



**LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES**

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

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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## YELLOWKNIFE, NORTHWEST TERRITORIES

WEDNESDAY, JULY 3, 1991

## MEMBERS PRESENT

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

## ITEM 1: PRAYER

--Prayer

**SPEAKER (Hon. Richard Nerysoo):** Prior to proceeding with the business of the House, I wish to draw the attention of honourable Members to the attendance of the Hon. Tom Hockin, Minister of State for Tourism, Small Business and Native Economic Development Programs, and Member of Parliament for London West, in the Speaker's gallery.

--Applause

Orders of the day for Wednesday, July 3, 1991. Item 2, Ministers' statements. The honourable Member for Kivallivik.

## ITEM 2: MINISTERS' STATEMENTS

**Ministers' Statement 85-91(1): 1991-1996 Canada/NWT Economic Development Agreement Co-operation Agreements**

**HON. GORDON WRAY:** Thank you, Mr. Speaker. Mr. Speaker, I am pleased to announce to the House this afternoon that the Economic Development Co-operation Agreement between the Government of Canada and the Government of the Northwest Territories was signed this morning. This co-operation agreement results from the joint Canada/NWT Foundations for the Future Economic Development Framework Agreement, which was signed by myself and the Indian and Northern Affairs Minister, the Hon. Tom Siddon, in Yellowknife last February. The framework agreement essentially set out a "Made in the North" philosophy to encourage balanced economic growth in all regions of the Northwest Territories. The framework agreement provided for the creation of three co-operation agreements: one with the Department of Indian and Northern Affairs, one with the Department of Industry, Science and Technology, and one with Forestry Canada.

The DIAND co-operation agreement we signed today will provide \$38,550,000 in funding for economic development initiatives across the Northwest Territories. Initiatives will take place in the areas of fine arts, crafts and souvenirs, cultural industries, community sponsored development, minerals, agriculture, fisheries, environmental industries and the traditional economy. Funding for this agreement is shared jointly by the federal and territorial governments, the federal government contributing 70 per cent of the total cost and the Government of the Northwest Territories contributing 30 per cent.

In addition, Mr. Speaker, we are in the final stages of negotiations for the co-operation agreement with the Department of Industry, Science and Technology. This co-operation agreement, when signed, will provide essential support over the next five years to entrepreneurship and tourism initiatives. We anticipate the signing of this agreement sometime later this summer.

Finally, a co-operation agreement with Forestry Canada will provide support to our forestry industry. I am disappointed to

announce that negotiations on this agreement are proceeding somewhat slower. However, I hope that today's signing of the DIAND agreement and the imminent signing of the ISTC, industry Science and Technology, agreement will encourage completion of negotiations with Forestry Canada.

In closing, Mr. Speaker, I would like to welcome my colleague, the Hon. Tom Hockin, Minister of State for Small Business and Tourism, to Yellowknife. Minister Hockin is visiting the NWT to attend the Federal-Provincial Tourism Ministers' Conference and today, on behalf of Minister Siddon, is representing the Government of Canada during the signing of the DIAND co-operation agreement. I would like to take this opportunity to thank Minister Hockin and Minister Siddon for their continued interest and support during the past two years of negotiations, and I hope to meet Minister Hockin again very soon to commemorate the signing of the ISTC co-operation agreement. Thank you, Mr. Speaker.

--Applause

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

**Ministers' Statement 86-91(1): Signing Of The Co-operation Agreement And The New Mineral Initiatives**

**HON. NELLIE COURNOYEA:** Thank you, Mr. Speaker. Mr. Speaker, I am pleased to inform the Assembly that the new co-operation agreement signed by the Department of Indian and Northern Affairs and the Government of the NWT today, and announced by my colleague, Gordon Wray, contains a number of initiatives of significance to the mineral industry and Northerners who work within that industry. A portion of the mineral initiatives, geoscience, mineral information, northern technology assistance and prospectors assistance will be implemented by the Government of the NWT.

To remain healthy, the mining industry in the NWT must be economically self-sufficient. The mineral industry is one of the most if not the most, competitive industries in Canada. Most provinces and the Yukon offer a variety of programs to encourage exploration within their regions. To continue to be the major contributor to the economy of the North, new deposits must be found. A key to this is understanding the NWT mineral resources by conducting geoscience research. During the last MDA, mineral development agreement, over 50 programs were run across the North. A number of companies responded by following up on the MDA mapping programs by conducting large exploration surveys worth several million dollars.

The maps and information were not just of benefit to the industry. Government and the communities used the maps to guide them in land use planning by highlighting areas of high mineral potential. In a number of cases, land claim groups used the information to formulate their land selections. Just as significantly, the MDA developed a team of experienced geologists that are resident here in the North and are available to advise anyone on mineral issues.

I am pleased that the signing of the co-operation agreement

will allow us to continue with this work. This summer we will be able to place a number of crews in the field. I note with some satisfaction many of the personnel that will be working on the GNWT-DIAND mineral projects will be Northerners. Nine out of the 14 personnel are NWT residents.

Many Northerners make a living off the land by hunting and trapping. It is a short step from hunting and trapping animals to hunting mineral deposits and snaring investors. Next year we will be starting a prospectors' assistance initiative that will allow government to provide training material and grubstake assistance to new prospectors. More Northerners will be able to take a larger stake in the industry.

Mr. Speaker, the North has one of the harshest climates in the world and at the same time one of the most sensitive environments. In order to remain competitive, mines must make the most of their reserves while protecting the environment. The northern technological assistance initiative will provide mining companies with assistance to develop new technologies to meet these challenges. The signing of this agreement will allow the mineral industry to continue to be a vital economic force in the North.

In closing, I would like to acknowledge the support the GNWT has received from the NWT Chamber of Mines in designing the initiatives. The advice and co-operation we received were important ingredients in developing this program and will greatly assist at the implementation stage. Thank you, Mr. Speaker.

---Applause

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

**Ministers' Statement 87-91(1): 1991-1996 Canada/NWT Economic Development Agreement**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. Mr. Speaker, I also am pleased that the new Economic Development Agreement has been completed. In my view, it is another important step for developing the renewable resource economy. The Department of Renewable Resources will be involved in activities under this agreement that relate to fisheries, wildlife harvesting and the traditional economy. The link between agriculture and wildlife will increase opportunities to use commercial quotas that we have established for wildlife harvesting. We will also administer the forestry agreement, when it is completed.

In this agreement, particular emphasis has been placed on projects that strengthen community involvement, especially in the smaller communities. The Department of Renewable Resources is committed to a co-operative approach with communities to ensure sustainable use of our abundant wildlife and forest resources. Thank you.

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

**Ministers' Statement 88-91(1): Soviet Delegates To Visit NWT**

**HON. DENNIS PATTERSON:** Mr. Speaker, a delegation of Soviet dignitaries from Yakut-Sakha began a visit to the Northwest Territories today. Before returning home they will sign a memorandum of understanding with our government that will serve as an essential starting point for helping northern businesses establish joint ventures in Yakut-Sakha, Soviet Socialist Republic. It will also help in the formation of economic ties between both regions, especially in the export of Northwest Territories expertise, products and services.

Specifically, the memorandum will encourage the exchange of experience and achievements in economic development, northern construction and town planning, the protection of the northern environment, the preservation and development of traditional ways of life and the cultures of northern indigenous people.

Mikhail Nikolaev, President of the Supreme Soviet of Yakut-Sakha, Soviet Socialist Republic, along with three senior Yakut officials, will be touring various industrial, civic, education and medical facilities in Yellowknife, Hay River and Lac la Martre before signing the memorandum of understanding.

Mr. Speaker, once it is signed, the memorandum will become part of the Canada/USSR Arctic Co-operation Agreement. Qujannamiik.

---Applause

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

**Ministers' Statement 89-91(1): Propane Awareness Campaign**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. Mr. Speaker, the Members of this House have become all too familiar with the tragedy of propane abuse. Last year, two children died and three others were injured from a propane explosion in Cambridge Bay, after lighting a cigarette while sniffing propane. Another propane explosion in Baker Lake last year left three men with serious injuries. In Iqaluit, one young man was burned. Earlier this month, four adults were severely injured in Arviat. In each case the victims had been sniffing propane and then lit cigarettes. The problem of propane abuse is very serious and we have come to the conclusion that the best way to deal with this problem is to educate people, especially children, about how dangerous propane is.

Mr. Speaker, the Department of Safety and Public Services has started a propane awareness campaign. This campaign follows the program started last year in the communities to collect and dispose of old propane cylinders. To educate the public the department has produced a five-page booklet shaped like a propane cylinder. The booklet, in English and Inuktitut, explains how to fill, transport, store and use propane safely. Four thousand copies of these bright yellow booklets have been printed and are being sent to every mayor, hamlet office, school principal and fire chief in every community in the Northwest Territories.

The department has also produced a very graphic poster in black, red and white, featuring a skeletal figure hovering over a propane tank with the words, "Do not make propane your last breath" printed across the bottom. The poster was designed to be bold and frightening, to emphasize that sniffing propane is deadly.

Mr. Speaker, I am pleased to say that we have received excellent co-operation from the propane distributors. They are assisting us in this campaign by attaching warning labels to all propane cylinders. These labels, in English and Inuktitut, warn that the propane cylinders should not be exposed to heat or flame because they may catch fire or explode. The labels also warn that inhaling propane gas is dangerous, that the liquid will burn the skin, and that propane cylinders should only be used in well-ventilated areas.

The department has also contracted with the Inuit Broadcasting Corporation to produce a 30-minute video which will be released to all schools in the NWT later this summer. The video will be in English and Inuktitut. Mr. Speaker, the

department is finalizing regulations under the Fire Prevention Act to regulate the storage and handling of propane.

Finally, I would urge each Member of this House to educate himself or herself about propane and to speak to their constituents about the need to educate our children about how destructive propane can be when it is abused. I have some copies of our booklet and posters which I will circulate to Members. I would be pleased to provide as many copies of this material to Members as they need. Thank you.

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

**Ministers' Statement 90-91(1): Tabling Of The Terms Of Reference For The Commission For Constitutional Development**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Later today I will be tabling a document called "Terms of Reference for the Commission for Constitutional Development". The land claims agreement in principle concluded with the Tungavik Federation of Nunavut includes a commitment to establish a process leading to the creation of a Nunavut territory. However, division means the creation of two new territories, and it is equally important that a process be established to develop a constitution for a new western territory.

Residents of the Western NWT, the Dene, the Metis, the Inuvialuit in particular, have demonstrated a long-standing interest in developing a system of government in the North uniquely their own, one which reflects their rights and interests and which provides for their full participation as citizens and as aboriginal peoples. The Constitutional Alliance of the NWT made considerable progress in this direction, culminating in the Iqaluit agreement of January, 1987, but there has been little progress since.

An informal committee of western political leaders, including the leaders of the Inuvialuit Regional Corporation, the Metis Association of the NWT, the Dene Nation, the Sahtu Dene/Metis Council and the Gwich'in Tribal Council, as well as the Hon. Michael Ballantyne and myself, have met on a number of occasions to discuss the establishment of a process for constitutional development in the West. The committee proposed the creation of a commission to consult with the public and to develop and review constitutional proposals for public consideration. In April this Assembly recommended that the government work with the committee to prepare terms of reference for the commission for review by the Assembly this session.

Today I will table the committee's proposed terms of reference for a commission for constitutional development for the consideration of this House. Thank you.

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

**Ministers' Statement 91-91(1): Victim Impact Statement Pilot Project**

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Speaker. Mr. Speaker, I am pleased to announce to this House that this government has approved a victim impact statement pilot project to be implemented by the Department of Justice and the Royal Canadian Mounted Police. The Northwest Territories will be one of the first jurisdictions in Canada with a victim impact statement program.

Victim impact statements are made voluntarily by victims. They tell the courts how a crime has emotionally, physically and financially affected the victim. This project is in line with

current social trends to allow victims greater participation in the criminal justice process.

The pilot project, Mr. Speaker, will be carried out by the RCMP in the communities of Rae-Edzo, Coppermine, Hay River, Fort Resolution, Aklavik, Norman Wells, Rankin Inlet, Pond Inlet and Sanikiluaq. The project commenced June 13 and will be evaluated after 18 months.

The victim of a crime will be given the option of completing a victim impact statement with the help of the RCMP soon after a charge has been laid. The statement will be filed in the court and made available to the judge as part of the sentencing process. It will give the judge a more direct picture of the victimization.

Mr. Speaker, the section in the Criminal Code dealing with pre-sentence reports was amended in 1988 to allow provinces and the territories to establish programs for the use of victim impact statements in sentencing proceedings.

Also in 1988, all Ministers responsible for criminal justice in Canada, including myself, signed a statement of basic principles of justice for victims of crime. One of the principles was that, and I quote: "Where the personal interests of the victim are affected, the views or concerns of the victim should be brought to the attention of the court, where appropriate and consistent with criminal law and procedure." In the past, the victim was often neglected or overlooked in a criminal justice process that was offender-oriented. This government has responded to society's voiced concerns about the treatment of victims. It is my great hope that this program will clearly express our respect for victims and will convey to victims the message that their views and the impact of crimes upon them are of a vital interest to the criminal justice system. Thank you.

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

**Ministers' Statement 92-91(1): Northern And Local Content**

**HON. GORDON WRAY:** Thank you, Mr. Speaker. Mr. Speaker, the Department of Transportation is implementing approximately \$30 million of capital construction on highways, marine facilities, airports and community access roads and works on behalf of other departments and agencies. Northern and local involvement is a key objective in managing these projects. Business opportunities and development, local employment, training and direct involvement by the community in their projects is essential to carrying out some of their work. I would like to report on a few of the many initiatives the Department of Transportation is taking with regard to local and northern involvement this summer.

**MR. SPEAKER:** Order please. The honourable Member for Kivallivik, time has expired on Ministers' statements.

**HON. GORDON WRAY:** Mr. Speaker, could I ask for unanimous consent to finish this last statement?

**MR. SPEAKER:** Thank you. The honourable Member is seeking unanimous consent to conclude his Minister's statement. Are there any nays? There are no nays. Proceed.

**HON. GORDON WRAY:** Thank you, Mr. Speaker. This is probably my last official act in the Legislature.

---Laughter

I would like to report on a few of the many initiatives, Mr. Speaker. One of the major initiatives is working directly with

native development corporations to provide employment and business development. Mr. Speaker, recently we have provided DIGAA Enterprises with a clearing contract for the Fort Providence Native Band for the reconstruction of Highway No. 3 at a value of \$190,000 and engineering support personnel for the reconstruction of Highway No. 3 at a value of \$557,000; the Tu Cho Gha Contracting, Hay River Dene Band, a clearing contract, value \$175,000, for reconstruction of Highway No. 1; Chii Construction Services, Inuvik Native Band, engineering support personnel for the paving of the Inuvik airport road, value \$65,000; Lutsel Ke' Development Corporation, Snowdrift Dene Band, clearing and grubbing contract for the development of a new airport, value \$110,000; Gameti Development Corporation, Rae Lakes Native Band, subcontract for clearing for new airport development, value \$40,000.

Our department's program involves encouraging local and northern involvement in our construction contracts. So far this year approximately \$18 million of major construction contracts have been awarded. Of this total, \$11.1 million will be spent directly on northern business and employment. An additional \$5.3 million will be made available to local business and employment. This, overall, reflects about 91 per cent, or \$16.4 million, of expenditures directly to northern and local economies through government contracting procedures. While the department is committed to maximizing northern and local involvement, it must also balance this aim against securing a fair price for a project. We recognize that there are sometimes problems that arise with the application of the policy, as many MLAs have identified. They are of serious concern to me, and we are working to resolve them.

Under our airport program, the Department of Transportation is utilizing special approaches to contracting for the Paulatuk and Rae Lakes new airport projects. In Paulatuk we are building a new runway, apron, and access road and managing the construction directly. A fleet of construction equipment was mobilized in 1990, and work has been under way since September 1990. The department, through Arctic College, provided on-site heavy equipment training for 14 local residents. Trained operators and others from the community will provide the manpower to construct the airport over the next three years. Business opportunities have been provided through contracts with the local businesses: Southwind Development Corporation, Hamlet of Paulatuk, Angik Contracting, Andy and Sons Ltd., KD Repair Services, and the Paulatuk Hotel. Virtually all of the work force on this project is from the community.

In Rae Lakes, the department publicly tendered a major construction contract for the construction of a new runway, apron, and access road. The tender utilized a special approach and required contractors to submit proposals on specific local involvement initiatives. The contract was awarded to PCL Constructors Northern Limited and includes a specified subcontract with Gameti Development Corporation for clearing, a training program for operators and equipment workers modelled after the successful program used at Colomac Mines, and, most importantly PCL is only placing a supervisory work force in Rae Lakes to manage the works, with the rest of the work force coming from the community. Again, virtually all of the work force on this project is from the community. Thank you very much, Mr. Speaker.

If I may, Mr. Speaker, because I am going to have to leave, I would like to wish my colleagues well. Thank you, sir, for your co-operation, and we will see you all next fall.

--Applause

**MR. SPEAKER:** Time has expired on Ministers' statements. Members' statements. The honourable Member for Aivilik.

### ITEM 3: MEMBERS' STATEMENTS

#### Member's Statement On Child Care Funding Assistance

**MR. ERNERK:** Thank you, Mr. Speaker. Mr. Speaker, equal opportunity for women will not become a reality if you cannot get out the door in the morning. You will have little choice but to stay home if you cannot be sure that your children are receiving competent care, stimulation and protection. Without the development of child care programs there can be no such things as equal opportunity. Mr. Speaker, government continues to assure us that they are aware of this.

As of April 1, 1989 the GNWT modified their affirmative action policy to include women. Press releases and government policies have been drawn up with the best of intentions, but there is still an incredible gap between the political rhetoric and women's real needs.

I know that funding or finding reliable child care is a constant problem for many people across the NWT. I know also that there is a waiting list for day-care spaces. Yet day-care centres, when they do exist, struggle to raise funds, struggle to acquire the basic supplies and struggle as fees fall short of covering the actual cost of providing this service.

Mr. Speaker, why do we not make it a priority to provide child care services right in government buildings, even at the new Legislative Assembly building?

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

**MR. ERNERK:** Because our children are everyone's business.

In summary, government plans for truly making child care easier are not being developed and implemented. Government policies that seem to encourage women to enter the labour force have not gone far enough. Government directives have fallen short, because the programs that do exist are underfunded. Today's parent, Mr. Speaker, especially the young parents, must have access to training programs and employment opportunities. Today's children deserve the best of care. The next government must take immediate action. Thank you, Mr. Speaker.

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

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

#### Member's Statement On Northern Student Employment

**MR. LEWIS:** Thank you, Mr. Speaker. I would like to give a report to the House on the success of this government in helping to place northern students in the work force. We hear very often of the difficulties of people that already have jobs. We have a large number of people in whom we have invested an awful lot of money, and these young people face a very uncertain future. Of the 77 students who registered as people from southern Canada, three people were able to get jobs. Of the 36 graduates from southern Canada, four were able to get jobs with this government. High school was still sitting on June 21 when this report was written, but of the 39 high school students who registered, only one person had been given a job. Of the total of 316 students from the North, from our northern system, who had applied to work for the government, we were successful in placing 157 people in our government.

The biggest problems were graduates of our school system. Seventy-three people graduating from universities and colleges applied for work, and only 18 were able to get work. Of the



departments who placed these students, Mr. Speaker, I would like to congratulate Mr. Wray, who is not here to hear it, but his department was successful in placing the largest number of students, with a total of 18. Other departments: DPW were able to place 16; MACA 15; Renewable Resources, 16; Social Services, 13. There were several others with 11 and 12 students who were given work, and I would like to commend the government for making substantial improvements over last year's record because it has increased the number of people they have given work by close to 90 per cent. Thank you.

--Applause

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

#### Member's Statement On Spiritual Gathering In Kakisa

**MR. GARGAN:** Thank you, Mr. Speaker. Mr. Speaker, I would like to make my statement with regard to a spiritual gathering that is happening in Kakisa. For Members that are interested, Kakisa has over 50 people in the community, and it is between Enterprise and Fort Providence by road. Mr. Speaker, this initiative was organized by Gerry Antoine of Fort Simpson, and he also has received support from myself and Mr. Sibbeston, in requesting Mrs. Marie-Jewell to support this spiritual gathering. There are 150 people from the Deh Cho region, from 10 communities, going over there, basically paying most of their own expenses for this spiritual gathering. The gathering is not only focussing on Catholic or Protestant religion but also on the spirituality of aboriginal people before the coming of the Europeans. Mr. Speaker, also I would like to wish the community of Kakisa success for this gathering, which is being held yesterday and today and will be completed tomorrow. I would also like to thank the Deh Cho Regional Council for initiating this gathering and further the Minister of Social Services, Mrs. Marie-Jewell, for the contribution toward this gathering. Thank you.

--Applause

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

#### Member's Statement On Inaugural Cruise Of M.V. Norweta

**MR. WHITFORD:** Thank you, Mr. Speaker. Today I rise to recognize another bona fide northern enterprise in the tourism field. Last evening, Mr. Speaker, I and another of my colleagues enjoyed an evening on the inaugural cruise of the M.V. Norweta out into Yellowknife Bay and around. Mr. Speaker, in the time period between the 1920s and the early 1950s, steam-powered paddle wheels were the main means of transportation on the Mackenzie River system. People could book passage from the end of the rail at Waterways in Alberta and travel on the series of boats all the way down to Aklavik in the Mackenzie Delta. There were first class accommodations and services available on that two-to-three week trip.

In 1970 a business enterprise in Hay River built and operated a tour boat that would tour up and down the Mackenzie River, offering tourists first class accommodations and visits to communities along the river. That ship was the M.V. Norweta, short for Northwest Territories. Due to the economy of the time and fast water on the river, the venture was short-lived. Mr. Speaker, the spirit of that venture lives on with the re-emergence of the Norweta as a tourist-class cruising ship. At a time when we see all too many northern tourist facilities owned, operated and staffed by southern people, it is refreshing to see a truly northern-owned, operated and staffed venture. This enterprise is 100 per cent northern.

Mr. Speaker, I was just a boy when the S.S. Distributor made its last voyage on the Mackenzie-Slave River system to Fort Smith. An era had come to an end when that ship was docked and later destroyed by fire. We are fortunate to see a re-emergence of that type of service. We live on one of the most beautiful lake and river systems in the world, and maybe we can, in the very near future, again enjoy a small sample of that beauty and taste of that by-gone era. The Norweta may be that ship.

--Applause

**MR. SPEAKER:** Thank you. Members' statements. Item 4, returns to oral questions. The honourable Member for Nunakput.

#### ITEM 4: RETURNS TO ORAL QUESTIONS

##### Return To Question O578-91(1): Facelift For Detoxification Centre, Yellowknife

**HON. NELLIE COURNOYEA:** Mr. Speaker, I have a return to an oral question asked by Mr. Pedersen on July 2, 1991 regarding the facelift for the detoxification centre in Yellowknife. Mr. Speaker, a duplex previously owned by the Government of the Northwest Territories in Yellowknife was leased to Northern Addiction Services, NAS, as a detoxification centre. In December 1990, cabinet approved the sale of this building to NAS, a private community group. In order to secure a mortgage from Canada Mortgage and Housing Corporation, NAS had to either secure ownership of the property or have a lease of at least 35 years. NAS has decided to make renovations to the building totalling \$725,000. NAS has obtained a mortgage from CMHC for the entire cost of the renovations. The Government of the Northwest Territories is not providing any funds for these renovations. Thank you.

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

##### Further Return To Question O459-91(1): Road To Shoreline, Clyde River

**HON. TOM BUTTERS:** Mr. Speaker, I have a return to a question asked by Mr. Kilabuk on April 16, 1991 relative to the road to the shoreline, Tupiqtaik, Clyde River. The hamlet of Clyde River has submitted a proposal to the department to improve the trail to Tupiqtaik. I have agreed to provide the hamlet with \$10,000 over the next two years to construct minor improvements to the trail. I have agreed to this request because the area is very important to the community. The hamlet has supported this proposal and has agreed to carry out any ongoing maintenance of the trail because of the relatively low construction cost.

##### Return To Question O579-91(1): Ownership Of Ijiralik Park And Meliadine Esker

I also have a return to a question asked, I believe yesterday, by the honourable Member for Aivilik, Mr. Ernerk, regarding the Ijiralik Park and the Meliadine Esker. At present, the sand and gravel contained in the Ijiralik Park area and in the esker along the Meliadine River lies outside the hamlet of Rankin Inlet boundary on federal lands, under the administration and control of the Department of Indian Affairs and Northern Development. In addition to the input provided by this government, hamlet input into the management of this resource is provided through the consultation process of DIAND's northern affairs program. Thank you, sir.

**MR. SPEAKER:** Thank you. Returns to oral questions. The

honourable Member for Iqaluit.

**Return To Question O441-91(1): Cost To GNWT Of Searching For Lost Explorers**

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Ernerk on April 15, 1991, regarding search and rescue. Mr. Speaker, every year there is a great variety of "polar expeditions" which travel in the High Arctic. All expeditions are privately funded, and if any problems occur, the individual group is responsible for its own costs. This government does not assume any costs for searches or other assistance that may be required. Regional directors in the Baffin, Keewatin, Kitikmeot and Inuvik Regions have all reported that no costs have been paid for by the Government of the Northwest Territories for any searches for any of these expeditions.

**MR. SPEAKER:** Returns to oral questions. Returns to oral questions. Prior to proceeding with the next item, I just wish to draw the attention of Members to our public gallery, to our Member of Parliament for the Western Arctic, who is in attendance, along with the President of the Metis Association.

---Applause

Thank you. Item 5, oral questions. The honourable Member for Deh Cho.

**ITEM 5: ORAL QUESTIONS**

**Question O585-91(1): Status Of Community Freezer Policy**

**MR. GARGAN:** Thank you, Mr. Speaker. I would like to direct my question to the Minister of Renewable Resources. Before December I requested whether or not Kakisa could be considered for a community freezer. The Minister responded to me on December 20 that there will be a community freezer policy drafted in co-operation with Public Works and Municipal and Community Affairs. I asked the Minister on March 20 whether or not this policy was developed, and the Minister responded by saying that it was in the priorities and planning committee and I should have a response early. To date, I have not. Last month, Mr. Speaker, I phoned the department with regard to that, and it is still with the department in planning and priorities. We do not have a community freezer policy in place yet approved by the Executive Council. I would like to ask the Minister when, in fact is the planning and priorities committee going to conclude discussion on that and get it to the attention of the Executive?

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

**Return To Question O585-91(1): Status Of Community Freezer Policy**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. Mr. Speaker, the policy that my department, along with the Department of Public Works, drafted has been taken to priorities and planning. It has been dealt with at priorities and planning. The policy will have to be approved by the Executive Council. Once it is approved, we will be able to apply the policy. Thank you.

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

**Supplementary To Question O585-91(1): Status Of Community Freezer Policy**

**MR. GARGAN:** Mr. Speaker, since this is the government's initiative, I would like to ask the Minister whether or not this

policy would be approved before the conclusion of the 11th Assembly.

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

**Further Return To Question O585-91(1): Status Of Community Freezer Policy**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. My understanding is that cabinet will be dealing with it this week. Thank you.

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

**Question O586-91(1): By-Laws And Regulations Restricting Packaging Used By Retail Stores**

**MR. McLAUGHLIN:** Thank you, Mr. Speaker. I would like to ask the Minister responsible for Municipal Affairs if the present Cities, Towns and Villages Act would allow a municipality to pass by-laws and make regulations governing, and possibly restricting, the types of containers and packaging, such as plastic, used by retail stores in their sales.

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

**Return To Question O586-91(1): By-Laws And Regulations Restricting Packaging Used By Retail Stores**

**HON. TOM BUTTERS:** Mr. Speaker, I would like to thank the honourable Member for giving notice of this question as it is something I could not know of by way of day-to-day business. I am advised, in the research we have had to do in the last 24 hours, that municipal councils may enact by-laws concerning business licensing and regulations under sections 110 and 113 of the Cities, Towns and Villages Act and of the Hamlets Act. Paragraph 3(c) empowers the municipal council to regulate the by-law operation of any class of business. It is likely that a municipal by-law on the specific subject of the packaging of goods relying on enabling legislation of such a general nature would be held to be ultra vires and not within the council's power. That is from my own officials. I have not tried it out with the Department of Justice as yet.

I think the Member would be interested in knowing, with regard to the subject in general, that the Canadian Council of Ministers of the Environment has been reviewing the subject of the packaging of goods and has determined that control cannot be achieved at the municipal level nor at the territorial or provincial level. This is because decisions about packaging for retailed goods are generally made by manufacturers. Control of packaging must therefore be at the national level. They will, of course, have international repercussions. Thank you.

**MR. SPEAKER:** Thank you. Oral question. The honourable Member for Pine Point, supplementary.

**Supplementary To Question O586-91(1): By-laws And Regulations Restricting Packaging Used By Retail Stores**

**MR. McLAUGHLIN:** Thank you, Mr. Speaker. As a supplementary, I would like to point out that the municipality of Berkeley in California passed such legislation. They are not a very large community, maybe 100,000 people. I would like to ask the Minister if he would consider amending the legislation, if necessary, to allow this because some of the packaging is not done at national and territorial levels. It is done locally. For example, the choice of having plastic bags or paper bags at the counter is certainly a local decision.

Even eliminating plastic bags from garbage dumps would be an advantage. Thank you, Mr. Speaker.

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

**Further Return To Question O586-91(1): By-Laws And Regulations Restricting Packaging Used By Retail Stores**

**HON. TOM BUTTERS:** Mr. Speaker, I will not consider it at this time, but I notice the Minister of Justice is in the House and has obviously heard the question. I will refer to him and his officials the matter raised by the Member, and if it is possible, then such consideration can be given to his request.

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

**Question O587-91(1): Funding For Establishment Of Day-Care Centre, Chesterfield Inlet**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. This is directed to the Minister of Social Services. I would like to ask, as I am aware that one of my constituency communities, namely Chesterfield Inlet, when the Minister came to Chesterfield Inlet -- I would like to thank her for coming in, and other Ministers that were able to come to my riding -- Theresa Irwin of Chesterfield Inlet asked the Minister if the Minister would be able to assist her in establishing a day-care centre. Also, Mr. Speaker, I myself am aware that there is a big need for a day-care facility in Chesterfield Inlet so more women can take employment. Has the Minister made funds available or committed funds to establish a day-care facility in Chesterfield Inlet?

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

**Return To Question O587-91(1): Funding For Establishment Of Day-Care Centre, Chesterfield Inlet**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I recognize there was an indication of wanting to set up a day-care centre in Chesterfield Inlet. Shortly after my visit, the licensing officer attempted to visit Chesterfield Inlet, I believe in December of 1990, but was weathered out and ended up spending five days in Rankin Inlet. However, there certainly are efforts currently being made to process the application for a family day home licence in Rankin Inlet, and once this application is approved, assistance would be given to the applicant for a start-up grant and she then would be eligible for ongoing O and M contributions for further services. Thank you.

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

**MR. ERNERK:** Thank you, Mr. Speaker. I believe I was asking a question regarding Chesterfield Inlet. Mind you, if there is some assistance going to Rankin Inlet, I am extremely pleased.

**MR. SPEAKER:** I did not hear a question being asked by the honourable Member. The honourable Member for Aivilik.

**Supplementary To Question O587-91(1): Funding For Establishment Of Day-Care Centre, Chesterfield Inlet**

**MR. ERNERK:** I would like to direct a question to the Minister of Social Services. Mr. Speaker, during her visit to Chesterfield Inlet not too long ago, there was a request from

a lady named Theresa Irwin from Chesterfield Inlet, who wanted to start up a day-care facility in Chesterfield Inlet and as a result requested funds from the Government of the NWT. I wonder if any assistance has been provided for Chesterfield Inlet for them to start a day-care facility in that community. Thank you, Mr. Speaker.

**MR. SPEAKER:** The honourable Member for Slave River.

**Further Return To Question O587-91(1): Funding For Establishment Of Day-Care Centre, Chesterfield Inlet**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I thought I answered the question, but maybe the Member did not hear me. A licensing officer had attempted to go into Chesterfield Inlet in December. However, he got weathered out and ended up spending five days in Rankin Inlet. I do want to indicate to the Member that there has been an application processed through the Department of Social Services which may entitle the applicant for a start-up grant for a family day home licence and not a day-care centre. If this application is approved, then the applicant would be further allowed to access our O and M contribution funding for this family day home. Thank you.

**MR. SPEAKER:** Honourable Member for Kitikmeot West.

**Question O588-91(1): Cost Of Northern Addiction Services Building**

**MR. PEDERSEN:** Thank you, Mr. Speaker. To the Minister of Public Works, further clarification on the return to questions she gave me today. In December 1990, cabinet approved the sale of this building to NAS, Northern Addiction Services. How much was the building sold for?

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

**Return To Question O588-91(1): Cost Of Northern Addiction Services Building**

**HON. NELLIE COURNOYEA:** Mr. Speaker, one dollar.

**MR. SPEAKER:** Thank you. Oral questions. The honourable Member for Kitikmeot West, supplementary.

**Supplementary To Question O588-91(1): Cost Of Northern Addiction Services Building**

**MR. PEDERSEN:** Thank you, Mr. Speaker. Does that include the land with the building?

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

**Further Return To Question O588-91(1): Cost Of Northern Addiction Services Building**

**HON. NELLIE COURNOYEA:** That is correct, Mr. Speaker.

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

**Question O589-91(1): Funding For Radio Stations, Coral Harbour And Repulse Bay**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Culture and Communications. In Coral Harbour and Repulse Bay they requested funding to assist with the radio station. Did you provide this assistance?

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

**Return To Question O589-91(1): Funding For Radio Stations, Coral Harbour And Repulse Bay**

**HON. TITUS ALLOOLOO:** (Translation) Thank you, Mr. Speaker. The manager of the radio station and the mayor of the hamlet wrote me a letter requesting funding. We responded and told them we assist the radio stations on a yearly basis with money to operate. They were satisfied with the answer we provided for them.

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

**Question O590-91(1): Regional Meetings For Social Services Staff**

**MR. NINGARK:** Thank you, Mr. Speaker. I would like to direct my question to the Minister of Social Services. Some years ago a group from each of the communities used to have regional meetings. I was told by one of my constituents from Spence Bay that this has not been so the last two years. I wonder if such a meeting can be arranged in the future, so this kind of meeting is a two way channel for the group from the community and for the Social Services staff. Could these regional meetings be arranged again?

**MR. SPEAKER:** Honourable Member for Slave River.

**Return To Question O590-91(1): Regional Meetings For Social Services Staff**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. Yes, I will look into the Member's request.

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

**Question O591-91(1): Benefits To 11th Assembly MLAs**

**MR. MORIN:** My question is for the Government Leader. On February 23, 1990, I asked a written question of the Government Leader on direct or indirect benefits to the 11th Assembly Members of the Legislative Assembly. I would like an update on this because yesterday we debated access to information in this House. We have not finished this yet, and this is a request that I had over a year ago and I still have not got an answer as a Member of the Legislative Assembly. Mr. Government Leader, when will you be answering my written question?

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

**Return To Question O591-91(1): Benefits To 11th Assembly MLAs**

**HON. DENNIS PATTERSON:** Mr. Speaker, the Member's question required a great deal of work. It required us to search government records and also the step I took was to approach each MLA to confirm information that our record search had obtained and also to inform Members of the particular request. Mr. Speaker, I can assure the honourable Member that I have been diligently undertaking that work. I have approached all Members but have not yet received replies from every Member, but I will endeavour to provide a reply before the end of this session.

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

**Question O592-91(1): Approval To Dispose Of Capital Assets**

**MR. PEDERSEN:** Thank you, Mr. Speaker. To the Government Leader. Mr. Speaker, this Legislature approves, through the budgetary process, many capital building projects:

staff housing, student hostels, group homes, et cetera. This government, in order to obtain these facilities, needs the approval of this Legislature through that budgetary process. Does the cabinet have unilateral powers to dispose of these capital assets without permission of this Legislature, as you have done in the case with the duplex that you sold for one dollar to Northern Addiction Services? Can you do that unilaterally with any of the things we approved for you through the budgetary process?

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

**HON. DENNIS PATTERSON:** Mr. Speaker, I will have to take that question as notice. It involves the Financial Administration Act and policies of our government, and it will take some work to prepare a proper answer. Thank you.

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

**Question O593-91(1): Agreement Of Five Persons To Serve On Constitutional Commission**

**MR. LEWIS:** Thank you, Mr. Speaker. I listened very carefully to an interview between Mr. Kakfwi and Judy McLinton of CBC this morning, and I now have a transcript of it, and I have been able to dig out some names of people that apparently have agreed to serve on the Constitutional Commission. I would like to ask the Minister responsible for Aboriginal Rights and Constitutional Development whether these five people have accepted a seat on this commission: Mr. Braden, Mr. Bourque, Mr. Hardy, Mr. Gruben and Mr. Paulette.

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

**Return To Question O593-91(1): Agreement Of Five Persons To Serve On Constitutional Commission**

**HON. STEPHEN KAKFWI:** Mr. Speaker, there is acceptance, I think, and agreement in principle by all the members that if the commission should proceed with financial support and moral support from this Legislature to continue to agree to work together on the idea of a commission, that the members that have been nominated and put on this commission so far will in all likelihood be the ones that will be on it, at least for the duration of the work. Thank you.

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

**Supplementary To Question O593-91(1): Agreement Of Five Persons To Serve On Constitutional Commission**

**MR. LEWIS:** Would the Minister confirm that when this House meets and considers the supplementary appropriation of one million dollars for the work of this constitutional commission, the work will then proceed as originally planned? Will he confirm that?

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

**Further Return To Question O593-91(1): Agreement Of Five Persons To Serve On Constitutional Commission**

**HON. STEPHEN KAKFWI:** Mr. Speaker, just to make a correction, the members of the commission are: Mr. Jim Bourque, chairman; Les Carpenter, not Roger Gruben; Francois Paulette; George Braden; and Rick Hardy. When the Members of the Legislative Assembly discuss the

proposed budget for the commission, I expect, as we all expect, that we will go through the terms of reference; and of course the controversy now is whether the Members of this Legislative Assembly would find sufficient reason to suggest changing the terms of reference to include a woman as a member of this commission, or whether you would approve the terms of reference "as is" and approve or not approve the budget of the commission.

I believe that we made a commitment, all of us as political leaders, that the commission itself would operate at arm's length from people like myself. It may be that the committee of the whole may want to ask questions of the commission chairman, if you wish, to explain how they propose to use the money in carrying out their work as a commission. Thank you.

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

**Supplementary To Question O593-91(1): Agreement Of Five Persons To Serve On Constitutional Commission**

**MR. LEWIS:** These five people, then, have been appointed, Mr. Speaker, and their work can proceed, contingent upon getting funding from this Assembly. I would like to ask whether this group has to date been able to talk to each other, even informally, either by teleconferencing or by any form of meeting, so that you could get a feel for the way that group feels about the work that it really has to perform. I understand that the Minister tonight is going to be presenting us with the terms of reference for this commission. I would like to ask him, has that group met so that they could work on those terms of reference?

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

**Further Return To Question O593-91(1): Agreement Of Five Persons To Serve On Constitutional Commission**

**HON. STEPHEN KAKFWI:** Mr. Speaker, the terms of reference for the commission are terms of reference that were developed between the committee of western leaders -- that is, Mr. Bill Erasmus; Gary Bohnet, the president of the Metis Association; Roger Gruben, the chairman of the Inuvialuit Regional Corporation; representatives from the Gwich'in Tribal Council and the Sahtu Tribal Council, which are regional organizations that have taken a more independent role from the Dene Nation. The committee also included Mr. Ballantyne and myself. We have talked about that. We have a commission, and we have had a series of meetings. At each meeting we have taken the liberty to change the terms of reference. The commission is not, I think, at liberty to change the terms of reference by themselves, but I think they can make suggestions to further define how their work is going to be done. I know that they have met at least once to talk about what it is they see their work as, and how they are going to do it; and they have had some other discussions about how to set up the administration and how they are going to organize themselves.

I have taken the liberty, over the weekend, to contact Mr. Bourque and say that I think I would anticipate that yourselves, as Members of this Legislature, would want some detail about what kind of work plan they have, how they expect to proceed from here on a weekly or even a monthly basis, so that there will be some substance for justifying a budget. Beyond that, I get the distinct impression from Mr. Bourque that it is hands off and arm's length, so I keep my distance. Thank you.

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

**Question O594-91(1): Public Housing, Hay River Reserve**

**MR. GARGAN:** Thank you, Mr. Speaker. I would like to direct my question to the Minister of Housing. Last week, on June 25, 1991, I brought to the attention of the Minister the housing situation on the Hay River Reserve, and in his response he did say that the reserve is getting their full entitlement of housing according to their needs and according to the needs survey. Mr. Speaker, I have a problem with regard to the Minister's statement, mainly because they are not getting their full entitlement. They are perhaps getting their full entitlement according to the HAP units that are being built on the reserve, but they are not getting full entitlement with regard to public housing. In fact, they are getting nothing in the public housing area, Mr. Speaker.

Because we have a certain category for people that cannot afford to live in HAP units and the problem right now is that they need accommodations -- I would like to ask the Minister whether or not he would resolve this whole issue so that we could address that particular group of people that are not getting any kind of entitlement.

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

**Return To Question O594-91(1): Public Housing, Hay River Reserve**

**HON. TOM BUTTERS:** Mr. Speaker, during the question and answer exchange last week, I did admit that the problem of providing public housing on the reserve was the most difficult one because of the fact that it is a reserve and the land is not available to the government as is land in other communities.

The question today is, what have I done or what will I do to attempt to resolve that question? It is not something that I can do unilaterally. As the Member well knows, I have consulted with my colleagues about this and, in view of the fact that it deals with the reserve situation at Hay River, I have asked that the problem be examined by a subcommittee of our government. Hopefully when that occurs, we will get some idea as to how I can address the problem. Thank you.

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

**Supplementary To Question O594-91(1): Public Housing, Hay River Reserve**

**MR. GARGAN:** Thank you, Mr. Speaker. I would like to ask the Minister, when was this subcommittee created?

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

**Further Return To Question O594-91(1): Public Housing, Hay River Reserve**

**HON. TOM BUTTERS:** Thank you. The committee I referred to as the aboriginal rights and constitutional development committee is under the chairmanship of the honourable Stephen Kakfwi.

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

**Question O595-91(1): Legality Of Sale Of Duplex To Northern Addiction Services**

**MR. PEDERSEN:** Thank you, Mr. Speaker. Mr. Speaker, my last question was taken as notice so I will ask another one of the Government Leader. In December 1990, when the duplex

was sold to NAS, did your cabinet then check into the legality of selling property like that, without Legislative Assembly approval, the implications of the Financial Administration Act, et cetera? Was that checked into at that time?

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

**Return To Question O595-91(1): Legality Of Sale Of Duplex To Northern Addiction Services**

**HON. DENNIS PATTERSON:** Well no, Mr. Speaker; it was not raised as an issue. The government has disposed of many surplus properties in communities throughout the NWT in a similar manner. Routine procedures were followed, and there was no need to review the legality at that time because it had not been raised as an issue. Thank you.

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

**Question O596-91(1): Calculation Of Costs For 35 HAP Houses**

**MR. MORIN:** Thank you, Mr. Speaker. I recall a few years when the Member for Sahtu was the Minister of Housing, and my question is to the Minister of Housing now. He used to like to measure things in HAP houses by dollar value. I just did some quick calculations, and here this Western Constitution Commission is going to cost close to a million dollars. Mr. Minister, would that one million dollars build around 33 to 35 HAP units in my region? Are my calculations correct? Thank you.

---Laughter

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

**Return To Question O596-91(1): Calculation Of Costs For 35 HAP Houses**

**HON. TOM BUTTERS:** If this Assembly would like to provide me the money I will do the best I can for you all.

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

**Question O597-91(1): Replacement Of Housing Association Office Building In Natilikmiot**

**MR. NINGARK:** Thank you, Mr. Speaker. My question is directed to the honourable Minister for Housing. During the tour of Natilikmiot communities we did a fact finding tour around the town, and one of the buildings that we visited was the housing association office. This building was condemned by the Fire Marshal's office as being unsafe under the fire regulations. Mr. Minister, since then have you made any decisions to replace that building? Thank you.

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

**HON. TOM BUTTERS:** I think the same question asked me by the honourable Member in February, on the same building. I think the answer then was that there were two options being considered: either to renovate that particular structure or to build a new unit. I do believe that there is money identified, but I just cannot determine whether the improvement was to go ahead this year. I will take this question as notice.

**SPEAKER:** The honourable Member is taking the question as notice. Oral questions. The honourable Member

for Aivilik.

**Question O598-91(1): Frequency Of Court Circuits To Aivilik**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Justice. Mr. Speaker, the judges and the workers in the courts have enough workload with their jobs, Mr. Speaker, but I have been advised by my constituents from Aivilik, that the people who have to appear in court have to wait a long, long time for the court circuits to come to their communities. Quite a while back I received a phone call from a parent who has a son who is getting kind of hesitant to appear in court. Because of the fact that he was due in court but had to wait for a very long time, he tried to commit suicide because he was getting fearful. Luckily, he did not succeed, and I was quite happy about that.

Mr. Speaker, I would like to ask the Minister if it is possible for the court circuits to visit the communities more frequently because that would have more advantage to the community. Thank you, Mr. Speaker.

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

**Return To Question O598-91(1): Frequency Of Court Circuits To Aivilik**

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Speaker. Mr. Speaker, the concern of the Member is a concern I have heard from other Members. What has happened over the past couple of years has been a fairly dramatic increase in the number of people who are appearing in front of our territorial courts. I must say that our judges are probably the hardest-working in the country. The number of court circuits they go on is much higher than anywhere else in the country. We are reaching a breaking point within the justice system.

The number of cases that they are dealing with is up in corresponding amounts; we are talking 25 or 30 per cent a year over the last couple of years. I have asked that the judges, the Crown prosecutors, the police, the number of people that they are dealing with, all to compile their statistics for us collectively in the justice system, to come up with a longer-term approach as to how we are going to deal with the issue. The Department of Social Services is directly involved in the corrections side of it, and youth justice committees, and it is becoming more and more obvious to all of us that we have to speed up the approach that we have started over the last couple of years on a community-based justice system.

As you know, the JPs are now undergoing much stronger training than they have in the past. Sam Stevens has been in most communities. We look at the JPs as being able to, in the longer term, to take part of the load away from the territorial court judges. There are many cases that with proper training, the JPs will be able to handle.

In the short term, after I have all the information, I think in a response to Mr. Pollard as to whether or not I was looking at the possibility of having another territorial court judge, I said at the time that because of budget restraints I wanted to ensure that we had the supporting documentation before I bring anything like that forward to my colleagues. I am in the process of compiling that information, and I see the possibility in the next year, perhaps in the next budget, or sooner if facts warrant it and the cabinet and the Legislative Assembly agree that it is a priority, that it is one possibility, to have extra judges. But in the long term I do not think we can just keep throwing money at this particular problem. You could increase the number of police officers, the number of prosecutors, the

number of judges, but I think as Mr. Gargan and Mr. Pedersen and others have said, that does not get at the root of the problem.

I think there is agreement by all the components of the justice system that we have an emerging problem and that we have to deal with it in a holistic approach. I think some of the steps that will be taken in the next two or three months will help alleviate the sort of problem that you are talking about. All I can say for now is that even though there are delays, the delays in the NWT are not as lengthy as they are in most jurisdictions. But I think it is a very legitimate concern and one that we are very aware of and will do everything possible to try to address.

**MR. SPEAKER:** Oral questions. Honourable Member for Aivilik, supplementary.

**Supplementary To Question O598-91(1): Frequency Of Court Circuits To Aivilik**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. I understand the Minister. I have a supplementary question. It is sad to see that there are so many people that have to appear in front of the court. If the territorial government worked to meet that goal and we could get a judge in the Keewatin Region -- would that be possible?

**MR. SPEAKER:** Honourable Member for Yellowknife North.

**Further Return To Question O598-91(1): Frequency Of Court Circuits To Aivilik**

**HON. MICHAEL BALLANTYNE:** The possibility in the mid and longer term of having more regional judges is a real possibility. It is one we have to look at. To try to address the Member's original concern, I think the important thing is to get the communities involved directly in the justice system. Having a judge in the region is one component of that, but there are many other components. The approach that we have all agreed to in the justice system here in the North is a community-based approach. Ultimately it will take more than judges and police and prosecutors to deal with this situation. It is going to be with people in communities feeling better about themselves, coming up with solutions that are their solutions and not solutions imposed upon them by a government. I am convinced that the only long-term approach is to come up with ways to keep people from going in front of the courts and keep people from being picked up by the RCMP. So that is the direction we are going.

But as you know, since I have been Minister, we have put judges in two regions, in the Baffin and in the Delta regions and in the longer term I have no doubt that that approach will be continued, with judges in various regions of the NWT. Thank you.

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

**Question O599-91(1): Chipewyan Interpreter, Fort Resolution**

**MR. MORIN:** Thank you, Mr. Speaker. My question is for the Minister responsible for Culture and Communications. Back in February and in March and again in April I requested of you to move a position for a Chipewyan interpreter from Yellowknife to Fort Resolution. At that time you said there was no possible way of moving that position from Yellowknife but that you had written to me and made a commitment to create a new position for Fort Resolution. Where is that position now and when can the community expect that position to take effect in the community?

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

**Return To Question O599-91(1): Chipewyan Interpreter, Fort Resolution**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I said last session that I would direct my department to look into this and tell me how it could happen. In terms of languages agreement, I am told that the negotiations with the federal government are not concluded. I cannot, then, tell the Member when that person will be moving into Fort Resolution. As soon as the negotiations are finalized with the federal government, and when the money is there, we will be able to move very quickly for that person to be in Fort Resolution. Thank you.

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

**Supplementary To Question O599-91(1): Chipewyan Interpreter, Fort Resolution**

**MR. MORIN:** Supplementary, Mr. Speaker. How much longer will the negotiations with the federal government take?

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

**Further Return To Question O599-91(1): Chipewyan Interpreter, Fort Resolution**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. As I stated earlier this week, I was told by the federal Minister of Culture and Communications that he has been given a mandate to negotiate with our government for the multiyear agreement. I have requested the Minister of Justice and Finance to allocate people to work with my deputy minister to negotiate the final agreement. I am told that the negotiations could take a very short time, and I am hoping that before the end of this month we will have an agreement in place respecting the aboriginal languages as well as the French language. Thank you.

**MR. SPEAKER:** Honourable Member for Kitikmeot West.

**Question O600-91(1): Cost Of Student Boarding In Yellowknife**

**MR. PEDERSEN:** Thank you, Mr. Speaker. To the Minister of Education. On February 28th of this year the Minister provided to me, through his executive assistant, some figures on the cost of keeping students in various residences. On that date they were read into Hansard. For Akaitcho Hall the cost was \$17,000 per student per year. That was in February. Yesterday the Minister, in a reply to an oral question, told me that it would cost, to provide for nine students from Cambridge Bay in Yellowknife, \$79,200 for residence costs. I would like to know why the difference. The \$79,200 is just about half of the figure we were given in February. Has the Minister managed to achieve greater economy to that scale or is the February figure or the July figure correct? Which figure should I accept as being the correct figure?

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

**HON. STEPHEN KAKFWI:** Mr. Speaker, I am just as curious as he is. I would like to know myself.

---Laughter

I will have to find out.

**MR. SPEAKER:** Is the honourable Member taking the question as notice?

**HON. STEPHEN KAKFWI:** Mr. Speaker, I take the question as notice.

**MR. SPEAKER:** Honourable Member for Deh Cho.

**Question O601-91(1): Housing Situation On The Hay River Reserve**

**MR. GARGAN:** Thank you, Mr. Speaker. I would like to direct my question to the Minister of Aboriginal Rights and Constitutional Development. It is with regard to housing on the Hay River Reserve. This has been referred to his department for review. What does the Minister hope to achieve by reviewing the housing situation on the reserve?

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

**Return To Question O601-91(1): Housing Situation On The Hay River Reserve**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I think the Member has been reading my mail before I have. I have not received it yet, but apparently it is on the way.

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

**Question O602-91(1): Training For Community By-Law Officers**

**MR. NINGARK:** (Translation) Thank you, Mr. Speaker. I would like to ask the Minister of Municipal and Community Affairs about the by-law officers in our communities. They are very beneficial to the community and assist the community, but a lot of times we want them to be properly trained with their job because it is hard work in the smaller communities. Can training be provided to the by-law enforcement officers in the smaller communities? Thank you, Mr. Speaker.

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

**Return To Question O602-91(1): Training For Community By-Law Officers**

**HON. TOM BUTTERS:** Thank you, Mr. Speaker. The concern raised by the Member is a valid one, and I have discussed it with my deputy minister. I do believe the recent NWT Association of Municipalities meeting also had that item on the agenda. I believe as a result of the concerns raised by municipalities that a training program has been developed. I am just not sure how it is funded, but I can provide the specific details to the Member tomorrow. I think I can satisfy him that something is being done to recognize the need he has identified.

**MR. SPEAKER:** Honourable Member for High Arctic.

**Question O603-91(1): Funding For Resolute Bay Alcohol And Drug Committee**

**MR. PUDLUK:** (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Social Services. Resolute Bay Alcohol and Drug Committee requested funding from Social Services, and they have not been given a proper response for a long time. I would like to know what the situation is at this time.

**MR. SPEAKER:** Honourable Member for Slave River.

**Return To Question O603-91(1): Funding For Resolute Bay Alcohol And Drug Committee**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. Unfortunately, the alcohol and drug board of management has

not been able to meet to review new proposals, and Resolute Bay's proposal was considered a new proposal because they never did receive funding in prior years. However, they have recently met, I believe in May, and they have recommended funding for the Resolute Bay Alcohol and Drug Committee to be able to deliver the program. But exactly how much funding, I do not know off hand. I will advise the Member accordingly.

**MR. SPEAKER:** Honourable Member for Baffin Central.

**Question O604-91(1): Location Of Fisheries Plant, Pangnirtung**

**MR. KILABUK:** (Translation) Thank you, Mr. Speaker. I will direct my question to the Minister of Municipal and Community Affairs. In our community we have a fishery. This is located right near the hamlet offices. I wonder if the Minister of MACA has been told by the hamlet where these people can be relocated. Or have they decided on a better location to continue this fisheries and cooling system? Has he received any other kind of correspondence from the hamlet? Thank you, Mr. Speaker.

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

**Return To Question O604-91(1): Location Of Fisheries Plant, Pangnirtung**

**HON. TOM BUTTERS:** No, Mr. Speaker, I have not had the concern raised with me by hamlet officials. I visited the facility when last in Pangnirtung, and I am aware of the location of the site. It is a matter that I would expect could be and would be dealt with by the mayor and hamlet council without involvement of the Department of Municipal and Community Affairs. I will check with my department if there are any concerns that we are aware of and advise him tomorrow.

**MR. SPEAKER:** Honourable Member for High Arctic.

**Question O605-91(1): Talks Re New Hospital, Baffin Region**

**MR. PUDLUK:** (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Health. In the Baffin Region there have been ongoing talks of obtaining a new hospital. The health board has a concern. They have been wondering if they would be able to have this facility set up prior to 1997. What decision has the Department of Health made further to those meetings they had? Thank you.

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

**Return To Question O605-91(1): Talks Re New Hospital, Baffin Region**

**HON. NELLIE COURNOYEA:** Mr. Speaker, there is no reassessment for advancing the time for the building of the Baffin hospital. We have made major renovations, and we continue to work with the Baffin Health Board to plan and decide what type of hospital there is going to be. So the schedule is as it is, and we have not heard from the Baffin hospital board whether they are dissatisfied with that. I believe that we did come to a compromise with the Baffin Health Board which outlined that schedule of activities. The only issue that has always been put forward was whether we were going to continue with that schedule and meet the date of 1997. Mr. Speaker, we are still committed to that date. We are committed to continue to work with the Baffin Health Board to plan and design that building. Thank you.

**MR. SPEAKER:** Honourable Member for High Arctic, supplementary.



**MR. PUDLUK:** (Translation) I seek unanimous consent to extend question period.

**MR. SPEAKER:** The honourable Member is seeking unanimous consent to extend question period.

**SOME HON. MEMBERS:** Agreed.

**MR. SPEAKER:** There are no nays. We will extend question period. Prior to proceeding I wish to draw the attention of Members to guests from the Yakut-Sakha Soviet Socialist Republic: Mr. Mikhail Nikolaev, chairman, Yakut-Sakha Soviet Socialist Republic, USSR; Mr. Spartak Borisov, chief, Vostok-Teknmontaz; Mr. Mikhail Bruk, chairman, YSSSR State Committee on Mineral Resources; and Mr. Yeremey Yeliseyev, chief specialist, YSSSR State Committee on Foreign Economic Relations. Welcome.

---Applause

Oral questions. The honourable Member for High Arctic, supplementary.

**Supplementary To Question O605-91(1): Talks Re New Hospital, Baffin Region**

**MR. PUDLUK:** (Translation) Thank you, Mr. Speaker. Supplementary to my question directed to the Minister of Health. As she indicated, plans are in the works to renovate the hospital located in Iqaluit. I presume that will be adequate for the time being. Does the Department of Health or the Minister -- is she aware of another centre possibly being relocated in the Baffin Region outside of Iqaluit? Thank you, Mr. Speaker.

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

**Further Return To Question O605-91(1): Talks Re New Hospital, Baffin Region**

**HON. NELLIE COURNOYEA:** Mr. Speaker, I am not aware of another hospital building being planned for the Baffin Region. As Members are aware from the questioning from the Keewatin, there is a desire to consolidate the facilities that are presently used in Winnipeg and also in Churchill and to look at what can be provided in that particular region. Mr. Speaker, I have no awareness that there is another...

**MR. SPEAKER:** Point of order. The honourable Member for High Arctic.

**MR. PUDLUK:** Thank you, Mr. Speaker. My question was directed to the Baffin Region, not another region. Thank you.

**MR. SPEAKER:** The honourable Member for High Arctic got everyone's attention. The point of order is not a point of order. The honourable Member for Nunakput, could you conclude your response?

**HON. NELLIE COURNOYEA:** Mr. Speaker, no.

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

**Question O606-91(1): Use Of Helmets On Four-Wheel All-Terrain Vehicles**

**MR. ARLOOKTOO:** (Translation) Thank you, Mr. Speaker. I am not quite certain as to whom to direct this question to. Please correct me if I am wrong. Perhaps this should be directed to the Minister of Municipal and Community Affairs.

My question is this: During the times that we used the four-wheel all-terrain vehicles, we set up some guidelines during the sitting of this Assembly. Do the communities have the option at their own levels to enforce or to not enforce the use of helmets? Is it up to communities and their own by-laws if they want to implement or not implement the use of helmets? What is the status on that? Thank you.

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

**HON. DENNIS PATTERSON:** In the absence of the Minister of Transportation, Mr. Speaker, I would like to take the question as notice and I will reply tomorrow on his behalf.

**MR. SPEAKER:** Thank you. The honourable Member will respond tomorrow. He is taking the question as notice. Oral questions. The honourable Member for Yellowknife South.

**Question O607-91(1): Impasse Of Governments Re Inspections Of Federal Properties**

**MR. WHITFORD:** Thank you, Mr. Speaker. I would like to direct my question to the Minister responsible for Safety. Earlier this year, as I understand it still exists, there was a problem between territorial and federal jurisdictions as it would relate to inspections of federal properties by our safety inspection division. There seemed to have been an impasse there that was causing some problem to northern contractors for doing electrical work and things of that nature. I would like to ask the Minister responsible whether or not this impasse has been resolved as yet. Thank you.

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

**Return To Question O607-91(1): Impasse Of Governments Re Inspections Of Federal Properties**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. Mr. Speaker, the impasse to date has not been resolved, unfortunately. There has been a great deal of correspondence that has passed through the department, constitutional legal council for the federal government and our government, and we hope that these negotiations can be concluded very quickly. However, to ensure that work does not cease in federal buildings, I have requested that they extend the time frame through September 30 in anticipation that these negotiations would be concluded and determination made as to what responsibility what department has and under whose jurisdiction the work is that being done on the federal jurisdiction's property on behalf of the Government of the NWT.

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

**Question O608-91(1): Contract Bidders From The South**

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. My question is directed to the Government Leader. About a week ago I asked the same question about the contract bidders from the South. Apparently there were two companies that I asked about. I also posed a question about the catering contract services for Kivalliq Hall. I understand this was contracted out to a southern company and there was another contract awarded to a southern-based company.

Mr. Speaker, I am not angry; however, I am interested in finding out just when I will be receiving a proper response, because I seek the support of my constituency. When can I receive a proper response, Mr. Speaker? Thank you very much, Mr. Speaker, and I am not pushing this issue.

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

**Return To Question O608-91(1): Contract Bidders From The South**

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. Since there are several departments involved, I will be happy to respond on part of the government. I am also happy, Mr. Speaker, that the Member is not angry with us. I am sure he appreciates there is not much progress when things are done in anger. Mr. Speaker, in order to assist the Member, the Ministers have looked into this matter and it has been discussed in cabinet. Regarding the contracts that the Member was concerned about with respect to waterworks in Rankin Inlet, if I understand correctly, the major contract, for the foundation work, has yet to be awarded and so we will be in a position to take into account the Member's concerns before that decision is made. The steel tank has been awarded. It is a technical project that unfortunately did require expertise that was not available in the North, as I understand it. As far as the catering contract is concerned, Mr. Speaker, a reply is being prepared, and I will endeavour to see that it can be delivered to the Member before the House adjourns. Thank you.

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

**Question O609-91(1): Action On Motion Re Gender Equality Review Being Public**

**MR. GARGAN:** Thank you, Mr. Speaker. Mr. Speaker, last November, during the session, there was a motion passed in this House with regard to a review of the justice system, that it should be a public review as opposed to what is now happening. Mr. Speaker, I would like to ask the Minister of Justice why, in his opinion, there should only be an adviser on gender equality -- I did not see that the Minister was not here, Mr. Speaker; however, I will finish my statement -- I would like to ask the Minister why, in his opinion, this whole justice review should be done by one woman, Katherine Peterson, on the question of gender equality, and why has the government not taken a position of having a public inquiry?

**MR. SPEAKER:** If the honourable Member poses the question properly, that will allow it to stand in order, but no Member can ask a question regarding an opinion of a Minister, and that is what has been asked. The honourable Member for Deh Cho.

**MR. GARGAN:** Thank you, Mr. Speaker. With regard to the motion on November 2, 1990, I would like to ask the Minister, in what way has he responded to that motion?

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

**Return To Question O609-91(1): Action On Motion Re Gender Equality Review Being Public**

**HON. MICHAEL BALLANTYNE:** Thank you. I will try to answer the Member's question. I think in this House during the budget session I explained my and the government's thinking as to the approach that we were taking on this particular issue. We gave it a lot of thought and talked to a lot of people throughout the Northwest Territories, and I came to the conclusion that a formal judicial inquiry is a very rigid process. It is a process that takes on its own life; it is a process that many people find intimidating; and it is a process

that leads to a report at the end of the process. After a consultation, I thought, and the cabinet agreed, that in the Northwest Territories we would use a different approach because we looked at this particular process as having at least two aspects to it. One aspect is to get a sense of women's feeling of frustration in dealing with the justice system as it exists today. Another aspect of it is an education process so that people who are not within the justice system have an opportunity to understand different parts of the justice system.

In the approach that Katherine Peterson is taking, she has had some community hearings and she will be having community hearings in every region of the Northwest Territories. Again, those community hearings are going to take a very northern-type approach. There will be a public part of the hearings where people can express their frustrations and their observations about the justice system. There will also be workshops where people in the justice system and outside the justice system can sit down together and not only look at the problems, but also look at possible solutions to those problems.

I must say that the question that the honourable Member is asking was a question that when we originally started this process was asked by many people, but the process itself as it has developed has built a tremendous amount of credibility. I was just at a major conference hosted by Kim Campbell dealing with women in the justice system in Vancouver, and our review of the justice system on the basis of gender equality is the first one ever held by a government in Canada. Across the country there is more and more interest in our approach. In fact, there was a major report that was presented at this particular conference by a woman and the law group in Manitoba, and they suggested that every jurisdiction in Canada undertake the same sort of review using our terms of reference. In fact, I think people are recognizing more and more that there are limitations to judicial inquiries, and people across the country are finding our approach as being very productive, being very flexible and being able, as we go through the process, to learn from the process and start instituting changes.

I am extremely pleased with the progress so far of the gender equality review. I have heard nothing but praise for the gender equality review from everyone I have talked to, and we think that the approach that we took is the most productive and useful approach. Thank you.

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

**Supplementary To Question O609-91(1): Action On Motion Re Gender Equality Review Being Public**

**MR. GARGAN:** Thank you. I appreciate the Minister's response. The one concern I have with regard to the review, Mr. Speaker, is with respect to the cultural aspect in the delivery of the justice system in the North. In the justice system there is insensitivity with regard to that, although for gender equality women are given lighter sentences than men, and also with regard to aboriginal people being given harsher sentences than white people. There has been no consideration on the way they pursue a livelihood. I would like to ask the Minister why, in this case, he ignored that cultural aspect of that review.

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

**Further Return To Question O609-91(1): Action On Motion Re Gender Equality Review Being Public**

**HON. MICHAEL BALLANTYNE:** I want to emphasize very strongly that we did not ignore that whatsoever. A very important component of this gender equality review is the cultural aspect of it. As you know, we added members to the aboriginal justice advisory committee. Katherine Peterson is conferring with them on a very regular basis to get their input into this particular review. We have been very careful -- and again we are the only jurisdiction that has, I think, dealt with it honestly and face to face -- that when it comes to trying to deal with the two different aspects of gender equality and aboriginal people as they deal with the justice system, the two of them are not totally separate. They are interlocked and they interface. A lot of the work that Katherine Peterson is doing is talking to aboriginal women, having aboriginal women define their own culture and how their culture is not reflected in the justice system. That has been a very important component of the approach that we have taken. I am surprised that the Member says that, and I would be quite happy to give the Member more information as to the process that we are going through.

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

**Supplementary To Question O609-91(1): Action On Motion Re Gender Equality Review Being Public**

**MR. GARGAN:** Mr. Speaker, I would like to ask the Minister, there was a discussion paper done by Katherine Peterson with regard to gender equality and very little was mentioned about the cultural aspect of that report. Does the Minister intend to table this report for the Assembly to discuss?

**MR. SPEAKER:** Honourable Member for Yellowknife North.

**Further Return To Question O609-91(1): Action On Motion Re Gender Equality Review Being Public**

**HON. MICHAEL BALLANTYNE:** I made a commitment in this House that I would do that. We intend to table, tomorrow or Friday, two papers. One paper is Katherine Peterson's paper on gender equality, and another paper dealing with aboriginal people in the justice system. I intend to table both reports simultaneously tomorrow or Friday.

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

**Question O610-91(1): Birthing Centre, Keewatin Region**

**MR. ERNERK:** Thank you, Mr. Speaker. I would like to direct this question to the Minister of Health. Madam Minister, I want to say to you firstly that I like your attitude with regard to regional health services in the Keewatin Region. My constituents appreciate your attitude toward regional health services in the region. Thank you.

But I do have a question for the Minister. It has to do with the study of the impact of obstetric policy on Inuit women and their families in the Keewatin Region. This is a determination with regard to childbirth services for northern women. Mr. Speaker, my question is not a new question, and the Minister is certainly aware of the question because I have asked it on a number of occasions in the past four years. I wonder what is the feeling now of the government with regard to the possibility of establishing birthing centres or a regional birthing centre in the Keewatin Region.

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

**Return To Question O610-91(1): Birthing Centre, Keewatin Region**

**HON. NELLIE COURNOYEA:** Mr. Speaker, on the request to explore birthing centres in the various regions, I would like to advise the Member that we are very supportive of this type of program and we continue to deal with Rankin Inlet and the Keewatin Health Board on the matter that they put before us. They have broadened the program a bit and wanted to do a little more work before coming forward with a total program on what they felt would be advantageous to themselves. At one time there was a feeling that it would be a regional birthing centre. However, it appears that they may be exploring avenues so that they could begin by serving Rankin Inlet alone at the beginning to see how that works out.

So we continue to work actively with the regions that are either requesting pilot projects or developing a program so birthing can take place closer to home. Thank you.

**MR. SPEAKER:** Honourable Member for Yellowknife South.

**Question O611-91(1): Repairs To Yellowknife Correctional Centre**

**MR. WHITFORD:** I would like to direct a couple of questions to the Minister responsible for Corrections and Social Services. The House will recall that in January there was a riot at the Yellowknife Correctional Centre, or a disturbance, and there was a considerable amount of damage done; so much so that inmates had to be relocated and the inmate population reduced. Earlier, the Minister had indicated that they were going to do some renovations and some work to put that back into place. I would like to ask the Minister, what has the department accomplished in the last six months in the area of retrofitting or fixing that area, the east wing?

**MR. SPEAKER:** Honourable Member for Slave River.

**Return To Question O611-91(1): Repairs To Yellowknife Correctional Centre**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. We estimate the cost to redesign the structure of the building to its previous structural state to be somewhere to the tune of \$238,000. I have submitted to the Financial Management Board a request for funding, and with that we will be going out to tender and anticipate to bring back the east wing to its previous structure with more security type measures.

**MR. SPEAKER:** Honourable Member for Yellowknife South.

**Supplementary To Question O611-91(1): Repairs To Yellowknife Correctional Centre**

**MR. WHITFORD:** Thank you, Mr. Speaker. The work that is going to take place is going to pose a considerable amount of strain on the already existing overcrowded conditions that are there. I am of the opinion that overcrowding still continues in that place, and I am wondering what is going to be done to alleviate the overcrowded situation during the renovations.

**MR. SPEAKER:** Honourable Member for Slave River.

**Further Return To Question O611-91(1): Repairs To Yellowknife Correctional Centre**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. There certainly has been an extra burden put on the facility, mainly because of the fact that the previous structure was practically demolished. We have enhanced our efforts to

transfer many of the prisoners south. We are probably running at a fairly full capacity and, in my opinion, over the allotted amount of beds that we have available. What we are doing in dealing with the problem is we are hoping to transfer many out to the facility in the Baffin along with the facility in Hay River. But at the same time we have been working with the community to install in community correction programs where alternate programs can be placed in respect to just institutionalizing all offenders. Because there are many offenders that are probably in there for alcohol-related or minor offenses, and alternatives are being looked into to be able to deal with these individuals. Thank you.

**MR. SPEAKER:** Honourable Member for Hudson Bay.

**Question O612-91(1): Health Risk Of Soapstone Fibres**

**MR. CROW:** Thank you, Mr. Speaker. I would like to direct a question to the Minister of Health. I am certain that the Minister has had an opportunity to review the recent research findings of Dr. Francis Green of the University of Calgary. Dr. Green has reported that soapstone from some locations contains asbestos fibres which may be associated with lung cancer. What is known about the actual level of health risk posed by these fibres?

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

**HON. NELLIE COURNOYEA:** Mr. Speaker, I will take that as notice.

**MR. SPEAKER:** Honourable Member for Deh Cho.

**Question O613-91(1): Reinstatement Of Regional Land Use Planning Program**

**MR. GARGAN:** Mr. Speaker, I would like to direct my question to the Minister of Renewable Resources. On April 1st of this year the government terminated the northern land use planning process. A motion was passed during the winter session in April to encourage the Minister, in his efforts to negotiate with the federal Minister, to reinstate the joint federal-territorial regional land use planning program. The Minister did say that he was still with the Ministers on that. I would like to ask the Minister whether or not this program is officially dead, or is there still hope that it could be reinstated?

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

**Return To Question O613-91(1): Reinstatement Of Regional Land Use Planning Program**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. As I stated earlier during this session, the Minister of Indian and Northern Affairs announced that part of the program was being cut and that in different regions he was allowing the program to continue until completion of these programs. I met with the federal Minister, and he told me that he is going to review the program at the end of these completions, especially in the Nunavut region and the Delta region. He told me that he would review the program around September.

My understanding is that in the Member's particular region, Deh Cho, my department will be assisting in mapping to be completed by June. The Trout Lake area will be mapped by the end of July. The Fort Providence Band Council is attempting to replace funding for mapping for this year, 1991. When I meet the federal Minister again, I will again convey our strong support for this program to continue. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. The honourable

Member for Aivilik.

**Question O614-91(1): Disruption In Air Service, Rankin Inlet**

**MR. ERNERK:** Thank you, Mr. Speaker. I would like to direct this question to the honourable Government Leader, in the absence of the Minister of Transportation. As the honourable Government Leader knows, there has been some disruption of air schedule service between Yellowknife, Rankin and his constituency of Iqaluit, perhaps for some good reasons. For instance, Mr. Speaker, instead of leaving Rankin Inlet at 6:00 o'clock in the evening, we now have to leave at 10:30 in the evening to go to Yellowknife, which is a pain in the neck, especially for many of the passengers coming from those regions to Yellowknife. Mr. Speaker, my question to the Minister is this: Does he know how long is this going to last? Thank you.

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

**HON. DENNIS PATTERSON:** The Member will permit me to take the question on notice and get back as soon as possible, I am sure, Mr. Speaker. Thank you.

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

**Question O615-91(1): Garbage Left On Winter Access Road, Fort Providence**

**MR. GARGAN:** Mr. Speaker, I would like to direct my question to the Minister of Economic Development and Tourism, but, in his absence I would like to direct my question to the Government Leader. Mr. Speaker, last year I wrote a letter to the Minister of Economic Development and Tourism regarding the winter access road, on which during the summer months people are camping. They are dumping sewage and leaving all kinds of garbage, fish carcasses, et cetera, around that area. The residents in Fort Providence have been making an effort to keep that area clean. I have again received a copy of a letter from the hamlet, addressed to the Department of Transportation, Gary Hoffman, expressing that concern. They have had the nurses, the RCMP, the renewable resource officers and the environmental health officers there, but the problem still exists. I would like to ask the Minister whether or not he could look into that particular problem and see whether or not it could be addressed somehow, exactly how we might be able to resolve this whole thing.

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

**Return To Question O615-91(1): Garbage Left On Winter Access Road, Fort Providence**

**HON. DENNIS PATTERSON:** Mr. Speaker, on behalf of the Minister, yes. Thank you.

**MR. SPEAKER:** Thank you. Oral questions. That concludes oral question period.

Item 6, written questions.

Item 7, returns to written questions. Item 8, replies to Opening Address. The honourable Member for Slave River.

**ITEM 8: REPLIES TO OPENING ADDRESS**

**Mrs. Marie-Jewell's Reply**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker.

Mr. Speaker, I rise today to bring to the Members' attention a few of my items in respect to my constituency, and I would like to begin with a couple of the main issues.

#### **Pulp Mill Development**

First of all, Mr. Speaker, I want to bring to the Members' attention the pulp mill issues. I am still concerned about the increased number of pulp mills being built in the South. I was very pleased to learn that a coalition has been formed to oppose the development of the ALPAC pulp mill on the Athabasca River and extremely happy to hear that the GNWT has agreed to work closely with this group. The pulp mill issue has been an issue that I have spoken many times about in this House and as I had indicated previously, the ALPAC proposal was brought forth and went through a review board hearing and the review board made its decision that the ALPAC proposal be placed on hold until such time that the specific information was provided. I was pleased with that decision, as many of my constituents were.

However, since that has happened I was disappointed with the arrogant attitude of the Alberta government to decide to proceed by forming a scientific panel, which reviewed many of the recommendations, reviewed the process and decided to proceed with the construction of the ALPAC pulp mill. It is unfortunate that these individuals are not the ones that are going to be affected, particularly by drinking the water that may possibly be polluted.

Therefore, Mr. Speaker, I want to indicate to my constituents, to people of the North, that it is still a grave issue for me and I continue to pursue with vigour, and oppose any development of pulp mills in the South that affect our northern waters.

#### **Diseased Bison, Wood Buffalo National Park**

The other issue of concern to my constituents has been the diseased bison in Wood Buffalo National Park. I want to express my pleasure with the progress of the process being developed to deal with the issue of diseased bison. We have to continue to ensure that every effort is made by the federal government, in particular the Department of Agriculture, to save the healthy bison, because not all of the bison that are in Wood Buffalo National Park are diseased.

#### **Termination Of GNWT Housing Buy-Back Policy**

There have been many issues that have affected my constituency and some are outstanding and of concern to my constituents. One of the issues of concern to my constituents was when the government had decided to terminate the housing buy-back policy. In recognizing that there were mixed feelings of my constituents to this policy being terminated, I decided to commission a study. Many constituents were elated at the termination of this policy. However, many expressed disappointment. The survey that I commissioned was distributed only to constituents who owned their own homes. The survey contained questions of a general nature and in the total an excess of 400 surveys were delivered around the community. I was pleased that over 300 of them were returned, which in percentage terms calculates approximately 76 per cent.

Of those that completed the survey, 60 per cent were territorial government employees; four per cent of them were federal government employees; 18 per cent were non-government; 17 per cent were self-employed; and one per cent did not indicate their employment.

I would like to take this opportunity, Mr. Speaker, to share with the House the results of the most important question asked in the survey. I felt the most important question was: Do you

feel that the housing buy-back policy should be grandfathered to those individuals who were qualified before the policy was terminated? A total of 90 per cent chose to answer that question and, of those, 69 per cent said it should be grandfathered and 31 per cent said it should not be grandfathered. This is what I meant by constituents having mixed feelings on this issue.

The reply to the survey indicated to me that many of the constituents who own their own home want the government to at least consider reinstating the policy to ensure the government lives up to its previous commitments. However, Mr. Speaker, I found it very interesting because in the survey I allowed them the opportunity to make some comments, and I would like to quote some of the comments that they stated in the survey. This survey was commissioned in the strictest of confidence. It did not ask for any names of the constituents, and they were passed out to only home-owners in the community.

#### **Constituent Replies To Housing Buy-Back Survey**

I would like to quote some of the replies. One individual indicated, "This policy change is of grave concern to me. I much support the grandfather policy and it should be reinstated at once." I had another quote, "The Government of the NWT should not be involved in buy-back policy. I support the GNWT to terminate this policy and there should also be no grandfathering regardless of the circumstances." Another one, "The government has the right to change its policy. I question its moral right to renege on its commitment to those who bought in good faith. It does not give one confidence in government promises, nor does it set an example." Another quote indicated that, "It should be recognized that employees affected by the housing policy entered in good faith, trusting that there would be no change during their period of employment." Other quotes indicated, "In order for the government to get out of housing, houses that were purchased should have immediately been placed on the private market with no restrictions as to who was eligible to purchase. This would have allowed a private market to develop and the government would not be in the realty business." Another quote indicated, "Jeannie, I am quite distressed with the government's termination of its buy-back policy. When I finally decided I would be a home-owner it was because there was no choice in the matter. There was no rental accommodation in September 1983, and the promise of the buy-back was enough to convince me to purchase my home. As a single parent it was a pretty serious decision to burden myself with a mortgage, maintenance expenses and when I retire in five to 10 years I would surely like to be assured I have a buyer without having to wait for possibly an indefinite period of time." Another, "GNWT employees have to get realistic as they have been babied too long. One year is okay. The government ups rents but there is no private housing available. Let the houses go on the market and they could buy or let other people buy and start a private market. This must be handled through a proper agency." Another one, "GNWT buy-back program discriminates against true Northerners and non-governmental groups. This policy has been abused by the select group it was intended to benefit. Proof of this can be seen in the inflated prices at which many buy-back houses have been paid for. The GNWT should no longer continue to hold the bag. I support my MLA in destroying this policy and please, no revision." One more comment, "I feel they should be proud to call themselves Northerners. If not, then they should go south." Another one, "We feel that the government buy-back policy should be eliminated. However those people who bought their homes under the program should have a grandfather clause that would entitle them to the benefits that they were entitled to under the initial agreement."

Other constituents felt that government employees should be encouraged to rent or to take the same risks as any other home-owners. Another quote on the survey was, "I believe the buy-back policy should be terminated except for those who were under it before termination." Another one, "Government should eliminate maximum pay-out for buy-back. No more than \$80,000 be given for any house and that way it would not affect the market." Another one, "I have been a government employee since 1978. The condition on which I purchased this house is that when I retire, if I could not sell my house on the market, the GNWT would buy it back. At the moment I feel betrayed by the GNWT, so at least give a chance to those who bought GNWT houses under the buy-back policy. Thank you for the chance to express my opinion." Another one, "With the policy in effect in Fort Smith it encourages people to invest, own their own home. It promotes people to improve their houses; this in turn improves community pride and appearances." Another one, "If a government employee bought a house on the knowledge of the government buy-back plan, they are affected by its removal. In my view the grandfather clause should include all those people who bought a house when the buy-back plan was in effect."

New quote, "Some people feel that the buy-back benefits non-native people only. I disagree. All employees, native and non-native, especially those in management, must get a rich comprehensive experience in their work in order that this government function at maximum benefit. This experience is usually obtained through jobs in different communities." New quote, "The buy-back will ensure that natural movement of people will occur. Our government needs this change of blood in its ranks, but the buy-back must only be a safety net, not a last resort. It must allow for movement in personnel but not saddle the government with poorly constructed unsalable homes." New quote, "I am not sure what constitutes level II communities although I understand that level II communities are eligible for the buy-back plan. My feeling here is that I as a GNWT employee was forced into buying a house by this government and its policy with a promise of a buy-back. Should I not be able to sell it, if and when I decide to leave my present employment, there cannot be a large number of employees who will be grandfathered with the buy-back. Why not leave things as they were and have this apply to new employees only?" New quote, "Our government cannot afford to keep buying houses. The buy-back policy was used as bait years ago. Today we have enough fish. Government employees are the highest paid in Canada. Enough is enough. There are other areas that should be cut also." Another, "I think the buy-back policy should be discontinued completely except for those people who are qualified at the time of discontinuation."

Another, "If you must change the policy, you should grandfather the buy-back; a) prevent individuals from losing money if they are transferred or leave; and b) prevent a quick drop in the value of homes in Fort Smith." One more, "The government has had to buy back several houses in Fort Smith which suggests there is not a viable housing market on its own." Another, "I am only asking to be treated fairly. I would not have bought half a duplex if I thought this policy would be cancelled. I feel betrayed. If we are a HAP housing community, the buy-back policy should be reinstated. How do HAP houses affect the housing market?" Another, "If there was a stable and thriving market in Fort Smith, why was it necessary for so many houses to be bought back? I am wondering why someone like an individual..." -- I did not realize that they had named the individual -- "...was able to receive a buy-back even though he did not comply with the existing rules; i.e. advertise for 60 days, and even though the policy was rescinded before he received the buy-back. Clearly the policy is not applied fairly to all. Thanks to your attention toward this matter." Another, "The Fitz Smith Band

in Fort Smith has clearly indicated they do not support the policy for the following reasons: We feel the policy creates favoritism in the housing market for government employees as opposed to employees in the private industry and the band basically sees it as a non-incentive for long-term commitments to permanent residency in Fort Smith."

So in addressing this issue with the Minister of Personnel, Mr. Speaker, he has assured me he will look at any requests for buy-back consideration from employees that were affected by this policy on a case-by-case basis. Mr. Speaker, I feel this is a very ineffective way to address this issue. I feel it causes inconsistency and appears to cause favoritism. There is no set criteria for a case-by-case basis so I would like to ask the Minister of Personnel to at least reconsider the policy for the following categories:

- 1) for employees that are ready to retire after at least 20 years of service with the Government of the Northwest Territories;
- 2) for employees who are or have become disabled during their course of employment with the Government of the Northwest Territories;
- 3) for employees who are transferring only to other positions with the Government of the Northwest Territories in the Northwest Territories.

If employees do not meet the above, it should be their responsibility to sell their home on the market and it should not be the Government of the NWT's responsibility to purchase the home. Mr. Speaker, those are the three main issues in respect to my constituency; however there are many other items I would like to address.

#### Education

Recently the South Slave Divisional Board of Education has been formed which basically includes the communities of Hay River, the Hay River Reserve, Fort Resolution, Snowdrift and Fort Smith. I believe the development of this board is of significant progress toward individuals wanting to deal with the education of their children. I was very pleased to hear that this divisional board was formed and I give it my full support.

In respect to education, when I first became elected I knew education was one of my biggest concerns with government. I was very concerned that the delivery of education was not being delivered in the manner that I believed was best for our children. I have to sit back and commend the Minister of Education for really trying to deal with education issues particularly in my region. I feel there has been a significant progress in education in my community and I am very pleased for that.

However, I am still concerned that we have probably one of the oldest schools in the Northwest Territories and I do not know whether there is even consideration to replacing this 33 year old school in Fort Smith. The school was built by the Government of Canada back in, I believe 1958 or 1959, and I think even though the structure is good, as they have been telling me, that it certainly needs either a major facelift or else we need a new school, period. There have been many communities in the North that certainly have received new schools and I do not begrudge them but some of the new schools that have been constructed around the lake here -- I refer to a couple. When I think of Rae-Edzo, they had 10 miles to drive their children to school and because that was an inconvenience they received a new school. I know we do not have 10 miles to drive our children to a school, but you can use the same arguments when you get an old school that is starting, not deteriorate, but to outlive its purpose and usefulness. Our children probably do not feel that well while

learning within that type of environment. I urge the Minister of Education to consider a new school to replace Joseph B. Tyrell School, which is a 33-year-old structure.

#### **New Buildings Needed On Thebacha Campus**

I want to thank the Minister of Education considering the placing of funds in this year's budget, and I hope it is followed through. There was \$400,000 approved for the planning and design for the applied arts building at Thebacha Campus in Fort Smith. I certainly hope that the planning and design follows through because I believe this applied arts building is really needed. When I think of going through Fort Smith, and particularly through Arctic College, I recall very vividly going down the basement of Breynt Hall seeing where the social services program is delivered. I recall going through some fairly dilapidated trailers that are in excess of 20 years old, and I know these trailers were probably second-hand from old construction camps prior to Thebacha Campus being formed. That is where some of these programs are being delivered, and I know the roofs on them are deteriorated. I am told there are even ants in the rafters. I do not know how much damage they are doing. However, I certainly hope that after the academic building being in the process for somewhat in excess of seven years, I encourage the Minister of Education to try and build us a new applied arts and library building.

This library building is really needed. Last week we had a flood in the library building at the campus and a lot of materials were damaged, no doubt. There was some salvaging taking place and in order to try and salvage many of the books, particularly renewable resources, many people in the community got together and they wrapped each book individually with paper towel and there are plans to send them some place in California in order to freeze-dry them. This no doubt causes a lot of excess spending that we did not anticipate, but if they keep staying in their old buildings, there may be other floods. There may be other structural problems that they may encounter. I certainly hope that this new building will go through the planning process and be built.

I find that Arctic College has grown, particularly in Fort Smith. The Thebacha Campus has grown over the years. I want to indicate that I know the renewable resources courses have gained international recognition and many awards. I know the renewable resources course in Whitehorse is being copied from our course in the Thebacha Campus. This has come from a lot of hard working people at the Thebacha Campus, and I commend them for that work.

I know that the Arctic airports has just moved into the trades complex at Thebacha Campus, and that is because their building was basically condemned. The college board of governors, I am told, is totally supportive of trying to build a new building, and I certainly hope that they can see the government fulfil their commitment. I certainly feel that quality education is being delivered at the main campus of Arctic College and I think the government should indicate and show that commitment toward Thebacha Campus.

Later on today, Mr. Speaker, I will be tabling a petition with 128 signatures that was sent to Mr. Kakfwi, signed by the students at Thebacha Campus, urging the government to give the new library-academic building for Thebacha Campus a high priority. The petition basically states that there are many makeshift trailer units, some, 20 years old, and the learning atmosphere in the classrooms housed in these units leaves much to be desired. A new facility is required to replace them and has been postponed over many years. A new facility would be appropriate to the future education needs of many young Northerners, and so Thebacha students asked that the Minister and other government Members give the new library-

academic building for Thebacha Campus a high priority during the process of this Legislative Assembly sitting. As I said, it has been approved in the budget with \$400,000 for planning, so I certainly hope that they complete the building. Any other support that I can give to the Minister to make sure it is built, he certainly will be given my assistance.

#### **Road South From Fort Smith**

The other item that I have been speaking on a couple of times is the road south from Fort Smith. All that seems to be done in this government is being able to talk about it. I thank the previous Minister of Public Works who gave the community a contract to do a study, and I believe the contract was in the amount of \$100,000. To my surprise, in speaking to the mayor, the community has only received up to \$40,000 and no further funding was given to them. I am trying to find out what flawed in the process.

I certainly feel that we need a transportation route south from the community, and the transportation route will give the residents the opportunity to enhance a lot of tourism throughout the community, and it will certainly lessen our costs, particularly in the transportation of our goods. There would also be a loop road around Fort Smith that people would have the choice to go through instead of going on a dead-end road. However, at the end of the road there is one of the cleanest communities that I have seen in the Territories. I am very proud of my constituents for keeping our community very, very clean, and I am told that by many people as they travel through Fort Smith.

#### **Sources Of Energy**

A few other items. I am grateful to the Minister of Energy, Mines and Petroleum Resources for visiting Fort Smith a few weeks ago when the board of directors of the NWT Power Corporation met, when we toured the Taltson Dam looking at the possibility of whether or not they may want to expand the Taltson Dam and be able to provide power to other areas in the Territories.

--Applause

I know that we certainly have a lot of potential for being able to deliver power to the NWT, and I encourage NWTPC to really look at that because I think electrical power produced by the Taltson dam is a lot cleaner than diesel; it is a lot cheaper and I believe that we have a resource in our community that can benefit many communities across the North, and I encourage NWTPC to take advantage of this.

I also took the Minister of Energy, Mines and Petroleum Resources to the Salt River settlement, a small settlement that was at one time bigger than Fort Smith. Many of the residents there are asking for electricity, and I encourage the Minister of Energy, Mines and Petroleum Resources to possibly look -- I know she is looking at this request but I encourage her and give her my support to consider placing electricity in that settlement. Part of that settlement is on a reserve, and I know many of the native people would quickly move back to Salt River if they had electricity there.

I would like to take a moment to thank the Minister of Municipal and Community Affairs for being able to provide water delivery to that reserve twice a week. My constituents have been very grateful for that, and I thank him very much.

#### **Fort Smith Economy**

Mr. Speaker, I just want to indicate that when I was elected back in 1987, my community was in a terrible economic state. The people were even glum because the economy was so

bad in the community. I find that the more I go back to visit the community the happier people are, the busier people are, so I can see the change and the enhancement to our economy of my constituency. However, I am still concerned with the way some things are being done in government. I am still concerned that there are some minor things that are major to my constituents that are being done in government.

Recently the Department of Public Works brought in an administrative officer from Regina, and I am really discouraged at something like this being done. We have an affirmative action program in place, we have a college right in our constituency, we have a public and business administration program there; and I just cannot see why these individuals that have graduated from this program cannot take advantage of an administrative officer position. I think that there are still government employees, particularly in that regional office, that still have an attitude that they have to bring in all this expertise from the South, and I am concerned about that.

I think we have to try to prevent things like this from happening because we have our own people that are available to us in the North and we should make use of them. We should not have to be hiring, particularly administrative officers, clerks, or any type of position like this, from the South. I think it is a great cost to the government.

As I said, there are good changes that are happening in the community, but there are still some fundamental minor things being done that are important to my constituents that they are concerned about, and that I am concerned about.

Recently the Fort Smith Native Band has started construction in our community, and I am grateful to DPW for assisting the band in constructing this office for them. I am very happy to see that the band will be in their own building, and apparently leasing part of their building out to the Government of the Northwest Territories. With the band office being downtown, right across from the town hall, I think it certainly could be beneficial to the whole community.

I am grateful for the new water treatment plant that is being constructed in my constituency. It is being constructed over a two-year period, and I thank the Minister of Municipal and Community Affairs for allowing this construction phase to go over a two-year period instead of everything all in a one-year period.

There is a new personal care unit that is being constructed in my community and I would like to thank the board, that is the board of the personal care unit, which has put in so much time and effort in building and proceeding with this construction. They are doing it independently, somewhat similar to what the senior citizens group here in Yellowknife did, when they built the Aven Seniors Centre. They are funding it through the town with the assurance of CMHC funding. The Department of Social Services, and the Department of Health have assisted in funding for the operation of the facility, like they do in every other one across the Territories and I am very grateful for seeing that.

In Fort Smith, there is a large number of senior citizens, many that retire there. We do have many senior citizens in our community and I am very proud to see that the community makes every effort to try to make life easier for seniors in our community.

Mr. Speaker, in looking at a couple of the items in respect to my constituency, one of the other items, the opening of the women's correctional centre, will be taking place in the fall and I am pleased that government has decided to separate women from all these jails where there is a large majority of male inmates. I think it is very good and it certainly does not

subject women to all this type of intimidation and harassment which I believe is probably going on in these types of facilities.

#### Division Of The NWT

In respect to other items, global items or territorial items, particularly one that faces us in respect to division of the NWT. I looked through the results of the survey that was taken, I believe back in 1982. The question basically asked, "Do you think the NWT should be divided?" I was surprised at such an indicator in my community that 115 in Fort Smith had indicated that the Territories should be divided and 316 said, "No, it should not be divided."

Recognizing the vast land of our Territories, recognizing the lack of transportation infrastructure in our Territories and recognizing the amount of travelling that I have done throughout the Territories, recognizing sometimes the frustration of people in the Eastern Arctic at having to deal with a government here in Yellowknife which is foreign to them, I certainly support their aspirations to be able to get their own territory and I have always been supportive. I just want to note that I am pleased that we are going to consider possibly going out for another type of plebiscite that will determine whether or not we should divide. I think people have probably recognized the demographics of our land could probably warrant another territory, and I think the results of the plebiscite, even in my constituency, would be somewhat different.

However, there are other parts of me that say that I like the North as it is. I was born and raised in the North and I love the fact that we have such a vast land mass. It is wonderful to be able to travel south and when you say you are from the Territories they think of a big area that you come from with many cultures, many different types of people, but one thing that I am very proud of is that people in the North have always been, and probably always will be, so friendly, because there are so few of us. However, I believe that in the future our North will probably divide and I certainly support the Nunavut Members in their aspirations to be able to achieve Nunavut in the future.

#### Woman Representative On Western Constitutional Commission

Mr. Speaker, I know one of the other issues in respect to the constitutional commission is not having to a woman on that commission. Many of my constituents that are very vocal are women, and have expressed to me concern that there is not a woman on the commission. I have encouraged them to lobby. I have encouraged them to express their concern and I do not know if consideration should be given to another seat. I do not know if consideration should be given to taking off, or asking a member of the current proposed commission to step down and allow for a woman, but I certainly would like to voice again to the government that these type of things should not happen. They should always think that women should be considered and not have to come after the fact, asking to be appointed. I know Members in this House are supportive toward women's issues, but I sometimes think that, at times, we are taken for granted. But I do not feel that some Members know that women can be as knowledgeable, probably more so, hard working, probably more so, than some of our male colleagues.

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

So I really think that has been an issue but I believe that it can be addressed and I do not know if an easy way out is to extend that commission by allowing for a woman member. I think, in my political opinion, which I may be able to express,



is that it is an easy way out. I think they should admit that they overlooked it. They were wrong. And even respectfully ask another member to step down and replace them with a woman. I think they would get a very good perspective in respect to how the North, in particular the Western Arctic, should be developed and how it is going to affect the future of ourselves and our children.

#### Death Of Elders

Mr. Speaker, I would like to take a moment to remember many of the elders who have passed away in my community. I would like to take a moment to certainly express my sincere condolences to many of the families that have been affected. Many times, as an MLA, I have not been able to attend as many funerals as I wanted to, and I apologize, but it certainly does not mean that my prayers and my thoughts were not with those families.

Mr. Speaker, in closing I would, actually maybe I should talk for another hour then maybe Members would come to listen so that way I would feel welcome to close...

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

**HON. JEANNIE MARIE-JEWELL:** ...but I thank the Members for listening.

Mr. Speaker, I did want to publicly announce, as I have in my constituency, by indicating to my colleagues that I do intend to seek re-election for this fall. I hope to be back working with many of you that choose to seek re-election. To the individuals that choose to retire or to go on to other things, I wish you all the very best.

I want to take a moment to thank my constituents for their continued support. Many of my constituents have contributed through their time and energy, whether it be special projects -- one example is our Canada Day parade -- or the little things that I have asked many of my constituents to check on throughout my term as MLA. I thank them very much for their continued support. I would like to thank, in particular, my constituency staff. A constituency staff member of mine is currently undergoing treatment for cancer and I certainly hope, with her determination, she lives a longer life than they predict. My previous constituency worker has gone on to the Department of Transportation, probably because of the lack of benefits we are able to give our constituency workers and it is unfortunate because we do lose the opportunity of being able to get very good people working for us. I would like to thank both Lena Herrington, my current worker, and I would also like to thank, in particular, Freida Schumann, who has been very loyal and very helpful to me with constituency matters which have been expressed over the years.

Mr. Speaker, I would like to extend my appreciation and my thanks to the Speaker and the Members of this House for their continued support that I have had over the years. I appreciate the support that I felt I have had from the Members. Particularly ordinary Members; that is correct.

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

---Applause

**HON. JEANNIE MARIE-JEWELL:** But my cabinet colleagues have been very supportive. I am sure that we have had our differences, but I know that when times get tough, we all stay as a team and that is a good indication of supporting each other.

I do want to say thank you to the Speaker for the work that he has done; trying to stay objective and unbiased in the House

is probably difficult. At times you feel, as a Member, that you are being picked on, but I know he is just doing his job.

I thank very much Mr. Hamilton and his staff for giving the support that they have given me throughout my term. I know that many times I have probably called them more than I should have, if I read everything that they sent on to us Members, but sometimes we forget about reading the little detailed things and I thank them very much for all the clarification.

---Applause

And I thank Mr. Hamilton for being able to be so helpful and with such a good happy, positive and helpful attitude, and I continue to encourage him to remain the same and not change.

--Applause

With that, Mr. Speaker, that concludes my remarks that I have made for my constituents and I wish all the Members well in the upcoming election and if I am successful in being re-elected, I will see you in the fall. Thank you.

---Applause

**CHAIRMAN (Mr. Gargan):** Thank you, Madam Minister. Item 8, replies to Opening Address. Mr. Whitford.

#### Mr. Whitford's Reply

**MR. WHITFORD:** Thank you, Mr. Speaker. I will try not to take a long time to reply to the Commissioner's Opening Address. But I must take this opportunity to say a couple of words on some of my views dealing with the issue that the Commissioner did have in his Opening Address.

#### Political And Constitutional Development

He is right; our government is right: Constitutional and political development is an important issue. It probably is the main issue on some people's agenda and has been for a long time in the Territories, and I said that I agree with that and I have been pleased to see the amount of work that is proceeding toward these objectives.

From my point of view, I will continue to work in support of the aspirations of all the people when it comes to political and constitutional development and to achieve their agendas, as well, where it benefits the whole of the Territories. If that is what division is -- if it will end up with division, so be it. I said before, on April 18, that I did support the concept of Nunavut. I supported it in Norman Wells in 1989 when they asked for reaffirmation, but I was always afraid of division. When Jeannie was quoting some figures about the last plebiscite, I was at Fort Smith at the time and I was one that voted "no." I guess if it were ever to come down to a yes or no, questions I would say no for the time being, but that is not what it is going to come to. I do know that there will be a lot more to it than just a simple yes or no question.

There is a lot of work that has already been done by both sides, the Western Constitutional Forum and TFN in the East, toward the establishment of a separate territory. How is it going to work? I am not sure. Hopefully some of the details will be worked out in the next Assembly.

#### The Environment

Mr. Speaker, in the past two and a half years, I have had the pleasure of being in this House. A lot of the issues that were present then, in 1988, are still present today. They were

present a long time before that and will continue to be. We have all worked hard toward achieving some of these objectives and to alleviate some of the problems. For example, the problems with the environment, I think it was only in the last 10 or 20 years, that we really appreciated what has been happening to our environment. Since then a lot of people have really started to work hard toward changing some of the attitudes that industry may have had for our environment, and they have come a long way. I know that the pulp mill issue is still here. It has not gone away. As a matter of fact, in some cases, as we are well aware, it has escalated. Pollution is not something that we can ignore because it is going to continue to problem us, and I will continue, in my small way, to work toward rectifying the issue.

#### **Military In The North**

The forward operating location, militarization of the North, that has been a question some people have asked of me. We should not have it in Yellowknife. I do not agree with them. I think that the military in the North serves a purpose, they are here and I welcome them. The forward operating location in Yellowknife, if it were not here, would go somewhere else in the NWT. Better it to be here in Yellowknife than somewhere else. In my opinion we can keep control of it. We know what they are going to do, and it is good for the city's economy. I said I would work for the Territories, I said I would work for the city, I will work for my constituents, and many of my constituents say that this is where it should be, and that is where it is.

#### **Land Claims**

I do not know how much effect this House has had on land claims. They are stalled, not dead in the water, thank Heavens, but it is going to take some effort and time to get talks moving again. Once that issue has been resolved, I think we will make progress; certainly we will make progress toward a division question once land claims have been settled on our part. The boundary lines, east and west, and many other things as I have said, Mr. Speaker, have been here for a long time and we must will continue to work toward them.

#### **Education**

I would like to take a moment or two to express some of my disappointments with some of the things the government is doing. Certainly an issue close to home here, is the closure of Akaitcho Hall's government-operated kitchens. Mr. Speaker, 33 years ago I went there. I was part of that school in its beginning. I still think that the kitchen is an integral part of the happiness and satisfaction of the students -- to have proper meals. I am not absolutely certain that going to the private sector, in this case, is going to solve anything. I think that it is going to create more problems there than it's going to alleviate.

We need more schools. We have heard here, in this house, time and time again, from many of the Members and their constituents, that they want more schools in their communities. We need more schools here in Yellowknife as well, Mr. Speaker. We are bursting at the seams, the population continues to increase and our young people continue to increase in numbers. We need more schools here to accommodate them. District No. 1 says that we should have our own high school. At least we should have control over our own high schools, and I agree with them, we should, and one of these days, maybe we will.

But for the time being, in support of the concept of Akaitcho Hall, Sir John Franklin, I want to reiterate that it is important to the Northwest Territories and to the young people of the Northwest Territories that that concept continues for a while.

It is a good stepping stone, Mr. Speaker, to other things further in young people's education, and I would strongly support that.

I think that young people should travel more in the North. They should travel outside of their communities, go and see the world. If there was some way, and we had enough money to do this, I think that would be an excellent educational opportunity for people in the smaller communities to see what the world is like. I was fortunate that I travelled about a bit when I was younger and managed at least to get from my community to here and see a different place, more than just a government-operated town, like Fort Smith was at the time. I came to Yellowknife, which was a private sector town. I saw the opportunities that the world offered in this small area anyway, and it gave me another interest and I did pursue those interests later on as I travelled. I would encourage young people to do that as well.

#### **French Education**

While on the subject of education, I am pleased to see that there is some success toward French education in the Territories. I had the pleasure, along with my colleague here, to visit Ecole St. Cyr, earlier on. I realized then that it is small, it is struggling, but it is a step in the right direction and it is helping those persons who are bilingual to be able to be educated in the French language. Again, I said it is small, it is struggling, and I think that anything that this government can do to help them must continue. It is a fact of life that French is an official language. As much as I recognize Inuktitut and other Dene languages in the schools across the Territories, French should be taught for a period of time in those schools as well. It is beneficial and it is necessary to continue the preservation of language and culture in order to enhance the uniqueness that we have here in the Northwest Territories when it comes to the broad range of languages we so much enjoy.

I take a lot of pride, Mr. Speaker, in telling people, whenever we have delegations visiting and whenever I have an opportunity to travel to other parts of Canada, to tell them how unique we are and that in fact we do have more than just English and French. We speak English and French as well, but we enjoy the opportunity here to share the other languages. Unfortunately, I do not speak any of them fluently enough to carry on a conversation in this House to my satisfaction in any of the languages, I would not even venture to do this in French at this time. One of these days, perhaps, I will surprise you all and make at least a few statements in the French language, which used to be my second language. When I was a kid I used to speak an awful lot of French because I was taught by the nuns and the Roman Catholic priests when I went to school. I was almost unilingual in French for a while but I lost that over the years and it is my loss.

Mr. Speaker, I have complained time and time again to my colleagues across the floor, I have railed at them for various things: construction, justices of the peace, coroners, highways, et cetera. It is good to see, though, that progress is being made, albeit slow, on some issues. I just sent my colleague, Mr. Wray, a few pictures of some of the highway signs that are along the highway. Why I say this, Mr. Speaker, is because I am interested in getting more tourists into this country by road. The Minister is working diligently on getting highways built so that more tourists can come to this city, and they do come to our city. They need another road into Fort Smith. They need a road so people can come around and drive through the parks our beautiful country.

**AN HON. MEMBER:** Agreed.

**MR. WHITFORD:** Yesterday we had a small example of the beauty of this lake. It was the first time this year that I have had a chance to go out on the water and see Yellowknife at a distance, something I have not enjoyed for many years. I used to work on a boat years ago, and when we would come into harbour here, you could see the skyline of the city. It has been many years since I enjoyed that. Now I want tourists to enjoy this as well, to come from countries where they cannot see the forest for the buildings. They do not have the opportunity of slowing down long enough to see the trees because there are so many other people rushing about. I think this may be a unique opportunity to increase the private sector through the tourism area. Mind you, highways will not get people to Gjoa Haven or Spence Bay, Pelly Bay and places like that, but better airline service will. Instead of spending many, many hours on an airplane, there has to be a better way of getting about.

#### Fourth Seat For Yellowknife

Mr. Speaker, some of the accomplishments that I take a certain amount of pride in, in the past two and a half years, certainly were meeting the demands and the needs of my constituency for additional representation in the House. When we come back in the fall, Mr. Speaker, we will have four representatives in Yellowknife. I realize that some people from the city are still not happy that my colleague and I pressed only for four. They were looking at six and seven seats, Mr. Speaker. I think we would be tripping over ourselves if that were the case.

I am pleased to see that the Supreme Court upheld the concerns of the smaller constituencies in the Northwest Territories, albeit the Supreme Court was looking at problems in Saskatchewan, British Columbia and Manitoba. It did reflect on us. We have a reason for having smaller constituencies. There is a good reason for that. The Members here are good representatives for that reason. There are uniquenesses and I think we must, under our system of government, continue to preserve that. This is why my colleague and I were not rabid in chasing after more seats. While we can understand the aspirations of the communities outside of the city, we had to respond to certain political philosophies of representation. It does have an impact in this House when the smaller constituencies get together with the numbers that they have. It can, in fact, take us down; but they do not do this maliciously. This is why the form of government we have here is so unique. They do not do this maliciously and take Yellowknife down all the time.

---Laughter.

There are times, Mr. Speaker, that my job and my colleague's job is frustrating because of the fact that we do represent a good number of people with different needs and stuff like that. We try to put that across like we did the other day with our plea to take into consideration the date of the election. As simple as that. But again, the desires of the people have spoken and we accepted that and will now live with that and deal with it next year when we come back here.

Party politics, not yet. I do not think we are ready for that. I think we are unique compared to the rest of Canada, and we are unique in the world. I just smile when I say that last year in Zimbabwe I told them all about consensus government, and they were amazed. Many delegates from the smaller countries were amazed at how we could get along so well without party politics. They could not understand how we did it. I said it is an old form of government that I think the native peoples had adopted as a matter of survival, and it works well with us. We can continue to enjoy that uniqueness for a while, and one of these days, unfortunately, some of my colleagues who are desirous of party politics will allow it to come in. But it

will be our loss, Mr. Speaker. It will in fact be a loss, a loss of something that is unique to the rest of Canada and maybe the whole world.

I accomplished one other thing here too, Mr. Speaker. It is the picture drivers' licences. Somebody was looking at my driver's licence the other day and said, "Number two. Isn't that interesting." I said, "Yes. Mr. Wray has number one." It is a small victory, but it is something that the Territories could take pride in. Talk about uniquenesses! We got a beautiful picture of the Territories. We have something there that is different. They are going to look at our polar bear licenses on our cars, too. As we travel around the country, we can now show off our nice, new driver's licence and can also continue to show off our nice polar bear licence plates. They compliment the North.

#### Literacy Program

Another thing, Mr. Speaker. I was really pleased when the literacy program got going. Yellowknife has been a valuable contributor to it across the North and will continue because it is something we see as very important. Unfortunately, the school system has not been taken advantage of by all of our people all of the time. There is a growing need for education, and the literacy program is one of the ways that we can combat that in our small ways. I was in Iqaluit last May to participate in the second literacy conference. A lot of good ideas came out of that, and the people who worked hard on programs deserve to be complimented.

#### Rent Control

One of the concerns that I have not had a chance to raise here in the past little while is rent control. We know that in the city of Yellowknife, rents are extremely high. The cost of building is extremely expensive, and people are really pressed to pay the high amounts of rent that the landlords are demanding for housing. Fortunately, the housing market is a bit better now. Two or three years ago there was a less than one per cent vacancy rate. That is down a bit now, Mr. Speaker, and the vacancy rate is a bit higher. There are more houses on the market, but the rents again are still too high. I do not know whether the time is right to introduce such a bill again. There was a study done a few years ago that said that we should have a rentalsman. We have accomplished that part under the act, but on rent control they said no, because it would stop the private sector from building. They may be right; I think this is something that requires much more study to make sure that it is not going to be overkill. I will continue to look at that, Mr. Speaker.

#### "Buy North" Policy

The "Buy North" policy is one that we have always had problems with. This government, as much as it says that its intentions are in the right place, does not exercise that to my satisfaction. It is not effective enough. I would suggest the government take a very close look at raising the northern preference by a percentage or two, so that we can keep most of that money here. When that money stays in the Territories, it circulates here and does our economy a lot of good. I think there are too many loopholes in that policy right now. It is not just having a name on a wall in a lawyer's office which should be sufficient to qualify you for northern business status. I think there must be more than that. You must have a certain percentage of your staff and assets in the Territories. I think that would go a lot further. I think it needs to be tightened up a bit to prevent what has taken place here in the last little while, with certain companies that coerced other northern firms to join in their firm, percentage-wise, so they could get contracts. We have to tighten up on that, Mr. Speaker.

**Corrections**

Ah, corrections. Another area. We had a riot there last year that caused a lot of concern in my constituency. It caused a lot of concern and took up a lot of time in this House. The jails are full. It appears at times, and my constituents tell me, that the jails are not jails any more, Mr. Speaker. They are almost resorts. People go there and get new clothes; they have better clothes than some of my constituents. They have more luxuries there. They were looking for a satellite TV dish a little while ago, until we put a stop to that. Three square meals a day; a good place to sleep; if you do not like it you can exercise outside in the yard; if you do not like that, you can kick the walls down for exercise. I think that has to change. I think that maybe toughening up the jails is going to be the answer. I do not want to advocate going back to the old days, but I certainly think that we have to take a look at something better than just jailing people and locking them up. We get nothing out of it and we pay lots for it, and that is not fair. I think right now, at least in Hay River, they are out there working away, cutting wood and stuff like that. Some people are benefitting from it, the inmates and their families, through work projects of that nature.

**Expo '92**

Mr. Speaker, one more item here is Expo '92. There has been a bit of controversy over that. It is something that is going to go ahead now. We are going to participate in it. I know I said nasty things about it in the past. I still think that we could spend our money a little bit better than that. However, I am going to work toward making sure that this goes ahead now.

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

**MR. WHITFORD:** I do not think that we can stand by and be criticized for standing in its way and making it fail. That is not what our intentions were. We tried to make the government see some sense, but we failed in that respect, so what we are going to do now is we are going to make sure that this is going to get the best mileage that it can and ensure that more of the dollars flow into the communities rather than to Seville. If that comes out of it, Mr. Speaker, then I think we will be the first to admit that, yes, the government was right and that perhaps we were misinformed a bit. It has been an experience, Mr. Speaker, the two and a half years of participating in this noble institution.

Now I want to take this same opportunity that our Government Leader did in telling my constituents how wonderful an experience it was, and what a privilege it has been to have served the people of Yellowknife South over this short period of time. I want to take this opportunity again to tell them that I am going to run again in October, and I hope to share my expertise and some of my vigour in creating a better North as a homeland for ourselves and for them so that we can make sure that the Northwest Territories stands proud in the rest of Canada. I think, Mr. Speaker, that I have said all that I need to say now. It is going to be a couple more days of hard work to accomplish everything that we have set out to do, and I just want to say that it has been a pleasure to have been part of this noble institution for this period of time, and that we will continue to work toward those ends in the next four or more years. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. Replies to Opening Address. That concludes that item. Item 9, petitions. The honourable Member for Slave River.

**ITEM 9: PETITIONS**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I would like to table a Petition 21-91(1), a letter from the

Thebacha Campus students to the Minister of Education, the Hon. Stephen Kakfwi. The petition has 128 signatures. The students are urging the government to give the new library-academic building for the Thebacha Campus a high priority. Mr. Speaker, they feel that the Thebacha Campus of Arctic College in Fort Smith includes many makeshift trailer units, some as old as 20 years, and the learning atmosphere in the classrooms housed in these units leaves much to be desired. A new facility to replace them has been postponed many times over the years and the facility would be appropriate to the future needs of many young Northerners. Therefore, the undersigned Thebacha students ask the Government of the NWT, the Education Minister, to give the new library-academic building for Thebacha Campus a high priority in their decision-making during the session.

**MR. SPEAKER:** Thank you. Petitions. The honourable Member for Aivilik. Petitions.

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

**ITEM 11: TABLING OF DOCUMENTS**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I wish to table Tabled Document 115-91(1), entitled "Terms of Reference, Commission for Constitutional Development".

**MR. SPEAKER:** Thank you. Tabling of documents. The honourable Member for Kitikmeot West.

**MR. PEDERSEN:** Thank you, Mr. Speaker. I wish to table Tabled Document 116-91(1), which is a result of the recent meeting in Bathurst Inlet this weekend of leaders in the Kitikmeot Region. It consists of a press release, five pages of recommendations and a list of participants. I would urge the government, Members opposite, at least to read this. Thank you.

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

**MR. ERNERK:** Thank you, Mr. Speaker. I would like to table Tabled Document 117-91(1), a letter from the hamlet of Coral Harbour, dated February 28, 1991, addressed to Keith Miller, manager, Northern Services NWT, Yellowknife, NWT. It has to do, Mr. Speaker, with the contract services in relation to postal services at the community level, in which they are asking Canada Post to renegotiate the agreement between Canada Post as well as the hamlet of Coral Harbour. I would hope that the Minister responsible for the post office will read this letter. Thank you, Mr. Speaker.

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

**MR. LEWIS:** I would like to table Tabled Document 118-91(1), a detailed list of the successes of this government in placing students in government positions, Mr. Speaker.

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

**MR. LEWIS:** Mr. Speaker, I would like to table Tabled Document 119-91(1), a letter from the president of the Radio Television News Directors Association of Canada, urging the passing of the Access to Information Act, Bill 44.

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

**MR. LEWIS:** Thank you, Mr. Speaker. I would like to table Tabled Document 120-91(1), a transcript of the interview held

this morning between Mr. Kakwi and Judy McLinton of CBC Mackenzie Radio.

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

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. I would like to table Tabled Document 121-91(1), a letter I received on June 17, 1991, addressed to me as MLA for Aivilik, Rankin Inlet, NWT, regarding the proposed expansion of the Kataujaq Society Day-Care Centre in Rankin Inlet, from the Board of Directors of the Kataujaq Society. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. Tabling of documents. Tabling of documents. Item 12, notices of motions. The honourable Member for Sahtu.

#### ITEM 12: NOTICES OF MOTIONS

**Notice Of Motion 27-91(1): Terms Of Reference, Commission For Constitutional Development Moved To Committee Of The Whole**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I give notice that on Friday, July 5, 1991, I will move the following motion: I move, seconded by the honourable Member for Inuvik, that Tabled Document 115-91(1), Terms of Reference, Commission for Constitutional Development, be moved into committee of the whole for consideration. Thank you.

**MR. SPEAKER:** Thank you. Notices of motions. Notices of motions. Item 13, notices of motions for first reading of bills. The honourable Member for Nunakput.

#### ITEM 13: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

**HON. NELLIE COURNOYEA:** Mr. Speaker, I would like to request unanimous consent to deal with Bill 51, Territorial Hospital Insurance Services Act.

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

**Notice Of Motion For First Reading Of Bill 50: Statute Law Amendment (Official Languages) Act**

**HON. MICHAEL BALLANTYNE:** Mr. Speaker, I give notice that on Friday, July 5, 1991, I move that Bill 50, Statute Law Amendment (Official Languages) Act, be read for the first time.

**MR. SPEAKER:** Notices of motions for first reading of bills. The honourable Member for Amittuq.

**Notice Of Motion For First Reading Of Bill 43: Environmental Protection Act**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Friday, July 5, 1991, I shall move that Bill 43, An Act to Amend the Environmental Protection Act, be read for the first time.

**MR. SPEAKER:** Notices of motions for first reading of bills. The honourable Member for Slave River.

**Notice Of Motion For First Reading Of Bill 48: Legislative Assembly And Executive Council Act, No. 2**

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, I give notice that on Friday, July 5, 1991, I shall move that Bill 48, An Act to Amend the Legislative Assembly and Executive Council Act,

No. 2, be read for the first time.

**MR. SPEAKER:** Thank you. Notices of motions for first reading of bills. The honourable Member for Slave River.

**Notice Of Motion For First Reading Of Bill 47: Legislative Assembly And Executive Council Act, No. 1**

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, I give notice that on Friday, July 5, 1991, I shall move that Bill 47, an Act to Amend the Legislative Assembly and Executive Council Act, No. 1, be read for the first time.

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

**Notice Of Motion For First Reading Of Bill 49: Plebiscite Act**

**HON. MICHAEL BALLANTYNE:** Mr. Speaker, I give notice that on Friday, July 5, 1991, I shall move that Bill 49, An Act to Amend the Plebiscite Act, be read for the first time.

**MR. SPEAKER:** Thank you. Notices of motions for first reading of bills. Notices of motions for first reading of bills. Item 14, motions. The honourable Member for Nunakput.

#### ITEM 14: MOTIONS

**HON. NELLIE COURNOYEA:** Mr. Speaker, I would like to request unanimous consent to deal with a motion regarding additional sitting hours.

**MR. SPEAKER:** Prior to proceeding to seek unanimous consent to deal with a motion, we must deal with Motion 22-91(1), and then we can come back to the request. Motion 22-91(1). The honourable Member for Deh Cho.

**Motion 22-91(1): Prohibition Of Incarcerates From Voting In Territorial Elections**

**MR. GARGAN:** Thank you, Mr. Speaker. Mr. Speaker:

WHEREAS recent court decisions in other jurisdictions have called into question the constitutionality of legislation which provides a blanket limitation on the rights to vote for prisoners;

AND WHEREAS section 28(3)(c) of the Elections Act prohibits prisoners in the NWT from voting in the territorial elections;

AND WHEREAS the Elections Act has not been amended in a manner that would remove the prohibition against inmates voting;

AND WHEREAS a disproportionate number of inmates are persons of aboriginal heritage;

AND WHEREAS section 1 of the Legal Questions Act provides authority for the Minister to refer to the Supreme Court of the NWT any matters that the Minister thinks fit to refer;

AND WHEREAS section 1 of the Legal Questions Act also requires the Supreme Court to hear and consider any matter referred to it;

NOW THEREFORE, I move, seconded by the honourable Member for Aivilik, that the Legislative Assembly recommends that pursuant to section 1 of the Legal Questions Act, the Minister of Justice

immediately refer to the Supreme Court of the Northwest Territories the issue of the constitutional validity of provision in the Territorial Elections Act which prohibits incarcerated in territorial correctional facilities from voting in territorial elections.

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

**MR. GARGAN:** Mr. Speaker, I have spoken with the presidents of the inmates' committee in both the Yellowknife Correctional Centre and the Baffin Correctional Centre and the South Mackenzie Correctional Centre with regard to my motion. I would like to thank the wardens for allowing me to speak to those inmates.

The chairman of the inmate committee for the Yellowknife Correctional Centre is John Kalinek and in the South Mackenzie Correctional Centre it is Peter Itinuar. The person in the Baffin Correctional Centre is Kairli Pee. Mr. Chairman, their opinion is that because they are incarcerated for a short period of time they should actually be allowed to vote. A lot of them do say that they do make a difference if they were allowed to vote to see improvement to the corrections system.

Mr. Speaker, under section 28(3) of the Territorial Elections Act, it states, "The following persons are not qualified to vote at an election and shall not vote at an election." It says, "(c) every person undergoing punishment as an inmate in a prison for the commission of an offense." However, the right to vote is protected under section 3 of the Canadian Charter of Rights and Freedoms, which states, "Every citizen of Canada has a right to vote in an election of Members in the House of Commons or of a legislative assembly and to be qualified for membership therein." It would be clear if we could only look at section 3 of the charter and no other part of the charter, but a blanket limitation of the right of prisoners to vote would be unconstitutional. However, it is necessary to look at whether the limitation is constitutional when section 1 of the charter is taken into consideration. Section 1 provides, "The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

There is considerable confusion across the country as to whether provisions like section 28(3) of the Elections Act, which prohibits inmates from voting, are unconstitutional. Section 3 of the charter would seem to suggest that they are in fact unconstitutional. But section 1 of the charter would suggest that they are allowable.

#### **Incarcerates' Right To Vote In Other Jurisdictions**

There have been a number of court challenges where inmates have challenged the constitutionality of these prohibitions. The result has not been entirely clear. What is clear, however, is that this is a serious issue. A challenge to our Elections Act by inmates of the Northwest Territories would force the member to deal with the question in court. It would mean that the government would not specify the parameters under which a court should consider the matter. The Minister could, however, use the Territorial Elections Act and Legal Questions Act to place the matter before the Supreme Court of the Northwest Territories. This would mean that the Minister would frame the issue in whatever form would be most helpful to the government and must put it in terms of the intended outcome.

What the Legislative Assembly would be recommending, then, is that the Minister should immediately direct his officials in the Department of Justice to prepare a question with reference

to the NWT Supreme Court. Specifically, the question should deal with the issue of whether section 28(3)(c) of the Territorial Elections Act affects or offends section 3 of the Canadian Charter of Rights and Freedoms.

Further, if the answer to that first part of the question is yes, the Minister should ask the Supreme Court to rule on the issue of whether limitations or denial of rights under section (3)(c) of the Elections Act is justified under section 1 of the Canadian Charter of Rights and Freedoms.

Up until a short time ago, election legislation in pretty much all other Canadian jurisdictions included prohibition against inmates voting. Some of these prohibited inmates from voting while other legislation was like ours in that it only prohibited sentenced inmates from voting. In fact, in Ontario there is a specific section which outlines the procedure through which remand inmates could vote. The issue has probably been most fully addressed in the Manitoba courts. In one court of appeal decision, the federal legislation was upheld as being reasonable limitations on the right to vote enshrined in the charter.

In non-binding comments, however, the court indicated the willingness to review the issue further in the absence of legislative action. In a second decision at a lower court level, however, the election legislation in Manitoba was struck down as being unconstitutional. And now inmates have the opportunity to vote in Manitoba provincial elections but not in federal elections.

In any court challenge in the case of challenging section 16 of the Ontario legislation, the courts held that voting prohibition against inmates was unconstitutional. Basically, the court's stand was that the right to vote was an integral aspect of a free and democratic society and should not be denied to inmates.

The parliamentary committee of the Ontario legislature held public hearings after the granted decision. It recommended a draft bill which kept section 16 of the act in place, prohibiting inmates from voting. This was apparently discussed by cabinet prior to the 1990 election in Ontario. Legal specialists both within and outside government recommended repealing or replacing section 16 of the Ontario legislation because of the controversy. No bill was introduced prior to the Ontario election.

As everyone knows, a new government took over in Ontario after the election, and nothing further has been done on the issue since the NDP government was formed. In the Yukon, the Legislative Assembly is apparently considering a recommendation that the section of the act which prohibits inmates from voting should be completely reviewed. Quebec changed its election legislation in 1979 to provide that inmates have the right to vote. The Elections Act now further provides a full code for how the vote is administered. They also specify that the inmate's ordinary place of residence governs where the inmate's vote is to be counted.

Mr. Chairman, if there should be a reference to the Supreme Court on the matter, the likelihood of a successful challenge to the NWT Elections Act is difficult to assess, given the strength of the argument on both sides of the issue. What is certain, however, is that if a challenge is brought forward just shortly before elections, the court will be very reluctant to strike down our legislation at the last minute. This could result in our whole election process being thrown into a state of disarray. The government should have been following this issue as it developed in other jurisdictions. It should have brought forward amendments to our Elections Act which could have been debated in the standing committee on legislation

in the House. Possibly public hearings could have let the government know whether or not people of the Northwest Territories support the idea of inmate voting. But the government either missed its chance or decided not to proceed with legislative amendments. But to ensure that a last minute challenge does not affect smooth planning and implementation of our territorial elections, the government should seek a reference from the Supreme Court now to provide clarity on the issue.

The government may argue that there is lack of time and resources to do this. This is not necessarily the case. Right now the Department of Justice has four well-qualified lawyers in the constitutional division. There are extremely experienced and highly regarded lawyers which head up the department's policy and planning division, and he has a very capable policy adviser who is also a lawyer. There are enough PYS for at least 12 practising lawyers in the legal division in the Department of Justice, including Bob Kasting, who has acted for the government on many important files. Certainly there is a boat load of lawyers in the Department of Justice, so no one can claim the lack of resources to mount this sort of action.

We are also aware that the courts are crowded. However, given the importance of the question and the impending nature of our election, it is likely that the matter will be dealt with promptly. I believe this matter could be before the court within sufficient time if the department were to set a high priority on it. I would urge, Mr. Chairman, Members to support this motion to get reference, as opposed to trying to make an argument on whether or not inmates should vote.

**MR. SPEAKER:** The seconder of the motion, the honourable Member for Aivilik.

**MR. ERNERK:** Thank you, Mr. Speaker. I agree with the motion. Thank you, Mr. Speaker.

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

#### Reference To Supreme Court Is Premature

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Speaker. I just have a few short comments to make on the motion. The government, of course, abstained on the motion, but I have a few comments to make as to the approach. The honourable Member has always done very good research and explained the background of this issue very well. In fact, there has not been a definitive decision as to whether or not our approach is constitutional or not. The honourable Member explained that.

There are some difficulties, though, that we in the government foresee. One difficulty, it is my feeling anyhow, is that we should know what it is we want to achieve before we go forward. Now it seems to me the first question that the people in this House should ask themselves is whether or not people who are incarcerated in our institutions should be allowed to vote. Now, depending on the answer to that, then you decide what the approach is.

The way the honourable Member is putting it forward -- and I respect his concern for the issue -- is that before we decide the principle, we are deciding the process; and I put to the House that depending on what result we believe in, we would have a different strategy for dealing with. If indeed this House believed that individuals incarcerated should not have the right to vote, then we might not want to put a reference question to the Supreme Court. If this House believes that they do have the right to vote, then we very well might want to put that question in front of the Supreme Court.

So it seems to me we have got the cart before the horse when we debate this particular issue. When the honourable Member made the point that the government should have put a reference question before the court, in the past, the reality is that we have been following this particular issue for a number of years and this issue has not been defined in any absolute fashion whatsoever across the country. As the honourable Member has said, there are mixed signals and there have been different results in court cases. We have not anticipated a problem at this point with having one of our elections overturned. Perhaps some day down the line that might be a danger, but we do not think that is a danger for the next election. I think what we probably need in this House, before I would feel comfortable, or the government would feel comfortable, going ahead with putting a reference question, is a full debate as to what individuals believe philosophically about whether or not people in jail should vote. I mean, unless we know what you feel about that, it would be foolish for us to put forward a question which might give a result different from the result that the collective will here would want. So I would ask Members to think about that, and I would ask Members that perhaps they should consider having a debate about whether or not we feel, as legislators, that we should change our legislation to allow individuals who are in our penitentiaries to vote.

Another potential problem is that even if we posed a reference question to the Supreme Court very quickly, it would be some time before that question would be dealt with. You would run into the logistical problem of the voting rolls being compiled; you run into the potential problem, if for instance, the courts said, "Yes, people who are incarcerated can vote," then we run into the potential problem of having to change our rolls, making decisions, as the honourable Member has said, as to where these people vote. For instance, if they are at the Yellowknife Correctional Centre, do they vote in Mr. Whitford's riding, all of them, as a block, or do they vote individually in their home ridings? So to be very honest with you, I would be more than prepared in the standing committee on legislation or any place that you would like to discuss it, to get into this issue into some more detail with honourable Members, because with the facts that have been put forward, the timing now, I would be other than honest if I did not say that I would be very uncomfortable going forward with a reference to the Supreme Court at this point in time. Thank you, Mr. Speaker.

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

**MR. McLAUGHLIN:** Thank you, Mr. Speaker. I would like to speak against the motion for a few reasons. First of all, I think it would be far better in this House to have a motion either supporting the present situation or opposing the present situation, so that we could vote on it and determine what the House thinks. If we determine that the situation should stay as it is, then someone could take this case to court and possibly get a ruling against our legislation. Mr. Speaker, it is more complicated than that because basically if you change the legislation by deleting prisoners from the list of the people not eligible to vote, that makes them electors and section 50(1) says, "Any person may be a candidate at election if on the day of filing his or her nomination paper, the person is qualified as an elector". So it has the implication that people who are prisoners could run for office in this House.

I am not going to be in favour of the motion. I think it would be far better to have a debate in the House to determine whether we want the situation to stay as it is or if we want it to change. If we want it to stay as it is, then somebody can challenge our legislation. Thank you, Mr. Speaker.

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

Member for Yellowknife Centre.

### Criminals Have Lost The Right To Vote

**MR. LEWIS:** Thank you, Mr. Speaker. This is such a complex issue that when it is brought into the House in the form of a motion which we get the usual notice for, there is usually not enough time to really do all the research to find out what the implications of this motion would be. However, Mr. Ballantyne has raised the issue about what we would like to see happen philosophically, what do we feel about something like this? I know that our Charter of Rights and Freedoms, and I think it is article 33, gives everybody in the country who meets certain criteria the right to vote. And being a criminal or being incarcerated is not one of those things. So for that reason, if in fact we deny the right, it could end up in the Supreme Court and would probably be upheld. But everybody under the charter has the right to vote.

Philosophically, to me it seems reasonable that if you have broken the law and you put yourself outside it and become like an outlaw and are locked away so that the public will be protected, then as far as I am concerned, you have given up freedom and you do not have freedom. One of the basic freedoms that we all cherish and value is the right to vote. To me, once you have broken the conventions and laws of your society, you have lost that right. Our own charter, I recognize, assures members of our society that they will have that right.

Mr. McLaughlin has raised the point that under our own act, if you look at the list of requirements to be a candidate in an election, it makes it pretty clear that there is no reference to anybody having a criminal record or being incarcerated. You just have to come up with a couple of hundred dollars as a deposit, I think. You have to be a Canadian citizen. You have to be 19 years old. It does not mention anything at all about whether you are in jail or not in jail. On the surface it looks as if anybody that meets those criteria can be a candidate. That to me seems rather ridiculous -- that you have somebody who is locked up and cannot even campaign in an election.

**MR. SPEAKER:** Order. Order, please. I have been quite lenient about the idea of the motion but the question before you is the matter of recommending this particular issue to the Minister of Justice for reference to the Supreme Court, not the principle or matter of the philosophical question. That is not part of the motion. The honourable Member for Yellowknife Centre.

**MR. LEWIS:** Mr. Speaker, I will be more clear then. Since this is a matter which has to be debated so that we understand exactly where every Member of this House feels about this issue, then it seems to me that this debate has to take place in this House before a decision is made to refer to a higher body to get an opinion. That is what I was trying to do. To try to get some feeling about how we feel about this particular issue so that we could have a debate on it. For that reason, Mr. Speaker, I feel quite strongly that we should debate this basic issue about rights and get a feeling about the way Members feel because we do that normally in the back room there before we decide to do something. It seems to me we should be doing it here. And then we decide what we do. Thank you.

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

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I wish to speak very briefly to the motion. Basically, I disagree with it. If a person has the right to vote, then they have the right to also be nominated for offices. I wonder if that was thought out in the motion. If they have the right to vote, then they

have the right to run for offices. They could very well do that.

**AN HON. MEMBER:** This is a recommendation.

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

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I question the privilege that is enjoyed -- as my friend from Yellowknife Centre says -- by free people, people who are locked up do not have that right. Thank you.

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

**MR. NINGARK:** Thank you, Mr. Speaker. The YCC is under the jurisdiction of this government. The people who are locked up behind the facility are part of this society and, therefore, I stand to support my colleague with the motion. Thank you.

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

**MR. ARLOOKTOO:** (Translation) Thank you, Mr. Speaker. I have a brief comment on the motion. The motion is very clear and it was explained to us but I cannot support this motion. The reason they are incarcerated is because they have broken the law or laws and for that reason I will not be able to support this motion. We cannot go hand in hand with the people who are incarcerated. They lost their freedom because they preferred it that way. They did do wrong. For that reason I cannot support the motion. Thank you.

**MR. SPEAKER:** Thank you. To the motion. The honourable Member for Rae-Lac la Martre.

### Issue Of Rights Has To Be Determined

**MR. ZOE:** Mr. Speaker, the motion that has been proposed by my colleague from Deh Cho is really specific. All it is doing is recommending to the government, specifically the Minister of Justice, to put a reference to the courts in order to determine the issue of the constitutional validity in our territorial Elections Act. I cannot see anything wrong with approving this particular motion. I think the issue of rights has to be determined. Other jurisdictions, such as Quebec, have gone so far that they provide their prisoners the right to vote rather than have someone challenge their legislation. I think this motion is basically recommending to the government that they should at least get an opinion from the Supreme Court to see if it is valid or not. I will be supporting my colleague with his motion. Thank you.

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

**HON. DENNIS PATTERSON:** Mr. Speaker, with the greatest of respect to the honourable Member, I think whether or not prisoners in jail should vote in the territorial election should be a decision made by people elected to this Assembly. We should have the courage to stand up in this House and say whether we support incarcerated prisoners participating in the democratic process by voting in elections or not. The honourable Member's motion leaves that decision to appointed judges. I would say, with the greatest of respect, that if we support this motion we are abdicating our responsibility as elected Members to make decisions for our constituents and be held accountable for those decisions.

---Applause

We do not need judges to do politicians' work, Mr. Speaker,



and that is what the Member's motion proposes. As a Member of the Executive Council, as is our custom on most of these matters, we will take direction from the House, but I want to put those views on record before the vote. Thank you.

**MR. SPEAKER:** Thank you. To the motion.

**AN HON. MEMBER:** Question.

**MR. SPEAKER:** Question. Final remarks, the honourable Member for Deh Cho.

**MR. GARGAN:** Thank you, Mr. Speaker. I would like to thank the Members that are supporting this motion. Mr. Speaker, there are plans in the not too distant future to hold an election. However, if the government chooses not to seek reference with regard to whether or not inmates have the right to vote, that is their prerogative. It would also be the prerogative of inmates to challenge the Elections Act. If they do so, then it would be the inmates that have this Assembly on hold with regard to proceeding with the election. So I would urge the Members, rather than going into that situation -- the inmates are aware of the section I am talking about. I referred that section to them, and if they choose to challenge the Elections Act, then the process of the election would have to be on hold until that section is answered in the courts. Again, it is like the Minister of Justice said, they have been keeping close tabs on other jurisdictions where decisions have been made with regard to inmates voting and legislation has been drafted toward that, and others are reviewing their legislation now.

We are in a situation now where it is unpredictable whether an election would go ahead if the government does not act. We are caught in a situation where maybe we might have inmates challenging our section of the Elections Act as unconstitutional. It is up to the Members to use their own judgment to see whether what I am suggesting makes sense. I would request a recorded vote, Mr. Speaker.

**MR. SPEAKER:** Thank you. To the motion.

**AN HON. MEMBER:** Question.

#### **Motion 22-91(1), Defeated**

**MR. SPEAKER:** Question has been called. A recorded vote has been requested. All of those in favour, please rise.

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

**MR. SPEAKER:** Thank you. All those opposed to the motion, please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Crow, Mr. Arlooktoo, Mr. Lewis, Mr. Whitford, Mr. McLaughlin.

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

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Kilabuk, Mr. Pudluk, Ms. Cournoyea, Mr. Allooloo, Mr. Ballantyne, Mr. Patterson.

**MR. SPEAKER:** Thank you. Order please. The record of the recorded vote is four in the affirmative, five opposed and six abstentions. The motion is defeated.

--Defeated

--Applause

Order please. Motions. The honourable Member for Nunakput.

**HON. NELLIE COURNOYEA:** Mr. Speaker, I seek unanimous consent to deal with a motion put forward yesterday on additional sitting hours.

**MR. SPEAKER:** The honourable Member is seeking unanimous consent to deal with Motion 24-91(1) regarding additional sitting hours. Are there any nays?

**AN HON. MEMBER:** Nay.

**MR. SPEAKER:** You require unanimous consent. The request to proceed has been denied. Just prior to proceeding to the next item, I just want to correct the record. The honourable Member for Nunakput already gave notice of motion for first reading of bills for Bill 51 yesterday, so there was not a requirement today to give notice of that bill. Just for a correction to the record. Item 15, first reading of bills. The honourable Member for Nunakput.

#### **ITEM 15: FIRST READING OF BILLS**

**HON. NELLIE COURNOYEA:** Mr. Speaker, I seek unanimous consent to deal with Bill 51, An Act to Amend the Territorial Hospital Insurance Services Act.

**MR. SPEAKER:** Thank you. The honourable Member for Nunakput is seeking unanimous consent to deal with Bill 51. Are there any nays? There are no nays. Proceed.

#### **First Reading Of Bill 51: Territorial Hospital Insurance Services Act**

**HON. NELLIE COURNOYEA:** Mr. Speaker, I move, seconded by the honourable Member for Amittuq, that Bill 51, An Act to Amend the Territorial Hospital Insurance Services Act, be read for the first time.

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

**AN HON. MEMBER:** Question.

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

--Carried

Bill 51 has had first reading. First reading of bills. The honourable Member for Amittuq.

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I seek unanimous consent to proceed with first reading of Bill 43, An Act to Amend the Environmental Protection Act.

**MR. SPEAKER:** We cannot proceed with first reading. The bill is not in the possession of the House. First reading of bills. First reading of bills. Item 16, second reading of bills. The honourable Member for Nunakput.

#### **ITEM 16: SECOND READING OF BILLS**

**HON. NELLIE COURNOYEA:** Mr. Speaker, may I seek unanimous consent to deal with second reading of Bill 51.

**MR. SPEAKER:** Yes, the honourable Member is seeking unanimous consent to proceed with second reading of Bill 51. Are there any nays? There are no nays. Proceed.

**Second Reading Of Bill 51: Territorial Hospital Insurance Services Act**

**HON. NELLIE COURNOYEA:** Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Amittuq, that Bill 51, An Act to Amend the Territorial Hospital Insurance Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to dissolve the Territorial Hospital Insurance Services Board and to transfer its powers to the Minister; to increase the number of consecutive terms of office that a member of a board of management may hold; and to make a consequential amendment to the Financial Administration Act. 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 51 has had second reading. Second reading of bills. The honourable Member for Yellowknife North.

**Second Reading of Bill 36: Borrowing Authorization Act, 1991-92**

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Nunakput, that Bill 36, Borrowing Authorization Act, 1991-92, be read for the second time. The purpose of this bill, Mr. Speaker, is to authorize the Commissioner to borrow an amount not exceeding \$19 million to fund loans to municipalities.

**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 36 has had second reading. Second reading of bills. The honourable Member for Yellowknife North.

**Second Reading of Bill 46: Supplementary Appropriation Act, No. 1, 1991-92**

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Iqaluit, that Bill 46, Supplementary Appropriation Act, No. 1, 1991-92, be read for the second time. The purpose of this bill, Mr. Speaker, is to make supplementary appropriations for the Government of the Northwest Territories for the fiscal year ending March 31, 1992.

**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 46 has had second reading. Second reading of bills. The

honourable Member for Yellowknife North.

**HON. MICHAEL BALLANTYNE:** Mr. Speaker, I seek unanimous consent to return to notices of motions.

**MR. SPEAKER:** Thank you. The honourable Member is seeking unanimous consent to return to notices of motions. Are there any nays?

Just one moment before we return to that particular item. I just want to indicate that Bill 51, Bill 36, and Bill 46 are referred to committee of the whole for today. The honourable Member for Yellowknife North.

**REVERT TO ITEM 12: NOTICES OF MOTIONS**

**Notice Of Motion 28-91(1): Adoption Of Statute Roll, Second Volume**

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Speaker. I give notice that on Friday, July 5, I will move the following motion: Now therefore, I move, seconded by the honourable Member for Iqaluit, that the Legislative Assembly hereby approves the Statute Roll.

**MR. SPEAKER:** Thank you. Item 17, consideration in committee of the whole of bills and other matters: Bills 44, 39, 45, 40, 51, 36 and 46, with Mr. Gargan or Mr. Ningark in the chair.

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

**CHAIRMAN (Mr. Ningark):** The committee will come to order. When we concluded yesterday, we were dealing with Bill 44, Access to Information Act. Are there any general comments? Mr. Gargan.

**Bill 44: Access To Information Act**

**MR. GARGAN:** Mr. Chairman, I was not too sure when we were going to be and dealing with bills in committee of the whole, but I do not have my legal adviser here. However, I am willing to proceed. If there are any legal questions to be asked, they could wait until our legal adviser, Mr. Vertes, is here. However, I do not mind proceeding with the act and get general comments.

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

**MR. PUDLUK:** (Translation) Thank you, Mr. Chairman. Further to Bill 44, I cannot go along with consideration because there are still many outstanding questions. As far as other provinces go, we are not sure how they implemented this Access to Information Act.

**Motion To Defer Bill 44**

I would like, therefore, to move a motion. I move that consideration of Bill 44, Access to Information Act, be deferred.

**CHAIRMAN (Mr. Ningark):** Could we have a copy of your motion for translation, please? The Chair will take a five minute break while we get copies of this motion distributed to Members.

--SHORT RECESS

**CHAIRMAN (Mr. Whitford):** The House will come back to order. The Chair recognizes a quorum. Mr. Pudluk, your motion reads "Mr. Chairman, I move that consideration of Bill

44, Access to Information Act, be deferred". The motion is in order. To the motion.

**MR. LEWIS:** Point of order.

**CHAIRMAN (Mr. Whitford):** Order please. Mr. Lewis has a point of order. What is your point of order, Mr. Lewis?

**MR. LEWIS:** Mr. Chairman, when you were in the Chair yesterday on an identical motion, you ruled in fact that it was out of order. I would like to challenge the Chair for these three reasons, Mr. Chairman.

**CHAIRMAN (Mr. Whitford):** Mr. Lewis, your point of order. Continue.

#### Chairman's Ruling Challenged

**MR. LEWIS:** I would like to challenge the Chair on his ruling that this motion is in order for these three reasons, Mr. Chairman: First, this is a committee of this House and cannot overrule the decision of a committee of this House to refer it to this chamber. The standing committee on legislation dealt with this and referred it into this session here.

The second thing is that we have already agreed that we have not got a procedure for dealing with Private Member's Bills. Mr. Gargan has already said that he has done everything possible in order to make this bill as good as it can be. He took all the directions that were given by government people. He got all kinds of legal advice from government lawyers so that in fact he would meet all the objections.

The third reason, Mr. Chairman, that I am challenging your ruling is that deferring this bill would have the effect, in fact, of not having this House deal with this very important matter during this final session of this Legislative Assembly, despite all the commitments that we have made that we would do so.

**CHAIRMAN (Mr. Whitford):** Thank you, Mr. Lewis. You have challenged the Chair. It is a tough job, but somebody has to do it. There is a challenge of the Chair. I shall rise and report to the Speaker.

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

**MR. SPEAKER:** The Chair will recess for five minutes; and I mean five minutes, not 15. Thank you.

---SHORT RECESS

#### Speaker's Ruling

I would like to call the House back to order. I have reviewed the matter that has been raised and the challenge with regard to the motion, and the decision of the chairman of committee. Upon considering the matter, I have reviewed the unedited Hansard, page 3521, and I note that the motion that was introduced yesterday is a very different motion than the one that has been introduced today. The motion was to refer the matter back to the standing committee on legislation, which consequently was ruled out of order. Today the matter before us is a matter of deferring Bill 44. I want to indicate that the previous practice of the House has been to defer clauses of bills, or to defer bills in total.

Erskine May, on page 487, with regard to postponement of consideration of clauses: "Consideration of a clause may be postponed, upon motion, provided that no amendment has been agreed to or negatived, and provided that the question, for its standing part of the bill has not been proposed."

Beauchesne's postponement of clauses, 700(1): "A clause

may be postponed, upon motion, provided that no amendment has been made thereto and that no proposed amendment has been negatived. In either of these cases the postponement of a clause is irregular. If, however, an amendment has been proposed and withdrawn, the clause may be postponed. A part of a bill or a consecutive group of clauses, en bloc..." -- and that includes the whole bill -- "...may also be postponed."

As a result of those considerations, and as a result of the practices that have been used in this House with regard to previous bills, with regard to the matter of deferring bills, I have to rule the motion in order.

---Applause

The hour is 6:30 p.m. Item 19, third reading of bills.

**MR. PUDLUK:** Point of order.

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

**MR. PUDLUK:** Thank you, Mr. Speaker. I thought before the end of the sitting day, before the Speaker adjourns the House, the chairman of the committee of the whole has to report to the Speaker. If we do not do that, we might lose the day. Thank you.

**MR. SPEAKER:** The matter has already been reported to the Speaker, to the Chair. I have dealt with the matter before you and provided the appropriate ruling. The hour being 6:30 p.m., I ask, Mr. Clerk, for the orders of the day.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Speaker, meetings this evening. We have a meeting this evening of the Nunavut caucus in the committee room immediately after adjournment. We have a meeting of the western caucus in the caucus room immediately after adjournment. Meetings for tomorrow: at 9:00 a.m., ajauqtiit; and at 10:00 a.m., standing committee on legislation.

#### ITEM 20: ORDERS OF THE DAY

Orders of the day for Thursday, July 4.

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 23-91(1), 24-91(1), 25-91(1) and 26-91(1)
15. First Reading of Bills
16. Second Reading of Bills: Bill 13
17. Consideration in Committee of the Whole of Bills and Other Matters: Bills 36, 39, 40, 44, 45, 46 and 51
18. Report of Committee of the Whole
19. Third Reading of Bills: Bill 34
20. Orders of the Day

**MR. SPEAKER:** Thank you. This House stands adjourned until 1:30 p.m., Thursday, July 4, 1991.

---ADJOURNMENT

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