes that her duties cannot reasonably be performed because of the

pregnancy. She must stay on leave until the labour standards officer allows her to return. The current bill does not repeal those provisions, even though they seem to give a great deal of power to the labour standards officer.

The standing committee expressed its concern respecting this clause during both meetings about this bill. I understand that the Minister and her officials may have given this point some consideration, and I am certain that the honourable Members may be interested in discussing the results of her review. Mr. Chairperson, I look forward to consideration of this bill in committee of the whole today.

CHAIRMAN (Mr. Ningark): General comments. Mr. Gargan.

MR. GARGAN: Mr. Chairman, on clause 32.4(1), the clause reads that the labour standards officer may, at the request of an employer, require an employee to commence pregnancy leave where, in the opinion of the labour standards officer, the duties of the employee cannot reasonably be performed because of the pregnancy.

Mr. Chairman, the chairman of the standing committee did address that, and basically it does give an employer the option to request the labour standards officer to request an employee who is pregnant to leave. Under this, the labour standards officer could do that. The labour standards officer could force an employee to take a leave of absence. This is the area which I have difficulty with. Is it up to a labour standards officer to determine whether a pregnant woman is capable of performing her duties? Basically, that is the only problem I have with the act; it does give tremendous power, without the advice of a doctor, to force a woman to leave her work at the request of an employer. I find that quite -- I guess, it may be offensive to the pregnant woman. It does give the employer certain powers.

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

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. In recognizing the Member's concern, I would like to move to add an additional clause, in that particular area, and add 32.4(2), move that the labour standards officer, before requiring an employee to commence pregnancy leave, under subsection 32.4(1), consider (a) the nature of the industrial establishment; (b) the conditions of employment of the industrial establishment; (c) the welfare of the employee in the industrial establishment, and (d) any medical information respecting the employee provided to the labour standards officer by a qualified medical practitioner with the consent of the employee.

This, Mr. Chairman, would leave the current subclause 32.4(2) to be changed to 32.4(3), and I currently have the changes put forth in front of me in French and Inuktitut, for the Members' consideration.

CHAIRMAN (Mr. Ningark): Thank you, Madam Minister. We will get into that section, and that will be the appropriate time for you to make that motion. General comments. Mr. Zoe.

MR. ZOE: Mr. Chairman, through you, if I could request if the Minister can provide for us to see, prior to going clause by clause, the proposed amendment that she will be proposing. I think we should have that opportunity to take a look at it before we even go clause by clause. I wonder if you could suggest that to the honourable Member.

CHAIRMAN (Mr. Ningark): Madam Minister, do you have a copy of this?

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, yes, copies can be circulated. I have also added one other subsection,

under 32.4. As I said, the current subsection would be changed from (2) to (3). Currently it states, "The employee shall continue the pregnancy leave" and I have made the next part paragraph (a) "until the labour standards officer is satisfied that the employee is able to perform her duties, and I have added, "or, (b) the pregnancy is over." I do have copies that can be circulated, Mr. Chairman, if you want to take a brief moment. Thank you.

CHAIRMAN (Mr. Ningark): Thank you, Madam Minister. I guess, not to confuse the Members of this committee, when we get to the clause, we can circulate the information. Thank you. Clause by clause. General comments yet? We will have a five minute break.

---SHORT RECESS

The committee will come to order. We are on Bill 34, An Act to Amend the Labour Standards Act, No. 1. Is it agreed that we go clause by clause?

SOME HON MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

We are on clause 3. Madam Minister, for the record, would you read your motion please?

Motion To Amend Bill 34, Carried

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. Mr. Chairman, 32.4, I will just move and propose the whole clause as is. Subclause 32.4(1) states: "The labour standards officer may, at the request of an employer, require an employee to commence pregnancy leave where, in the opinion of the labour standards officer, the duties of the employee cannot reasonably be performed because of the pregnancy." subclause (2): "The labour standards officer shall, before requiring an employee to commence pregnancy leave under subsection (1) consider (a) the nature of the industrial establishment; (b) the condition of employment of the industrial establishment; (c) the welfare of the employee in the industrial establishment, and (d) any medical information respecting the employee provided to the labour standards officer by a qualified medical practitioner with the consent of the employee." subclause 32.4(3): "The employee shall continue the pregnancy leave until (a) the labour standards officer be satisfied that the employee is able to perform her duties or (b) the pregnancy is over." Actually, it should read that the pregnancy is "terminated". Agreed, terminated.

CHAIRMAN (Mr. Ningark): Thank you, Madam Minister. The motion on 32.4(2), you stated under (b), "the condition of employment in". Would you clarify that, as "of" or "in"? Thank you.

HON. JEANNIE MARIE-JEWELL: It is "of", the conditions of employment of the industrial establishment.

CHAIRMAN (Mr. Ningark): Thank you. I believe the motion is in order. To the motion. Under 32.4(3)(b): The pregnancy is "over" or "terminated". Would you clarify that for the record please, Madam Minister?

HON. JEANNIE MARIE-JEWELL: I would suggest "terminated", and this does not mean any change to the French version also, Mr. Chairman.

CHAIRMAN (Mr. Ningark): Subsection (3)(b) should read, the pregnancy is "terminated" rather than "over".

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ningark): Qujannamiik. To the motion, Mr. Gargan.

MR. GARGAN: Mr. Chairman, just a point of clarification. Is there a reason why the word "industrial" is in most of these paragraphs? It does restrict the nature of business in which those conditions are going to be met. Industry is a pretty heavy-duty kind of situation. Is there a reason why the industrial establishment is used in paragraphs (2)(a), (b) and (c) in the act?

CHAIRMAN (Mr. Ningark): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. The actual act is consistent in its application with respect to the wording using "industrial" throughout the act. If you go right back to the initial section 3 where it states application, it basically states that: "subject to this section, the act applies to employment upon or in connection with the operation of any industrial establishment." Basically this amendment is trying to be consistent with the initial application of the act. Thank you.

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

MR. ZOE: Mr. Chairman, I have the same concerns as my colleague. Interpretation of, I am just wondering if it is the appropriate wording, as it sort of limits. My preference would have been the workplace. Maybe I can pose my question to our legal adviser. The legal definition of industrial establishment, would that cover office workers in, say, the Lahm Ridge Towers, and so forth? Does it cover all workplaces or is it specific to somebody that is working on a construction site or in an industrial area? Is that the proper wording? Can I get the opinion of the legal adviser?

CHAIRMAN (Mr. Ningark): Thank you. legal adviser, do you want to give us a definition on this?

LAW CLERK (Ms. MacPherson): Thank you, Mr. Chairman. Mr. Chairman, the Labour Standards Act currently defines "industrial establishment" as any work undertaking, or business of a local or private nature, in the Territories. Therefore the word would include all work and not merely confined to construction or what we traditionally think of as industrial workplaces. It would cover all workplaces, Mr. Chairman.

CHAIRMAN (Mr. Ningark): Thank you. To the motion. The question has been called. All those in favour? All those opposed? The motion is carried. Clause 3 as amended. Mr. Zoe.

---Carried

MR. ZOE: Mr. Chairman, could I ask the Minister in regard to the labour standards officer? It is perceived as a junior officer, in my mind anyway, who is administering this act. Is

there anyone senior to this particular person, and is there only one or are there a number of them?

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

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. We currently have two junior labour standards officers and one senior labour standards officer and the senior labour standards officer reports directly to the deputy minister of Safety and Public Services.

CHAIRMAN (Mr. Ningark): Mr. Zoe.

MR. ZOE: Mr. Chairman, if that is the case then, if I could ask the Minister why this legislation was not -- especially clause 32.4.(1). The pass given to the senior person rather than -- because the act the way it reads now just specifies any labour standards officer, so it could be the junior or the senior that undertakes this task. If an employer requests one of its employees not to work, so they have to go through all this process, there should be someone of seniority dealing with it. I am questioning why it was not included in the act.

CHAIRMAN (Mr. Ningark): Mahsi Cho. Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, I would not like to segregate or indicate either senior or junior because of the fact we only have three labour standards officers. I certainly feel that their positions are equally important. Recognizing and having said that, I would not like certain requests being held up, in the event that a senior labour standards officer may be out on annual leave or other types of leave, and the process being held up because it depends on which labour standards officer decides to apply this Act. Therefore, I would like for Members to consider leaving it open and saying "labour standards officer" and, as I had indicated, we only have the three in the department. Thank you.

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

MR. ZOE: Mr. Chairman, I can understand the Minister's concern, but maybe I could pose another question. How many requests does the officer receive -- this type of request where an employer makes a suggestion that an employee not work because of the condition they are in. I would assume that the numbers would be very small and if the numbers are small, Mr. Chairman, then I think it would be appropriate for the senior labour standards officer to handle it. If that is not the case, I can see leaving it to the junior officers to handle. I would like to get the Minister's comments in that regard.

CHAIRMAN (Mr. Ningark): Thank you. Since we are getting a little technical here, Madam Minister, would you like to bring in your witnesses?

HON. JEANNIE MARIE-JEWELL: Recognizing the time, I will just try and answer the Member's question. Mr. Chairman, we have not currently, to date, had any concern in respect to the Member expressing whether or not this be presented to a junior or a senior labour standards officer, mainly because we have not had an act in place to allow people to take advantage of the unemployment benefits that have been amended accordingly by the Government of Canada. There are currently maternity benefits available, but there are no benefits in respect to parental leave or maternity leave. Because of that, we have not probably had requests for a labour standards officer to determine when they should be able to take maternity leave. We have not had any.

CHAIRMAN (Mr. Ningark): Thank you. Clause 3, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ningark): Thank you. The bill as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Ningark): Qujannamiik. I would like to thank Madam Minister. Bill 34 is ready for third reading, as amended. Now, where does the committee wish to go from here? We need a motion for the adjournment if you wish, if the committee wishes. Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Chairman, thank you. I will move to report progress.

CHAIRMAN (Mr. Ningark): The motion is not debatable. All those in favour?. Opposed? The motion is carried.

---Carried

Thank you. It has been a long day. I will report progress.

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 from Natilikmiot.

MR. NINGARK: Mr. Speaker, your committee has been considering Bills 41 and 34 and wishes to report progress. Bill 41 is ready for third reading. Bill 34 is ready for third reading, as amended. Mr. Speaker, I move that the report of the chairman of committee of the whole be concurred with.

MR. SPEAKER: Thank you. Is there a seconder. Thank you. To the motion.

AN HON. MEMBER: Question.

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

--Carried

Prior to recognizing the honourable Member for Nunakput, I just want to draw the attention of honourable Members to our senior colleague, the Dean of this House who I believe is getting a bit older and I just wanted to say best wishes on this day.

--Applause

MR. SPEAKER: The honourable Member for Nunakput.

HON. NELLIE COURNOYEA: Mr. Speaker, on a point of order, I also would like to recognize the coming of age of the honourable Member for Inuvik. I believe also, just recently, he also became a grandfather which was sort of way behind everybody else in timing...

---Laughter

...something new and something old. Also I know that, certainly, the honourable gentleman has been here a long time and I would very much like to make a presentation to him on this very special occasion and also request that the present be opened and hopefully the item will be of some use to him.

--Applause

MR. SPEAKER: Order please.

Item 19, third reading of bills. Third reading of bills. Mr. Clerk, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, there will be a meeting of the standing committee of legislation immediately after adjournment this evening. Mr. Speaker, meetings for June 28, 1991. At 9:00 a.m., ajauqtit.

ITEM 20: ORDERS OF THE DAY

Orders of the day for Friday, June 28, 1991.

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 Motions
13. Notices of Motions for First Reading of Bills

14. Motions: Motions 20 and 21

15. First Reading of Bills: Bills 40 and 45

16. Second Reading of Bills, Bills 13 and 39

17. Consideration in Committee of the Whole of Bills and Other Matters: Bills 42 and 44

18. Report of Committee of the Whole

19. Third Reading of Bills: Bills 34, 35 and 41

20. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 10:00 a.m., Friday, June 28, 1991.

—ADJOURNMENT

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