



**LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES**

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**HANSARD**

Official Report

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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

SATURDAY, JULY 6, 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. Zoe

## ITEM 1: PRAYER

---Prayer

**SPEAKER (Hon. Richard Nerysoo):** Orders of the day for Saturday, July 6, 1991. Item 2, Ministers' statements. The honourable Member for Nunakput.

## ITEM 2: MINISTERS' STATEMENTS

**Ministers' Statement 106-91(1): Department Of Public Works Contracts Report 1989-90**

**HON. NELLIE COURNOYEA:** Mr. Speaker, the Department of Public Works' strategy for local and northern involvement in construction, maintenance and leasing, which was tabled in this Assembly last year, is a key component of the territorial government's overall economic development strategy. As evidence of DPW's continuing commitment to, and success in, maximizing the amount of government expenditures with northern firms, at the appropriate time today I will be tabling DPW's Contracts Report for 1989-90.

The report shows that of the 800 contracts for construction, maintenance, service and leasing, 708 contracts, or 89 per cent of the total, were awarded to northern firms. In addition, of the 98 contracts awarded to architectural or engineering consulting firms, fully 96 contracts, or 98 per cent of the total, were likewise awarded to northern firms. The Department of Public Works will continue to explore the various elements of our local and northern involvement strategy so that we can maintain and even further increase this high level of support for northern businesses. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. Ministers' statements.

Item 3, Members' statements. Item 4, returns to oral questions. The honourable Member for Yellowknife North.

## ITEM 4: RETURNS TO ORAL QUESTIONS

**Return To Question O566-91(1): Victim Of Assault Appearing In Court**

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Gargan on July 2, 1991 asking if the victim of an alleged assault had been located and brought back to testify at the June 25 trial in the Supreme Court.

The alleged victim, who lives in British Columbia, had been subpoenaed to appear for an earlier trial date and had failed to do so. For this reason, a bench warrant had been issued by the presiding judge. The RCM Police were anxious not to make things any more difficult for this witness and sent a member down to speak with her. The RCMP provided the woman with an airline ticket and she voluntarily returned with the member to Yellowknife for the June 25th trial date. As it had been unnecessary to execute the warrant, it was returned to the Supreme Court. The witness attended court on that day and gave her testimony.

I am very pleased with the sensitive manner in which the RCM Police dealt with this difficult situation. I trust that this answers the Member's question. Thank you.

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

**Return To Question O572-91(1): Statistics On Leadership Training Program**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. This is in response to a question asked by Mr Kilabuk on July 2, 1991. This Assembly has emphasized the importance of preparing Northerners to take leadership positions. Two years ago a new program was developed to enable individuals who had already been recognized as leaders in their communities to acquire the management skills necessary for the effective administration of land claims. So far, eight candidates have been sponsored under this program; two have assumed management positions, one will be completing the program this August, and the rest will be completing over the next year.

But this program is not the only program available to develop leadership skills. For example, although apprenticeship programs are designed to provide trades training, a number of people trained through this system have used their skills and experience as a solid base from which to progress into leadership positions. People like Wilf Wilcox of Cambridge Bay and Tony Eecherk of Rankin Inlet completed their apprenticeship training and are now the mayors of those communities. There are now 430 apprentices in the Northwest Territories.

Every year Northerners take advantage of the career development and skill training programs offered through advanced education. This year the in-service training program, now called the public service career training program, will be providing training for 60 individuals, 12 of whom are management trainees. There are also positions for 360 Northerners in the on-the-job training program. A wide range of opportunities to develop and improve career skills will promote northern leadership in many fields.

In 1990-91 there were 491 aboriginal students pursuing a wide range of studies. These students serve as role models now to encourage others to pursue further education and training, and many of these students will prove to be the future leaders of the NWT.

Mr. Speaker, I will not read out the names of the people now involved in the Northern Leaders Training Support Program, but they are attached to the handout we circulated to the Members. Thank you.

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

**Further Return To Question O619-91(1): Enforcement Of All-Terrain Vehicle Regulations In Communities With No RCMP**

**HON. MICHAEL BALLANTYNE:** Return to a question asked

by Mr. Ernerk on July 4, 1991, to do with the enforcement of all-terrain vehicle regulations. Anyone appointed as an officer for the purposes of the Motor Vehicles Act is an officer for the purposes of enforcing the All-terrain Vehicles Act. If an officer gives a person a ticket for not wearing a proper helmet or for not having their helmet fastened with a chin strap, the fine under the Summary Conviction Procedures Regulations is \$25 with a four dollar surcharge, for a total voluntary penalty of \$29.

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

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

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. I have a return to an oral question asked July 3rd by Mr. Morin on benefits to 11th Assembly MLAs. I replied to Mr. Morin's written question concerning direct or indirect benefits to 11th Assembly MLAs on April 4, 1990. I advised the House that I had referred Mr. Morin's question to the standing committee on rules, procedures and privileges. The committee responded by saying that the issues raised in Mr. Morin's Question W16-90(1) did not infringe upon Members' privileges.

On October 10, 1990, the Speaker wrote to me and, in light of the standing committee's conclusion, asked for information about contracts between the Government of the NWT and MLAs. I wrote all Members asking them to confirm or correct our information. The records search and correspondence back and forth with Members has taken several months. I have still not received confirmation from several MLAs.

I have responded to the Speaker but included a caution that not all Members have confirmed the accuracy of information. Thank you.

**MR. SPEAKER:** Returns to oral questions. Honourable Member for Nunakput.

**Return To Question O630-91(1): Opening Of Health Centre, Chesterfield Inlet**

**HON. NELLIE COURNOYEA:** Mr. Speaker, I have a return to an oral question which was asked by Mr. Ernerk on July 4th regarding the opening of the health centre in Chesterfield Inlet. The new health centre in Chesterfield Inlet is due for its final inspection later this month. The Keewatin Regional Health Board will move into the facility as soon as the building has been approved by the Department of Public Works.

The date for the official opening of the health centre will not be decided until the move has taken place and the occupants have had a chance to settle in. I am expecting the opening to be sometime in August. As soon as I have more detailed information I will be pleased to inform the honourable Member for Aivilik.

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

**Return To Question O495-91(1): Financial Assistance For Video On Suicide Prevention**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I have a return to a question asked by Mr. Ernerk on April 18, 1991. The Department of Social Services is very interested in, and excited about, the suicide prevention video project initiated by Pauktuutit, together with the Inuit Broadcasting Corporation. An amount of \$25,000 has been made available to Pauktuutit out of the department's suicide prevention program contribution fund to assist in the completion of this

video. Thank you.

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

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, I seek unanimous consent to return to Ministers' statements.

**MR. SPEAKER:** Thank you. The honourable Member is seeking unanimous consent to return to Ministers' statements. Are there any nays? There are no nays. Proceed.

**REVERT TO ITEM 2: MINISTERS' STATEMENTS**

**Ministers' Statement 107-91(1): Strategic Plan For Delivery Of Alcohol And Drug Services**

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. Thank you, colleagues. Mr. Speaker, I am pleased to inform you that at the appropriate time today I will be tabling the executive summary of the strategic plan for the delivery of alcohol and drug services in English and Inuktitut that was produced by the consultants of Process Four Design for the Department of Social Services. The purpose of the study was to identify long-term goals and options available to assist in achieving the goals.

This strategic plan makes numerous recommendations. The recommendations have served as guidelines in developing plans and will continue to be used as guidelines for future development of alcohol and drug programs. Thank you.

Mr. Speaker, I have two more Ministers' statements that I would like to proceed with.

**Ministers' Statement 108-91(1): Suicide Prevention Strategy**

Mr. Speaker, I am pleased to inform you that at the appropriate time today I will table the Government of the Northwest Territories' strategy on suicide prevention entitled "Working Together: A Strategy for Suicide Prevention in the Northwest Territories".

The strategy provides a foundation and a guide for communities and regions to develop their own suicide prevention action plans. A vital element is the promotion of individual and community involvement and responsibility, with emphasis on maximizing existing resources.

Mr. Speaker, the strategy is flexible to enable regional and community variations in addressing the issue of suicide and suicidal behaviour. Moreover, the document reflects a strategy model that can be readily modified as more information is obtained about the causes of suicide and the measures that can be taken to prevent such tragic events. Thank you.

**Ministers' Statement 109-91(1): Annual Report Of The Superintendent Of Child Welfare**

Mr. Speaker, at the appropriate time today I will table the first Annual Report of the Superintendent of Child Welfare. The results of this report cause concerns. This report paints a broad picture of the status of children in the NWT. The report provides information on health, education and economic security for our children. It provides a picture of children's hopes and fears, gathered from the children themselves.

Demographics show that in proportion to the rest of Canada there are many children in the NWT. By June of 1989 children up to 18 years old made up 39 per cent of the population of this territory.



My concern in tabling this report is because, Mr. Speaker, young people in the NWT are not doing as well as their Canadian counterparts. This report sets out information on our children's high rates of drug, alcohol and tobacco use. It identifies teen pregnancies and school drop-out rates, and uses social assistance figures to demonstrate the large number of children from very low-income families.

Regrettably, since 1986 the number of children in the care of the superintendent of child welfare has been growing and is likely to continue to grow. It would appear that the 1990s will require more services for children. At the same time, we will have to be innovative and flexible to meet children's needs in what is likely to be a time of restraint and fixed resources.

The Department of Social Services will need to be prepared to meet the needs of children with alcohol and drug dependencies, the many children disclosed in sexual abuse, and those with serious disabilities. Children form a large part of the communities we are elected to represent, yet their voices are small and faint against the needs of our other constituents. In this report the needs of children speak very loudly indeed.

I trust the Members of the Legislative Assembly will find this report interesting and thought-provoking. Thank you.

**MR. SPEAKER:** Thank you. Item 5, oral questions. The honourable Member for Aivilik.

#### ITEM 5: ORAL QUESTIONS

##### Question O649-91(1): Fire Safety At Rankin Inlet Airport

**MR. ERNERK:** (Translation) Thank you, Mr. Speaker. I have a question to the Minister regarding firemen. Mr. Speaker, at the airport in Rankin Inlet, and also elsewhere in different airports in the communities, but particularly in Rankin Inlet, if there was a fire today, we would not have adequate preparation for it. Last year, one airport was on fire, and it took a long time to put the fire out. I am using that as an example, Mr. Speaker. I want to ask this question to the Minister. Could the government prepare a program regarding airports, and in particular, putting fire extinguishers at Rankin Inlet? Thank you.

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

##### Return To Question O649-91(1): Fire Safety At Rankin Inlet Airport

**HON. TOM BUTTERS:** Probably it falls closest under my responsibility, Mr. Speaker. Some two months ago when I was in Rankin Inlet with the Member and we opened the fire hall there, that concern was discussed with me by the fire chief, the concern being that the present degree of firefighting capacity at the airport was going to be reduced and that it would appear that a significant amount of this weight could fall on the community itself because it may have to respond. I do not know what has occurred, but I would assume discussions are proceeding between my department and the hamlet. And yes, I will look into the problem that has been brought to my attention and have my officials look into the problem, but I think we should deal with it on a site-specific basis, and we will look at the Rankin Inlet situation alone. But I agree that there is a problem there, Mr. Speaker.

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

##### Question O650-91(1): Training Of Kuujuaq Park Personnel

**MR. ARLOOKTOO:** (Translation) Thank you, Mr. Speaker. I have a question for the Minister responsible for parks and tourism. Mr. Government Leader, I also have this question. We were on holidays in Soper River, a place beside my community. When are the people responsible for Kuujuaq Park going to be trained? When will this matter be dealt with? Thank you.

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

**HON. DENNIS PATTERSON:** Mr. Speaker, I am sure the Member wants an answer to that question before the end of the day, but I will have to take it on notice. I will, however, see if I can get a reply to him before the end of the day, through a return. I just do not have the information at hand.

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

##### Question O651-91(1): Salaries For Drug And Alcohol And Senior Care Workers

**MR. ZOE:** Thank you, Mr. Speaker. My question will be directed to the honourable Member for Slave River, Minister of Health. Mr. Speaker, a couple of years ago I raised a couple of issues with regard to the salaries and benefits of various employees. One was the drug and alcohol workers, and, the second was the employees that work for senior citizens' homes. I would like to ask the Minister, the issues that I raised at that time -- has the department looked into these issues that I raised a couple of years ago, have they been increased?

**MR. SPEAKER:** The Minister responsible for Social Services, the honourable Member for Slave River.

##### Return To Question O651-91(1): Salaries For Drug And Alcohol And Senior Care Workers

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. The department has been endeavouring to address the issue with regard to increased salaries for alcohol and drug workers over the past couple of years, along with increased amounts that are distributed to contractors that run personal care facilities on behalf of the department. However, there have been some areas that we have not been able to address, and we certainly are continuing to try to address these. However, I do not have offhand the actual amount of increase to our budget, per se, with respect to contract services to run personnel care homes or senior citizen homes. I do not have readily available the amount of increase over the past couple of years, so I do not know exactly what it would be, but I know there has been a substantial increase. Thank you.

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

##### Supplementary To Question O651-91(1): Salaries For Drug And Alcohol And Senior Care Workers

**MR. ZOE:** A supplementary, Mr. Speaker. Mr. Speaker, these groups that provide service on behalf of the department have been waiting very patiently. It has now been a couple of years since the issue was brought to the attention of the Minister. Can I get an assurance from the Minister as to when she anticipates that this issue will be resolved?

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

**Further Return To Question O651-91(1): Salaries For Drug And Alcohol And Senior Care Workers**

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, as I said, we have been trying to address some of the inequities and shortfalls of funding that have been identified by the department for personal care units over the past couple of years. The one particular area that we have not been able to address is to assist with vacation travel for contract employees that run facilities and to be able to assist with the housing allowance that they have been requesting for their employees who run these facilities on their behalf. We recognize that this is a concern of the contractors and certainly have addressed it as a concern. I know the department is currently formulating a submission to request more funding for these contractors that run these facilities, but how successful we will be in acquiring the funding depends probably on the Financial Management Board and also placing it in our budget. We anticipate that we will know probably by the fall, or the next government, as to whether or not we will be able to address that shortfall to ensure that the needs of contractors are met while they are basically delivering the programs in the senior citizens' home on behalf of the department. Thank you.

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

**Supplementary To Question O651-91(1): Salaries For Drug And Alcohol And Senior Care Workers**

**MR. ZOE:** Mr. Speaker, the last comment of the Minister I object to, in regard to the decision might be of the next government. Should it not be the decision of this government? Should the Executive not decide after you make your submission to them?

**MR. SPEAKER:** I am having a difficult time with the particular question. If the honourable Member could rephrase his question.

**MR. ZOE:** Mr. Speaker, I will rephrase my question. The comments that the Minister made at the end of her remarks indicated that maybe the decision should be left up to the next government. I am questioning that. The issue is with this government, this Assembly. It was raised during the 11th Assembly and the decision ought to be made by this government. It should not be left to the next government. My question is: Once the Minister submits her submission to FMB, I would urge her to give a decision one way or another, rather than leaving the decision to the next government. Could I ask her to strongly push for the submission that her department is going to present?

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

**Further Return To Question O651-91(1): Salaries For Drug And Alcohol And Senior Care Workers**

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, I can assure the Member that every submission that I do bring forth to cabinet or FMB that on behalf of the department I do, aggressively and eloquently, bring forth my concerns to my colleagues. I respectfully follow through with our decision collectively. It is a decision for my cabinet colleagues to make, and I can assure the Member that I will bring his concerns across to the Financial Management Board.

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

**Question O652-91(1): Inuit And Dene Land Claims Boundary Line**

**MR. GARGAN:** Mr. Speaker, I would like to direct my question to the Government Leader. Yesterday Mr. Alloo made a statement regarding a new agreement between Tungavik Federation of Nunavut and the government regarding a line to divide Nunavut and Denendeh. I would like to ask the Government Leader whether or not the original line that John Parker suggested is no longer valid and a new line is being drawn.

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

**Return To Question O652-91(1): Inuit And Dene Land Claims Boundary Line**

**HON. DENNIS PATTERSON:** Mr. Speaker, the boundary line referred to in the Minister's statement yesterday exists first to define the land claims settlement areas. It may well form the basis for a political boundary.

To answer the Member's question, Mr. Speaker, this so-called Parker line recommended by John Parker to the Minister, as I understand it, has not changed. However, what has been done and was announced yesterday is that certain lands will be made available to the TFN for selection, fee simple title, on the west side of the line. So the line itself has not changed, but there will be some land selected and the Minister has agreed to permit that on the west side of the line. Thank you.

**MR. SPEAKER:** The Member for Deh Cho. Supplementary.

**Supplementary To Question O652-91(1): Inuit And Dene Land Claims Boundary Line**

**MR. GARGAN:** Thank you, Mr. Speaker. Mr. Speaker, I would like to ask the Government Leader whether this government played a role with regard to that.

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

**Further Return To Question O652-91(1): Inuit And Dene Land Claims Boundary Line**

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. I would say to the honourable Member that we really did not have a role. Negotiations were between the federal government and the TFN. I would explain to the honourable Member that we were informed about developments as they occurred by Mr. Siddon and by the TFN, but the negotiations themselves were between the parties, and our government was not involved in those negotiations. Thank you.

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

**Supplementary To Question O652-91(1): Inuit And Dene Land Claims Boundary Line**

**MR. GARGAN:** Just for clarification, I would like to ask the Government Leader, while he was being informed, did he respond to any of the information he was provided with?

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

**Further Return To Question O652-91(1): Inuit And Dene Land Claims Boundary Line**

**HON. DENNIS PATTERSON:** Mr. Speaker, the interest of this government in the whole matter is in trying to get the land claims boundary lines settled. But if the Member is asking if



we intervened or responded in any way so as to affect the discussions, no we did not. We simply were informed because we had an interest in the matter. As well, Mr. Parker kept us informed while he was developing his report. The Minister has kept myself and Mr. Allooooloo informed of developments. But we did not influence what happened. Our position was simply that of a party concerned to see the matter settled. Thank you.

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

**Question O653-91(1): Future Plans For Airport Terminal, Pangnirtung**

**MR. KILABUK:** (Translation) Thank you, Mr. Speaker. The Minister of Transportation is not present at this time, so I will direct my question to the Government Leader. In the Eastern Arctic, in the Baffin Region, the population is pretty large. Yesterday I heard that we will not be getting an airstrip -- that is what I understood from yesterday's discussions. We have a very small terminal in Pangnirtung and the population is growing, and it is usually very crowded, especially during the wintertime when there is a storm and in the summer when it is raining. I am sure that the Ministers who have come to Pangnirtung know what I am talking about. I would like to know when they are going to be replacing the terminal. Are there any future plans to make that terminal larger? Thank you, Mr. Speaker.

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

**Return To Question O653-91(1): Future Plans For Airport Terminal, Pangnirtung**

**HON. DENNIS PATTERSON:** Thank you, Mr. Speaker. Mr. Speaker, the government's priority in Pangnirtung, as far as airport improvements are concerned, is to extend the runway. We are quite aware that the hamlet council, along with First Air, are anxious to have the runway extended approximately 150 metres toward the cemetery. That extension would be expensive and it would require the road relocation and affect a number of other community facilities. That is the department's plan, to give the priority to the airport extension if money can be made available. That is seen as the greater priority than changes to the terminal, Mr. Speaker. Thank you.

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

**Supplementary To Question O653-91(1): Future Plans For Airport Terminal, Pangnirtung**

**MR. KILABUK:** (Translation) Thank you, Mr. Speaker. The question that I had to the Government Leader was, are there any plans to expand the terminal? I know there is going to be an extension to the airstrip, but when will the terminal be upgraded to make it larger? Is it also the priority of your government to replace the terminal? Thank you, Mr. Speaker.

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

**Further Return To Question O653-91(1): Future Plans For Airport Terminal, Pangnirtung**

**HON. DENNIS PATTERSON:** Mr. Speaker, to answer the Member as best I can, I have no indication that the terminal upgrading or expansion is a priority. I have no indication that there are plans to proceed with upgrading the terminal. The information I have is that the next priority for the Pangnirtung airport, subject to money being available, would be the runway extension. Thank you.

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

**Question O654-91(1): Creation Of An Arctic Council**

**MR. ERNERK:** Thank you, Mr. Speaker. I would like to direct this question this morning to the honourable Government Leader. Mr. Speaker, the question is with regard to the creation of an Arctic council. Mr. Speaker, I am aware that there are a number of countries within the circumpolar region who wish to establish an Arctic council, especially to deal with the protection of the environment and to have a voice within the Arctic regions. I think it is a good idea, Mr. Speaker, and I know there has been a lot of work done by Rosemary Kuptana, who co-chaired this particular organization to establish the Arctic council. My question to the Government Leader is: What is the latest plan on the creation of the Arctic council?

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

**Return To Question O654-91(1): Creation Of An Arctic Council**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. As the Member is aware, about three years ago our Prime Minister announced the intention to create an Arctic council consisting of eight countries. As a result of that, there has been a plan in process by eight countries within the last two years. The last meeting of the officials took place in Yellowknife last year in the spring. As a result of that, the first ministerial meeting took place two weeks ago in Rovaniemi, Finland trying to come up with a strategy that would allow the creation of Arctic council ministers. We agreed at the meeting that officials of the eight countries would be invited by the Canadian government. I am told that our Prime Minister will be writing to eight countries inviting their officials to get together this fall in Canada. We also agreed that there will be a ministerial meeting that will take place in Greenland in 1993.

As a result of that, I am aware that the Inuit Circumpolar Conference along with the Sami council from the Nordic countries, agreed to take part in the Arctic council, but not to be a full member. They recognize that the Arctic council will be the government council consisting of all the Arctic governments and their Ministers, to deal with environmental strategies. ICC thought their best place would be to take part in the discussions of the officials of the countries, to have a meaningful involvement in the Arctic council.

**MR. SPEAKER:** Oral questions. Item 6, written questions. The honourable Member for Yellowknife Centre.

**ITEM 6: WRITTEN QUESTIONS**

**Question W18-91(1): Department Of Municipal And Community Affairs Employment Statistics**

**MR. LEWIS:** I have a written question for the Minister of Municipal and Community Affairs. It is on behalf of one of my constituents, Mr. Speaker.

Would the Minister provide a list of all permanent position of MACA at headquarters? Would the Minister provide a list of the names of casual employees at headquarters during June 1991? Would the Minister provide a list of permanent positions in each region? Would the Minister provide a list of casual employees by region during June 1991? Would the Minister provide this information to the Clerk of the Legislative Assembly by July 30, 1991?

**MR. SPEAKER:** Written questions.

Item 7, returns to written questions. Item 8, replies to Opening Address. Honourable Member for Pine Point.

#### ITEM 8: REPLIES TO OPENING ADDRESS

##### Mr. McLaughlin's Reply

**MR. McLAUGHLIN:** I have a very short reply. Mr. Speaker. In the reply to the Commissioner's Opening Address, I would like first to pay my respects to the 2500 people who were residing in Pine Point on January 15, 1987 when Cominco announced the permanent closure of their mining operation in my constituency. It is difficult enough to lose your job, but it is a far worse experience to have to relocate your family to another part of Canada where you may have no friends or relatives.

I would like to thank particularly the approximately 1500 constituents who were still in Pine Point during the 1987 election, for supporting me in the hard decision that was taken to remove all of the inhabitants of Pine Point. The decision to phase out the municipal operation as a consequence of the mine closure was very unpopular with some of my constituents, but I would like to thank the 76 per cent of the voters who supported me at the polls on this matter, which was really the only election issue in Pine Point that year.

The co-operation of the three levels of government and Cominco Ltd. to subsidize the removal of Pine Pointers to other places in Canada was the best choice to make. It was a far better option than spending two or three million dollars a year to keep a community of probably less than 500 people together, who would most likely be on UIC or social assistance.

I would like to once again thank the Ministers who were cabinet colleagues of mine when the initial decision to remove residents was made, and to also thank the Ministers in the 1988 cabinet who followed through on those commitments. In particular, I would like to make special mention of the Hon. Gordon Wray, who had the primary responsibility of overseeing the Pine Point closure. I would also like to thank the many civil servants who had the responsibilities of seeing through the details in the programs devised to help Pine Pointers through this time in their lives. If there is a purple heart for civil servants, it should go to Charlie Scarborough, the appointed administrator of the town, who had the formidable task of being alone on the front line in the delivery of what were often unpopular requirements to individual Pine Point residents.

Mr. Speaker, I am not sure if I was unpopular with Cominco Ltd, but they had a habit of announcing mine closures, one temporary and one permanent, several months before both of my re-election campaigns. Pine Point Mines management, however, was always very co-operative with me, and I am hopeful that this will continue with financial support for the establishment of a permanent Pine Point heritage fund and also with a large reunion of Pine Pointers scheduled for the summer of 1992.

Mr. Speaker, the one major disappointment I had with the Pine Point closure was the rush by all parties to tear down the infrastructure. It seemed to take on a steamrollerlike mentality that could not be stopped or co-ordinated. I am still convinced that if we had removed the residents and mothballed the community and mine infrastructure for a year or two, there might have been the opportunity to use those facilities in a very advantageous way for the Northwest Territories economy.

Mr. Speaker, I knew at the time that taking the decision to close the community and continuing to support the

implementation of closure would cause my constituency to disappear and would require me to make an important decision for my political future. Before coming to that, Mr. Speaker, however, I would like to take this opportunity to say to all the Members of this House, even the ones I argued with during the last two days on the Access to Information Act, that I have enjoyed the experience of working with them and look forward to meeting with them again, whether it is in private life, or in this House, or anywhere else.

Mr. Speaker, I know that other Members have said it, and I will not go into great detail, but I would also like to thank Mr. David Hamilton, the Clerk, who works on your behalf, Mr. Speaker, and the rest of the Members, and all staff and officials of the Assembly, as well as the staff of all the other departments who have to spend great lengths of time in our committee meetings and in the gallery when we are meeting. I would like to reiterate what the other Members have said, and also pay special attention to the interpreters, who have the very difficult job of mulling over our words and bringing them out in different languages so that we can communicate with each other. I am sure that for some of them the long days are even worse because they have to talk more than we do; and we sometimes talk too much.

Mr. Speaker, all I would like to say is that I have enjoyed being here the last 12 years, and the last term as well, and I would like to say that I have made the decision that I am absolutely, definitely and positively not going to seek re-election in this House in the next general election in the Pine Point area.

--Laughter

--Applause

**MR. SPEAKER:** Very good. The honourable Member for Kitikmeot West.

##### Mr. Pedersen's Reply

**MR. PEDERSEN:** Thank you, Mr. Speaker. Mr. Speaker, I had thought of making my reply under another heading today, under Members' statements, and then asking for unanimous consent to carry beyond the two and a half minutes; and I really think I should have done so. I certainly would have had a better audience.

--Laughter

**AN HON. MEMBER:** A bigger one, not a better one.

**MR. PEDERSEN:** Bigger indeed, yes. Mr. Speaker, I have not made any secret of my intentions to anyone who has asked me up to now, but I would like to publicly state, and I will do so right at the beginning so no one is in suspense, that it is my intention not to seek re-election in the upcoming election, in Pine Point or anywhere else.

--Laughter

I will not be a Member of the next Legislative Assembly.

**AN HON. MEMBER:** We will all miss you.

**MR. PEDERSEN:** Mr. Speaker, I think everyone knows that my constituency is approximately 85 per cent Inuit, most of whom are bilingual in Inuktitut and in English. Additionally, some statistics from the electorate in my constituency: About 51.5 per cent of them are women, and the average age of the electors in my constituency is somewhat near the mid-30s. Clearly, I do not fit any of those statements too well.



Mr. Speaker, it has always been my belief that the ideal candidate, if there is such a thing, the ideal representative is one who truly represents the average in the constituency, and if the next Member for Kitikmeot West would fit right into the mould that I just described, Mr. Speaker, I would be delighted. I want to step down, Mr. Speaker, at this time. I do not wish to wait until I feel that I am useless. I want to go while I still have something to offer and to contribute.

### Inequity Of NWT Economy

I would like to reflect, Mr. Speaker, on what has happened and what has not happened while I have been in this Legislature. There have been many positive things, but there have been many disappointments. There are many things that we have not achieved which, in fact, I entered politics with hope to achieve. One of those is certainly in economic development and in job creation. Unfortunately, in our communities it appears that the rich have become richer and the poor have only become more numerous. We still have two economies in the Northwest Territories; we have the large centres, which are generally quite affluent, and the small centres, where unemployment and the poverty associated with that is prevalent. Mr. Speaker, that was unacceptable when I entered politics and it is still unacceptable to me.

I think we have to recognize that much of what we have in the large centres, as for instance in Yellowknife -- and I do not want to pick on Yellowknife because it applies to other large regional centres too and does, in fact, belong to my region, the Kitikmeot Region, and other regions -- in the city we are in right now, the city of Yellowknife, is our high school; our hospital is here too; our jail is here; our alcohol and drug treatment centre; our medical boarding home; our crisis shelter for family violence; and many of the other facilities that normally exist in the region. Mr. Speaker, I point this out not to say that this is bad necessarily for the Kitikmeot Region, but to illustrate that economically, by doing that, millions and millions of dollars go into the Yellowknife economy on behalf of Kitikmeot people which could be spent on behalf of these same people in the Kitikmeot Region.

We have been getting figures recently from the Minister of Education on how much it costs to keep a student in school in Yellowknife, \$17,000 per student. We expect this year to be sending approximately 100 students from our region to here. It does not take much to know that this is a \$1.7 million infusion into the economy here, which we are not getting in our region.

### Housing

Another subject that we have not achieved all I had hoped is in housing. We have, indeed, and I am grateful for that, improved the quality of housing, but we have not solved the quantity problem. We still have a shortfall in housing and this shortfall is, in fact, growing. What we are able to provide does not seem to keep up with the increase in the population. Mr. Speaker, I have repeatedly urged our government to look at other and innovative solutions to that problem by, for instance, looking at all forms of shelter as housing. I have urged our government to build larger houses, to allow dedicated extra bedrooms to be used, for instance, for student boarding homes. But really, Mr. Speaker, my arguments have not been persuasive enough because even this year we are building educational residences -- one in Iqaluit, for instance -- at \$100,000 per bed. That is our cost for these institutions. Not only that, Mr. Speaker, but after completion, we tie ourselves down to spending in Iqaluit, according to the Minister of Education, \$34,000 per student annually in perpetuity as long as we keep that. At the same time, we do nothing about housing. We provide these wonderful facilities for two years, or whatever it takes, and then we send people

back into the communities and tell them we are sorry but there is no housing. It does not make any sense to me, Mr. Speaker. As I said, my arguments have been inadequate, and they have obviously not convinced those who make the decisions.

### Potential Of Musk-Ox Harvesting

Mr. Speaker, I am sure there will be some Members, probably most, who will be relieved to see me gone for one reason at least. At least they will not have to listen to me and to endure my ranting and raving about musk-oxen. Again, Mr. Speaker, on this subject, I have given you all I can on the issue of musk-ox. I have given you my best argument, and I really have nothing more to add to it except to say that I think we should consider the vast herds of musk-ox that we have as a gift from above, not as a nuisance to be dealt with. It is a marvellous opportunity to develop an industry in a renewable and never-ending resource. An industry in food production, leather production, wool production and craft production; an industry which could employ most of the unemployed people in both Nunakput and Kitikmeot West.

**SOME HON. MEMBERS:** Agreed.

**MR. PEDERSEN:** And employ them in an industry which our people in Nunavut are used to and which makes sense, that of renewable resource harvesting.

### Social Problems

Mr. Speaker, we also have great social problems. We have alcohol and drug abuse. We have family violence, suicides, sexual abuse, you name it, sir, and we have it in our communities. We have more people in jail and we have more people in family violence shelters. Mr. Speaker, we continue to worry about these problems individually and we try to solve the problems by building more institutions to house the victims of these problems. Mr. Speaker and honourable Members, I submit that we must change that approach. We must recognize that all these tragedies are not the problem itself, but rather the symptom of the problem. Mr. Speaker, I have come personally to the conclusion, for what it is worth, that the problem we have in the communities is that a huge percentage of our people, youth in particular, simply have no way to contribute in a meaningful way to the society in which they live. So as others have said, they do not see any hope of getting that, either.

Mr. Speaker, I really do hope that the next government will make its priority the creation of meaningful and dignified occupation for all our unemployed and unoccupied. That is my hope, Mr. Speaker, but I am not all that confident that it will happen. The reason I may be a bit pessimistic -- I do not like to be a pessimist -- is that on February 2, 1971, an elected Member for what was then called the Central Arctic stated, "The creation of jobs must, and I repeat must, become the primary concern of this government over the next four years." That was in 1971.

Mr. Speaker, in my own maiden speech in this House some eight years ago, in referring to the election campaign that I had just gone through, I stated that the one issue brought up more often than anything else was the need for the creation of jobs for economic development. I went on to say that political development is fine and desirable, and so is better education and a better health program as well as better housing, and yet all of these become almost meaningless if you have no job and if you are poor. A person who is not economically independent is not independent in any other respect either.

The hope that I express for the future, Mr. Speaker, has been expressed many times before over a long period, and we still have not achieved what we were looking for. Mr. Speaker, I am convinced that if we could achieve that, then the vast majority of our social problems in the communities would disappear by themselves.

I want to remind honourable Members who are younger than I am that not even 40 years ago, aboriginal people in the communities had full occupancy; not wage employment as we know it today, but they were fully occupied to make a living and contribute meaningfully to the society in which they existed. And, Mr. Speaker, we did not then have the social problems we have today. Mr. Speaker, we do not need to reinvent the wheel to know what the solution to our problems is. The solution lies in the past, and we can get it from our elders.

#### Consensus Government

Mr. Speaker, I have another concern. That is a concern for our consensus system of government. I think that our system is in trouble. I think, in fact, that we no longer have consensus government. What we have at best is a non-political party system. Consensus government to me means fairness to all. And we have not had that fairness lately. We have reached the level, it seems to me, where the greatest bully gets the greatest share. That has nothing to do with consensus.

**AN. HON. MEMBER:** Agreed.

**MR. PEDERSEN:** I have carefully analysed and recorded expenditures from our budget documents by department, by region and by constituency. I tell you the distribution of dollars has not been fair. If we allow this to continue, we will inevitably create party politics. And even worse, Mr. Speaker, we will create wealth for those who have the power and poverty for the rest. Wealth, Mr. Speaker, is not measured by how much you have but rather by how little others have. Therefore, the simplest way to guarantee your own wealth is to ensure the poverty of others. Mr. Speaker, I do not wish to see that happen in the Northwest Territories.

Mr. Speaker, I am also disappointed that we still have trouble carrying out the governmental policy. We still seem to be ruled by departmental priorities. I think there may be a fairly simple fix for that, and I urge all of the Members of this House who will be back after the next election, that after you have selected your Government Leader, please give that Government Leader the power to select his or her own cabinet, so the Ministers can owe their job to that Government Leader and he can enforce government policy.

**SOME HON. MEMBERS:** Agreed.

#### Achievements Of GNWT Over The Years

**MR. PEDERSEN:** Mr. Speaker, this all sounds fairly negative and it certainly has not been eight negative years. There have been many good advances. Unfortunately, we tend to dwell more on what we have not achieved than what we have. The provision of the recreation program and provision of recreation facilities in the communities throughout the NWT has been a tremendous success. We have better school attendance and generally, I think, a better education system. We certainly have been able to give somewhat more authority to communities, although we do not have enough yet. I still think that the ultimate would be block funding to communities.

We are much better recognized by the federal and by the provincial governments, Mr. Speaker. I do not think that the ignoring of the North and of aboriginal people that was

evident in the Meech Lake Accord will ever happen again. It simply is not possible. I am grateful for that, and I think it has been a real achievement.

Mr. Speaker, to me and to other Members from the Nunavut area, yesterday's announcement on an agreement on a boundary also is very good news. It gives us hope that within the foreseeable future indeed Nunavut will be.

Mr. Speaker, I have served this House as an MLA, as a Minister, and as Speaker, and I have also served this House in one other capacity which I think I probably will remain the only one to achieve -- I do not think any of the other Members will ever achieve that -- I did serve this House in one capacity as a spouse. My then wife, as you all know, was the first woman elected to this Assembly in 1970. I want to tell you, Mr. Speaker, that that capacity, of the four that I have served in, was by far the toughest. I wish to applaud all the spouses of MLAs for their patience and for their understanding.

--Applause

Mr. Speaker, the spouses deserve a tremendous amount of credit. What they have to put up with is unbelievable. So I want to say to my colleagues, those of you who have spouses, appreciate it, thank them, and give them a fair bit of praise now and then. They really deserve it. It is a tough, tough job.

Mr. Speaker, the profession of a politician, generally in Canada and in the world, has come under an awful lot of attack lately. But I want to tell you that as far as I am concerned, being an MLA is still the most honourable profession I can think of. There can be no greater honour than to have your fellow citizens express their confidence and trust in you by voting for you to represent them. Mr. Speaker, I want to thank the people of my constituency for the trust and confidence they have shown in me over the past years.

I also wish to thank my colleagues in this House for the trust you have shown in me by allowing me to serve the NWT as a Minister of this government and also to serve this House as your Speaker. To serve as Speaker, sir, and honourable Members, is indeed the greatest honour this House can bestow on a Member. I thank you all for that.

--Applause

I also wish to thank our superb staff. As the Speaker, I had the opportunity to see the staff of other legislatures and I tell you, and it is not to pay empty compliments or to blow our own horn, I tell you sir -- and I know that you, Mr. Speaker, will agree with me on that -- our staff is indeed the best in the country. To our Clerk, to our Clerk Assistant, committee clerks, Sergeant-at-Arms, Pages, research staff, all administrative staff, Hansard staff, particularly our interpreters, many of whom have been here longer than I have, I thank all of you. You certainly have made my job easier.

Mr. Speaker, over these eight years I have missed my private life; I have missed my family, my children and my grandchildren, who incidentally now number 20. Also, my first great grandchild is on the way and expected later this year. I also have several more exciting careers I still want to explore, hence the timing of stepping down. My decision to step down is not an unhappy decision. You all know that stepping aside when the time is right is not new to me. I simply believe that it is time for a change; it is time for new ideas and new energies. Mr. Speaker, everybody in this House will some day be in the same position I am in now, the position of leaving something which you have enjoyed. When that happens, there is a kind a weird thing that sets in, Mr. Speaker, because there is not a more instantaneously "ex"



than an ex-politician. One day you are in the public limelight and your opinion is valued, then you step down or you are defeated, you cease to be a politician, and the next day you are forgotten, you are no longer remembered, you are gone. Mr. Speaker, I do not say that as a complaint, because that is as it should be. We live in the world of now and those who are working for that world are the ones that should and do get the attention.

I do want to say that although I look forward to a private life again, I will miss this life. I will miss this House and I will miss all it stands for. I have enjoyed it very much. It has been very good to me. Mr. Speaker, I will miss all of you, colleagues and staff. Mr. Speaker, if ever in the future there are occasions to look back and if the House should in future years remember who once sat in this chair, I hope you at least can say that he was an honourable Member.

**SOME HON. MEMBERS:** Hear, hear!

---Applause

**MR. SPEAKER:** Thank you. Replies to Opening Address. Honourable Member for Amittuq.

**Mr. Alloo'oo's Reply**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I have never replied to an Opening Address since I was elected. I wish to do this now, since this will be the last opportunity that I will be able to do this. First of all I would like to thank all of my colleagues, especially Nunavut colleagues who put a trust in me to be the chairman of the Nunavut caucus. Although we have not always been agreeable to all of the issues that are brought to us, we have always maintained the very principle that our forefathers had taught us in living in Nunavut; that is, the ability to work together and also to resolve issues before it breaks up the family.

Mr. Speaker, I would like to thank also my honourable colleagues on the Executive Council. They have taught me a lot since I was appointed as a Minister four years ago. I thought I knew what went on in the Executive Council. Later on, as I started to take part in the cabinet meetings, I realized that I had very little idea of how things are done and what kinds of demands are placed on a Minister. I am very grateful that the Ministers who had more experience than I had were very helpful to me in giving me advice and also helping me to keep what is important; that is, to keep my family at the forefront of everything else. I know a number of times that I was told by our Government Leader that if I could keep my family happy, then I could do anything in the Executive Council, and that was a very forceful thought that came from the Government Leader, that the family was the most important thing that I had.

Mr. Speaker, in recognizing that this will be the last sitting of the 11th Assembly, I would like to begin by thanking again all of my colleagues that I was fortunate to serve with on this 11th Assembly. The demands of public life are many, and also very stressful at times; the demands of holding public office can be enormous, as we can all appreciate. Even though the role of an elected official can at times be difficult, the opportunity to serve my people and to improve their conditions far outweighs, in my thinking, any personal inconvenience and suffering we have experienced.

Mr. Speaker, when I became involved in public life at the municipal level I was very young. The reason I got involved was because I wanted to help my people. I know that in the small community where I was raised, people had very little idea of what the government's structure was, and it was the belief of my people that the authoritative figures such as the

RCMP, the missionaries and perhaps the Hudson's Bay personnel were, for lack of a better word, "the authorities". Therefore, what you find in the smaller communities is that all the land that is of better value or of better scenic quality is owned by the RCMP, the Hudson's Bay and the missionaries -- although we have been trying to get it back from them. When I was the mayor of Pond Inlet I was successful in negotiating a portion of the land from the RCMP and the Hudson's Bay Company so that the land could be used by the community of Pond Inlet.

#### Recognition Of Aboriginal Languages

I would like to review some of the accomplishments that I have had the honour to participate in over the last four years. I would like to begin with discussions on what I believe is one of the most significant achievements of this 11th Assembly. I refer to, of course, the legal recognition of my language and also the languages of the Dene in the Northwest Territories, and I believe them to be the First Nations of this great Northwest Territories.

Although the task of putting into law the language rights of our aboriginal people has been difficult, there is no doubt in my mind that this will be justified in the government expenditure that will be coming forth after the recognition of the languages.

I would like to take you back a bit over the important events that took place and the important decisions that were made by this government, and also the important meetings that have taken place in the last few years since you, Mr. Speaker, started the events as the Government Leader. I believe that in 1984 the federal government attempted to legislate official bilingualism in the NWT. The Government of the Northwest Territories opposed the amendment on the grounds that this issue should be decided by the NWT Legislative Assembly, and I believe you, Mr. Speaker, were the leader of that opposition, and you took the initiative to take some Members to the Parliament of Canada. On June 28, you, Mr. Speaker, as the then Government Leader, signed a five-year agreement with \$16 million of federal funding for enhancement of the aboriginal languages. In addition, the federal government agreed to pay 100 per cent of the costs of implementing and providing French language services in the NWT.

Following the funding negotiations, the Northwest Territories Legislative Assembly passed the NWT Official Languages Act recognizing the French and English languages. On August 15, 1985, you, as the then Government Leader, announced the appointment of the six members and the terms of reference for the task force on aboriginal languages. On February 26, 1986, the report of the task force on aboriginal languages was tabled in this House. Some of the major recommendations of the report included official status for aboriginal languages, the formation of the commissioner of official languages, and the standardization of the Dene languages. The report also emphasized that language services be given a greater priority at the community and regional levels.

In March 1986, Canada and the NWT signed the contribution agreement for aboriginal languages, one year after the initial agreement. In May, as the Minister of Culture and Communications, I was assigned the responsibility to coordinate, develop and monitor the Canada-NWT Contribution Agreement for Aboriginal Languages. In October the government responded to the report of the task force on aboriginal languages in this Legislative Assembly. In December the contribution for funding the French language was signed, and the funds were received in January. In December 1987, the Baffin leadership summit passed a resolution requesting that I, as a Minister, work toward recognizing Inuktitut as an official language in the Northwest

Territories. In June 1988, the Keewatin leadership summit passed a resolution supporting Inuktitut to be included as an official language.

September 1, 1989, an amendment to the Jury Act was proclaimed allowing unilingual aboriginal jurors to serve on NWT jury trials. In October, the Legislative Assembly created a special committee on aboriginal languages and mandated the committee to prepare amendments to the NWT Official Languages Act for consideration by the sixth session of the Legislative Assembly. In the latter part of that year, in 1989, I signed an agreement with the Secretary of State to extend the aboriginal language agreement for an additional year. In April 1990, this special committee on aboriginal languages tabled its report to the Legislative Assembly. On April 6th, the Legislative Assembly passed these amendments to the NWT Official Languages Act, recognizing aboriginal languages of the NWT as official languages.

I believe, Mr. Speaker, that was one of the most significant pieces of legislation that I or anybody else will ever see. It was significant to me and it was significant to the people in my community. I believe it was significant to the people in the Western Arctic, to the Dene.

In October, the Official Languages Act of the NWT was amended delaying until April 1, 1992 the existing statutory requirement to translate existing NWT legislation into French. On December 21, an amendment to the NWT Act giving federal consent to the amendments to amend its NWT Official Languages Act was passed by the federal government. In 1991, provisions of the Official Languages Act concerning French language services came into force on January 1st. On May 21, 1991, I met with the new Secretary of State Minister, Robert de Cotret, and urged him to seek federal Cabinet approval for the continued funding of the French and aboriginal languages services in the NWT. On June 27th, I received a letter from Mr. de Cotret confirming that federal Cabinet had given its approval for further funding for both French and aboriginal languages. On July 16th, my officials will begin the final rounds of negotiations to conclude discussions on a new multi-year agreement for French and aboriginal languages.

#### **Children Should Be Educated In Aboriginal Languages**

Mr. Speaker, I am proud of my role in the struggle to gain official language recognition for the languages of the NWT First Nations. Although I have been given the leadership responsibility to oversee language development, I could not have achieved the results we have witnessed by acting alone. The credit for the historic decisions we have made must be shared with each and every one of you, especially the Member for Aivilik, Peter Ernerk, who served on the committee that made the legislation recognizing the official languages. Also, Mr. Nick Sibbeston, Member for Nahendeh, who also served on the committee. As well, the Members who did not serve on the committee, the aboriginal Members of this House, who supported the passage of this legislation.

I would like to thank all of you on behalf of my people. I thank you on behalf of my elders. I thank you from my children even though, because of the way the educational system works in the NWT, unfortunately they cannot be educated in my own language even though we live in the NWT, therefore, my children who are living in Yellowknife cannot speak my language. I would like to see that changed in the future, and I look forward to taking part in making that change. I also believe that the Dene people who are forced to live in Yellowknife, and their children are going to public schools in Yellowknife, are also not taking their language. We, the legislators of the 11th Assembly, have spoken loudly and clearly on the language rights of the First Nations. It is

my hope that the future Members of the Legislature will continue to build on the foundation we have laid for them.

---Applause

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

**HON. TITUS ALLOOLOO:** The legislation that is now in place is a tool in our hands that is a means to achieve an end; we must do more than appears necessary now because later, no amount will be enough.

#### **Other Achievements In The Area Of Language Development**

My Department of Culture and Communications has accomplished many other important tasks in the area of language development. The Dene standardization project is critical, I believe, to the preservation and enhancement of the Dene languages. This project involves the standardization of the writing system currently used by the Dene. It will encourage literacy among Dene speakers and will facilitate the publication and a change of printed materials economically.

So far the Inuit use a common writing system which is better known as syllabics, and we tend to utilize that system to preserve our culture. I understand that a lot of the Dene people do not have a common writing system that is readily available to be used by the school system.

Also, research has been completed at the community level. Recommendations by the planning committee include literacy training, literacy promotion through channels such as the use of standard spelling and in science, research publications curriculum development, standard place name spellings, a public awareness campaign, and a 10-year review. The project is overseen by the Department of Culture and Communications, Education and the Dene Cultural Institute. The Dene standardization project final report was tabled by myself in the Legislative Assembly in April 1991. The standard Dene alphabet chart was reprinted in the spring of 1991 under joint funding from Culture and Communications and Education.

The terminology development is vitally important for native languages if they are to be used in the modern world, if they are to communicate in the modern world with so many new ideas and so many new subjects to describe in their own language. Terminology is very important to our people to keep in line with the progress that has taken place. Without it, I believe the language cannot be used in many situations, and that can lead to their decline. Data base is an effort to collect terminology that has already been developed for several dialects. It will help to avoid having several terms to describe the same thing. The language bureau personnel have been working on this project for some time and their work will continue.

We are working on a Slavey dictionary project, a Gwich'in dictionary project and an Inuktitut dictionary project and all received assistance. The language bureau funded the research and publication of a 900-page Slavey verb dictionary. It has been published and distributed to various interest groups and is available to the public from the Territorial Printer. It is the first truly comprehensive dictionary published for a Canadian Athapascan language.

The research for the Gwich'in dictionary in the Fort McPherson dialect was conducted by William Firth, the language bureau interpreter-translator in Fort McPherson. It will be a valuable resource for the preservation of the Gwich'in language, as only a noun dictionary in this dialect is available at this time. The dictionary is presently being proofread and will be ready for



publication this summer.

The Department of Culture and Communications has provided funding to ICI for the development of the Inuktitut dictionary project. Culture and Communications had representatives on the planning committee for the aboriginal languages conference which was sponsored jointly by the Dene and Inuit Cultural Institutes. Funding was provided by my department. Language bureau staff worked at the conference as facilitators and reporters. Other Culture and Communications staff attended as delegates. A large number of their recommendations were formulated at the conference. These recommendations will help to guide our government when it begins to implement new language programs and policies for our cultures.

#### Other Departmental Achievements

Our First Nations have an oral tradition in which language was passed down from one generation to the next, through speech and not through the written system. Recognizing this fact, my department established the oral tradition program to record the stories and languages of the aboriginal people of the NWT. The department has funded many oral tradition projects, including the collection of Inuit elders' stories on audio tape for public library lending.

We are also conducting research on traditional place names with a view to change the names of our lakes, rivers, mountains and communities back to their original names. The department also initiated the support for a northern performers program, which provides advice and funds for individual performing artists.

The NWT Arts Council has assisted hundreds of Northerners over the years to fulfil their artistic dreams in visual literary and the performing arts. The Prince of Wales Northern Heritage Centre has contributed much to the cultural life of the people of the NWT. Our heritage training program provided knowledge and experience to people who are involved in the widest range of heritage activities throughout the NWT. This training has been provided through more than 20 workshops, internships and field projects. Over the remainder of the year we will carry out training needs analysis to determine the effectiveness of our programs and to identify what the priorities are for heritage training.

The aviation wing, which opened in June of this year, highlights the impact the airplane has had on the North. Planning for and construction of the gallery was oriented with the non-profit Fox Moth Society, and the entire venture is attributed to government and the private sector. The aviation gallery broadens the scope of the Prince of Wales Northern Heritage Centre and permits us to present more of our collection to the public.

The Trapline Lifeline exhibit, which opened in Yellowknife in 1989, has since travelled across Canada and has been viewed by more than half a million Canadians. It has allowed us to educate people on the importance of fur trapping in the North. I have received many indications that people in the South are now more sensitive to the importance of trapping to the northern culture. Developing an exhibit of this calibre has also enhanced the reputation of the Prince of Wales Northern Heritage Centre and has helped the centre to develop a capability for producing other exhibits of this nature.

My department is currently carrying out a study with the federal government which will lead to the development of a bilateral agreement and support to culture and heritage programs in the NWT. This study has taken place both at headquarters and also at the community level and addresses the effectiveness of existing programs and the need for

innovative approaches to provide support to groups engaged in culture and heritage activities. This co-operative approach by the two governments represents a realistic approach to rationalizing our programs and making them more effective.

The Department of Culture and Communications has also undertaken two major repatriations of cultural material in the Northwest Territories. In 1990, a large and significant collection of Inuit art was repatriated from Indian and Northern Affairs. It is currently being curated at the Prince of Wales Northern Heritage Centre with the anticipation that it will soon find a home in the Eastern Arctic.

More recently we have brought back to the Northwest Territories skeletal remains from ancient graves in the Eastern Arctic which had been taken to Denmark 70 years ago. These repatriations have demonstrated the ability and credibility of the Northern Heritage Centre in the eyes of other heritage agencies. The international attention brought to these negotiations has brought significance for the heritage aspirations of the indigenous peoples of the world. I would like to thank my colleague, Mr. Ernerk, for raising this matter in the Legislature and helping me to negotiate the return of the bones of our ancestors. The spirits of our people of long ago will soon rest in the land of their birthplace, where they have always belonged.

During the past week I tabled in the Legislature the report of the traditional knowledge working group. It is my hope that the next government will treat the recommendations of the committee seriously and implement many of their suggestions.

#### Communications

I would like now to review the works of the communication division of my department. Mr. Speaker and Members, you might be wondering why I am citing all the achievements of my department. I believe that when I came into this government, the department was so small. To me, it was like a neglected department in the past. In the last two years, I also learned that this department had quite a few Ministers that never stayed. I would like to point out that this department is very, very important to my people who have elected me to sit in the Legislature and also to be part of the Legislative Assembly.

On the communications side, in June 1986, the Executive Council directed me to take a lead role and invite all potential users of northern public education television service to a meeting to assess interest and develop a proposal for essential service. In June 1987, the Government of the NWT, together with the Government of the Yukon; six aboriginal broadcasting societies from the Yukon and the Northwest Territories, Arctic Quebec and Labrador; and Northern News Service of the CBC, presented a proposal for the establishment and funding of new television services to the federal government.

In June 1988, the federal Department of Communications announced \$10 million funding for the new network, "Television Northern Canada". The Department of Culture and Communications is co-ordinating the GNWT involvement with Television Northern Canada. This involvement includes the Department of Education, which will be distributing five hours of educational television programming per week for use in schools. Arctic College will be delivering four credit courses, using TVNC and giving people in all communities in the NWT access to these courses.

The new television and radio service division of Culture and Communications will be working with all other government departments assisting them in either acquiring or producing programming to take advantage of the opportunities Television

Northern Canada offers. As much production as possible is contracted or co-produced with the Native Communications Society or the NWT private sector, and no increase in the Culture and Communications budget has been requested. Last year, my department was able to raise over \$400,000 for television production by aboriginal broadcasters in the NWT. Culture and Communications has provided Television Northern Canada with contributions totalling \$220,000.

The executive director of Television Northern Canada is on secondment from the Department of Culture and Communications and has provided his service to the organization for the past two years. The director of television and radio services of Culture and Communications represents the GNWT as a member of the board of directors of Television Northern Canada and is chairman of the Television Northern Canada programming committee.

Television Northern Canada is dedicated to a satellite distribution system for the primary benefit of the aboriginal people in the North. It is for Northerners to distribute television programming of culture, social and educational importance to each other, increasing communications and promoting dialogue. Television Northern Canada will broadcast in 10 native languages, French and English.

Television Northern Canada will be headquartered in Iqaluit and will be able to broadcast to the satellite from Iqaluit, Yellowknife and Whitehorse. Its programs will be received in 94 communities across the North. All communities with hydro in the NWT will receive Television Northern Canada, which will be re-broadcast in the communities at no cost to them. Much of Television Northern Canada's infrastructure is now in place and the remainder is being installed this summer.

The Canadian Radio, Television and Telecommunications Commission will hear Television Northern Canada's and our broadcast licence application on Monday, July 8, 1991. Television Northern Canada expects to be broadcasting across the North in January 1992, with the Government of the Northwest Territories as a major contributor of the programming. I would like to add to this, my Nunavut Legislative Assembly.

--Applause

#### **Aboriginal Rights And Constitutional Development Responsibilities**

In my capacity as an associate Minister for Aboriginal Rights and Constitutional Development, I have been honoured to participate as a signatory to the agreement in principle of the Tungavik Federation claim. In April 1990, article IV of the agreement in principle restates the support in principle of the Government of Canada, the Government of the Northwest Territories and the Tungavik Federation of Nunavut for the creation of Nunavut territory and the financing of the Nunavut government outside the claims agreement as soon as possible.

In October 1990, the Government Leader of the Northwest Territories and the president of Tungavik Federation of Nunavut sent a joint letter to the Prime Minister proposing the introduction in 1992 of legislation into Parliament which would create a Nunavut government within five years of the enactment of the legislation. The Prime Minister responded on January 16, 1990 and confirmed that the federal government continues to support division of the NWT in the context of the TFN land claim. Mr. Mulroney further stated that the issue of timing and financial arrangements required further clarification. Toward this end my officials are continuing negotiations with the federal government representatives on the cost and final details of Nunavut government.

Mr. Speaker, there is a tremendous amount of work left to complete on the final agreement of the land claims of my people and the ultimate goal of setting in place our government for Nunavut. It is a responsibility that I undertake with great pride, for the future of my people rests with our ability to succeed. The day that Nunavut becomes a reality is the time when my greatest dream will be realized.

#### **Renewable Resources Responsibility**

As a young boy I learned from my father the skills of survival on the land of my people. He taught me how to read the weather, the mysteries of the ocean currents, and the habits of the animals on which we have depended for thousands of years. I never dreamed, when we spent days and nights on the ice and ice floes, that he was preparing me not only for survival as a hunter for my people, but also as a political leader for the future.

Mr. Speaker, he taught me well, for I have been confident in my responsibilities as a Minister of Renewable Resources. In my capacity of Minister for Renewable Resources I have negotiated international agreements, helped to set up resource management boards, and passionately defended the subsistence rights of my people against those who would have liked to see the end of our hunting culture. The greatest satisfaction that I have witnessed, despite all of the outside pressures, is the determination of my people to live as they always have, in harmony with the land and the animals.

I would like to review some brief highlights of the work of the Department of Renewable Resources, very briefly, Mr. Speaker. In June 1991, I represented our government in the first Aboriginal Arctic Leaders Summit held in Copenhagen, Denmark. Mr. Speaker, I was particularly pleased to participate in discussions on renewable resource issues which became priority topics of discussion at the meeting. We delivered a consensus statement on the subsistence and renewable resource harvesting. The circumpolar aboriginal leaders unanimously agreed that the anti-harvesting animal rights movement posed the greatest threat to aboriginal cultural survival. We called on all governments to co-operate with aboriginal people in dealing with this issue.

The other issues that my department has been working on include: sustainable development policy; balanced economic development with the requirement for a health environment; initiate changes to make the existing Environmental Protection Act more effective. Depending upon the passage of this bill we will have a great role to play as a government to manage the environment properly. We worked on land use planning; territorial and federal government approval of the Lancaster Sound regional plan; forest fire management policy, making fire management more responsible to community needs and improved community involvement in forest fire management; the NWT remote sensing centre, permanent territorial facility, established for use by public and private sectors; environment assessment -- presentations were made on three issues: 1) ALPAC and EARP, emphasized the requirement for clean water due to downstream use by territorial residents; 2) emphasized the requirement for a healthy bison herd; and 3) involvement of Northerners in the decision-making for future needs. We also worked on Bill C-78 and environmental assessment, made presentations to the parliamentary panel reviewing this legislation; trapper training and trap exchange training workshops held in most of the western communities, using local instructors; forest management reforestation program, when 120,000 spruce and pine seedlings were planted; Environmental Rights Act passed in this Legislative Assembly, which my department supported; established NWT round table on the environment and economy; interim water agreement, working on an interim agreement between Alberta



and NWT that deals with pulp mill effluence; resource management boards made up of resource users in all regions and the drafting of Bathurst caribou management plan. We are drafting a polar bear management plan as well.

I also took part, along with my departmental officials, at Rovaniemi, Finland, as a Canadian delegation to discuss the Arctic council of the circumpolar nations. We also are co-operating with the federal government to clean up the abandoned sites that contain contaminants, such as Cape Christian near Clyde River.

Mr. Speaker, I have enjoyed the responsibilities that have been given to me as a Minister, by our Government Leader. I have also enjoyed being a Member for Amittuq.

#### **Amittuq Issues**

I would like to tell my colleagues a bit about my riding and discuss some of the issues of my constituency. I was happy to take part in the opening of the school in Hall Beach, which was delayed for different reasons for quite a few years. The opening took place March 4, 1991 and the school was named after one of the prominent elders, Ben Arnaqjuaq who, in February 1991 was one of the people who were set adrift when the ice broke off while they were walrus hunting. Unfortunately, in that event they were gone for quite some time, frostbitten and hungry and weak. Unfortunately, there was a loss of life of one hunter, James Qammaniq, who went into the water and shortly after died of exposure. It is unfortunate that Ben Arnaqjuaq lost both of his legs due to freezing. Also, one hunter was badly frozen but lost just part of this toes.

Mr. Speaker, I would like to convey to my constituents that we know we live in a harsh environment and we have been going by traditional knowledge. That is the only way we can survive. I would like to tell the young people in my constituency that this traditional knowledge of our elders is vitally important if we are to pursue our traditional way of life.

Also in Igloodik I was glad to see the gasoline dispenser moved out of town. Government Services were able to move it out of town so there would be less of a chance of disaster in town. Also in Igloodik the dance group and the drama theatre group visited Hull, Quebec, the Museum of Civilization and also visited Yellowknife, Hall Beach, Iqaluit, Whitehorse. They performed a play entitled "Qallupilluit", a retelling of the ice spirit legend which my people believe lived under the ice and also told the warning that was given to the children, the dangers of the cracks on the ice. The group first played Uvanga, a young person's search for identity. In the end the elders' words from the past bring to the youth strength and hope for the future.

Also, a member of that group, Lucy MacDonald, was chosen for a student exchange representing the NWT to the Soviet Union, that will take place in September 1991.

The archaeological work in Igloodik Island is ongoing. All artifacts recovered will be housed at the Northern Heritage Centre. As you know, in the Eastern Arctic the Igloodik Island is known to be one of the oldest sites continually inhabited by human beings, well over 4000 years.

Also I was pleased to see the Igloodik cadet drill team came in second in the territorial championship for the second year in a row. And also the wrestling team has held regional wrestling trials and represented the Baffin Region at the NWT territorial in Yellowknife. Also the Igloodik swim team attended the swim meet in Nanisivik. I was also pleased to know a film "Nunaqpa", produced by Zack Kunuk, was made public. In fact, this weekend I was invited to attend the premiere

showing of this film at Kotzebue, Alaska. But unfortunately because of my responsibility I have to be here in this House dealing with the issues at hand.

In Pond Inlet we have had, over the past 20 years, an exchange between Greenland and the people of Pond Inlet. I was pleased to know that the people in Pond Inlet, through this exchange, are able to communicate better in their own language with the Greenlanders.

I was pleased to know that the Pond Inlet Co-op is a leader in creating a credit union. They are leading in that field in the Baffin Region. That will be able to be used for the people of Pond Inlet, where there is no bank. The nearest bank is a thousand miles away.

I was also pleased to take part in Peter Gzowski's golf tournament in Pond Inlet, which was very popular in the community. It also opened the eyes of the visitors to beautiful Pond Inlet, and the beauty of the community which will stay with them for the rest of their lives.

I am pleased to see that there will finally be a place for a library in Pond Inlet which will belong to the community. Also, traditional knowledge will be worked with the elders of Pond Inlet and the hunters and trappers association. There is a little river outside of Pond Inlet which used to have a lot of arctic char. Starting in the 1920s, when the whaling ships came into Pond Inlet, they used to harvest a large amount of char from that river. Later, when the icebreakers started to come into that area, again, sailors were using modern methods, using nets to catch a lot of char. Back in the 1950s and 1960s, as a result of harvesting by a number of ships, the population of the char in Pond Inlet was diminishing. In the 1960s and 1970s, when the elders recognized we might not have char any more in Pond Inlet, they made some restrictions on their own, for their own people, stating that there will be no more netting in the lake. People would be allowed to set nets as long as it was not overnight or left for some period of time. The people were to take their nets out if they left the lake, and that was monitored by the community elders and HTA. As a result, when I was fishing last weekend in Pond Inlet, in 15 minutes I had 40 fish which was the way it used to be. Seventy years later the fish are coming back to the community of Pond Inlet, as a result of traditional knowledge being implemented. As you know, Mr. Speaker, all the native people, I believe, throughout the Northwest Territories had a very strong restriction on their own people, in terms of harvesting natural resources. I know that where I was born in the camp, in the traditional camp, in the sod house where my father was a leader, the worst crime that you could ever commit was to waste any part of the animal that you harvested. I believe that practice was also done by the Dene people in their area. Also, I was very pleased to learn a couple of years ago, Fisheries and Oceans counted or made some stock assessment in one of the lakes in Pond Inlet. They told me after two weeks of counting fish in that particular lake, that they have never ever seen that amount of arctic char in one lake in their experience.

#### **Appreciation Of Colleagues And Staff**

Mr. Speaker, I would like to close my address by thanking you, my colleagues, for giving me the honour and privilege to serve this Legislative Assembly to represent my people as a Member of the Executive Council. I have done my job to the best of my ability and I trust that I have measured up to your confidence. I would also like to thank my cabinet colleagues for their support and guidance. I came to Executive Council not only as a new Member to the cabinet but also as a new Member of the Legislative Assembly. When I was appointed Minister for Culture and Communications and to Renewable Resources, I was getting briefed by my department for about

two weeks. At the end of two weeks, I told myself, "I cannot do this. It is too much for me. It is beyond my capabilities." And then the thought came into my mind that I was told by one of my elders that just passed away last week, Ipeelee Merkosark, who always supported me as mayor of Pond Inlet and also a Member of the Legislative Assembly and he said, "Titus, I know you do not know all of what goes on in government as you have just been elected. Like myself when I started to get involved in the Hudson's Bay, you are going to feel small at times. You are going to feel like you are not capable of doing what you have been asked." He told me to keep my principles that were taught to me. If I do not know anything, ask somebody who might know and also try to work together with other people, not to put down other people and to always be helpful, to do my best. He said that is all you could do, is to do your best. If that is not acceptable to the people, let it be. He said, "Do not be ashamed of yourself."

My job as a cabinet Minister of this government has been made easier through the help and encouragement of my fellow Ministers. I thank you for all that you have done and also taught me. I will also look back on our experience together with a sense of pride. To the entire staff of my departments, I would extend my heartfelt thanks. It was a distinct pleasure to work with the public servants of the Government of the Northwest Territories. We have a public service which we can all be proud of. I would like to express my appreciation to our Clerk, Mr. David Hamilton, for his dedicated performance and knowledgeable advice. I would also like to thank the entire staff of the Legislative Assembly, including the many Pages who have served us over the past four years. Hopefully, some of them, one day, will serve us as a Member of the Legislative Assembly. Mr. Speaker, you have impressed me with not only your knowledge of parliamentary procedures, but more importantly with the patience and sense of fairness that you have demonstrated in presiding over this Legislative Assembly.

Mr. Speaker, I would like to thank the people of my constituency. They have given me their trust in electing me to this Legislature. Without their support, I could not have had the opportunity to serve their interest in this Assembly. I thank each and every one of them for their support and look forward to serving them again in the 12th Assembly of the Legislature.

I finally would like to thank the members of my family, who have given me strength and have stood with me throughout the last four years. In closing, I would like to thank my personal staff, Vivian Squires, who a number of times had to put up with me in my office and had to work unreasonable hours during this session and also during the sitting of the cabinet. I would like to thank my executive assistant, Marty Brown, for helping me during this Assembly. I would like to thank my former executive assistant, Laurie Nowakowski. I would like to thank my former executive assistant, Anne Todd, and Heather Myers and also Ernie Commerford who came to rescue me one time when I was travelling from here to Toronto and on to the USA. We got into Toronto a little bit late and he rushed me to another gate we were supposed to take off from. It so happened that the airplane was just taxiing and he told one of the staff, I had to go on the plane to meet US officials. The personnel of that airplane company called the airplane to halt and we went out to the tarmac and I got on the plane. Unfortunately, he was not able to get on the plane. As a result, he lost his luggage and did not have luggage for a couple of days. Mr. Ernie Commerford taught me in my formative years as a Minister and showed me the ways in which the Ministers conduct their business.

Most of all I would like to thank you, my honourable colleagues, for taking time to listen to me and also for putting up with me in the last four years. Qujannamiik.

---Applause

**DEPUTY SPEAKER (Mr. Gargan):** Qujannamiik. Item 8, replies to Opening Address. Replies to Opening Address.

Item 9, petitions.

Item 10, reports of standing and special committees. Item 11, tabling of documents. Ms. Cournoyea.

#### ITEM 11: TABLING OF DOCUMENTS

**HON. NELLIE COURNOYEA:** Mr. Speaker, I wish to table Tabled Document 140-91(1), Contracts Report, Fiscal Year 1989-90, Department of Public Works.

**MR. DEPUTY SPEAKER:** Thank you, Madam Minister. Tabling of documents.

Item 12, notices of motions.

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

Item 14, motions.

Item 15, first reading of bills. Item 16, second reading of bills. Mr. Allooooloo.

#### ITEM 16: SECOND READING OF BILLS

##### Second Reading Of Bill 43: Environmental Protection Act

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Nunakput, that Bill 43, An Act to Amend the Environmental Protection Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to authorize the Minister and the Commissioner to enter into agreements; to establish the powers of the Minister; to appoint inspectors; to allow the Minister to hold a public inquiry; to allow an inspector to make an emergency order; to regulate unsightly land; to allow a municipal corporation to make by-laws respecting unsightly lands and the disposal of litter; to create search and seizure powers; to establish the powers of inspectors; to appoint a controller of licensing; to allow the issuance and suspension of permits and licences; to establish an appeal procedure under the act; to expand the regulation-making powers; to allow the chief environmental protection officer to apply for a review of an order; to allow a court to extend the period for holding items seized.

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

**AN HON. MEMBER:** Question.

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

---Carried

Bill 43 has had second reading. Second reading of bills. The honourable Member for Slave River.

##### Second Reading Of Bill 47: Legislative Assembly And Executive Council Act, No. 1

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Iqaluit, that Bill 47, An Act to Amend the Legislative Assembly Executive Council Act, No. 1, be read for the second time. The purpose of this bill, Mr. Speaker, is to amend the Legislative Assembly and Executive Council Act to provide that Members of the



Legislative Assembly must avoid any conflict of interest in the performance of their duties; to provide that Members must declare a conflict of interest and not participate in a meeting or perform any function of office that may affect the interests of the Member; to provide that Members may not hold contracts with the Government of the NWT; to provide that for one year after leaving office a former Speaker or a former Minister may not enter into a contract with a department for which the former Speaker or Minister was previously responsible; to provide for the public disclosure of gifts or benefits received by Members; to provide for the public disclosure of the financial interests of Members; to provide for the establishment of a conflict of interest commission; to provide for the investigation of any complaint of a conflict of interest; and to provide for a hearing into a complaint before a commission of inquiry and for a final disposition of the matter by the Legislative Assembly. Thank you.

**MR. SPEAKER:** The motion is in order. To the principle of the bill. Question has been called. All those in favour? Opposed, if any? The motion is carried.

--Carried

Bill 47 has had second reading. Second reading of bills. The honourable Member for Slave River.

**HON. JEANNIE MARIE-JEWELL:** Mr. Speaker, I seek unanimous consent to go back to tabling of documents.

**MR. SPEAKER:** The honourable Member is seeking unanimous consent to return to Item 11. Are there any nays? There are no nays. Proceed.

#### REVERT TO ITEM 11: TABLING OF DOCUMENTS

**HON. JEANNIE MARIE-JEWELL:** Thank you. Mr. Speaker, I wish to table Tabled Document 141-91(1), Strategic Plan for the Delivery of Alcohol and Drug Services; Tabled Document 142-91(1), Annual Report of the Superintendent of Child Welfare, 1990-1991; Tabled Document 143-91(1), Working Together: A Strategy for Suicide Prevention in the Northwest Territories.

**MR. SPEAKER:** Thank you. Tabling of documents. Item 17, consideration in committee of the whole of bills and other matters: Bill 44, Bill 45, Bill 46, Tabled Document 115-91(1), Bill 49, Bill 43, Bill 47, with Mr. Ningark in the chair.

By the authority given to me, I will move the House into committee and you report back when you have considered the business of the House complete.

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

**CHAIRMAN (Mr. Ningark):** The committee will now come to order. I understand there is going to be a meeting of all the western Members, so we will take a 15 minute break.

---SHORT RECESS

The committee will now come to order. Today we are dealing with Bill 44-91(1), Access to Information Act; Bill 45-91(1), Wildlife Conservation Act; Bill 46-91(1), Supplementary Appropriation Act, No. 1, 1991-92; Tabled Document 115-91(1), Terms of Reference, Commission for Constitutional Development; Bill 49-91(1), Plebiscite Act; Bill 43-91(1), Environmental Protection Act; and Bill 47-91(1), Legislative Assembly and Executive Council Act, No. 1. What is the wish of the House Leader?

**HON. MICHAEL BALLANTYNE:** Mr. Chairman, the

government would like to go with Tabled Document 115-91(1), Terms of Reference, followed by Bill 46, Supplementary Appropriation Act, No.1,1991-92, followed by Bill 49-91, Plebiscite Act.

**CHAIRMAN (Mr. Ningark):** Does the committee agree?

**SOME HON. MEMBERS:** Agreed.

--Agreed

#### Tabled Document 115-91(1): Terms Of Reference, Commission For Constitutional Development

**CHAIRMAN (Mr. Ningark):** Thank you. Document 115-91(1) was tabled by Mr. Kakfwi. Mr. Minister, do you wish to make any opening remarks on this?

#### Minister's Opening Remarks

**HON. STEPHEN KAKFWI:** Mr. Chairman, the Legislative Assembly passed a motion in April on the establishment of a commission on western constitutional development. A group of western political leaders, made up of the Dene Nation, the Metis Association, the Sahtu Regional Tribal Council, the Gwich'in Tribal Council, the Inuvialuit Regional Corporation, myself and the Minister of Justice, agreed as a working group of western leaders to recommend the establishment of a commission to work on western constitutional development; and further, to consider the terms of reference for such a commission. The motion moved at that time gave us the direction to establish the commission under the authority of this Legislature so that they could recommend a constitution to the Legislative Assembly in the future, to be ratified by the residents of the western territory. The motion went a little further, to say that as a cabinet we should, in consultation with the working group of western leaders, develop a terms of reference for the commission and that we should present it to you for adoption at this Legislative session.

I tabled the terms of reference for you yesterday. I can tell you that I think all the Members of the Legislature have a very acute appreciation now for the incredibly frustrating, time-consuming energy-zapping and nerve-wracking process that is necessary for people to work on political and constitutional issues.

Having said that, there has been agreement so far that a commission be established. It is the impression of myself, and I think everyone on the commission, that all of us and all the other leaders that we represent now support the idea of a commission. There is an agreement on the terms of reference for this commission and that is what you have before you.

#### Women Not Represented On Commission

The recent issue that has embroiled us all in some capacity or another, points to a slight flaw in the process that we use to select and put people on this commission. In this game I know it is always dangerous to try to be simple and short and to the point, but the fact is that each political entity, each major native organization, plus the Legislative Assembly, did not take sufficient time to look at the overall composition of a commission and how it would be received by the general public. It was pointed out to us a month or so ago that a segment of the population is not assured that when we delegated our responsibility as political leaders to the commission to work on political and constitutional development -- that the women from the Status of Women and the native women of the NWT, particularly of the Western Arctic were not represented, they said that while they do not question the legitimate right and mandate of the political leaders to represent their constituents, they are not assured

that the commission that we have set up to advise us on this fundamentally important work -- they are not sure that they can accept it as a commission that has no women on it. They are not assured that their interests are going to be totally taken care of. It is my impression that they were suggesting that they want in on the commission, they want to be part of the action, they want to help, and they want to provide advice to us as leaders on what the constitutional future of the Western Arctic should be.

We discussed it last week amongst ourselves. The Inuvialuit were there, the Metis leaders were there, the Dene Nation leadership was there and the MLAs were there. It was our view, I believe, that it is necessary to address this appeal from the women to look at the composition of the commission and to decide whether or not we would support an additional Member on this commission.

In simple terms, I believe we were asked if we had any fundamental objection, having set up a group of advisers, a commission to advise us on constitutional development for the western territory, if we had any fundamental objection to accepting the recommendation of the two women's organizations to include a woman on such a body. It is the general consensus of the western MLAs that we accept that it is a legitimate request and that, given all the political discussions that we have had with the other political leaders who make up this committee, we believe we should look at making a change to the terms of reference as we have them before us, to make change so that there is an additional member added to the commission.

It is my impression that the general agreement with the other leaders earlier this week, I think it was -- I have lost track of the days -- but in a meeting that we had as MLAs with representatives of the Inuvialuit, the Dene, the Metis, the Gwich'in Tribal Council and the Sahtu, is that they want to get on with the work of the commission. They believe that if the Legislative Assembly should want to add an additional seat on such a body, then they had no problems with that, with the exception of the Dene Nation. The National Chief of the Dene Nation indicated that he had some problems with it and some time was given to him to consult with his chiefs as to what their formal response might be to such a suggestion. It is my impression that there is yet no formal indication from the Dene chiefs, no consensus on how they will respond, but in our discussions we have found that -- at least with the Gwich'in Tribal Council and the Sahtu Tribal Council -- that there is no issue taken with this move.

So we have felt, in our discussions as western MLAs, that perhaps we should go ahead with such a move to add an additional Member; that the Dene Nation, at their next gathering of chiefs, whether it is at a leadership meeting before the Dene National Assembly, which is going to be held at the end of July, or whether they want to do it right at the Dene National Assembly, can have a full blown discussion on the commission, the terms of reference and the changes to the terms of reference that I hope will be proposed and endorsed by this Legislature.

It is my view that some fundamental decisions have already been made; that after a lot of work, the committee of western leaders agreed we should undertake some work toward looking at political and constitutional development in the western territory and that there be some process set up so that communities and regions can articulate to a commission, with some resources provided to them, their view of what kind of governments they want for the communities, how the regions are going to be involved in such a process, and that this work we have agreed is fundamentally important and should be undertaken again. We agreed that a commission is a best mechanism at this time to begin this work.

When we start discussing whether or not the addition of one more seat fundamentally alters the nature of this work, I would have to say that I do not think that it does. We have already agreed to do the work, and as I see it, when the women representatives ask people like myself if they can be part of the group that was set up to advise us on the constitutional future of the western territory, I would say, "Why Not," and that is exactly what I have done personally.

It is my view that the western MLAs now agree with that suggestion. There is no disagreement, again, with the possible exception of the Dene Nation, with the suggestion. There is no disagreement from the other members of the committee of western political leaders. I believe that this is the way to go. I certainly appreciate the involvement that all the western MLAs have had to take part in this process or in the development of this process, because believe me, I think all of us have really got a good sense of how incredibly politically finicky and sensitive this is and how difficult it is to come up with a process that is clean cut and that does not change from day to day.

#### **Commission Provides A Service To All People Of The Western NWT**

In the end, I believe that we are doing a service to all people of the western territory; we will be doing a service to the chiefs and the Metis leaders at the regional and community levels. I believe we are doing a service to the Inuvialuit leaders and to the non-native leaders in the western territory, because what we are doing is providing a mechanism and the resources for all of us to engage in a constitutional debate and discussions, something that has been unco-ordinated for a number of years, since the collapse of the Constitutional Alliance, and prior to that with the death of the Iqaluit agreement. This is a commission that is going to advise the public; it is going to advise the Legislative Assembly; it is going to advise the Dene Nation; it is going to advise the Metis Association; it is going to advise the Inuvialuit Regional Corporation; and what they, as a commission, would recommend that we look at in terms of the future, constitutional future of the western territory. It is going to advise us; it is going to recommend. It is not binding, but the great value of this work is going to be on the engagement of the community leaders, the regional leaders, the territorial leaders, and what it is exactly that they are thinking about for the constitutional future.

I believe you will hear from different communities on what kinds of powers and forms of government and decision-making they want, the kinds of jurisdictions they want, whether they want legislative authority, whether they want to opt for, in some cases, reserves, whether they want to opt for the exercise of aboriginal self-government within the public system of government, whether they want to look at exclusive aboriginal governments alongside a public government. This work will allow people to present their views, their opinions and aspirations. All of us up and down the valley will get to appreciate what it is the chiefs are thinking about, whether they are going to be part of a public government in the future or whether they are not going to be. The chiefs themselves will get to appreciate the very different views that all of them have about what the best system is in which to invest their future. I believe the Metis leaders will get that as well. I think the general public will only benefit from this dialogue.

All across the country in Canada we have said the constitutional future of Canada is at stake. We have said that the aboriginal people should have full say and should be accorded a voice in their constitutional future. I believe the committee of western leaders appreciate that reality, and I think it is important for us as a Legislative Assembly to



embrace the idea of a commission once again, and to extend the opportunity to that part of the public that we have been set up to serve, to give that part of our population an opportunity to be part of a commission.

I believe a Member will be moving a motion later to change the terms of reference, and I hope it will be endorsed by the western MLAs. We will be asking the MLAs, as well, later through the supplementary estimates, to approve a budget -- not so much a budget but a grant or contribution -- to this commission, and that we would give our blessing to the commission to take this money and to use it as well as they can, knowing the committee of western leaders will be advising them on the best way in which to make that money available to the organizations, the regions and the communities.

#### **No Fundamental Problems Anticipated For Changed Terms Of Reference**

I believe that the committee of political leaders will have no fundamental problems with this commission and the changed terms of reference. Mr. Ballantyne and I will be going back to the committee of political leaders to get their blessing for the changed terms of reference. We will do what we can to ensure that the Dene Nation comes to a formal decision. They, too, will embrace the terms of reference, as we hope we will hear. The Metis Assembly will hopefully do the same thing. It is my prediction that no one will have a problem with the terms of reference and the change that we will be recommending later today.

I can tell you that the work and the discussions, as I said earlier, were frustrating -- that is a mild way to put it -- but there is always a time when we will see the results of this work. It is going to be, I think, given back to us, especially when we go into the elections, by the people at the community level. They will be all too happy and grateful to have a forum in which to voice their views, fears, dreams and aspirations about their future, and that there is absolutely nothing wrong with what we are doing. It is necessary. I appreciate the kind of leadership that the Legislative Assembly has taken in this issue. I appreciate the leadership that the other western political leaders have shown on this issue. I think, as rough as we have been on each other privately and publicly, there is no doubt in my mind that all of us agree that this work has to be done.

I have very few other comments to make other than I think of anything we have done in our term as MLAs and Ministers, this may be one of the highlights; when we are old and retired in our rocking chairs, some of our children will remember that we were the people that, against all odds, apathy and disinterest, undertook this work with some determination and launched it. I hope that all of you feel the same way. I appreciate the support and encouragement that we have all given each other. I hope that nobody has changed their minds in the last 15 minutes since I started talking, and that before the end of July there will be a commission agreed to and under way and that the communities can continue to look forward to taking part in this very, very important work. Thank you.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Minister. We are dealing with the Terms of Reference Commission for Constitutional Development. Since we have about six bills before us, I would like to advise the Members to speak to the matter at hand or relate it to the matter at hand. Any general comments? Mr. Lewis.

**MR. LEWIS:** Right, Mr. Chairman. In the interest of saving time, we do have two committee concerns that we would like to raise in the form of motions. The first one that I note is that

having gone through the terms of reference very carefully, there seems to have been an omission of the word "western". This is a western issue to do with western constitutional development. Instead of waiting to get a motion translated and so on for the committee, I wonder if through you, Mr. Chairman, I could get the Clerk perhaps to look at this document to make that kind of change so that the word "western" is inserted so we would not have to wait for translation later. I could then deal, perhaps, with another committee motion dealing with the whole issue of composition of the commission. If that is agreeable with you, Mr. Chairman, it would save time.

**CHAIRMAN (Mr. Ningark):** Mr. Lewis, we already have a motion here, and it is translated into Inuktitut. Mr. Lewis.

#### **Motion To Amend Tabled Document 115-91(1) By Adding The Word "Western"**

**MR. LEWIS:** Thank you, Mr. Chairman. Since this committee motion has already been translated, I would like to move that Tabled Document 115-91(1) be amended by deleting where the words appear "commission for constitutional development" and substituting the following: "commission for western constitutional development".

**CHAIRMAN (Mr. Ningark):** The motion is being circulated. Mr. Minister.

**HON. TITUS ALLOOLOO:** Thank you, Mr. Chairman. As the chairman of the Nunavut caucus, I would like to say that in quite a number of issues that we deal with in this House, the Nunavut caucus tends to hold a quorum. I believe this issue is very important to the western caucus, and I have been told by my colleagues that we have asked the western MLAs to stay for discussion of this issue. I can only see five out of 12 MLAs from the Western Arctic, here and we are dealing with a very important document.

**CHAIRMAN (Mr. Ningark):** Mr. Lewis. To the motion.

**MR. LEWIS:** Thank you, Mr. Chairman. I believe this was an omission, since the work of this new commission will replace the work that was done some years ago by the Western Constitutional Forum. It is pretty clear that it is a western issue and it should be made clear that that is exactly what this commission will do; it will undertake its work in the western part of the NWT. That is why I believe the amendment is necessary.

**CHAIRMAN (Mr. Ningark):** To the motion. Mr. Morin.

**MR. MORIN:** Thank you, Mr. Chairman. This catches me completely by surprise. I realize we met and this has never been brought up and I am completely floored on this amendment to call it a Commission for western constitutional development.

**CHAIRMAN (Mr. Ningark):** To the motion. I will read the motion: I move that Tabled Document 115-91(1) be amended by deleting where there appears the words "commission for the constitutional development" and substituting the following: "commission for western constitutional development". To the motion. Mr. Morin.

**MR. MORIN:** Thank you, Mr. Chairman. Speaking to the motion to amend and calling it the commission for western constitutional development. My understanding is, like all honourable Members, that you work together on changes and you try to get consensus, and it is always good to give notice or to let people know what you are going to do when you are going to make a change.

**Motion To Amend Motion To Amend Tabled Document 115-91(1) By Adding The Words, "Denendeh Western"**

So following in my colleague's footsteps, I would also like to make an amendment to the amendment to call it "commission for the Denendeh western constitutional development". Thank you.

**CHAIRMAN (Mr. Ningark):** Mr. Morin, we would like to have a copy of your amendment, please. Order, please. Could we have a copy of your motion, Mr. Morin? Thank you. Minister Kakfwi.

**HON. STEPHEN KAKFWI:** Thank you. Just to the motion.

**MR. ZOE:** Point of order, Mr. Chairman. You have a motion on the floor that supersedes the Minister from speaking.

**CHAIRMAN (Mr. Ningark):** Point of order, Mr. Zoe.

**MR. ZOE:** Mr. Chairman, I do not know if you have authorized the honourable Member to speak. You have a motion before you which has to be dealt with.

**CHAIRMAN (Mr. Ningark):** Mr. Zoe, you are correct. We will go to Mr. Morin. We are waiting for the copy of the motion. Mr. Morin.

**MR. MORIN:** Mr. Chairman, I request that you get it written out and translated, please.

**CHAIRMAN (Mr. Ningark):** We will take a five minute break to get it written and translated.

---SHORT RECESS

The committee will now come to order. Mr. Morin. I will recognize Mr. Morin so he can read the motion again that is being circulated.

**Motion To Amend Motion To Amend Tabled Document 115-91(1) By Adding The Words, "Denendeh Western" Withdrawn**

**MR. MORIN:** Thank you, Mr. Chairman. I withdraw that motion.

**CHAIRMAN (Mr. Ningark):** Mr. Lewis, to the motion.

**Motion To Amend Tabled Document 115-91(1) By Adding The Word "Western" Withdrawn**

**MR. LEWIS:** Mr. Chairman, my motion to amend the terms of reference for the commission on constitutional development, could cause some difficulties since a long time was spent in developing those terms of reference, and maybe if even one comma has changed it, even for the interest of clarity, it may cause further confusion. For that reason I withdraw my motion.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Lewis. General comments on Tabled Document 115-91(1). Mr. Lewis.

**MR. LEWIS:** Thank you, Mr. Chairman. In view of the comments made by the Minister for Aboriginal Rights and Constitutional Development and his introduction of this tabled document, there were various comments made about the, not exactly the terms of reference, for the work that the commission has to do, but with relationship to the membership of the commission itself. I would like to move another motion, if I can, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Lewis, proceed.

**Motion To Amend Membership Of The Commission, Tabled Document 115-91(1)**

**MR. LEWIS:** Mr. Chairman, I move that Tabled Document 115-91(1) be amended by deleting the section headed, "Membership of the commission", and substitute the following: "Membership of the commission. The commission is comprised of six members. Four members and the chairperson of the commission are appointed by the committee of political leaders and one member to be appointed by the western Members of the Legislative Assembly of the Northwest Territories."

I should point out, Mr. Chairman, that Mr. Kakfwi's statement about another member being appointed by the Legislative Assembly really only involves western members who have that responsibility to select this extra person.

**CHAIRMAN (Mr. Ningark):** Thank you. Mr. Lewis, your motion is being circulated. To the motion. The motion is in order. To the motion, please. Mr. Morin.

**MR. MORIN:** Thank you, Mr. Chairman. I guess I, for one, have a problem with this motion because my understanding was the political leaders of the groups in the Northwest Territories were to set the terms of reference and to appoint people to the commission. My understanding is that what was agreed upon was four people were to be appointed, one by the Dene, one by the Metis, one by the Inuvialuit and one by the white people, basically. They, in turn, appoint a chairperson and there is no reference to, another member being appointed by the Assembly when it came here. So I guess I have a problem with the process of how this happened, and I guess it would have to go back to those political leaders now in order for them to agree to that. The caution is that if they do not agree to it, this commission would be dead. If the Inuvialuit do not agree to it and the Dene and Metis do not agree to it, then it kills this commission. So that is the problem I have with it.

I do not think we, as Members of this Assembly, should override what they have decided already. I think it took close to two months just to figure out the five names they have already. There was a process established for getting those names. They chose the best names they had available to them. I guess we are overriding that process and that is the problem I have. So I cannot vote in favour of the amendment to the motion.

I guess it does not surprise me that this is happening because it was all just like a last minute thing of this Assembly. This whole process has been flawed from day one. It was rush, rush, rush, and I guess this is where problems happen. But I also know that it is a very frustrating process to be involved in. It is hard to pick the right people. I guess for some reason there was not a woman picked for the commission by the groups that were involved. But those groups are all elected leaders, and I guess that is where it makes the process flawed. They represent all the people and they all came up with the best person, each one of them, who they figured it should be. That is how you ended up with five men on the commission.

I also have a problem because the National Chief of the Dene Nation has told us that they do not agree to the change in the terms of reference. The chiefs do not agree, and then you are getting other messages as well. So if the Dene Nation does not agree to it and all the chiefs do not agree to it, then maybe you are going to have major problems with the commission in the future.

I hope that somehow the Minister responsible for Aboriginal



Rights and Constitutional Development and responsible for putting this motion on the floor can give Dene/Metis Members some assurance that we will have an opportunity to hear, from all the chiefs as well as the National Chief and two vice-chiefs from the Dene Nation, the concerns and the problems they have with the terms of reference. I know they are having an assembly in July in Bell Rock, and hopefully at that time we will hear whether they endorse this commission with the proposed new terms of reference.

We, as Members of this Assembly, are tinkering with the process at the last minute and that is what really bothers me. Those leaders have agreed to a five member commission and we are changing it to a six member commission. Other than that, Mr. Chairman, I do not see any major problems with it. Thank you.

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

#### Terms Of Reference Should Not Be Changed

**MR. ZOE:** Mr. Chairman, in regard to the proposed amendment that the composition of the membership be increased, I have a concern with that. When we first agreed that a commission of this type should be established, we indicated that the Executive Council, in consultation with the working group of the western political leaders, that they agree and develop the terms of reference for this commission so that the work can go on. Mr. Chairman, the working group have done that and that working group has come forward with the terms of reference and I cannot see why we at the Legislature have to tinker with the proposed terms of reference that has been put forward by this working group. We delegated that authority to them to undertake and at the last minute, here we are tinkering with what has been agreed to.

Mr. Chairman, if you look at the terms of reference, it also states that it will be necessary for the Legislative Assembly to pass a motion endorsing the commission and directing the government to assist in its establishment, and it will also be necessary for the Assembly to pass a motion approving, in principle, the early 1992 date for the boundary plebescite.

Mr. Chairman, the terms of reference, there is a clause in there where it says that we have to assist by passing a motion to accept what the working group has agreed to and that is what we are looking at; that is in front of us. I do not know why we are tinkering with changing the composition of the commission when the working group has agreed. I understand the arguments that the Minister of Aboriginal Rights and Constitutional Development indicated earlier in his comments, saying, "Well, we went around and we made another suggestion to the working group." But there is no agreement within the working group to suggest that we amend the composition of the commission. The Minister also indicated that "Well, it is okay, let us go ahead because the majority of them, we think, are going to agree with it. So let us change it now and the opportunity is there for them to decide at their assemblies." I do not agree with that, Mr. Chairman.

Mr. Chairman, we all realize that the work has to be undertaken, but if this thing is going to work, the western political leaders have to all be in agreement now. Because if this motion is passed and the aboriginal organizations are not happy with what we have done, by tinkering with the agreement that they have already made amongst themselves, if one of the assemblies, either the Dene or Metis reject the proposal, this whole commission is dead. They will not go ahead.

Mr. Chairman, what I am suggesting is to leave it as is. That is what was agreed to by all the political leaders of the

Western Arctic, and if there are suggestions, maybe it should be brought back to that working group and maybe there could be an amendment made at the next sitting, because the work that has to be undertaken has to start. They are all in agreement to it and we as a Legislature delegated our authority to the western political group to undertake to develop the terms of reference. They are happy with it, especially with the composition of the commission. At the last stage, here we are trying to amend it and we are running back to the leaders of the aboriginal organizations saying we should make changes for these reasons. Some of the leaders will say they are not in agreement.

For instance, the Dene Nation leader was approached. He has to consult with his chiefs and not all of his chiefs are in agreement that this change should take place. So he cannot give a commitment to the working group as to whether these suggestions should be incorporated or not. I do not know about the Metis. They have probably been approached and may be in favour of it. But my understanding was that when we gave the authority for the working group to develop these terms of reference, they should all be in agreement with what is in the terms of reference that is in front of us. They all agreed to it and that is what was produced.

As my colleague from Tu Nede said, he does not know why we are tinkering with it at this point in time. We agreed that we will support and assist them by passing a motion to establish this commission. We said, "Here, you political leaders from the West. You guys develop the terms of reference." And they have. This is what is in front of us. I cannot see why we as a Legislature have to change the composition of the commission. Not all groups are in agreement with that suggestion. Mahsi cho.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Zoe. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Ernerk):** Question being called. All those in favour? Mr. Gargan.

**MR. GARGAN:** Thank you, Mr. Chairman. Mr. Chairman, I have been involved on and off on this process for a while. I realize that there is a situation and a possibility that the native organizations might withdraw their support for the commission in the event that the members would change. I also realize if the motion is opposed that it could very well kill the commission. If you support it, then you could have a situation where the native organizations are not going to be involved. It is a catch-22 situation, Mr. Speaker. I also know that the assembly for the native organizations will be in the last week of July or the first week of August. I want to wait until then before I take a position. I am not going to support nor oppose the motion at this time.

**CHAIRMAN (Mr. Ernerk):** Thank you. To the motion. Mr. Lewis, please.

**MR. LEWIS:** Mr. Chairman, this motion is quite unlike the other motion, which was really a committee motion in order to make the document clearer so that we could deal with it as a Legislature. This motion, in fact, comes following a meeting of leaders, the same people that were involved from the very beginning. It has been an ongoing process as I understand it. So this is not something that this committee just dreamed up in order to make our work easier here. It is part of the continuing work of the political leaders. I urge Members to support the motion.

**CHAIRMAN (Mr. Ernerk):** To the motion. Mrs. Marie-Jewell.

### Women Should Not Be Excluded From The Commission

**HON. JEANNIE MARIE-JEWELL:** I have to make a couple of comments that I am concerned about, particularly on some of the remarks by the honourable Member for Rae-Lac la Martre. I recognize that the Assembly did put forth the idea of a commission and the terms of reference were to be developed by the committee of political leaders, and I respect that. I also recognize that they indicated they want four members and a chairperson and their terms of reference have developed.

However, I am certainly concerned, as many people in the North are concerned, by the fact that the four members and a chairperson excludes the opportunity for women to be on this commission. I think that is why we are bringing this to the table to make changes that we see as being required. I do not agree with the idea of not tinkering with these terms of reference, because I do not fully agree with the terms of reference as they are proposed to us to discuss today. Thank you.

**CHAIRMAN (Mr. Ernerk):** To the motion.

**SOME HON. MEMBERS:** Question.

**CHAIRMAN (Mr. Ernerk):** Question being called. Mr. Morin.

**MR. MORIN:** Recorded vote, please.

**CHAIRMAN (Mr. Ernerk):** Recorded vote is being requested. All those in favour, please rise.

### Motion To Amend Membership Of The Commission, Tabled Document 115-91(1), Carried

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Pollard, Mr. Lewis, Mr. Ballantyne, Mr. Kakfwi, Mr. Butters, Mrs. Marie-Jewell, Mr. McLaughlin.

**CHAIRMAN (Mr. Ernerk):** Opposed?

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Zoe, Mr. Morin.

**CHAIRMAN (Mr. Ernerk):** Those abstaining.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Crow, Mr. Arlooktoo, Mr. Kilabuk, Mr. Pudluk, Mr. Patterson, Mr. Gargan.

**CHAIRMAN (Mr. Ernerk):** Thank you. There are seven in favour, two against and six abstentions. The motion is carried.

--Carried

General comments on Tabled Document 115-91(1). Mr. Morin.

**MR. MORIN:** Thank you, Mr. Chairman. I would like some clarification. In the preamble on the terms of reference, in the last couple of paragraphs it says, "The commission will develop a comprehensive constitutional proposal for those regions of the Northwest Territories remaining after the creation of Nunavut." Can the Minister possibly shed some light on the word "after"? Does that mean that only after Nunavut has been created can the constitution be fully endorsed for us? Thank you.

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

**HON. STEPHEN KAKFWI:** Mr. Speaker, these terms of reference were drafted and redrafted a number of times, and it is ongoing. I have no doubt that there is still going to be

some discussion on these from a number of quarters. The reason that the sentence reads that way is to keep away from trying to give that part of the Territories that remains outside of Nunavut, which will comprise the western part of the Territories, from using an adjective or a proper noun to describe it because we have yet to address the name. There is some interest in calling this part of the Territories "Denendeh", there is some concern on the part of the Inuvialuit, the Metis and the non-native part of the population that we have to be as generic as possible and to wait and until we get to the day when we are going to talk about what to call that part of the Territories that remains outside of Nunavut, which would be this part of the territory. That is the reason that line is phrased, and I know the Inuvialuit had a go at it, the Dene Nation had a go at it, ourselves from the Executive had a go at it and the Metis had a go at it. That is the reason it reads that way.

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

### Dene Nation Has Major Concerns With The Terms Of Reference

**MR. MORIN:** Thank you, Mr. Chairman. Commission for constitutional development, what a frustrating experience! That would be saying it very nicely. I just spoke against the change of the terms of reference because my understanding is that the aboriginal leaders were supposed to draw up the terms of reference. I said the process had been flawed, now I am finding out there are major flaws in the process. The National Chief of the Dene Nation is talking to us Members outside this House and explaining things to us. My understanding is that he was not present at the last meeting, two meetings ago, of this group of elected leaders. He had representatives at that group. The Dene Nation and chiefs had some major concerns with the terms of reference. They gave their representative at that meeting a memo to try to get those concerns met. My understanding is that the staff provided for these meetings by the Minister was handed this letter after the meeting was over, so how could those concerns have been addressed?

I have also, Mr. Chairman, spoken against changing these terms of reference as a Member because we are supposed to be here to endorse those, so I am completely frustrated now, and I am going to abstain from voting on this. I am not going to introduce any amendments because it is not my job to do it. The whole communications system -- or something is awful wrong with the process that has been established. I have concerns about it but I am not going to tinker with it. We will see at the Dene Assembly this summer whether it is thrown out the door or not. We will see there. I cannot say one thing and do the next thing the minute after. I am completely frustrated, Mr. Chairman. I will abstain from the voting and I hope that in future when anything like this goes down, everybody concerned will know where they are coming from and have their people properly briefed when they go to meetings, how to handle themselves and how to work. Maybe then we will not be running around at the last minute trying to make changes and trying to do something. That is all I have to say, Mr. Chairman. Thank you.

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

**MR. GARGAN:** Thank you, Mr. Chairman. Mr. Chairman, with regard to the terms of reference, it states pretty clearly what the duties of the commission are. It is to draw up a direction for political development, where the Western Arctic should be going regarding political development.

Mr. Chairman, I am sure the Minister is aware that there is a



possibility that the Dene Nation will withdraw their support on that process, but it will still have the support of the other organizations. Then it will go ahead.

Yesterday, on the national news there was an agreement reached by the Assembly of First Nations which was supported also by TFN regarding a parallel constitutional process, a native appointed committee working in tandem with a parliamentary group. I am wondering if it would be a possibility, in that event, that in order to have as much participation as possible even though the native organizations do not involve themselves, this commission would have the option of perhaps having their own appointed groups to work on constitutional and political development in the North.

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

#### **Commission Meant To Co-ordinate Political And Constitutional Ideas**

**HON. STEPHEN KAKFWI:** Mr. Chairman, the reason that we addressed again the whole issue of political and constitutional development is because in our view -- in my view at least -- there is a real need to co-ordinate and share amongst all of our communities and all our people what it is they want when they talk about things like self-government, self-determination, band governments and public governments. The only way we have been able so far to address that and to also recognize that we need a mechanism to provide resources to the communities and regions and organizations to help them start articulating their views and aspirations, is through a commission. That is what we have generally agreed to so far. I think if the national organizations like the Assembly of First Nations and the Inuit Tapirisat of Canada and the Native Council of Canada, jointly with the federal government, in the next while come up with yet another system to feed into the national constitutional debate, then it will probably factor into what we are doing here. But there is nothing to suggest that we are trying to keep people from taking part in such a thing. In fact, we would probably be right there supporting.

I think all of us welcomed the agreement in principle that was reached between Minister Joe Clark and the National Chief of the Assembly of First Nations on a parallel process for the aboriginal people of Canada to have input into the constitutional debate. They do not have to accept being an advisory body to the parliamentary committee that Minister Clark set up; they in fact will have equal status parallel to the process. So I think it is a good move. We have yet to see if it is going to be agreed to by his federal colleagues. We have yet to see when and if and how a process will be undertaken. But definitely, if there needs to be something fundamental addressed because of this work -- which I do not think it would be because basically we are just undertaking a consultation process here -- if we need to revisit it, then definitely all parties, any parties that make up the political leadership, have the right to do that.

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

**MR. GARGAN:** Mr. Chairman, I appreciate the response from the Minister. I am trying to see if in the event that some organizations reject that process and this process still goes ahead, there has to be another avenue that could possibly be used. I am suggesting to the Minister that in the spirit of consensus government, all people have to be involved with regard to any kind of political development. I cannot see how the Minister can proceed and pretend that the native organizations do not exist. So I would like to make it clear that in the event that the native organization do not like that process, then they should be given an opportunity, through some other avenue, of addressing their own issues.

Naturally Mr. Clark has agreed to a parallel process and I think the Minister has that process too. We are a Legislature that are looking at those possibilities, too. We are looking at our own constitutional and political development. But I would hope that if we keep referring to consensus government, then we cannot permit any group that wishes to participate to be ignored and not be considered. So I know there was an agreement between Mr. Mercredi and Mr. Clark, but perhaps this is the first step you should be taking in considering that too.

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

#### **The Majority Support The Commission**

**HON. STEPHEN KAKFWI:** Mr. Chairman, it is likely that within the Dene Nation itself that some of the regions may want to sit this process out. They may, at a later date, decide to participate fully in the work of this commission. Some regions that have elected to participate now may withdraw. That is the nature of the beast that we are trying to domesticate here into some pattern of behaviour. What is clear to me, though, is that we cannot let one or two regions shut down this whole process. What about those communities and those regions that want to engage in this work? I would say that there is little doubt that if the Dene Nation, the entire membership, pulled out of the commission, that it will die; and that is their prerogative; they can do that through the decision-making mechanism that they have at the Dene National Assembly.

The reason that I have no qualms about going ahead at this time and even with having changed the terms of reference, is because this Legislature has to support the commission because this is where the bucks come from; and it was my political reading and it is clear that if we did not take some measures to make sure that a woman is added to the commission, that we would have absolutely no chance of getting moneys approved for the work of the commission.

I also know that because of the discussions that we have had already with the aboriginal leaders and the western leaders, that there is majority support for what it was that we were going to do in this House, and here because they are politicians, and the people can agree and disagree. I know that in the last few hours some of us have presented different views of what different chiefs have said to us and to each other. It is an incredibly fragmented situation that we have, and the only thing that I know that we can do is use our best judgment and use the opportunity and the time in this session to get the terms of reference changed and get the necessary support from colleagues here to approve moneys for this commission.

If, at the end of July, the Dene Nation votes it down and decides that it is all unacceptable, then perhaps the commission will die. If at the Metis Assembly, the Metis Assembly decides they have reconsidered and they no longer want to take part, then probably it will die. If the Inuvialuit Corporation reconsiders and pulls out, probably it will die.

#### **The Issue Of Political And Constitutional Development Can Reunite Dene Nation**

As I said in my opening comments, this is a political process. You can wake up one morning in a bad mood and change your mind. You can just change your mind any old time you want. It is incredibly sensitive and finicky. I do not know that as leaders there is any other initial undertaking, but I would say that if the Dene leadership, the leadership of the Dene Nation should propose some new initiatives to the chiefs at the Dene Assembly, that would be some leadership. If there were some proposal presented to the chiefs at the Dene

Assembly -- here is what we think we should do, either we work with the commission or work with the commission plus have another process to suggest -- there would be nothing wrong with it. Because I think it would be healthy for the Dene Nation because, as you know, the Dene Nation is divided because of the disagreements over the claims issue. The Gwich'in Tribal Council has taken the leadership over in their region. They no longer are a part of the Dene Nation, as far as claims are concerned. The Sahtu Tribal Council has done the same thing. One issue that can reunite the Dene Nation is the issue of political and constitutional development.

The last time that the leader of the Gwich'in Tribal Council sat in a meeting with us, he indicated very clearly that the Gwich'in have not withdrawn the mandate of political and constitutional development from the Dene Nation. But they are there because they are not sure whether they are adequately represented. What that means -- you can interpret that yourself.

The Sahtu Tribal Council has not formally withdrawn, as far as I know, but they have also passed a motion endorsing a representative to represent them on all matters to deal with political and constitutional development, and they also insist on being at all the meetings of the political leadership.

The Dene Nation sits in that meeting. So far the Deh Cho, the Dogrib region and the South Slave region have not asked to be part of that committee, which is fine, but it makes for very, very interesting discussions. Two meetings ago Mr. Gruben, because of prior commitments, was not at that meeting. At that meeting we changed the composition of the commission. He knew it was going to happen, but he could not make it to the meeting. So he took it in stride. He knows that this is a political process and agreements change on the go.

The last meeting we had, Bill Erasmus was not present, but leaders from the South Slave were there, the Deh Cho were there, the vice-president or chief of the Dene Nation was there representing the Dene Nation, and there we made some changes. Now there is some suggestion that that particular delegation, on behalf of the Dene Nation, was not mandated to represent the Dene Nation. So I do not know what to make of all this sometimes. It is a political process. No premier has an excuse if he is not present at a First Ministers' Conference. If his interests are forgotten, undermined, dismissed by other people, it is because he is not there.

The one thing that all of us recognized at the beginning of this process -- I said it every meeting and in between meetings -- is that you have to be there as a political leader; otherwise somebody is going to forget about you. You have to listen all the time. You have to keep watching what is going on. You have to keep talking to each other. When some of us elect to miss a meeting or two, there are consequences. Sometimes they are not good, but they are consequences. Thank you.

**CHAIRMAN (Mr. Ernerk):** Thank you. At this time the Chair would like to recognize Mr. Bill Erasmus, president of the Dene Nation, who is in the public gallery.

---Applause

Mr. Gargan.

#### **Federal Government More Receptive Than Territorial Government**

**MR. GARGAN:** Thank you. I appreciate that long speech. It did not really answer my question, Mr. Speaker, but the Minister indicated that the only way he can see the Dene Nation getting together is through this process, through

political development. I disagree, mainly because, Mr. Chairman, if the Gwich'in Tribal Council does sign a final agreement, they will extinguish their rights. If the Sahtu Region decides to do that, they will too. I could see if the Gwich'in, is that tribal council, wanting to be involved, because that is the only process they have left. But at the same time you also have to remember that the Assembly of First Nations has a new process constitutional development dealing with aboriginal people. They also have a situation where there is a creation of a royal commission to deal with aboriginal people and the wrongs that have been imposed on them since the Europeans came.

You have a situation, Mr. Chairman, where you do have the Deh Cho region believing -- their approach is they tried dealing with the federal government on a number of occasions and have been pretty successful in getting programs, but unfortunately, the transfer occurred before we could get an agreement. The thing is that the federal government has been more responsive when dealing with political transfer-types of issues than this government ever was. You have a situation in which the Deh Cho Regional Council as well as the South Slave Council are looking at the national agenda because they have a lot more to gain by using that avenue as opposed to that avenue in which you do not allow native participation because you have made an agreement and then decide to change it in this House. You could very well lose the Dene Nation from participating.

The Minister has to agree that just because a native organization does not participate does not necessarily mean that all is lost, because they do have the other option. The other option is they do decide to do that. As status people protected under the Indian Act, they do have a powerful position. I do not know how the Minister gets the idea that that the best avenue is to unite the natives in the Western Arctic again. The Minister has to remember that it is the two agendas. You have an organization that will accept the land claims process and are not in a position of signing, and the only other avenue they have is through this process. I do not know whether or not the Minister is of the opinion that by not having the Dene Nation involved in this process they have a lot more to gain. Perhaps they do; I do not know. I do not know what the hidden agenda is with regard to that. You could also be putting native organizations in a situation where, "Look, we are being ignored by this government. We are tired of it. We are fed up with it. We want to deal directly with the federal government for health services, for education." I do not know if the Minister is aware that you could be creating a very delicate situation.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Gargan. Mr. Minister, would you like to respond to that?

**HON. STEPHEN KAKFWI:** Mr. Chairman, no doubt these are good comments, and much more of this type of comment will be made at the Dene National Assembly, the Metis Assembly, and hopefully to the commission, if the commission ever gets off the ground. Thank you.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Kakfwi. Mr. Ballantyne.

#### **Political System Of The Territories Is Flawed**

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Chairman. I have a few short comments to make about the commission and the political and constitutional process in the Northwest Territories. A lot of people today have talked about the flawed process; it is flawed so much that there have been misunderstandings as to terms of reference and the mandate for changing the terms of reference, flawed so much that when all the different groups individually chose their members, when



all the cards came up together, there was not a woman on the commission. I think that the comments about it being a flawed process are valid and I think relevant, and I think we could spend a lot of time essentially agreeing that there are and were some fundamental flaws in this process. What we are attempting to do today is acknowledge that there were flaws and see what we can do to rectify those flaws.

Having acknowledged that there are flaws, I think there is a deeper reality that we have to look at. I am sure that it will be easy to dwell on the flaws in the process, and we can talk back and forth about who misunderstood this or that, but I think the process and the flaws are very symptomatic of the political reality in the Northwest Territories. The process was fragmented, true, but the political reality is fragmented.

The way I look at this is rather than dwell on the flaws and talk about all the mistakes we made, I am quite amazed that looking at where we started from -- this group of political leaders with different agendas, different perspectives and different philosophies, -- that after six or seven meetings, with all the flaws, I am amazed that we have come this far.

I would like to look at the more positive side. My own feeling is that if we do not do something like this, number one, and number two, if over the next few months, everybody does not get involved in it, we are going to have huge problems here in the Northwest Territories. What I learned from this process, the flaws in the process -- and as I say I consider them symptomatic of the flaws in our political system or political culture here in the Northwest Territories -- two things came out that to me are very obvious. One is that we in the North are politically divided, fragmented, going in many different ways with no common direction. That is the first obvious reality that the flaws in the process point out, but they point out the deeper flaws in our political system. The second is the role of women in the NWT. The flaw is that in the process did not come up with a woman on the constitutional commission.

I do not think the issue is whether the political leaders represent all their constituents or not. I think we all agree that they do. And I do not think the issue is whether at some point women will be equally represented in the political institutions. I do not think that is the point. The reality is, up until quite recently women have not been -- for many reasons which I will not go into but I think most of us can agree -- as directly involved in the political process in the NWT as they should have been. I think that we, as leaders in the period of time before women have the equal representation right across the board in political leadership positions, have to be quite sensitive about that reality. But I think this process, flawed though it was, should have taught us all a very valuable lesson.

But I think what happened is we got so immersed in the constitutional side of it and the regional balance and the ethnic balance and the experience and the dynamics and the flexibility, that we did not step back and look at the totality. This discussion today is showing that, and I think it is healthy for all of us to acknowledge, and I have heard Mr. Morin say it and I have heard Mr. Zoe say it and Mr. Kakfwai acknowledge it and Mr. Gargan say it and I will say it again, the process was indeed flawed, as the political system and culture here in the NWT is flawed.

#### **Commission Has Potential To Bring Everyone Together**

I respect that the Dene Nation needs an opportunity for the chiefs to sit down and analyse the possibilities of this commission and decide exactly how they want to deal with it. I understand Mr. Erasmus' concerns; because of the dynamic of the Dene Nation it is accountable and responsible to the chiefs, so I think we have to respect Mr. Erasmus' concerns.

However, I hope that Mr. Erasmus, Mr. Gruben, Mr. Bohnet and we here in the Legislative Assembly will allow this process to begin. I hope that over the next few months we will build bridges between each other, and I hope we can all recognize the value of at least having one process we are all in together -- the aboriginal organization representing aboriginal people, non-native people, together. Because no matter how many different processes there are, the only way ultimately this is going to work is that people have to come together and make all these different processes link and mix and work.

Mr. Gargan quite rightly talked about the fact that if the Dene Nation are not part of it, it is not as credible as it would be if they were part of it. But it is also true with the non-native people. People have talked about the aboriginal organizations. Half the population of the Western Arctic are non-native people and they, too, if they are not involved in the process, could make the process impossible to proceed.

I think all of us have to leave our differences aside. We can explore all the other options that there are on the national level. I think we have to look very seriously at options. I think many of us have different philosophies about self-government, public government, tribal government. I think in fairness to people who live in the communities, in fairness to the people we represent, I think all those options should be put on the table, I think all those options should be discussed, should be analysed. I think before we make a final decision on a constitutional package, I think we have to know what it is that this constitutional package can deliver. Can we deliver the same level of health, the same level of housing, the same level of economic opportunities? I think we have to make sure that we have explored every aspect of it.

I think we have to also keep in mind, though, that at times people are quite rightly frustrated with this government. We acknowledge that this government has flaws. We are in the process of studying ways that this government can be more responsive. I think that to look to the federal government can be compelling at times, but the example across the country for provinces or aboriginal organizations depending on the federal government has not been good. The federal government is universally now cutting back on programs across the board across the country. I think we should keep that in mind.

I hope that the attempt over the last couple of days to try to reach some compromise, to try to reach some understanding and to try to understand each other's positions, has been productive. I hope that the lessons that we have learned from this process are lessons that we can put to use, and I hope that when we leave here, as an Assembly, we would have at least initiated a very positive process that at least has the potential to bring everyone together. Thank you.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Minister. Since this is a very important issue for the western people and some of our western colleagues have been sitting constantly, we will take a 15 minute break.

---SHORT RECESS

The House will come to order. I hope that after the little refresher we had, we will be able to move forward. General comments. Mr. Pollard.

#### **Motion To Adopt Tabled Document 115-91(1), As Amended, Carried**

**MR. POLLARD:** Thank you, Mr. Chairman. Mr. Chairman, I would move the following motion: I move that Tabled Document 115-91(1), Terms of Reference, Commission for Constitutional Development, be adopted as amended. Thank

you, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** The motion is being circulated. The motion is in order.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Ningark):** Question is being called. All those in favour? Please signify in the usual manner. All those opposed? The motion is carried.

--Carried

Does the committee agree that discussion on Tabled Document 115-91(1), Terms of Reference, Commission for Constitutional Development, has been concluded?

**SOME HON. MEMBERS:** Agreed.

--Agreed

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

**MR. GARGAN:** Mr. Chairman, I have a motion.

**CHAIRMAN (Mr. Ningark):** Mr. Gargan, would you repeat your motion, please?

**Motion To Consider Bill 44, Access To Information Act, Carried**

**MR. GARGAN:** Mr. Chairman, I move that the committee now proceed with clause by clause consideration of Bill 44, Access to Information Act.

**CHAIRMAN (Mr. Ningark):** The motion is in order. To the motion. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, I do not know how long we will be sitting today, nor do I know if we are going to be sitting tomorrow or the next day, so I wanted to get the support of the Members to consider my bill at this time. I am afraid if I do not try to deal with it at any time, then it might die on the order paper. I would hope Members would consider supporting this motion. Mahsi cho.

**CHAIRMAN (Mr. Ningark):** To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Lewis):** Mr. Lewis.

**MR. LEWIS:** The question has been called. I want a recorded vote, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** A recorded vote has been requested and the question has been called. All those in favour of the motion, please rise. Recorded vote.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Pedersen, Mr. Morin, Mr. Lewis, Mr. Ballantyne, Mr. McLaughlin, Mr. Gargan

**CHAIRMAN (Mr. Ningark):** Those who are opposed, please rise. Those who abstain, please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Kilabuk, Mr. Pollard, Mr. Zoe, Mr. Pudluk, Mr. Ernerk, Ms. Cournoyea, Mr. Allooooloo, Mr. Patterson, Mr. Butters, Mrs. Marie-Jewell.

**CHAIRMAN (Mr. Ningark):** In favour of the motion, we have six. Against, zero. Abstentions, 10. The motion is carried.

--Carried

#### **Bill 44: Access To Information Act**

Now we go to Bill 44, Access to Information Act. The motion was to go clause by clause.

Bill 44, clause 1, definitions. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ningark):** Thank you. Clause 2, other access rights preserved. Mr. McLaughlin.

**MR. McLAUGHLIN:** Thank you, Mr. Chairman. Under clause 2, this is the clause in the act which makes sure that when this act is applied across the Territories that it will not interfere with other methods that people have of getting information. It will not stop MLAs from getting information in the normal manner in this House. It will not stop the rights or privileges of residents of the Northwest Territories, including elected officials and public officers in the course of their duty, from getting information or accessing information under the control of any type of government body or agency. Access under other acts also would not be restricted so that any restrictions here would not be able to override other laws. This is a very important clause for Members to have in place because by denying this clause, you could possibly deny the right of Members of the Legislature from getting information in the House.

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

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Mr. Lewis.

**MR. LEWIS:** We are getting a little bit ridiculous, Mr. Chairman, in this particular piece of writing. I use the word "we" in the sense that we share some ownership in this act because it is a Private Member's Bill. If we deny this particular clause, all the means we have available to us now to get information, it seems to me we are saying that is meaningless and it seems to me that when we say we want to preserve all the rights we already have -- why would anyone want to deny rights we already have?

For that reason, Mr. Chairman, I was a bit surprised when people wanted to nay a clause like this, because it gives us the access we already enjoy and yet people do not want to affirm it. I think that people, without thinking, just nayed it, without thinking what it meant. It was just an automatic response. All this clause 2 does is to say that all the rights we have now of access are preserved. I am sure that Members do not mean to say, by denying this, that they want those rights to be given away. All this clause does is to say that the way we can have information right now, we want to keep that. We sound a bit silly to say, "No, we do not want to keep that."

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

#### **Definition Of "Government Body"**

**MR. ZOE:** Mr. Chairman, under clause 2, "under the control of a government body," in regard to municipalities, I understand that this bill would also cover municipalities. It is a corporation. Our government funds municipalities, so the interpretation that was given is that it also include municipalities, divisional boards and any agency that the government funds. Is that what it means?



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

**MR. GARGAN:** Mr. Chairman, for interpretation of "the control of a government body", "government body" means "any department, division, board, commission or unit of Government of the NWT; the Management and Services Board of the Legislative Assembly, the Office of the Clerk of the Legislative Assembly; any corporation, board, foundation or similar agency that is an agent of the Government of the NWT; and any corporation, board, foundation or other similar body, whether incorporated or unincorporated, whose members or directors are solely appointed pursuant to an act or by an order of the Commissioner or by an order of the Members of the Executive Council." Mr. Chairman, so in this case a municipality does not fall under the category.

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

**MR. ZOE:** I know they should be excluded, but the interpretation under clause 1 says "any corporation, board, foundation or other similar body, whether incorporated or unincorporated". We fund municipalities and school boards. The NWT Housing Corporation would be part of this group. They also have associations and boards. Does it go all the way down to the community level where the municipalities, school boards and drug and alcohol boards, all these types of little boards, we can ask for information pertaining to their dealings? Mr. Chairman, how far does this go?

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Zoe. Can I ask our Law Clerk to respond to that please? Madam Law Clerk.

**LAW CLERK (Ms. MacPherson):** Thank you, Mr. Chairman. Under the Financial Administration Act, "department" is defined and there is a schedule that includes a list of so-called "outside agencies" that would be considered to be agents of the Government of the Northwest Territories. I would certainly not construe a municipality as being an agent of the Government of the Northwest Territories for all purposes. In some specified areas, they may, in fact, be an agent for the purposes of delivering certain services, but then they also have various services, powers and rights granted under their enabling legislation, which makes them a body that is quite separate from the Government of the Northwest Territories.

My respectful opinion, and I believe this was echoed by Mr. Vertes when he appeared before the committee, is that this would not cover municipalities. This act would cover boards if, and only if, the boards are appointed pursuant to an act of this Legislature, or an Order of the Commissioner or Executive Council. For example, the Science Institute; I believe the members are appointed pursuant to an act. This would cover bodies like that, but it would not cover bodies that were not agents of the government and were comprised of elected officials. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ernerk):** Thank you, Madam Law Clerk. Clause 2.

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 2 is not agreed to.

Clause 3, act complementary. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, "This act is intended to complement and not replace existing procedures for access to government information and is not intended to limit in any way access to the type of government information that is normally available to the general public." Again, with this act, Mr.

Chairman, it means that now there are certain kinds of documents, papers, letters, information, pamphlets, whatever the case may be, that the public now enjoys, and this will continue. That is all this act means. It just means that information that is normally given now to the public stays the same. It does not restrict it in any way, shape or form. That is all this clause means, Mr. Chairman.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Gargan. Clause 3. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ernerk):** Clause 3 is not agreed to.

Clause 4, access. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, again, this act, "Subject to any other provisions of this act, every person shall have access to information contained in any record in the custody or under the control of a government body." Previously, a person that applied for social assistance, for example, and had been refused; even his records or file are refused to this individual. That person could now go to the social assistance office and be able to ask the social worker, "I would like to look at my file to see what is in it." Personal files of an individual, that sort of thing. A personal file of an individual could be accessed by this act. You have people out there that would like to get information and it is difficult if Members are here during session, for example, and a member of your constituency wants to obtain information but the government says you can only obtain it through your MLA. Then you are caught in a situation where you cannot perform your duties because you are here doing your duties, too. In that sense, it would be difficult for Members to help their constituents if they are not available. Basically what this means is a person could go to a government office and be able to access this information without their Member being there or even going as far as asking the Member to obtain that information. It would certainly eliminate a lot of obstacles. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Gargan. Mr. Lewis.

**MR. LEWIS:** Thank you, Mr. Chairman. All this clause does, Mr. Chairman, is to make sure the kinds of records outlined in section 10, which covers things like confidentiality, personal information, things to do with negotiations between governments or things of a commercial nature, all kinds of secret stuff that everybody agrees should be secret, would be excluded. This is just the harmless stuff which in fact people should have a right to have. By the way, Mr. Chairman, there is quite a considerable concern expressed by some bodies anyway that this act does not go far enough and that there should be far more information provided than this act does. However, all it really does is to limit the information available and will still protect those things that really should be protected within the government. It is a complementary act. That is all. Thank you.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Lewis. Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, I would like to bring my legal adviser in.

**CHAIRMAN (Mr. Ernerk):** Does the committee agree that Mr. Gargan bring in his legal adviser?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Proceed please, Mr. Gargan. Mr. Gargan, for the record, would you introduce your witness, please?

**MR. GARGAN:** Mr. Chairman, I have with me Mr. John Vertes, my legal adviser.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Gargan. Point of order, Mr. Patterson.

**HON. DENNIS PATTERSON:** Mr. Chairman, I notice that the committee chairman has proceeded even though there have been nays on the clauses. I would just like to confirm that the committee could reject the bill by majority vote when it comes to considering the bill as a whole. We do not have to delete each individual clause in order to reject the whole bill. Do we still have that option, Mr. Chairman, may I ask?

**CHAIRMAN (Mr. Ernerk):** The Chair is of the opinion that when we reach the end of the bill, that option would be available to the committee. Thank you. Clause 4, access. Agreed?

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ernerk):** Clause 4 is nayed.

#### Informal Request

Clause 5, informal request. Agreed?

**SOME HON. MEMBERS:** Nay.

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

**MR. GARGAN:** Mr. Chairman, this section with regard to persons "desiring to attain information from a government body shall first make a request to the office of the appropriate government body", and this has always been the practice with Members right now, the public. So there should not be any problem with regard to this clause because the normal process that is practised now is the way things are going to continue. I do not see any problem with the Members supporting this clause.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Gargan. Point of order, Mr. McLaughlin.

**MR. McLAUGHLIN:** Mr. Chairman, it is my understanding of the rules of this House and parliamentary procedure that in order to delete a clause from a bill, it takes a specific motion to delete that clause, or a motion could delete several clauses at a time. Therefore, I would like you to rule on the matter when there is not unanimous agreement or majority agreement, when we go clause by clause -- I realize there is not agreement at the time on particular clauses as we go, but I am sure that as we go through the whole bill, all of a sudden the Members who are against the bill will become very enlightened and know that in whole the bill is good.

So at the end of this process, even though there is not majority agreement on all or even any of the clauses, that as long as there is a motion at the end accepting the bill as a whole, that in fact the bill is intact when we discuss it at that time. So the clauses and the bill are still intact and part of the bill when we come to the end of this, even though there is not majority agreement with each clause -- it could be the very final clause that finally enlightens Members who are in the dark and has them come to the understanding that this is

good legislation; therefore the bill would still be intact in its entirety, even though there is not majority agreement as we go clause by clause. The final discussion on the bill as a whole may be very enlightening to Members who are in the Dark Ages, so to speak. I would like a ruling on this matter, Mr. Chairman.

**CHAIRMAN (Mr. Ernerk):** Mr. McLaughlin, let me just indicate a similar request was made by the honourable Member for Iqaluit which I already responded to and indicated the bill will not be finally agreed to until we reach the end of it and it is the decision of the committee whether it is ready for third reading or not. There has been no clause deleted yet.

**MR. McLAUGHLIN:** Thank you, Mr. Chairman. I am just trying to make sure that that is very clear in my mind and the Members from the Dark Ages. Thank you.

**CHAIRMAN (Mr. Ernerk):** You are welcome. Order, please. I hope I have clarified my decision for everybody's benefit. Clause 5, informal request. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ernerk):** Clause 5 is nayed.

Clause 6, request. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ernerk):** Clause 6 is nayed.

Clause 7, request granted or denied. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ernerk):** The nays have it. Mr. Lewis.

**MR. LEWIS:** Again, people have not read this clause very carefully, Mr. Chairman. You could either grant it or deny it. You could flip a coin. Yes or no. Most decisions are like that so why would you ever want to deny a clause which allows you to say yes or no? I find that incredible.

**CHAIRMAN (Mr. Ernerk):** Clause 7.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ernerk):** The nays have it.

Mr. Gargan.

**MR. GARGAN:** Mr. Chairman, the meat of this bill is in sections 4, 6 and 7. That is what will provide the access to information by the public. It is obvious that most of the Members do not wish to give the members of the public that opportunity for access.

The other clauses following that are processes by which you could access that information. So, Mr. Chairman, there is no need to go beyond clause 7. I believe that the purpose of the bill is now defeated. I do not know what the process is now that the purpose of the bill is defeated. I do not see any purpose in carrying on. I need your advice on that, Mr. Chairman.



**CHAIRMAN (Mr. Ernerk):** Mr. Gargan, there was a motion to go clause by clause so the bill is not defeated until it is completed. Clause 8. Mr. Lewis.

**MR. LEWIS:** Thank you, Mr. Chairman. Clause 8. I find it incredible again that when the government has agreed it is safe to give something and someone has paid money to get this stuff -- this is information for money -- that this government would want to vote against a procedure like that. The government is so strapped for money. We are always saying that we do not have enough money. Here we have a clause that says when you pay your fee and we have agreed that what you want you can get with that money, we are prepared to turn a clause like that down, which is revenue producing. The government should be disgusted with itself to turn down an opportunity like this to get some revenue in return for some information.

**CHAIRMAN (Mr. Ningark):** Thank you. Clause 8, grant of request. Agreed?

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 8 is denied.

Clause 9, language. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 9 is denied.

Clause 10, exceptions. Agreed? Mr. McLaughlin.

**MR. McLAUGHLIN:** Mr. Chairman, we have had a couple of long days here. I have been wearing my contact lenses and they are kind of filled with grit from walking around at lunch yesterday, and I did not have a chance to clean them. I kept them in overnight and they are pretty blurry. This is a long clause, and I know from my previous experience that we have the right to have the clauses read to us if we request it, so I would like to request that the clauses from 10 on be read to us as we deal with each one before we vote on them. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** After consulting with our Clerk, Beauchesne's Parliamentary Rules and Forms, citation 691, states, and I read part of it: "The chairman usually calls out the number of each clause and reads the marginal note, and may read the clause at length if it is demanded by the committee." We only received one demand from one Member. What is the wish of the committee? We will now proceed to clause 10, exceptions. Mr. Zoe.

#### Releasing Or Withholding Information

**MR. ZOE:** Mr. Chairman, paragraph 10(3)(a), could I get an explanation of that with respect to who determines the "physical or serious psychological harm to the applicant or, in the case of a record which discloses information about a third party, to the third party; or (b) physical harm to any person."

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

**MR. GARGAN:** Mr. Chairman, I will ask Mr. Vertes to respond to that question.

**CHAIRMAN (Mr. Ningark):** Mr. Vertes.

**MR. VERTES:** Thank you, Mr. Chairman. If the question is, "Who makes that determination?" initially the determination has to be made by the Minister who is responsible for releasing

the information. And then if that is challenged, then that can be the subject of an appeal to the courts. How that determination is made is by an examination of the type of information and then, of course, based on whatever information is available.

**CHAIRMAN (Mr. Ningark):** Mr. Zoe.

**MR. ZOE:** I understand what Mr. Vertes is saying but say the applicant is denied access because the Minister in charge thinks that it is going to seriously harm him psychologically. Now how would a Minister who does not have medical background in that field to determine that, how is he going to determine that?

**CHAIRMAN (Mr. Ningark):** Mr. Gargan. Mr. Vertes.

**MR. VERTES:** Mr. Chairman, that would have to be determined on the basis of the best information available. It is an exercise of judgment by the official who is responsible for releasing or withholding the information.

**CHAIRMAN (Mr. Ningark):** Mr. Zoe.

**MR. ZOE:** Why is there not a specific time frame set where a decision has to be made to the applicant? Say a Minister that does not have a medical background, say a patient is asking for his own medical records, that is an area where the Minister may deny that individual based on the information. Does he have to go to a psychiatrist or someone to say, "If you release this type of information to the patient here it might harm him"? Would the Minister be seeking an opinion from a medical professional, in order for the Minister to decide if he should or should not release medical records?

**CHAIRMAN (Mr. Ningark):** Mr. Gargan. Mr. Vertes.

**MR. VERTES:** Mr. Chairman, I think the answer to that is that the Minister can seek the opinion of anyone the Minister wishes to seek it from and rely on whatever information the Minister wishes to rely upon when coming to that decision, if the circumstances arise.

**CHAIRMAN (Mr. Ningark):** Clause 10, exceptions.

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 10 is denied.

Clause 11, third party information. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 11 has been denied.

Clause 12, exceptions for portions of records. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 12 has been denied.

Clause 13, act does not apply to certain materials. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 13 has been denied.

Clause 14, information filed by applicant. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 14 has been denied.

Clause 15, denial. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 15 has been denied.

Clause 16, appeal to Supreme Court judge. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 16 has been denied.

Clause 17, time for appeal. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 17 has been denied.

Clause 18, burden of proof. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 18 has been denied.

Clause 19, order of judge. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 19 has been denied.

Clause 20, no further appeal. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 20 has been denied.

Clause 21, delegation by Minister. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 21 has been denied.

Clause 22, Minister responsible. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 22 has been denied.

Clause 23, protection. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Clause 23 has been denied.

Clause 24, regulations. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Nay.

Clause 25, coming into force. Agreed?

**SOME HON. MEMBERS:** Nay.

**MR. McLAUGHLIN:** Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** Mr. McLaughlin.

#### **Motion To Amend Clause 25, Bill 44**

**MR. McLAUGHLIN:** I move that this clause be amended so that the word "January" is replaced by the word, "July".

**CHAIRMAN (Mr. Ningark):** Mr. McLaughlin, could we have a copy of your motion, please. We would like to have the copy of your motion typed and translated into appropriate languages, French and Inuktitut. We will take five minutes. Thank you.

---SHORT RECESS

The committee will now come to order. Clause 25, coming into force. Mr. McLaughlin.

**MR. McLAUGHLIN:** Thank you, Mr. Chairman. I am making the motion that Bill 44 be amended by striking out clause 25 and substituting the following: "25. This act shall come into force on July 1, 1992."

**CHAIRMAN (Mr. Ningark):** Mr. McLaughlin, your motion is in order. Mr. McLaughlin.

**MR. McLAUGHLIN:** Mr. Chairman, the only reason I am making the motion is that the government showed considerable concern that they had to contact other provinces and other jurisdictions to figure out how they would implement this act once it passes. In expectation that the bill may be approved by the Assembly, I wanted to make sure that fear was removed from the government so that if there is anything wrong with the act -- almost everyone spoke in favour of the general principle of the act -- if there are any problems anywhere, this would allow the government nine months to look into the problem and bring amendments to the bill and actually amend the bill during the February/March session in 1992 so that there will no longer be anything wrong with it. Since the principle is fine and everybody agrees that it is a great idea to have a bill like this, I just want to make sure that the government has a chance to do the fine tuning they said they would like to do to this bill. Otherwise, Mr. Chairman, if the bill does pass as it is it could give the government a little difficulty in doing that work. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. McLaughlin. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Ernerk):** Question is being called. Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, I would like to ask a question with respect to this bill. The Member proposes that it comes into force July 1st. I want to know whether this bill is retroactive prior to July 1, 1992. I am saying, for example, if an individual wants information from the government back to even 1985, are they allowed to go back on the records to obtain the information they request?

**CHAIRMAN (Mr. Ningark):** Mr. McLaughlin.

**MR. McLAUGHLIN:** My understanding, and I think the Law Clerk could clarify this more particularly to the Member, is that there is no clause in the existing act which would prevent people from asking for information from previous years so that no matter what the date is when the act would come into effect, if the act is passed, the government would be obliged to produce documents previous to the coming into force date -- I would imagine any documents since this government came into existence, back as far as 1967, I believe. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. McLaughlin. To the motion. Mr. Lewis.

**MR. LEWIS:** Since this talks about coming into force on a certain day, I would like to have a recorded vote on this motion.

#### Motion To Amend Bill 44, Clause 25, Carried

**CHAIRMAN (Mr. Ningark):** A recorded vote is being requested. All those in favour, please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Morin, Mr. Lewis, Mr. Ballantyne, Mr. McLaughlin, Mr. Gargan.

**CHAIRMAN (Mr. Ningark):** All those opposed, please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Arlooktoo, Ms. Cournoyea, Mrs. Marie-Jewell.

**CHAIRMAN (Mr. Ningark):** Those abstaining, please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Kilabuk, Mr. Pedersen, Mr. Pollard, Mr. Pudluk, Mr. Allooooloo, Mr. Patterson.

**CHAIRMAN (Mr. Ningark):** Thank you. Five in favour, three against, six abstentions. The motion is carried.

--Carried

Clause 25, as amended. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** Like my colleague from Pine Point, I lost my hearing aid, and I was having a little problem. I say, as the chairman, the nays have it.

Bill as a whole. Agreed?

**SOME HON. MEMBERS:** Agreed.

**SOME HON. MEMBERS:** Nay.

**CHAIRMAN (Mr. Ningark):** The nays have it.

Mr. Gargan.

#### Motion That Committee Agree That Bill 44 Is Ready For Third Reading

**MR. GARGAN:** Thank you, Mr. Chairman. Mr. Chairman, before the committee proceeds with third reading, I would like to make a motion. Mr. Chairman, I move that the committee agree that Bill 44, Access To Information Act, is now ready for third reading. Thank you.

**CHAIRMAN (Mr. Ningark):** Mr. Gargan, could we have a copy of your motion? The motion reads: I move that the committee agrees that Bill 44, Access To Information Act, is now ready for third reading. The motion is in order. To the motion. Mr. Gargan.

#### People Of NWT Denied A Right Available To Other Canadians

**MR. GARGAN:** Mr. Chairman, with regard to the process of this motion, I do not know whether or not some of the work we do in this House is a joke to some of the Members here, but it is obvious that some Members do try hard to make bills in this House that would be supported by the general public.

I have worked quite hard, Mr. Chairman, with this bill, and some Members are making a mockery about what I have done. This is not only my work; we have also, in co-operation with the government, done this bill. I also have a legal adviser who has advised me continuously with regard to changing the bill to the satisfaction of the committees and to the satisfaction of this government.

I also have researchers doing research into getting all the access to information from all the jurisdictions in order to make our own access to information as fair or even better than other jurisdictions. I also got research into the effects of that kind of bill in those jurisdictions. There are varying arguments with regard to whether or not it is working.

The only thing I can say, Mr. Chairman, is that when those acts were implemented they were never repealed. So I would think that it is working. It is obvious that the majority of Members in this Legislative Assembly are still not prepared to give the public the fundamental right to know what government is doing or how they are doing it.

The people of the NWT have been denied a right that is available to other Canadians. Access to information has been recognized as an important part of democracy. By rejecting this bill this House has acted against the principle of democracy.

Mr. Chairman, I like doing things when things are serious, but I also like joking with Members. It is difficult for me to accept the defeat of this bill. Perhaps in the future I do not know whether I will be prepared to present any further bills that would be laughed at, perhaps, or made a mockery of. Mr. Chairman, I take my job seriously. I am disappointed that other Members do not feel that way. I would ask for a recorded vote.

**CHAIRMAN (Mr. Ningark):** A recorded vote is requested. To the motion. Mr. McLaughlin.

#### Members Worried About Exposure Of Expense Accounts

**MR. McLAUGHLIN:** Mr. Chairman, I would like to speak in favour of the motion. I will be fairly brief, but I am not going to be as polite as Mr. Gargan.

I think this motion has been defeated basically for two



reasons. One, and it has been stated in public hearings by a couple of Members of the standing committee on legislation, and even in this House it has been referred to by a few Members, that basically what they are worried about is having their expense accounts looked into, some of the ordinary Members, and because only one Minister is working as an ordinary Member in favour of this bill, it looks like all the cabinet Members are worried about what they have done in their department. I do not know if it is their expense accounts or the documents that they have made or decisions they have made that are on record in writing somewhere, which they do not want anyone to ever find out. So that is what Members are worried about. They had the opportunity to amend this piece of legislation in committee of the whole, to put a clause into it that would have prevented the legislation from looking back into times earlier than its implementation. But nobody had the guts to do that on the floor of the House.

So I would like to say that the only things I have heard Members say that make sense to me as to why they are not voicing for this is they are afraid to have their expenses looked into. I have not heard a good argument yet. The only argument that had any validity at all was that the government was worried about the time period they had to implement the regime to make this bill work. We have amended the final clause to give an extra six months to the government, who have been working with Mr. Gargan on all the detailed wordings to make the document effective and workable.

So I think the major hurdle -- and I can understand it and believe the government Members who said that they were worried about the exact way it would have to be implemented and some of the effects. They might even want to make some amendments before it came into effect. I believe that part of it, but I believe the real reason the bill is not passing is that basically there are too many people in the House worried about the public finding out what they are doing with their expense accounts when they are spending public money and worried about decisions they may have made, individually or as a group, that may be in writing somewhere in the government, and they do not want anyone to find out. I cannot understand any other reason for Members to vote against this bill other than those. Thank you, Mr. Chairman.

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

**MR. MORIN:** Thank you, Mr. Chairman. I guess accountability and accountability to the public is what a public government system is supposed to be. I do not see that happening here today.

Mr. Chairman, I have heard a lot of reasons why some of the Members who are not in favour of this bill are going to vote against it. Everything from protection of endangered species -- I think that was the cheapest argument I heard -- to Greenpeace getting information on our aboriginal people's harvesting. That information should be available to the public. We should be proud that we harvest animals, that is what it is all about. So when Members argue that point that is just making a feeble excuse not to vote in favour of the principle of the bill.

If people did not understand it, it could have been explained to them, translated, everything. Mr. Gargan went through all kinds of work to bring this forward as an ordinary Member of this Assembly. This is supposed to be a consensus government system. This is supposed to be a minority government at all times. We are supposed to all have equal say here, but the whole problem, and I heard it from Mr. Wray in his reply to the Opening Address, is that the system does not work. It is because it is manipulated, that is what is killing the system.

Business brought to this House is not legitimate unless the government brings it to the House. I do not know who died and left them boss, but I never. I guess in the end it will all boil down to what happens next time. We know who manipulates the system when ordinary Members try to get something done in this House. We have seen it happen for four years. Thank God we only have to put up with it until October 15th, then we can get another crack at electing new Executive Council Members.

Mr. Chairman, maybe this Access to Information Act would be abused by some people. Maybe it would be. Maybe the press would dig for dirt, as they say. I have said it before and I will say it again, if you want to hide something, or if you are not proud of something you are doing, then do not do it. Only do what you can justify in your own mind and what you feel good about doing. Then you do not have to worry about hiding it.

As far as expense accounts of ordinary Members are concerned, that should be public information. It is public money. We are elected to public office. If we do not want people to know what we do with our money, then you go out and earn it in a different place, not here.

**AN HON. MEMBER:** Good point.

--Applause

**MR. MORIN:** I have been working all my life, and until I was elected to this Assembly, it was none of anybody's business what I did with my money. But now I draw from the public purse; it is everyone's business what I do with it. Mr. Chairman, I have heard a lot of nays and nays and nays today, and it has been a mockery of the system. I hear that they are going to kill this bill, a Private Member's Bill. It is not real legitimate business anyhow because it was not brought forward by the government. That is probably one of the main reasons they are going to kill it. I know, at a later stage, in committee of the whole, they have the Wildlife Conservation Act coming up. I, along with legal and research staff, have done a lot of work on that act preparing ourselves to debate it here; but because one ordinary Member...

**CHAIRMAN (Mr. Ningark):** Mr. Morin, to the motion please.

**MR. MORIN:** I am speaking to the motion, Mr. Chairman, I am speaking to the motion. But because one ordinary Member is going to question that act, you watch, the government is going to pull it -- that is what they have already said -- because we want input into it. Unless it comes from the government and the bureaucracy -- if it is only ordinary Members, then it is no good because we do not know what we are talking about. We do not know how to do our work. That is what I am against here. Mr. Gargan, Mr. Vertes, Ms. MacPherson and research, all kinds of people did a lot of work, and they basically say, "It is nice, but no thanks, goodbye", and it is gone. I do not think that we, as ordinary Members of this Assembly, are doing our job properly, and I guess we will all answer for that on October 15. Thank you.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Morin. In ruling between ayes and nays, I was trying to be fair to the committee and I had two impartial people with me, helping me to rule whether it was an aye or nay, and I would like to assure the House, for the record, that as the chairperson I was trying to be fair to both sides. What we did rule here was, we decided between the three of us in this, and, for the record, I would like to say that. Mr. Morin.

**MR. MORIN:** Mr. Chairman, I do not understand why you would say that. I hope at no time when I was speaking I questioned your credibility as the chairperson. I have full

confidence in you. Thank you.

**CHAIRMAN (Mr. Ningark):** Mr. Morin, that was for the record, not against anyone here. Mr. Pedersen.

#### Exceptions In Bill Will Guard Against Misuse Of Access To Information

**MR. PEDERSEN:** Thank you, Mr. Chairman. Mr. Chairman, I have supported this bill all along and this is not because Mr. Gargan put the bill forward, it is not because Mr. Gargan is a friend of mine, not because I respect him, it is not because of all the work the lawyers have done on it or legal counsel; it is because it is a good bill, and I think we need it. I do not want to associate with impugning motives to Members, such as, "They are afraid of it only because of their expense accounts." I have not heard that from any Member, and I trust that our Members read the bills in front of them. This bill has, in subclause 10(1), 15 paragraphs of exceptions. One paragraph alone, 10(1)(b), has got 19 exceptions in it. There are plenty of exceptions in this bill to take care of any worry about misuse of access to information.

Mr. Chairman, I want to stress that my support for this bill is because it is a good bill; it is a necessary bill; it is a bill I think we need. I only wish that we had come to a conclusion on this before I made my reply earlier today. I held up as long as I did because I really wanted to see what happened to the bill I consider to be important. I will support Mr. Gargan's motion now. If the bill does not go to third reading and get passed in this session, I would hope that he would not be discouraged from reintroducing the bill at some later stage of the next Assembly, of which I am sure he will be a Member. Thank you.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Pedersen. That is democracy. To the motion. Mr. Lewis.

**MR. LEWIS:** Thank you, Mr. Chairman. Earlier I had indicated that the two key issues that brought us back this summer was the need for better conflict of interest provisions in our act and also the need to have access to information legislation in place before the next Legislative Assembly meets in the fall.

I was very moved by Mr. Gargan's speech in proposing this motion to us because by forcing this into a third reading, what he is doing is trying to bring to fruition an awful lot of time and work by an awful lot of people to make this piece of work as good as it can possibly be. I cannot add any more words to the eloquent words of Mr. Gargan, and for that reason, Mr. Chairman, I would like to urge Members to reconsider the way they have, in fact, treated this important piece of legislation. Thank you.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Lewis. To the motion. Mr. Minister.

#### Bill Reduces The Privileges Of Members

**HON. DENNIS PATTERSON:** Thank you, Mr. Chairman. I did say earlier in this debate that I am speaking to this bill as an MLA. Mr. Chairman, I have made some points that I have thought about. I do not think they are frivolous, and I do resent the ascription of motives that has come up in this debate. I do also think that this debate has not been of a particularly good quality, and I do regret that the process has been somewhat bizarre at times. I particularly regret that the process and the quality of debate has caused some obvious feelings of hurt and frustration.

I would say to the honourable Member for Deh Cho, who has, I know, put a great deal of work into this bill and others and

has worked very hard and is very sincere about what he is doing, that the work is not lost. I have a feeling that this issue will not go away, if the bill is defeated, and will have to be dealt with by the next Legislature. I guess what I have tried to say, and perhaps it is because I am not as well informed as Mr. Gargan is and need more time to get better informed, is that I am not sure that we have had the time to consider the implications of a bill that will change fundamentally – some Members would say for the better – the way the government operates and the way this House operates.

I will say again that I do believe the bill does affect the privileges of Members, and frankly, I think it reduces the privileges of MLAs. That may be a good thing if we give Members' privileges to members of the public, but I think we should carefully examine, in our consensus system, whether bills that originated in the party system in a different kind of House with less powerful committees, with less powerful MLAs, is appropriate in this particular House. I, myself, although I know the Member has addressed the point, or tried to within the difficult processes that we have used, I do not feel that issue has been thoroughly considered by this House.

I also think that we should consider whether there are other ways of achieving the noble ends of this bill. I do think that MLAs have unparalleled privileges to compel the receipt of information in this House. Thinking about that point, I cite the example of the privilege Members have of removing Ministers on a non-confidence vote, and I recall that I, myself, was subject to a vote of non-confidence precisely over the issue of revealing information. We have already shown in this House that Members of this Assembly have that power to challenge a Minister of whether information is going to be given out. Maybe we should more fully explore the powers that we now have and find out ways of making it work better.

I also do respect that the Member has carefully researched the experience of other jurisdictions, and I agree with him when he says that no government is going to withdraw such a bill or have withdrawn these acts in other parliaments. I think once a bill is passed, and I guess that is what I am a little bit afraid of today, once it is passed it is going to be very difficult to say, "Well, it is not working the way we had thought. Only sanitized information is coming out because governments have changed their way of operation out of sensitivity to everything they do being on the public record." There will be no turning back. It would probably be political suicide for any government in this country now to say, "Well, we are withdrawing the act because it is not working."

I still say, and I would like to hear some frank assessments, even from supporters of freedom to information bills, as to whether they are in fact doing what they say they are going to do, whether they are having the effect that they want it to have, and whether they are actually working. Because what I have heard is that these acts are not having the desired effects in other jurisdictions.

Mr. Chairman, in conclusion, I do say again, with the greatest of respect to the honourable Member, that I regret the process and that the quality of debate has offended him. I do think that good work has been done and it need not be lost, but I would say, myself, that I think we need to do further work along the lines that I have indicated before we take such a significant measure. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ernerk):** Thank you. Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Chairman. I thought I should put on the record my views of a Private Member's Bill and how a government and how a Minister of Justice should respond to a Private Member's Bill. As I said



before, the process for Private Member's Bills is not as clearly defined as it should be and has caused all of us some difficulty. My own view, and I want to emphasize this is my own view, is when a Private Member's Bill is put forward, that the Minister of Justice, whoever he or she may be, has a responsibility independent of cabinet to offer his or her assistance with the lawyers of the department to try to assist, if the private Member is open to that assistance, to put together the best bill possible for the public. I think that is something as a Minister of Justice who is responsible for the legislative process on the government's side - I think that public responsibility also extends to the private Members' side, to assist private Members.

In the two examples that I have been involved in, one of which was Mr. Lewis's Private Member's Bill - I took the same approach independent of cabinet on that one. After we had done a lot of work with his lawyers and our lawyers, he and I came up with a package that each individual Member of this Assembly supported. I think that is fair enough. I am one who absolutely respects the right of every individual here to make up his or her mind on any issue. I am not one to say that my view is necessarily the right view. I think that is what democracy is all about. I am supporting this bill, but I respect the right of other individuals to vote according to their consciences on this particular issue. But I would like to say to Mr. Gargan and to Mr. Vertes that throughout the process of a number of weeks, they offered to myself and to my staff every courtesy, and every potential improvement that we put forward they looked at seriously and incorporated many of these. But I want to emphasize that these were not on the direction of cabinet. There was no such thing as a cabinet in this process. We were individual MLAs. I was acting as the Minister of Justice to work with the private Member to come to the best bill possible and then people would vote according to their consciences.

In that process, besides the respect that I gained for Mr. Gargan, who did a lot of work, I also came personally to support the bill. So my work on the bill was as the Minister of Justice. My decision today to support the bill is as an MLA. I do also feel bad, as Mr. Patterson said, that the process, the fact that we are tired, the fact that we are probably a little bit giddy, might have given the false impression that people were not taking Mr. Gargan seriously. I do not think for anyone here that was the case. I think that on behalf of all the Members, if ever there was that impression, that it was never meant, was never intended, and I for one apologize if any of our actions caused Mr. Gargan bad feelings. Thank you very much.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Ballantyne. Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Chairman. Mr. Chairman, first of all I want to make it perfectly clear to Mr. Gargan that at no point in time did I ever feel, when I nayed this bill, that I was making a mockery of this bill. But I do want to indicate a couple of concerns I had with the process. This bill has been in the works by Mr. Gargan, the research people and legal counsel, as he has indicated, for well over a year. At no point in time has he ever approached me as a Member asking for my thoughts on the bill.

**MR. GARGAN:** We had two public meetings.

#### **Southern Jurisdictions Should Not Be Copied**

**HON. JEANNIE MARIE-JEWELL:** He had the public meetings on the bill without the consideration of going to Members. That is what I have a concern with. Where are my rights as a Member? I do not like something being shoved at me that I have not decided upon. This is the purpose of

myself voting against this bill. I agree that access to information is good for the public, and I agree with full accountability. I have no problem with that; but how you expect to get it and the way sometimes things are done, I do not agree with.

I have a concern with bringing in Private Member's Bills and then expecting us to be a consensus government without having the courtesy of being asked about it. That is not consensus government, and I get irritated when ordinary Members say that Ministers do not agree with this, the Members do not agree with it because of the expense accounts, or whatever. I really do not care one bit what expense accounts they go through. Mr. Lewis, at some point in time, used to want to know how many times I chartered to Fort Smith. I really do not care, because I am proud to represent my constituents in the way I do, and if I go to Fort Smith every week that is better for me.

I really do not care in regard to the feeble excuses that Members are saying that we are making a mockery of it because of our expense accounts. I do not agree with that.

The only thing that I heard about this bill is "because every other jurisdiction in our country has this bill". That is one reason that I do not agree with this bill. I am so fed up with this government and Members, too, thinking that just because southern jurisdictions want to do things, that we have to. In the North we are unique; we are struggling for our rights, and yet you guys want to always copy southern jurisdictions, and nothing is so irritating.

On one hand, Mr. Gargan feels irritated at the fact that we made a mockery of it. I feel irritated that my rights are invaded as a Northerner by having to be told by Southerners what we should be doing. If we cannot get information as the government to 53,000 people, there is something wrong with our system, and Members should try to make the system work. However, I do not believe that shoving a bill down my throat is a proper way of making this system work.

Mr. Chairman, I recognize that the public is frustrated by not being able to get access to information. More so, the press is probably frustrated with not getting access to information. I think there are other ways of dealing with this. I think one way is probably by looking at an ombudsman, that is probably a way of being able to get the concerns of the public's frustrations expressed. There are many times I, myself, do not even answer the press because what does the press ever say that is nice? If there is nothing sensational in the story, they do not give a damn, and there are a lot of good things that this government has done. But I get fed up with it. I really do not care what the press writes because all the decisions that I make are things that I believe in. I certainly hope that I can continue to have the strength to ignore the press and continue making decisions that I feel are for the betterment of the North.

Mr. Chairman, I did want to express to you that I am very frustrated at the fact that people are making allegations that we are making a mockery of the bill, that we want to deny the bill because public expense money is something that is being questioned, that we do not want to be accountable. We are going to be accountable when it comes to election day, and if my constituents strongly feel that I have not represented them properly they have that right to remove me. But I do not like the type of allegations that were made in this House, and I felt it necessary to advise the Members accordingly, and I honestly do not like the idea that we have to do everything because southern jurisdictions are doing it. I am certain there is a way that we as Members can collectively put our thoughts together to be able to address information to the public that Mr. Gargan is trying to acquire, as we have done many other



times when we have come up with ideas but have our differences. That is the uniqueness of consensus government.

I strongly feel that if we are going to allow Members to continue with Private Member's Bills, allow the process to be flawed, we are looking into a party system. The party systems appear to be collapsing in the South, and we are going to be looking for further trouble in the North. There is enough trouble in the North with the high unemployment rate and everything else I hear every day. I hope that we have the ability to be able to run the North, that people have put confidence in us to make decisions accordingly that are better for the people of the North.

We come here and we pray every day asking to make the North better for people and we should honestly try. Thank you.

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

### Two Bills Necessary For Good Government And Accountability

**MR. LEWIS:** For the record, Mr. Chairman, there are two bills that I have been particularly interested in pursuing in the interests of good government, accountability and all those things I have already referred to, and I would like to support this motion to bring it to a vote.

I want to make one point. There has been quite a bit of discussion over the last few days about really who wants this bill, who really is pushing this. Several ordinary Members are accused of simply not being responsible. They sit as ordinary Members; they do not have the Executive function and for that reason do not understand the implications of having to run a government which is an open government.

I would like to completely reject that argument in supporting this motion. Whether I am elected again or whether I sit on this side of the House or on the other side of the House, I think for good government, for accountability, we need both the conflict of interest provisions and we also need an access to information act. Because right now the burden, in many cases, on all Members for information, makes it very, very difficult to handle. I believe by enshrining this in a piece of legislation, making it clear, that the public can go straight to get that information, it makes a much more clean system of government. Because right now there are so many arguments about what you can have and what you cannot have, we have to sort it out, and this act will help us to do that. Even though for the first two or three years there may be some hitches or problems, I believe in the long run we will have better, accountable government. Thank you, Mr. Chairman. I support the motion.

**CHAIRMAN (Mr. Ernerk):** Thank you. Mr. McLaughlin.

**MR. McLAUGHLIN:** To the motion. In general there are a couple of things I said that I think got the hackles up of a few Members, but I did not initiate those things into the public debate. When the committee held its public hearings, Members on the committee referred to the fact that they were concerned that Members from the general public would be able to look into their affairs.

Mrs. Marie-Jewell just spoke a little while ago, when we were talking about clause 25, about being concerned whether legislation would be able to look back into past years of the government -- she was talking about going to election and being accountable for all the good things they have done and what is on the public record. Well, what is on the public record is what the government chooses to put on the public

record. It does not choose to have any of its mistakes discovered or brought to light. So there are other sides that do not come up that maybe should be brought up when the government is being made accountable to the electors. That is what the general public would like to see, not just the successes but maybe an explanation of some of the mistakes and errors, if they are even brought to light.

The Member, Mrs. Marie-Jewell, was also concerned about not being consulted. Well, how does the government consult us? I am not asked about every piece of legislation that is brought in here as a group or as individual Ministers. Nobody comes to me to see if it is okay first. The first time it appears is at the standing committee on legislation, or maybe it is tabled. Mr. Gargan had to go through that hoop. He took it to the standing committee on legislation. He also tabled it. So if the Member was doing her work, she had two options. She could have read the document after it was tabled and approached the sponsoring Member on it. As well, all Members have the right to attend any standing committee on legislation meetings, that includes Ministers, and sit on the side and be in attendance and also ask questions of the Chair after the regular Members of the committee have spoken. You do not give us the special privilege of approaching each one of us while you work on legislation. You take it through a process, you take...

**CHAIRMAN (Mr. Ernerk):** Order. To the motion.

**MR. McLAUGHLIN:** I am talking about topics you have not ruled out of order before, Mr. Chairman, which are reasons why this bill should go ahead. Also refuting reasons why it should not go ahead. Do not try to tell us, the general public, that Mr. Gargan has not consulted you, that there is some ridiculous reason that ordinary Members are not capable of having a thought. When we elected the eight of you to be in the cabinet, we did not elect you to come forth with all the thoughts and wisdom in the world. You are not the only people that have thoughts.

**CHAIRMAN (Mr. Ernerk):** To the motion, Mr. McLaughlin.

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

**MR. McLAUGHLIN:** Thank you, Mr. Chairman. Members have said that this bill should not go ahead because all the Members have not been consulted. I am just pointing that there is no difference between this bill and government bills. The Member has gone through all the hoops and hurdles that the government goes through, and I would say even more hoops and hurdles than the government goes through. I just wanted to get that point on the record. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ernerk):** Let me read the motion again for the benefit of Members: "I move that the committee agrees that Bill 44, Access to Information Act, is now ready for third reading." To the motion. Mr. Gargan.

**MR. GARGAN:** Just a point, Mr. Chairman: Mr. Chairman, this is only one bill that actually reflects southern legislation. The last bill that I did, the seat belt one did not reflect southern legislation, but that did not go through either. I just want to make it very clear to Members that among all the government bills that go through this House, there is only one unique bill that is not southern-oriented. That is the Official Languages Act. It is the only one. All the other bills are influenced by southern legislation. Just to make it very clear to the Members.

Also, I would like to respond to Mr. Patterson's concern regarding the implications of the government in implementing this bill. I was not really concerned with what the concerns of

this government were if it was passed. I was actually more concerned about the kind of access the public was going to have if it did pass.

I just wanted to mention to Members that I do get pretty emotional when I work on things quite hard and they just get defeated. But I would like to add, the Members did take a position. The meat of this bill died when section 8 of the bill was defeated. I would ask Members to stick to their guns and vote according to what they truly believe and not based on my own emotions. Stick to it. I will not have any bad feelings. A lot of Members told me to do it again, and perhaps I will. But thank you for your consideration and support. Whatever way it goes I will respect your decision.

--Applause

**CHAIRMAN (Mr. Ernerk):** Are you ready for the question?

**SOME HON. MEMBERS:** Question.

**CHAIRMAN (Mr. Ernerk):** Recorded vote being called. All those in favour, please rise.

**Motion That Committee Agree That Bill 44 Is Ready For Third Reading, Defeated**

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Pedersen, Mr. Zoe, Mr. Morin, Mr. Lewis, Mr. Ballantyne, Mr. McLaughlin, Mr. Gargan.

**CHAIRMAN (Mr. Ernerk):** All those opposed, please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Pollard, Mr. Pudluk, Ms. Cournoyea, Mr. Allooloo, Mr. Patterson, Mrs. Marie-Jewell, Mr. Ningark.

**CHAIRMAN (Mr. Ernerk):** All those abstaining, please rise.

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Arlooktoo, Mr. Kilabuk.

**CHAIRMAN (Mr. Ernerk):** Seven, yes; seven, no; two abstentions. I am going home.

--Laughter

Oh boy! Members of the Assembly, I go with no. The motion is defeated.

--Defeated

Bill 44 will remain in committee of the whole. Is the committee ready to go on with Bill 46, Supplementary Appropriation Act, No. 1, 1991-92? Mr. Ballantyne.

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

#### **Minister's Opening Remarks**

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Chairman. Mr. Chairman, the first supplementary appropriation for 1991-92 is primarily to establish project carry-overs from the last fiscal year and to record the transfer of the Arctic airports program from the federal government. The total O and M appropriation authority being requested is \$21,038,000, of which \$12,200,000 is carry-overs or transfers. The total capital appropriation authority being requested is \$33,420,000, of which \$32,307,000 is carry-overs or transfers.

The standing committee on finance was advised in April of the large amount of project carry-overs from 1990-91. However, the supplementary appropriation document does provide the

project specific information again. I anticipate that these carry-overs from last year to this year will result in a similar carry-over into 1992-93, and that has been reflected in our revised projections for 1991-92.

The remaining portions of this supplementary appropriation have a net cost of approximately \$8.8 million. Of this, \$3.8 million will come from the inflation reserve and the balance will come from the regular reserve. Some of the items in the supplementary appropriation include: one million dollars for the Commission on Constitutional Development; \$586,000 to complete the project to review the operations and structure of northern government; \$366,000 to adjust staffing at the Yellowknife Correctional Centre; \$650,000 to add six economic development officers to various communities. The majority of these requests were discussed in the Legislative Assembly during the last budget session and will be funded from existing supplementary reserves. However, the revised financial projections you have been provided with have some qualifications. The 1990-91 year end financial results have not yet been totally finalized, and the opening surplus position may be somewhat different than estimated. In addition, the recession is continuing to impact the formula financing escalator through the GDP cap. As a result, the current forecast of revenues may be optimistic. I will be in a better position to provide an accurate fiscal forecast once the 1990-91 year end results are finalized and the most recent national economic forecasts are worked into our formula financing projections. I anticipate that there will be some worsening of the projected 1991-92 results when this information is available and is factored into our calculations.

Mr. Chairman, I am now prepared to answer any questions that committee Members may have. As has been past practice, individual Ministers are also prepared to answer, at the committee's request, if questions come up that I cannot fully answer.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Ballantyne. Does the chairperson of the finance committee have any opening remarks to make? Mr. Pollard.

#### **Comments From The Standing Committee On Finance**

**MR. POLLARD:** Thank you, Mr. Chairman. Mr. Chairman, the standing committee on finance has reviewed the supplementary appropriation. We were pleased to see that there are additional economic development officers going into six communities. That was a request of this House, sir. The STEP program is in this supp and it is being doubled, as per the request of this committee. The studies for some winter roads in the Central Arctic and Keewatin areas are in this supp, and we are pleased to see that. The program to provide fuel other than wood to seniors in the Northwest Territories is in here, and we are pleased to see that. We were saddened not to see the senior supplementary benefits being increased as we had requested, and I think we will be asking questions about that, Mr. Chairman.

Mr. Chairman, Mr. Pedersen will be making some observations on the capital carry-overs. He has done some work on that, and as we go through it he will be making some remarks. I would, with respect, Mr. Chairman, suggest to the committee that in the areas of the Arctic airports, which makes up a large portion of this supp, that the committee merely okay each one of them because they are funds that are being received by this government and the government is in turn spending it. So it is not an extra cost to us; it is sort of an in and out deal. It would save the committee's time if the committee understood that and just okayed each one of the Arctic airport transfers.

I think that is all I have to say. There will be some comments



as we go through page by page. Thank you.

#### Executive

#### Aboriginal Rights And Constitutional Development, Total O And M

**CHAIRMAN (Mr. Ernerk):** Detail, Executive, O and M, Aboriginal Rights and Constitutional Development, not previously authorized, \$1,000,000. Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** I wonder if I could ask the indulgence of the House to bring a witness in?

**CHAIRMAN (Mr. Ernerk):** Is it the wish of the committee that the Minister bring a witness in?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Proceed please, Mr. Ballantyne, introduce your witness, please.

**HON. MICHAEL BALLANTYNE:** Mr. Chairman, for the last time for this Legislative Assembly I will introduce Lew Voytilla, secretary to the Financial Management Board. If I could put it on the record here, Mr. Chairman, in committee of the whole, since Mr. Voytilla and I have sat in this seat many times over the past four years, I would like to extend to Mr. Voytilla the gratitude of the government, and I hope I convey the gratitude of Members for Mr. Voytilla's contribution in the past four years. He has been an extremely important Member of our team, and I mean our team collectively. He has the credibility and respect of all Members and we value his advice very much. Thank you.

--Applause

**CHAIRMAN (Mr. Ernerk):** Thank you. Mr. Zoe.

**MR. ZOE:** Mr. Chairman, under Aboriginal Rights and Constitutional Development section for one million dollars. Could I ask the Minister to give us more detail as to what the funding of the money is going toward. It is phase one of the constitutional development, if I could get him to briefly outline it.

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

**HON. MICHAEL BALLANTYNE:** Mr. Kakfwi had the information and is not feeling well. Excuse me for one minute and I will see if I can get it.

I have, from the chairperson of the commission, a tentative budget. But I want to make it very clear what the philosophy of the western leaders was. We thought it critical that the commission act independently at arm's length from government. We decided on a sum of money but we agreed that they would decide how that money would be expended. Either you trust the commission or you do not. Rather than put strings on that particular exercise we, as governments do with other commissions, are intending to allocate a sum of money to the commission.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Mr. Zoe.

**MR. ZOE:** Mr. Chairman, surely the government must have some sort of preliminary plan as to how they are going to expend this one million dollars. The response I am receiving from the Minister is very vague. We are basically giving them a million dollar cheque and they can do whatever they want with it.

**CHAIRMAN (Mr. Ernerk):** Mr. Minister, please address the Chair.

**HON. MICHAEL BALLANTYNE:** Mr. Chairman, I can give you what I have from Mr. Bourque. In July, spending \$30,000 on administration and management of office; \$20,000 for public consultation reports. In August, spending \$26,000 on administration and management of office and \$20,000 on public consultation reports. In September, spending \$27,000 on administration and management of office and \$200,000 for participation funding, \$70,000 for public consultation reports. In October, spending \$27,000 administration office, \$150,000 participation funding, \$125,000 public consultation and reports. In November, spending \$27,000 on administration and management of office, \$100,000 participation funding, \$20,000 contracts, \$125,000 public consultation and reports. There will be a total of \$400,000 for salary of commissioners and staff for a total of \$974,000 up to November 30, 1991. Mr. Chairman, that is the information that I have.

#### Aboriginal Rights And Constitutional Development, Total O And M, Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Aboriginal Rights and Constitutional Development not previously authorized, \$1,000,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

#### Total O And M, Agreed

**CHAIRMAN (Mr. Ernerk):** Total department, one million dollars. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Next page, Finance.

#### Finance

#### Revenue And Asset Management, Total O And M, Agreed

Revenue and asset management, special warrants, \$56,100. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

#### Government Accounting, Total O And M, Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Government accounting, not previously authorized, \$227,000. Agreed? Mr. Pedersen.

**MR. PEDERSEN:** Mr. Chairman, is this expenditure due to the goods and services tax which was a federal initiative? In the past certainly when the federal initiative of the Young Offenders Act was introduced the federal government agreed to fund it. Have we tried to get the federal government to fund this additional cost made necessary to us to incur because of this federal initiative?

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

**HON. MICHAEL BALLANTYNE:** I think it is a very good point philosophically and one which we agree with. Unfortunately, anytime the Young Offenders Act springs up to



mind and we have tried to trigger that particular clause, we have been unsuccessful. Basically there is a rider on the agreement that if we are unable to find the funds or something to this effect, they are prepared to kick in. But for a pre-forma attempt I think it is definitely something that I am more than prepared to attempt to exercise. Certainly.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Government accounting, not previously authorized, \$227,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Financial Management Board Secretariat, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Financial Management Board Secretariat, special warrants \$586,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Total O and M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Total department, special warrants, \$642,100. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Total department, not previously authorized, \$227,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Culture And Communications**

**Publications And Productions, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Page 7, Culture and Communications, O and M, publications and productions, special warrants, \$72,000. Mr. Pollard.

**MR. POLLARD:** Thank you, Mr. Chairman. The 1988 revised statutes supplement II and III and the 1991 revised regulations. The Government Leader had said he would make them available to ordinary Members and I was wondering when the Government Leader will do that.

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

**HON. MICHAEL BALLANTYNE:** The Government Leader made that commitment on behalf of myself, and always being one to honour commitments of our Government Leader, I can tell Members that as soon as is humanly possible, those of you who would like a copy could request one and I will make one available.

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

**MR. POLLARD:** I would like to request a copy right now, Mr. Minister.

**MR. ZOE:** Me too.

**CHAIRMAN (Mr. Ernerk):** Could we have that copy right now, Mr. Minister.

**HON. MICHAEL BALLANTYNE:** I think there was a qualifier, as soon as is humanly possible. I will take note of the request and under your pillow tonight you may find...

--Laughter

**CHAIRMAN (Mr. Ernerk):** Thank you. Culture and Communications, publications and productions, O and M, \$72,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Total department, \$72,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Personnel**

**Staffing, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Page 8, Personnel, O and M, staffing, special warrants, \$69,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Staffing, not previously authorized, \$28,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Employee Benefits, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Employees benefits, special warrants, \$134,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, employees benefits, \$253,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Personnel, O and M, special warrants, total department \$203,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, \$281,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Labour Relations, Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Page 10, Personnel, capital, labour relations, special warrants, \$179,600. Agreed? Mr. Pedersen.

**MR. PEDERSEN:** Could the Minister advise me if this employee house purchase plan is still in effect, or are these the last houses purchased under the old plan?

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

**HON. MICHAEL BALLANTYNE:** As far as we are aware, unless there is something I am not aware of, these are the last people being processed in the plan, the ones that are grandfathered. So as far as we know this is the end. But there might be one out there that I missed, but for all intents and purposes this is the end of the trail.

**CHAIRMAN (Mr. Ernerk):** Thank you. Labour relations, special warrants, \$179,600. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, labour relations, \$49,900. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Total department, special warrants, \$179,600. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, total department, \$49,900. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Justice****Directorate, Total O And M**

**CHAIRMAN (Mr. Ernerk):** Thank you. Page 11, Justice, operations and maintenance, directorate, not previously authorized, \$19,000. Mr. Pollard.

**MR. POLLARD:** Thank you, Mr. Chairman. The standing committee on finance has no problems with the expenditure of the \$19,000, Mr. Chairman, but we do take exception to the fact that this is tied directly to new departmental revenue initiatives. First of all, I would like to ask the Minister, through you, sir, if he would tell us what these new departmental revenues initiatives are. Thank you.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Pollard. Mr. Minister.

**HON. MICHAEL BALLANTYNE:** It is increasing the legal registry fees.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I wonder if the Minister would not agree that when you can tie an expenditure directly back to an increase in services provided by this government that is a dangerous precedent, and really, should not the money just be paid to the consolidated revenue fund and the expense just be made. I would ask the Minister's opinion on that. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Pollard. Mr. Minister.

**HON. MICHAEL BALLANTYNE:** That is the traditional opinion, but no I do not share it. What I have tried to do over the last couple of years is to give managers a series of options in order to cut costs and to raise revenues, and to build some incentives into the process. Prior to that, if somebody, for instance, had a revenue initiative, it went into the general revenue fund and managers were just not putting them forward. It just was not happening. What we thought we would do, and it has worked reasonably well, is that essentially any revenue initiatives - which obviously have to be justified - the department puts forward, half of that they can keep for their own enhancement. Half goes into the general pot and that is to make it fair for departments that do not have the potential for revenue initiatives. It has worked actually quite well, and managers have told us many times that they want to have the ability and flexibility to manage, so we have tried to give them a number of tools. This is one tool that we have given them, and I am quite satisfied with the fact that it has worked.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Directorate, not previously authorized, \$19,000. Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, as I say, we have no problem with the \$19,000, but I think perhaps people are now going to come forward and say, "You raised the price of this particular commodity or service in order to give us some more money in a particular area". That is the danger that I am trying to explain to the Minister. He is able now, or the public is able now, to tie back legal registry fees to determine community concerns with the justice system. If you take that further and further and further, pretty soon you are going to have the government broken down into saying, "We are charging this in order to do that" and you may pit different factions of the community against each other. That is what I am pointing out, and if the Minister is unable to see that, I guess my argument is not strong enough. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Pollard. Mr. Minister, do you wish to respond.

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Chairman. I appreciate the remarks and I am quite cognizant of the danger, but what we have found -- and you have to keep really on top of it because you are right, it could become totally fragmented - so we are pretty well on top of it; we review it very carefully, but I said "carefully managed". We feel, anyhow, and it has worked so far, that it is a fairly good productive management tool. I intend to carry on with it, keeping in mind the Member's concerns because the concerns are legitimate.

**Directorate, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Directorate, \$19,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed



**Lawyer Support Services, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Lawyer support services, not previously authorized, \$200,000. Mr. Ningark.

**MR. NINGARK:** We have had three legal aid trainees from Spence Bay, Pelly Bay and Gjoa Haven within the Natilikmiot constituency. I wonder, Mr. Minister, if you could have that information available to you as to when we are going to get a lawyer for the region. Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** As I recall -- I do not have my notes -- we are in the process right now of looking at that. The legal services board has met with local organizations and we are moving along down that path. I have made a commitment in the House that the Kitikmeot would be the next place to have a lawyer. I will get back to you with exactly when it is going to happen. I think we are fairly well along in the process.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Lawyer support services, \$200,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Registries And Court Services, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Registries and court services, not previously authorized, \$88,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Total department, not previously authorized, \$307,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Registries And Court Services, Total Capital**

**CHAIRMAN (Mr. Ernerk):** Thank you. Justice, capital, registries and court services, special warrants, \$328,000. Mr. Pedersen.

**MR. PEDERSEN:** Thank you, Mr. Chairman. This document we have, the Supplementary Appropriation Act, No. 1, 1991-92, is a public document and it is not a particularly lengthy document. Mr. Chairman, any member of the public can do as I did, simply by having a pocket calculator and half an hour to spare and go through the capital carry-overs contained in this entire book. If they do that and then place them by where these capital carry-overs are to take place, they will come up with some interesting figures. There is \$23,958,000 worth of capital carry-overs in this document, of which \$22,950,000 are identifiable as to where they are going to take place. Of that \$22,950,000, Mr. Chairman, \$15,461,000 or 67.5 per cent are in constituencies which have Ministers elected. The remainder, \$7.4 million, and only 32 per cent are the other 16. This ranges from a high of \$5.3 million for 10 separate projects in Iqaluit and down from there.

Mr. Chairman, people in the public might be less trusting and more suspicious than some of us here are, so I would like to

give the Minister the opportunity to assure this House publicly that this does not reflect the fact that we overload so much in capital projects in ministerial ridings so that we simply cannot do it, or that we are deliberately sliding things into an election year in selected ridings. I am sure you would want to assure the public that that is not the case.

**AN HON. MEMBER:** Shame, shame!

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Pedersen. Mr. Minister.

**HON. MICHAEL BALLANTYNE:** Thank you, Mr. Chairman. Certainly we have had this particular discussion in the standing committee on finance for the last couple of years. We have exchanged statistics. We did what we think is a pretty exhaustive and intensive comparison with every constituency in the NWT, and our figures show that the average dollar per capita weighed, based on a cost of living index, is slightly lower for a Minister than it is for an ordinary Member. Mr. Pollard's figures showed some different statistics but I thought we had made a pretty strong argument that if there was a difference, it was marginal and if there was a difference, it was accidental, and if there was a difference it was in total numbers. It was because the population in the Ministers' ridings, as I recall, is about half the population of the NWT. So in straight value of dollars it may be higher.

But I will say again, unequivocally, in fact it is the opposite. We are actually very sensitive about that because that issue was brought up quite strongly in this House a couple of years ago. There is not a loading of Ministers' ridings and secondly -- you talk about our government perhaps being as efficient as possible -- our government does not have that capability to be able to figure out that many projects to be carried over in certain ridings. We have enough trouble just doing it, never mind figuring out some kind of a Machiavellian plan so that so many projects lapse in one community. I appreciate that you think we have that talent, but we do not.

So on both counts, unequivocally, there is no conscious effort by this cabinet or by the Financial Management Board to do that, and what I have tried to do is that I gave a commitment to your standing committee on finance so that what I would attempt to do is try to ensure that as much as possible, allocation is based on need and that as much as possible there is not an unfair disparity between allocations to constituencies. There have been, unfortunately, some cases that perhaps it is not as fair and equitable as possible, but I can assure you that the Financial Management Board has made every effort to try to be fair, and I feel bad that there is even a thought that somehow or another there is some shenanigans in this. Because it sure as hell is not intentional.

**CHAIRMAN (Mr. Ernerk):** Thank you. Registries and court services, \$328,000. Mr. Pollard.

**MR. POLLARD:** It is almost difficult to see over these nice new shiny books I got, Mr. Chairman. Thank you, Mr. Minister. Mr. Chairman, setting aside where the \$23 million is going to be spent, the fact of the matter is that it is more than 10 per cent, around 15 per cent of the capital budget each year, and I guess we might be able to say to ourselves, why should we appropriate that \$23 million if it is not going to be spent in the year it is appropriated and it is being carried forward.

The standing committee on finance, four years ago, agreed to go along with these capital carry-overs because we saw there would be times when there would be projects that were incomplete or unable to get started for some specific reason. The amount though, seems to be climbing. We are also aware and I do not have the specifics, that the NWT Housing

Corporation has this same kind of situation, where they have moneys allocated and a great deal of moneys allocated for houses to be built, and those houses are not being built. So I guess we are getting concerned about the amount of money that has been appropriated, that is allocated to the government, that is not getting spent in the appropriate year.

So I would ask the Minister: Is the Minister concerned about the increase in these capital carry-overs and is he taking it into consideration, maybe looking at not doing as much spending in a particular year, to enable the capital projects to be caught up? Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** It is definitely concerning me and what is happening, every year it is a little more and the carry-overs every year eat into our capability in that year to build. The reality is right, now we are probably attempting to spend 15 or 20 per cent more than we are capable of spending in any given year. Obviously it will be the decision of the next government, but as we prepare this budget, an idea that I have had -- I talked it over with the cabinet and I will definitely be talking it over with your committee in August -- is perhaps to put a portion of our capital budget into a different area than community infrastructure. For instance, we may decide in a given year to spend a large chunk of money building highways, whatever. Putting \$25 million or \$30 million or \$40 million in a different area of the economy may be one way and catch up in the lag that way. But we are giving it some thought because it definitely is becoming a concern to us.

#### **Registries And Court Services, Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Registries and court services, special warrants, \$328,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Total department, \$328,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Government Services**

#### **Systems And Computer Services, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Government Services, operation and maintenance, systems and computer services. Special warrants, \$37,300. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, systems and computer services, \$8000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Supply Services, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Supply services, special warrants, \$25,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Not previously authorized, \$15,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Government Services, operations and maintenance, special warrants, total department, \$62,300. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Not previously authorized, \$23,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Petroleum Products, Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Page 15. Government Services, capital. Petroleum products, not previously authorized, \$1,440,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Total department, \$1,440,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Public Works**

#### **Accommodation Services, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Public Works, operations and maintenance, accommodation services, special warrants, \$17,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, \$81,600. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed



**Buildings And Works, Total O and M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Buildings and works, special warrants, \$20,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Utilities, Total O and M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Utilities, special warrants, \$30,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Total department, special warrants, \$67,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, \$81,600. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Accommodation Services, Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Public Works, capital, special warrants, \$975,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, \$135,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Buildings And Works, Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Buildings and works, special warrants, \$713,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total Capital, Agreed**

**CHAIRMAN (Mr. Ernerk):** Total department, special warrants, \$1,688,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Not previously authorized, \$135,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Transportation****Directorate, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Transportation, directorate, special warrants, \$40,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Transportation Engineering, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Transportation engineering, special warrants, \$72,200. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Highway Operations, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Highway operations, special warrants, \$67,800. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Highway operations, not previously authorized, \$126,000. Agreed?

**MR. POLLARD:** Mr. Chairman, the \$126,000 was the funding to maintain the Mackenzie-Delta ice roads for an additional four-week period, I believe. If that was the case, sir, did they stay open four weeks longer than normal? Was it two weeks longer than normal? Could the Minister give us some idea? Thank you.

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

**HON. MICHAEL BALLANTYNE:** I understand it was four weeks longer than normal.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Highway operations, not previously authorized, \$126,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Arctic Airports, Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Transportation, operations and maintenance, Arctic airports, special warrants, \$7,658,400. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Arctic airports, not previously authorized, \$85,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. Ernerk):** Thank you. Total department,

special warrants, \$7,838,400. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Not previously authorized, \$211,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Arctic Airports, Total Capital**

**CHAIRMAN (Mr. Ernerk):** Thank you. Transportation, capital, Arctic airports, special warrants, \$6,038,200. Mr. Pollard.

**MR. POLLARD:** Thank you, Mr. Chairman. Mr. Chairman, we had some questions in this regard. For instance, of the \$1,247,000 in capital that was lapsed during the previous year and brought forward in this supp there were \$230,000 to rehabilitate a staff house in Baker Lake; to rehabilitate a staff house in Nanisivik only \$40,000. Another thing we were requesting from the Minister is that the air terminal building rehabilitation in Wrigley is \$100,000 and to replace the air terminal building in Igloolik is only \$80,000. Also, a garage floor in Nanisivik was only \$100,000 and, again, replacement of an air terminal building in Arviat was \$287,000. We were asking for some details. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Ningark):** Thank you, Mr. Pollard. Mr. Minister.

**HON. MICHAEL BALLANTYNE:** The first one, Mr. Chairman, is easy. Where it says "rehabilitate staff house" it should say "rehabilitate staff houses", as there are three there, not one. The second one, the 1990-91 value of the project is \$100,000 for design only. The construction is programmed for 1992-93 and is estimated at \$850,000 for a total project cost of \$970,000, including a \$20,000 estimated cost for warranty inspection. Arviat is \$1.2 million in total project costs. These are only partial costs that you are seeing here.

**CHAIRMAN (Mr. Ningark):** Thank you. We are on Transportation, capital, Arctic airports. Mr. Pollard.

**MR. POLLARD:** Thank you, Mr. Chairman. Mr. Chairman, if we are only looking at partial costs, are we led to believe then that the Minister has certain funds for some of these projects still sitting in a lapsed account? Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** Most of them should be in the 1991-92 main estimates. It is a possibility that part of them is that six million dollars for the Arctic airports transfer. So part of them may be in that, but most of them are in the 1991-92 main estimates.

**CHAIRMAN (Mr. Ningark):** Thank you. Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, just for the record, if you set aside money in one year and you are unable to construct that particular building or do that renovation until the next year, there is generally an increase in costs for that particular project -- at least I have not seen anything going down myself, Mr. Chairman. How do the departments cover off those additional costs, or are the estimates padded or inflated to begin with? Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** It is a doubled-edged sword. We are finding in some places right now that costs are going down because of competition from the South and what have you. It is an inexact science. They try not to pad them. They try to do as realistic estimates as is possible. I do not know if that helps.

**CHAIRMAN (Mr. Ningark):** Thank you. Arctic airports. Member for Hay River.

**MR. POLLARD:** Thank you, Mr. Chairman. Two questions. Is there a switching of dollars between capital projects within the department? Is there a switching of dollars between capital projects between departments? Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** There is the transfer of funds within a department, but there is not a transfer of funds between departments unless it comes forward as a supp or a special warrant so you would see it.

**Arctic Airports, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Arctic airports, special warrants, \$6,038,200. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$1,247,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Transportation Planning, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Transportation, capital, transportation planning, special warrants, \$1,243,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$332,500. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total department, special warrants, \$7,281,200. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$1,579,500. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed



**Renewable Resources****Forest Management, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** On page 24, Renewable Resources, O and M, forest management, not previously authorized, \$130,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total department, not previously authorized, \$130,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Field Operations, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** On page 25, Renewable Resources, capital, field operations, special warrants, \$23,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$20,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total department, special warrants, \$23,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$20,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Municipal And Community Affairs****Directorate, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** On page 26, Municipal and Community Affairs, O and M, directorate, special warrants, \$183,555. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Municipal Operations And Assessment, Total O And M**

**CHAIRMAN (Mr. McLaughlin):** Municipal operations and assessment, not previously authorized, \$286,000. Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I noticed that this is for Iqaluit and Norman Wells. I do not have any objection to it, Mr.

Chairman, but does that mean that now there is another water and sewer services subsidy policy which only applies to those two communities? If that is the case, how many policies do we have in total across the NWT?

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

**HON. TOM BUTTERS:** We have one policy which we are extending to municipalities as we have done here. We will be phasing in other municipalities in future years. It will not be exactly the same degree of subsidy, but we are attempting to involve the tax-based municipalities in the program as well.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, this is starting in Iqaluit and Norman Wells and conceivably will be taken into other tax-based municipalities -- within what kind of time frame?

**CHAIRMAN (Mr. McLaughlin):** Mr. Butters.

**HON. TOM BUTTERS:** I do not think we have projected a time frame as yet, but it will be probably the next two or three years.

**Municipal Operations And Assessment, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Municipal operations and assessment, \$286,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total department, under special warrants, \$183,555. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$286,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** For the record, I do not think I read up above that under municipal operations and assessment, that \$286,000 I believe falls under not previously authorized as well. Page as a whole, total department, \$286,000 under not previously authorized. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Community Works And Capital Planning, Total Capital**

**CHAIRMAN (Mr. McLaughlin):** Page 27, Municipal and Community Affairs, under capital, community works and capital planning, special warrants, \$3,706,113. Mr. Zoe.

**MR. ZOE:** Thank you, Mr. Chairman. Mr. Chairman, question for the Minister. In regard to one of the projects that was delayed from a previous year, 1990-91. I would like to ask the Minister what happened to the water fill station for the community of Lac la Martre. I believe it was carried over, but I do not see it in this supp. Is it still within our capital plan

and maybe coming forward in supp No. 2? Is it still in the lapse money, Mr. Chairman?

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister, Municipal Affairs, Mr. Butters.

**HON. TOM BUTTERS:** Mr. Chairman, the project is still under active consideration. It has been deferred to 1993-94. The reason it has been deferred is that the hamlet council has had some discussion with the department regarding the site for the project. I understand the council has wanted the site to be away from the community toward the new airport and this may change the costs and the project scope. While the project is still going to go ahead, it has been deferred to allow the community to review the location of both the new pumphouse and the proposed new airport.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Thank you, Mr. Chairman. Mr. Chairman, I understand it is in active consideration as the Minister puts it, but there is money lapsed from the previous year. Most of them show up in supp No. 1 now from last year. My question is, what is happening to the lapsed money of that particular project that was in our capital plan last year? Will it show up in supp No. 2 because I do not see it in supp No. 1?

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

**HON. TOM BUTTERS:** My information is that the next expenditure on this project will be in 1993-94, an amount of \$75,000.

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister, do you mean 1992-93 or 1993-94?

**HON. TOM BUTTERS:** I mean 1993-94.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Mr. Chairman, maybe I can direct my question to the Finance Minister or else to Mr. Voytilla. My understanding of lapsed money, since I have been with the standing committee on finance, is you either carry it over to the following year and account for it as they do as these projects are in supp No. 1, or come back with a negative supp if they are taking it out. Is the Minister taking out the project?

**CHAIRMAN (Mr. McLaughlin):** I think the question is directed to the Minister of Finance. Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** Basically the Member is partly right. Either we carry over authority, and the money is put in the supp reserve and exercised with special warrant, or it lapses. If it lapses, it just goes back to the kitty.

The spending authority given by the Legislative Assembly at the end of March lapses and we have to get a new authority. So it is either in a carry over decision of the Assembly or it just goes back into the general kitty.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Is MACA not going to go ahead with that particular project that was in their capital budget last year? They are not anticipating it for construction until 1993-94?

**CHAIRMAN (Mr. McLaughlin):** Mr. Butters.

**HON. TOM BUTTERS:** As I understand it, the project is still active. The reason it is being deferred is because the council has disagreed with the location of the site. There is not much use spending money until you get agreement on where the

project is going to go and get agreement from the community on where it is going to go. At the present time that agreement has not been arrived at.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** How could you go forward with the project if the money is not approved? Rather than the other way as the Minister is indicating. My question is again on the lapsed money from last year, because it was basically approved for construction and I understand there is some misunderstanding or a little problem within the community and MACA officials on the site, but nevertheless, what I am trying to say is that the carry-over money should have been here. If the decision is made soon, then the money should have been in supp No.1. If it is not in supp one then I assume it will be coming under supp No.2. But the Minister is indicating to me that he is not even considering that. So in other words this year is shot. There will not be any kind of construction, even though there is agreement. If the agreement is reached, nothing will happen.

**CHAIRMAN (Mr. McLaughlin):** Mr. Butters.

**HON. TOM BUTTERS:** My information is as I have already provided, the planning shows, as I told you, \$75,000 expended in 1993-94.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, the Lac la Marte fill station was in last years budget, I believe, and I think what the Member is trying to establish is, if it has been appropriated already, is the money sitting in some account somewhere? Or if the Minister is saying it is not going to go ahead until 1993-94, does the money have to be reappropriated and go through the capital planning process again?

**CHAIRMAN (Mr. McLaughlin):** Mr. Butters.

**HON. TOM BUTTERS:** I understand that would be the case once the community has determined where the site should be and when the project would be phased.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** So in effect the money was appropriated by this House, it went into a budget, the project was given the go ahead and the department was given the go ahead to go and do the project. There is a hold-up and for some reason it has been set back and instead of the funds being carried forward, it is going to have to run the gambit again of going through this House or the standing committee on finance, through the op-plan, through this House and take the chances of whether or not it is going to be approved again. My question this time is to the Minister of Finance to see if I have it right.

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

**HON. MICHAEL BALLANTYNE:** The Member has it right. The money would have to be reappropriated either in a supp or in the main estimates. Once a decision is made to go ahead with the project then appropriation of authority would have to be sought.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Mr. Chairman, by not carrying forward the amount that was lapsed last year, because it is not brought forward this year in supp No.1, basically the Minister is saying to me that the project is cancelled, because it has to go from step one again, through the whole works and to the House to get approval again. I believe that is wrong. Why could the



department not carry forward that amount that was appropriated last year for that project? There is no guarantee the next Assembly will approve the project.

**CHAIRMAN (Mr. McLaughlin):** Mr. Butters.

**HON. TOM BUTTERS:** Capital projects and the need for them is prioritized. The department is assigned a capital budget. The FMB does not tell the department how it should prioritize its capital projects. Therefore once these priorities are decided it will go by the community need, the department will then recommend it as a priority item and it will go. The House usually accepts such projects. I cannot recall any such projects that have been put forward that have been denied by the House. The House accepts the recommendations of the department, the government is being realistic and appropriate and that is the way it would occur.

**CHAIRMAN (Mr. McLaughlin):** Page 27, Municipal and Community Affairs, community works and capital planning, \$3,706,113. Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, what I see at stake here is the principle and it is the principle that the standing committee on finance has tried to press home to this government through the last three and a half years and that is if you make a commitment and a promise to a community or to a group or to do something, then you should come through on that promise. You should not put a gymnasium into a community one year and then cancel it the next. We have held the government accountable on every occasion and this is yet another trickier way of possibly cancelling the project. Simply because it lapses you cannot do it.

**HON. TOM BUTTERS:** (Inaudible comment)

**MR. POLLARD:** The Minister says it is nonsense but there is absolutely no guarantee that that Minister or this Member or the same Members will be sitting around here to make the same decision that was made last year. That is absolutely wrong. Because if Mr. Zoe was re-elected or he is not re-elected and that project does not have to go, that elected Member is going to have to go back to the community and say -- Mr. Chairman, it depends on the standing committee on finance and who is on there. It depends on when it goes to FMB and whether they think it is appropriate that it should go ahead. It depends on how much emergency funds there is required in another department. There may not be any funds to do this.

Once again this government has made a commitment to a community and it is not going to live up to its commitment, and I would strongly urge the Minister to reconsider his decision and consult with the Minister of Finance to make sure those funds that have been appropriated legally in this House go to that community and that project gets done. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Community works and capital planning, \$3,706,113. Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I will ask the Minister of Finance if he is prepared to carry those funds forward that have already been appropriated for this project. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** I will undertake to consult with the Minister of Municipal and Community Affairs or give very concentrated attention to this particular issue.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, that is not good enough. This House appropriated funds, they designated a project, they approved it, and this House has not taken that away. This House has not said that we will cancel that project, a Minister has. There is absolutely no guarantee that it will go ahead, and there was a guarantee when this House approved the money, Mr. Chairman, and I would say that the Minister of Finance is not giving this committee comfort that that community will, in fact, receive that project. So I would ask again, is he prepared to make a commitment. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** There are two parts to a commitment. One part, there has to be the logistical possibility that it can go forward. I am not aware of the details of that part. If there is, in fact, an agreement with the community, and those barriers are out of the way, I can give a commitment that we can find the mechanism to get appropriation authority for the money. It is unfair to ask me unless I know the reasons why it is not going ahead, because it is a hollow promise to make if I say, "Sure we will do it", and there are some other reasons I do not know about why the project cannot proceed. I am saying that if MACA works out whatever problems there are, we can find the appropriate expenditure authority. Is that fair?

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I wonder if the Minister could explain to the House the appropriate expenditure authority that he intends to use. Where would the money come from, Mr. Chairman?

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

**HON. MICHAEL BALLANTYNE:** You have two choices, either one we would be in trouble with the House. One would be a supp and one would be a special warrant. If we took a special warrant for it, I am sure you will say that it should have been a supp, and vice versa. They are the tools that we would use in order to achieve the end. Once the Minister of MACA has cleared out the logistical problems we are more than prepared to look at coming up with the financial solution.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, and if the Minister was to come by way of a supp or special warrant, would it say underneath the amount that was going to be appropriated, "an offsetting amount was lapsed in the department in prior years"? Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** If it came forward this year it would say that. It would also say that we are sorry.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I asked the Minister earlier in this debate if there was a pot of money sitting somewhere where lapsed projects sort of hang around, and when they are able to go forward the money is drawn on. Now I am going to ask the Minister -- he said there was not a pot I believe, sir, and he could confirm that to me -- if there is not a pot where is this money coming from? How is it being appropriated? Thank you.

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

**HON. MICHAEL BALLANTYNE:** There is not a pot of money. As I said, it comes back into the kitty and we would be appropriating new money. It would come out of the fiscal framework for a given year. It would either increase the deficit or draw down on the surplus.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** So if there is no pot of money, it could be lost in the supp and the project may not go ahead, Mr. Chairman. I am learning something right here right now. I figured that the arrangement we had with the Minister is that where there was something approved in prior years, when the Minister wanted to bring it forward, he had the funds already appropriated which he carried forward in lapsed money to do those projects. I figured there was a certain guarantee to communities that if we are late or we are delayed, there is a guarantee you are going to get it. Now I think I am not hearing that any more. I think there is still a chance when those things come forward that they can be lost in this House. I will ask the Minister to explain it to me one more time and I really apologize to everybody that I am holding things up, but I think there is a principle at stake here of promises made, and I intend to see that the promise is made to that community. Maybe the Minister could run it by me one more time. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister of Finance.

**HON. MICHAEL BALLANTYNE:** Again, to try and explain a little bit better. At March 31 of a given year, the appropriation authority that the Legislative Assembly gives to us is gone. At that time all the lapsed money adds to our surplus. In the next year we ask in the carry-overs for appropriation authority for the next year, and we use that to draw down on our surplus in the following year. That is how, but we have to come to you for that appropriation authority. The trigger of all this is that on a yearly basis our appropriation authority lapses. Does that explain it better or are we still off base here?

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** I guess the problem that I see, Mr. Chairman, is that each of us as we sit here and go through the budget system and we look at these projects and we approve them, the committee of the whole is saying yes, Mr. Minister of Finance, you can have these funds to go ahead and give to your Ministers to do these particular jobs. So it is a decision of all Members in this House and yet if a department is inefficient, or if a department cannot deliver, or if for some reason a project is held up, because of that hold up or that inefficiency or for whatever reason that project is not completed, in effect, the community loses that project and there is no guarantee in this government that it can get that project through this House again.

So I am saying, in this particular year, it is doubly difficult because you are not dealing with the same people who are going to be around this table, and it is going to be a brand new government sitting over there. That is my concern and I do not think I can change the system right here and right now, Mr. Chairman, but I just want for the record to say that we must not take it for granted that as ordinary MLAs when we pass the budget and a project that is automatically going to go ahead that year and if it is lapsed, there is no guarantee that it is going to go ahead the next year, because sooner or later we are not going to have a surplus, Mr. Chairman and it is going to be very tempting for Members to sit around here and say okay, we can no longer afford this. I would say that if this project is to go ahead in 1993-94, the risk is there that by that time if we do not watch our spending, we are going to be out of money and everything is going to be up for grabs

and that is what I do not like. We made a promise and we are not going to keep it. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister of Finance.

**HON. MICHAEL BALLANTYNE:** The commitment that we made to the standing committee on finance is a commitment that we have attempted to keep, and I think have been reasonably successful. There are going to be from time to time, reasons why certain projects do not go ahead, cannot go ahead. I think what you are asking for, rather than the financial mechanism, is an accountability process whereby nothing that has been put into play is going to lapse or not be built unless there is a very good reason to justify that. I think that is basically what you are saying and we cannot disagree with that. I think that is fair. We have tried to make that an integral part of our budget process, that multi-year projects commitments will go ahead. If from time to time they do not, hopefully, most of time there is a good reason and other times because of errors, mistakes or what have you, then I totally agree to hold us to account because we did make that commitment and I think the Member is quite right to bring up his concern.

**CHAIRMAN (Mr. McLaughlin):** Page 27, community works and capital planning, \$3,706,113. Mr. Ningark.

**MR. ERNERK:** Thank you, Mr. Chairman. I have a question which I should, I believe, direct to the Minister responsible for community works and capital planning, Municipal and Community Affairs. It is to do with the water supply at Chesterfield Inlet, \$76,300. Firstly, good. Secondly, I think the government is speaking about a water reservoir which has been under construction for the past couple of years now. I wonder if the Minister could indicate to me when we can expect to see this water reservoir in Chesterfield Inlet? Thank you, Mr. Chairman. That will be my one and only question on this particular one this afternoon.

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister of Municipal Affairs.

**HON. TOM BUTTERS:** Mr. Chairman, that has been under construction for a number of years. Our expectation is that it should be ready and operable this fiscal year.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ningark.

**MR. NINGARK:** Thank you, Mr. Chairman. I would like to ask the Minister of Finance that given the dire need for water improvement at Gjoa Haven, I wonder if the Minister can assure me that money that is being appropriated for Gjoa Haven in the amount of \$91,000 will be guaranteed for that community? Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister of Finance.

**HON. MICHAEL BALLANTYNE:** I am sorry, I missed it. I thought it was going to the Minister of MACA. Would you please repeat your question, Mr. Ningark?

**CHAIRMAN (Mr. McLaughlin):** Would you mind repeating the question so that the Minister of Finance can understand the question fully?

**MR. NINGARK:** Thank you, Mr. Chairman. Looking at page 27, under community works and planning, there is some money in the amount of \$91,000 being appropriated for water lake improvements at Gjoa Haven. I wonder if the Minister can assure me that this money will be spent in the community during 1991-92? Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister of Municipal



Affairs wants to answer that.

**HON. TOM BUTTERS:** Again, the answer is the same as I have provided to Mr. Ernerk. It is our expectation and intention that the money will be expended during this fiscal year.

**Community Works And Capital Planning, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Page 27, Municipal and Community Affairs. Community works and capital planning, special warrants, \$3,706,113. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Sport And Recreation, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Page 28. Sport and recreation, special warrants, \$2,487,903. Mr. Pedersen.

**MR. PEDERSEN:** Thank you, Mr. Chairman. I am having difficulties relating these figures to the budget which we approved under this heading, sports and recreation, MACA, capital, only in April of this year. I cannot find in that budget any reference to a recreation complex, Inuvik, for instance. Does this mean that there was a project that should have been finished before the 31st of March, was not finished and that there was no anticipated future expenditures on it? This is it? It does not appear in the budget book at all.

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

**HON. MICHAEL BALLANTYNE:** Mr. Pedersen has it right. It was not completed. This is the portion that is carried over and at this point I cannot give you a definitive answer. At this point there is not an anticipated extra cost.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pedersen.

**MR. PEDERSEN:** On the medium arena/hall, Fort Norman, \$741,000. What we approved in April was \$393,000 to be spent this year and it showed a prior years cost of \$1.729 million. This \$741,000, is that the unexpended portion of the \$1.729 million from last year? Is this \$741,000 to be expended in addition to the \$393,000 approved?

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

**HON. MICHAEL BALLANTYNE:** The Member is correct.

**CHAIRMAN (Mr. McLaughlin):** Page 28, sport and recreation, special warrants, \$2,487,903. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total capital, special warrants, \$6,194,016. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Health**

**Territorial Hospital Insurance Services, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Page 29, Health, capital, Territorial Hospital Insurance Services, special warrants, \$2,145,300. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$1,585,600. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total department, special warrants, \$2,145,300. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$1,585,600. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Social Services**

**Family And Children's Services, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Page 30, Social Services, O and M, family and children's services, not previously authorized, \$192,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Corrections Services, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Corrections services, not previously authorized, \$975,000. Mr. Ernerk.

**MR. ERNERK:** Thank you, Mr. Chairman. I wonder if the Minister would kindly answer this question for me, please. It is in regard to a plan to establish a Keewatin regional correctional centre in the Keewatin Region. I know it is not in this supp but I believe it is an interagency group in Rankin Inlet that has been planning to start talking about a correctional centre in the Keewatin Region. I know that the Minister has indicated publicly that both the Ministers, the Minister of Finance or as a Minister of Justice as well as the Minister of Social Services have both indicated in the past that it is important for community correctional services to be introduced at the community level for the people by the people. I suppose now, that the Minister of Social Services could indicate to me as to what is happening with regard to a possible plan to establish Keewatin correctional centre. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister. Sorry, Madam Minister. Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Chairman. The supp request for the \$100,000 in respect to the master development plan for the correctional services is to be able to determine future needs of addressing corrections in the department. We have noticed an increasing trend in the numbers of inmates in the correctional system and we have also noticed in the past few years, an increased number of inmates with more violent crimes than other types of offences that have occurred in the past. As a result of this, we have discovered it is becoming more difficult to be able to deliver more programs to inmates in the correctional facility. Recognizing that our facilities are up to capacity and recognizing that community corrections is one way that the department wants to look at and communities want to look at in trying to do rehabilitation for inmates, that we are going to take into consideration what type of master plan and how we can address corrections from now for up to 10 years from now -- instead of always continuing to add onto YCC and keep expanding it to bring in more inmates and finding it more difficult to deliver programs. This corrections plan was intended to look at different options for the department in respect to corrections. We do not have specifically currently at the moment the concept of placing more jails in any region of the Territories, but that could possibly be one of the options that may be developed as a result of the master plan. I hope that answers the Member's question in respect to why are we developing a master plan or what is required of a master plan? Thank you.

**CHAIRMAN (Mr. McLaughlin):** Okay, page 30, Social Services, operations and maintenance, corrections services, \$975,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Community And Family Support Services, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Community and family support services, \$250,000. Mr. Pollard.

**MR. POLLARD:** Sorry, Mr. Chairman. Thank you. Mr. Chairman, it is nice to see this amount in there. It is a recommendation of this committee to the government and the only thing the standing committee on finance would take issue with the government on is the fact that we mentioned specifically fuel oil, and providing just a fuel oil subsidy to seniors in the Northwest Territories is really a little bit too specific. There are other fuels, propane being one of them and there may be others that I am not aware of, Mr. Chairman. I wonder if the Minister could explain if this subsidy to seniors in the Northwest Territories is going to relate to all fuels that those seniors may be using? Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Social Services Minister, Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, the initial program that we developed had only the wood subsidy. Whereas the department would purchase five cords of wood for any individual over the age of 60 if they owned their own home. We have expanded that to allow an equivalent of fuel. The concern of propane has not been brought forth, however I am sure that it would be equated out to fuel in respect to the maximum amount of litres that were to be considered for fuel. Recognizing that propane is measured in pounds, I am sure as long as it is to address the needs of heating for senior citizens who own their own homes and fall under that criteria,

I am sure the department would be flexible in making sure that all fuels now would be addressed.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, will it be equated in BTU value or in dollar value, sir?

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** If there is such an equation of BTU value in comparison to litre value, that is how it would be equated. It is like five cords of wood equals 500 gallons of fuel; that is how we equated the wood concept to the fuel concept and the fuel concept would then be equated to the BTU value of propane, if requested.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, in order to make sure that seniors receive the same benefit across the NWT, is there any allowance being made for the fact that a senior -- if it is and does get related to dollar in any fashion -- that a senior is going to receive the same amount wherever he or she resides in the NWT?

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Yes, they will.

**CHAIRMAN (Mr. McLaughlin):** Community and family support services, \$250,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total department, not previously authorized, \$1,417,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Correctional Services, Total Capital**

**CHAIRMAN (Mr. McLaughlin):** On page 31, Social Services, capital, corrections services, special warrants, \$329,120. Mr. Pollard.

**MR. POLLARD:** Thank you, Mr. Chairman. In the special warrant for the River Ridge exercise yard project in Fort Smith, it says it was delayed in 1990-91, and it is \$89,000, but it does not say underneath it that an offsetting amount was lapsed in the department in the prior fiscal year. If you go through the supp, you will see that when things are delayed, Mr. Chairman, it usually says that an offsetting amount was lapsed. My question to the Minister of Finance is, was there an offsetting amount lapsed in the previous year? Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** It was just missed. It should have been in there, and I think we brought it to the committee's attention that we had missed it. I think you asked the same question in committee and I think we responded in the affirmative. The chairman is right, it should be in there.

**CHAIRMAN (Mr. McLaughlin):** Corrections services, special warrants, \$329,120. Mr. Pollard.



**MR. POLLARD:** Mr. Chairman, we see a transfer between O and M and capital in this particular area, and I wonder if the Minister could tell us how a department transfers from O and M to capital, or vice versa. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** A supp or a special warrant can only happen with the authority of this House.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** I think what I am looking at here, Mr. Chairman, is the fact that there is \$100,000 being transferred from capital to O and M, and I would assume that if it is being transferred it was appropriated in this year's budget. If it was appropriated in this year's budget, it would have been under capital, and if it was under capital it would have been tied to some project or some thing. Can the Minister tell us what capital project is being delayed or reduced by \$100,000 to switch it over to O and M. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** What departments use is the capital outlook process whereby three times a year the estimated prices are matched against how the tenders come in. Out of potential savings, departments are able to fund projects like this. It is funded out of what is called the capital outlook process. So it has not been taken from a special project, it has been from some estimated under-expenditures in the future based on past trend lines.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Is there a little slush on top of the capital budget each time, Mr. Chairman? A hundred thousand dollars is a lot of money, so perhaps the Minister could tell me if they really wanted to, how much could they gather up from all the other departments to transfer to somewhere else if they wanted to? How much is actually out there lying around? Presumably, if Social Services is not going to spend as much money this year because the bids are coming in very favorably, the other departments must be experiencing the same thing. How much money is lying around out there that we could probably put to use right now and maybe allocate to building some more houses? Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** We will have a much better idea in September with the second outlook. It is quite early to do this. I must say that we have had this discussion many times about the capital outlook process.

#### Corrections Services, Total Capital, Agreed

**CHAIRMAN (Mr. McLaughlin):** We are on page 31, corrections services, special warrants, \$329,120; also on the same line, not previously authorized, \$100,000 surplus. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### Alcohol, Drugs And Community Mental Health, Total Capital, Agreed

**CHAIRMAN (Mr. McLaughlin):** Alcohol, drugs and community mental health, \$2,296,000. Mr. Pedersen.

**MR. PEDERSEN:** Mr. Chairman, I want to comment on the

treatment centre at the Hay River Reserve, \$1,826,000. This is obviously a carry-over from 1990-91. In our budget book we had showed a prior year's cost of \$1,876,000 for that. That tells me that we actually only expended \$50,000 in the year we were planning to do it. I raise this to illustrate the point that Mr. Pollard made before and that is the security of a project within a region. If this Legislature on this particular night was not favorably inclined toward that project or toward that constituency, Mr. Chairman, there really would be nothing to stop us from deleting this item at this stage and the government would only have lost \$50,000 in the whole thing -- presumably some planning money -- and we would save the \$1,826,000 plus the \$1,276,000 that we allocated this year. I think that this particular project -- and I have no intention of deleting this item, but I think that this particular project clearly illustrates what Mr. Pollard was trying to say before, that the approval of the budget gives no guarantee to any Member that just because the Legislature approves money for a capital project for his/her particular constituency that that project will ever go ahead. It could well be deleted in a situation such as this.

**CHAIRMAN (Mr. McLaughlin):** The Minister of Finance.

**HON. MICHAEL BALLANTYNE:** The Member is correct and I think Mr. Pollard made the point that as we approach times with less money it would be very tempting for a Legislative Assembly to recapture some money because of the examples you have given.

One area that I can tell you we are beginning to look at is multi-year commitments. One of the problems with the present system is that it is very rigid when you have appropriation authority given on a year-by-year basis. One possible way to at least partly address the problem is a multi-year appropriation authority, but it is something I would like to discuss with the standing committee on finance at our meeting in August because that may be one approach the committee may want to look at.

**CHAIRMAN (Mr. McLaughlin):** Alcohol, drugs and community mental health. Special warrants, \$2,296,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### Community And Family Support Services, Total Capital

**CHAIRMAN (Mr. McLaughlin):** On page 32, still on Social Services capital. Community and family support services, special warrants, \$1,798,000. Mr. Ernerk.

**MR. ERNERK:** Thank you very much, Mr. Chairman. My question has to do with the handicapped adults group home, \$103,000. It does not really say where, but when we were talking about the capital estimates for 1991-92 during the winter session of the Legislative Assembly we were talking about the handicapped adults group home for Rankin Inlet and the amount was \$75,000. I got the impression -- I do not have the Hansard in front of me for February debates on this particular issue, Mr. Chairman, but I thought then that this particular amount of \$75,000 in the main estimates was to look at the possibility of establishing a handicapped adults group home in Rankin Inlet. I wonder, firstly, if the Minister could indicate to me as to where this \$103,000 is going, please? Thank you.

**CHAIRMAN (Mr. McLaughlin):** Minister of Social Services, Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Chairman. The funding initially for the adult handicapped group home was for planning money to determine the location of the facility and also determine the size of the facility to fulfil the needs of the particular region. In determining the needs of that particular group home, the department has taken the issue to be reviewed, not indicating a specific location, but trying to determine the location as to where it would best meet the needs of the clients that will be in the group home.

I have asked the department to determine how many clients are from what areas within that region. And at the same time, when there were letters sent out to all hamlets in the Keewatin Region asking for support for this group home to be built in Rankin Inlet, it was deemed that not all communities agreed with that concept. So my concern is ensuring that these adult handicapped group homes are in communities that are prepared to be able to deal with handicapped people and have the resources within the community to deliver a program to meet the needs of handicapped group home. There was not a specific location identified. It was always presumed that they were going to place it in Rankin Inlet. With that planning money that they had initially asked to be carried over, I believe they are continuing to determine the specific location. I have not had a recent update with respect to the status on the group home. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ningark.

**MR. NINGARK:** Thank you, Mr. Chairman. I do not know the proper term that was used but if I could remember correctly, there was a plan for a long-term care group home for Gjoa Haven. I wonder what is the status of this initiative. I am sure I was told the committee was formed to get the ball rolling. Have you had any update on this, Madam Minister.

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, the special warrant request for capital carry-over and delay is not indicating a handicapped group home for Gjoa Haven. Off hand I cannot recall the status of it. If I am correct it is probably an assessment that is being done to determine the amount of adult handicapped individuals who require placement in a group home. It could be a needs study that is being determined.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pedersen.

**MR. PEDERSEN:** Further on that subject and for the clarification of the Minister, it was in the 1990-91 capital estimates that there was a group home for Kitikmeot east for Gjoa Haven specifically for \$105,000. If the Member for Natilikmiot tells me that he has no knowledge of that group home existing in his home community and we do not see it as a carry over here, where is the \$105,000 for Gjoa Haven?

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, I would have to find out the specifics. Possibly what may have happened is the needs assessment that was carried out had determined there is not a demand for a handicapped group home for Gjoa Haven. I am not sure but I will have to find out for the Member.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pedersen.

**MR. PEDERSEN:** Mr. Chairman, I really find this very shocking. Since the Minister was appointed Minister of this department, which is in its fourth year now since the beginning of this Legislature, her department has expended through the budgetary process \$14,557,000 throughout the

NWT. According to the statistics, drawing all of this out of these four years of budget books, there was \$105,000 spent in the Kitikmeot Region, less than three-quarters of one per cent. And now we are told that even that was not spent there.

In other words, in the four years of this Minister's stewardship of that department, the Kitikmeot Region has received zero dollars, zero per cent, of the capital budget of the Department of Social Services. That is disgraceful.

**CHAIRMAN (Mr. McLaughlin):** Page 32. Mr. Ernerk.

**MR. ERNERK:** I did not have my hand up; it was Brian Lewis who had his hand up ahead of me.

**CHAIRMAN (Mr. McLaughlin):** When you came up and spoke to me, Mr. Ernerk, to ask for me to recognize you, I wrote your name down long before Mr. Lewis was in the room and then you left the room and came back, but I recognized you.

**MR. ERNERK:** Point of order. I did not ask you to recognize me again. I said my patience was running low because I have had my hand up on a number of occasions and I keep being bumped by the chairperson.

**CHAIRMAN (Mr. McLaughlin):** I will accept your point of order. Mr. Lewis.

**MR. LEWIS:** Thank you, Mr. Chairman. I pursue then the same issue that my colleague here from Aivilik attempted to pursue earlier. There is an item here for \$103,000, handicapped adults group home, and the Minister has explained that although she wants the money she does not know where she is going to use it and some of this money or some of the resources of the department will be used to determine where this group home would find the resources, the available staff, the right community environment and so on, to make sure that when the decision is made that it will be done with all the available information.

So since Rankin Inlet was the place that was originally intended, has the department done a study on Rankin Inlet to see if it has all the requirements for the location of this group home? I raise the question not only on behalf of my colleague for Aivilik, but because for many years now I have been a Member of the Council for Disabled Persons and I am very interested in this subject.

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, when it was determined where the group home should be, it was determined by departmental staff; however when the department asked for support for the location of the group home, there were communities that did not agree and felt that their communities should be considered on a matter that the amount of handicapped adults that would go to that group home may not necessarily be from Rankin Inlet, but the majority for example, may be from either Chesterfield Inlet, they may have been from Arviat, they may have been from the surrounding communities. This is why I believe many communities had expressed concern that the department without consultation to the communities, decided they were going to build an adult handicapped group home in Rankin Inlet.

**CHAIRMAN (Mr. McLaughlin):** Mr. Lewis.

**MR. LEWIS:** I understand, Mr. Chairman, that there have been some communities who had indicated some concerns, but my question was, in light of these concerns then, did the Minister examine Rankin Inlet to see if these concerns were



justified? Did she look at the ability of that community to support a facility for handicapped adults? That was my simple question. Once you get concerns raised, did she examine Rankin Inlet to see if in fact it could be the place in which this facility could be located as was indicated in the original capital plan?

**CHAIRMAN (Mr. McLaughlin):** Social Services Minister, Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, the facility that was proposed in -- determining whether it could be built in Rankin Inlet, was reviewed when the assessment funding was expended to determine the location. However, at the same time, they were determining whether or not the facility should be built either in -- I think it was also Chesterfield Inlet or possibly Arviat. I believe those were the other two locations. As a result of one of my visits to that particular region, currently in Chesterfield Inlet there is, I believe a 60 year old hospital that houses many handicapped adults. What I wanted to get clear from the department is that, does this adult handicapped group home go just in Rankin Inlet because of convenience that you transfer your handicapped from your children's group home to your adult group home or would it better meet the needs of the community where the majority of these handicapped adult group homes go into. This is the question that I as a Minister, had wanted answered prior to determining the location and where it would best meet the needs of the communities it serves. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Lewis.

**MR. LEWIS:** Thank you, Mr. Chairman. I appreciate the Minister's answer and she confirms, I believe, that there has been no study done then of Rankin Inlet. Of the other two places, I would like to ask has there been a study done of Chesterfield Inlet as a place where the support services and where the trained people and so on can be examined carefully to see if that would provide a good environment for such a place?

**CHAIRMAN (Mr. McLaughlin):** Social Services Minister, Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, I am not sure if a study has been carried out in Rankin Inlet. I want to make that perfectly clear. There may have been a study. I am not sure whether a study has been done in Chesterfield Inlet either, so I would have to determine whether a study was done to determine the location. I believe it is still in the process of being reviewed, and that is the point I am trying to get across to the Member. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Lewis.

**MR. LEWIS:** Thank you, Mr. Chairman. There has not been a study done in Rankin Inlet and the Minister is not sure whether there has been one done in Chesterfield Inlet, that is fair enough. Has there been a study done on Arviat as a place which has the right environment, trained staff, and so on so that this place could be built in Arviat?

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Just recently I believe there was a study completed by the executive director from one of the handicapped group homes here in Yellowknife to determine whether a community like Arviat could be considered for a handicapped adult group home.

**CHAIRMAN (Mr. McLaughlin):** Mr. Lewis.

**MR. LEWIS:** Thank you, Mr. Chairman. From the information

we have, it seems that the only community where there was a study done is Arviat. Will the Minister confirm that to her knowledge that is the only place where a study has been done to determine the suitability of that location, and that when we approve this \$103,000 it is likely, from what she has said, that will be the place where this money will be spent.

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, in all honesty I cannot recall whether a study was done in Rankin Inlet or not. I am getting that issue clarified by my department and I will get back to the Member before the supp is completed as to where the studies have been done, and whether there has been a study done or not done in Chesterfield Inlet. I would like the Member, if possible, to defer this matter to allow me to determine whether these studies were done. Something tells me that they must have been done, but I just want to confirm to make sure from the department that this is the case. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Ningark.

**MR. NINGARK:** Thank you, Mr. Chairman. To enhance what my honourable colleague from Kitikmeot West has stated about the 1990-91 capital estimates, there was money put aside for a Gjoa Haven group home in the amount of \$105,000. To this point in time, there is no tangible evidence that money was ever spent. Madam Minister, what happened to that \$105,000? Thank you.

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, I will ask the department if the commitment to look at constructing a handicapped adults group home in Gjoa Haven has been followed through. It could be as a result of the needs assessment; it could be as a result of the advice of the community that they may not have wanted one. I am not sure but I will check with the department immediately and advise the Member accordingly. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pedersen.

**MR. PEDERSEN:** Mr. Chairman, I just want to clarify what the Minister just stated. When we get the capital budget book and approve projects for the Department of Social Services, are we to understand then that the amounts listed for the specific communities listed are not based on either the community's wish and assurance that they can handle it, and their wish to handle it; nor on needs studies -- they are just numbers thrown in that later on can be thrown somewhere else? It has always been my impression, in eight years in this House, that when I approve an item -- for instance on this page here it says "group home, Baker Lake" -- that then I am approving a group home for Baker Lake, and I am doing so with the assurance from the Minister that a need for that group home exists, and presumably that the community has requested it. Now we are told that this is not the case both in the case of Gjoa Haven and in the case of Rankin Inlet. I frankly find this very, very difficult to understand. Perhaps the Minister could clarify that for me. Mr. Minister of Finance, you could let me know if that is the policy for every government department.

**CHAIRMAN (Mr. McLaughlin):** Social Services Minister, Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, when this funding is allocated in the budget, from my understanding, the budget is for the assessment, the planning and the beginning of the construction, as well as the number of beds that a facility will need if it is constructed. So it is an estimated

amount. When they start to do the assessment -- if it is determined throughout the assessment that possibly the demand is not there or if it is determined that the need is not there then possibly the construction is not considered or the facility is not considered further. I am trying to find out particularly with respect to the reason for the construction or the further planning of the facility in the Kitikmeot area with the community of Gjoa Haven the reason why the facility was not carried out in accordance to the budget plan. I am sure the department has some substantiation and I will advise the Member accordingly as to why the facility has not been followed through with its planning in accordance with the budget book. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pedersen.

**MR. PEDERSEN:** Mr. Chairman, could the Minister of Finance advise me if this is the budgetary process and policy of the government and is it carried out by all departments?

**CHAIRMAN (Mr. McLaughlin):** Minister of Finance, Ballantyne.

**HON. MICHAEL BALLANTYNE:** In most cases, the planning is quite firm. However, I must share with the committee that the Financial Management Board does not have the capability, because of the number of people we have working for them, to analyse in detail every proposal that is put forward by a department. How we control departments essentially is by the targets that we give them. There are standards and criteria and when they bring their proposal forward, the questions raised by the secretariat are answered by Ministers. I said the way the departments do it, we try our best to keep it uniform and consistent. I said normally we have a pretty good success rate. Obviously, what we might start having to look at is doing some better tracking of some of these projects. What we are attempting to do is once it is in the book it is completed.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pedersen.

**MR. PEDERSEN:** Mr. Chairman, would the Minister of Finance assure me that projects approved for specific communities through the budgetary process by this Legislative Assembly, will not be switched to other communities or eliminated from the budget without the approval of this Legislature which approved them in the first place, in the future.

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

**HON. MICHAEL BALLANTYNE:** I obviously cannot make a commitment on behalf of every department. I can make a commitment as Minister of Finance that I will pass on to each department our very strong desire and commitment to do that. I also am quite prepared to give assurances here in committee of the whole that if indeed there are to be changes in a project in a community for any reason, that the standing committee on finance is notified. We will have a closer look at this and if indeed this trend is increasing in other departments, then I will give an assurance that we will bring in mechanisms to ensure it does not happen.

Because that is not our intent for it to happen and for whatever reason we do not have firm enough controls, perhaps departments are too optimistic at some point and they put it in the capital plan before it is finalized, but we take the concern of the committee very seriously and I give a commitment that I will look into the matter. We will inform departments of the concern and we will do whatever we can do, that if there is a developing increasing problem, we will try to minimize it. I hope that helps.

**CHAIRMAN (Mr. McLaughlin):** Page 32, Social Services, capital, community and family support services, \$1,798,000, special warrants. Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, recent information from the department is that there has been a study done in Rankin Inlet, and there has been a study done in Arviat. I am trying to determine whether a study is being planned, or completed, or done in Chesterfield Inlet and apparently the planning for an assessment is in the process for Gjoa Haven.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pedersen.

**MR. PEDERSEN:** In that case for Gjoa Haven, why does that \$105,000 not appear in the capital carry-over that we are approving right now in the supp? Because the approval for the money was given in 1990-91. If it was not expended then, it has to be in here if you have not expended it elsewhere.

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, I will try to determine if the funding was spent.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I think we would like to ask for a 10 minute recess.

**CHAIRMAN (Mr. McLaughlin):** We will recess for 10 minutes.

---SHORT RECESS

The committee will now come to order. We are on page 32, community and family support services, under special warrants, \$1,798,000. Mr. Ernerk.

**MR. ERNERK:** Thank you, Mr. Chairperson. Just to go back to the debate. In the winter, in March, 1991, just with regard to this handicapped adult group home under the heading "Rankin Inlet". Mr. Chairman, when we discussed this particular group home then, I had got the impression that it was going to be situated in Rankin Inlet. But apparently a number of developments took place between that time and this point in time. So what I really want, before I vote on this \$103,000, is to have a much clearer picture as to where this \$103,000 is going. If I have a good idea I will be satisfied. That is all I am asking at this point, Mr. Chairman. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Thank you. Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, if I can just ask the Member, did you basically ask where the funding is going or if we have determined where the facility is going to be? Is that basically your question?

Mr. Chairman, as I indicated in the House during the budget session, there was concern on the part of communities in the Keewatin Region about determining the location of the facility, because they were not considered for a facility. With that information, I requested the department to do a review of the communities of Rankin Inlet, Arviat, and I believe it was Chesterfield Inlet. I have been told that there has been a review done in Arviat and Rankin Inlet. I have not found out whether a review was done in Chesterfield Inlet. Once it is determined where the facility would best meet the needs of the community -- for example, I believe that is an eight-bed facility. If by chance six of those handicapped adults are going to be from Chesterfield Inlet or Arviat or Rankin Inlet, then it would be proposed that the facility be in one of those locations, as long as the program can be delivered from that



particular community, utilizing the resources from that community. Thank you.

**CHAIRMAN (Mr. McLaughlin):** Thank you. Community and family support services, \$1,798,000. Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, forgive me for not understanding, but is the \$103,000, labelled "handicapped adults group home", on page 32 of supp No. 1, connected in any way with the other moneys that we saw allocated to Rankin Inlet in previous years or this year? Thank you.

**CHAIRMAN (Mr. McLaughlin):** Thank you. Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Yes.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Just for the record, how is that money connected, and which budget year is it connected to, Mr. Chairman?

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, I believe 1990-91, 1991-92.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, we have 1990-91 here and we are showing \$105,000, handicapped adults group home, Rankin Inlet, future years anticipated, \$2,295,000. And then in this year we show the \$105,000 being expended and another \$75,000 being appropriated -- this is in the 1991-92 estimates -- and the future years anticipated is \$2,222,000. Which will bring it out to a total of \$2,402,000. So those funds that were allocated quite clearly to Rankin Inlet in both these budget books, is it \$103,000 in the supp part of any of those funds? Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** Yes, that is the one for Rankin Inlet.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Is there a doubt now that the handicapped adults group home listed in this year's capital book, destined for Rankin Inlet, requesting \$75,000 this year, is there a doubt now that that will be built in Rankin Inlet?

**CHAIRMAN (Mr. McLaughlin):** Madam Minister.

**HON. JEANNIE MARIE-JEWELL:** I do not believe there is a doubt. I believe that the process to consider other communities has to be considered because it was never done in the first place. Once I did the tour of the Keewatin area and once they found out that a proposed handicapped adult group home was going to be built in Rankin Inlet, not all communities had given their support to that proposed site, recognizing that many of their residents were going to go to that site.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I recognize the logistics of this kind of situation, but I also recognize that once again we are seeing a community designated in a budget book two years in a row, sir, and that community has every right to expect that the government is promising to that community, over the period of two or three years, \$2,402,000 and that a facility is going to be built in their particular area, or in this case it is

absolutely sure it is going to be Rankin Inlet.

Once again, on principle, this Legislative Assembly approved those funds two years in a row and said, "Hey, we know that facility is going into Rankin Inlet." The Member was assured of that because he saw it in the books and he voted on the appropriation. And once again it is not going to be done, or there is a chance that it may not be done. And I would say that if Rankin Inlet is not out of the picture altogether, why are we spending money to look at other places when we have made a commitment to a community? So again this comes back to this same sort of thing as Lac la Martre. A promise is made and it is not going to be kept.

I was part of that promise and so was every other Member that voted on that appropriation and I do not remember anybody saying no. We have already expended \$105,000 on this project and it may not go ahead. So I am distressed again that a decision made in this Legislative Assembly -- and I think that when we put our stamp on it we are saying to a community, "This is what we are going to do." That is my word on it, and I am breaking my word because for some reason the department may or may not put it in that community. At least the department cannot guarantee here tonight to Mr. Ernerk that it is going to be built in Rankin Inlet, and that distresses me, Mr. Chairman.

I do not know what to do about it, but we have a number of cases. We have the Lac la Martre situation; we have the Gjoa Haven situation; and so what I am going to do is -- Mr. Ballantyne has never failed our committee, Mr. Chairman -- I am going to ask Mr. Ballantyne, whom our committee has always held accountable for the funds of this government, to address these three issues, and there may be more as we go through the supp also, to make sure that the decisions made in this Legislative Assembly be honoured. I have said it before, that if a department fouls up and decides to do something and new information comes in, it has still made a commitment to that particular community. I cannot help that department. I am not an expert in that field. When that information comes before me and I am assured by the department that this is what they would like to do and I make a small commitment by my small one-twenty-fourth vote in here, I am making a promise to that community. I am saying to the Minister of Finance that I want him to recognize the situation. He has heard this story before. As I say, he has never let us down in the past, so I am going to ask him to resolve the issue and honour these three commitments and any other commitments of this nature that we come to in this supp book. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** We are on page 32. Mrs. Jeannie Marie-Jewell, Minister of Social Services.

**HON. JEANNIE MARIE-JEWELL:** Mr. Chairman, I was not sure whether I understood Mr. Pollard to say \$103,000 was spent on a particular project, but the funding was not spent. I believe it was up to \$2000 that was spent out of the \$105,000 that was projected and approved.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, page 15.18 of the 1990-91 Capital Estimates, detail of capital, community and family support services, handicapped adults group home, Rankin Inlet, in the region called the Keewatin in the Northwest Territories, indicates in prior year's costs an expenditure of \$105,000, sir. So perhaps the Minister of Finance should explain why that number is sitting in the book if, in fact, it was expended. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Minister of Social Services, Mrs. Marie-Jewell.

**HON. JEANNIE MARIE-JEWELL:** Thank you, Mr. Chairman. I would like to explain the process that happened with respect to requesting the funding for that particular community. It was discovered that the social worker in Rankin Inlet had solicited within the community to place a handicapped group home in Rankin Inlet without giving due consideration to other communities around the region. When other communities sent letters to myself as a Minister indicating their concern that a handicapped adult group home was being constructed in the Keewatin, particularly in Rankin Inlet, they had raised concern for the fact that they were not 1) given the opportunity to be considered for construction or 2) able to provide a group home in their community, particularly when there were other communities that were sending residents to that group home, and with that, when I asked the department what assessment study was done, I was advised that they were done only in Rankin Inlet. I was appalled when I went to Chesterfield Inlet and saw at least 10 residents in a 60-year-old building that was constructed by the Roman Catholic Mission back in 1930. Chesterfield Inlet was not even considered for a handicapped group home. The concern that I have as the Minister is that other communities are not considered for these types of facilities when they have to send many of the residents to these group homes. Therefore, I have asked the department to ensure that a study is done in Arviat, and Chesterfield Inlet to determine the proposed site and to also ensure that other communities lend their support to Rankin Inlet for this site.

**CHAIRMAN (Mr. McLaughlin):** The question was also directed toward the Minister of Finance. Mr. Ballantyne.

**HON. MICHAEL BALLANTYNE:** I think we are starting to belabour the point a little. I understand the concern of the committee. The concern is that the government makes commitments, MLAs in fact give their word, and changes are made. The chairman of the standing committee on finance asked if I would address those issues with the view to try to redress the issues. I will; I will give a full report, at least in August if not before, with the one qualifier. I understand the fairness that the Members are asking for, but if there is a compelling reason why, for instance, it would make more sense for the people who use a group home to have it in another community, it might well be that we have a moral debt to the community and it might be good to handle it in a different way, rather than a total rigid approach that it has to go there.

I see what the Member is saying, and if the Member will give me a little flexibility, I will work with the Minister and the cabinet and see if we can address these particular problems.

**CHAIRMAN (Mr. McLaughlin):** Mr. Morin.

**MR. MORIN:** Thank you, Mr. Chairman. I recognize the concern Members have, but I also recognize that there has to be some flexibility, because when you pass money here and if the community or region that that money is designated for make up their minds that they want it changed, then we should acknowledge that change as Members. We cannot say, "Snowdrift, you are getting a bay station this year whether you like it or not because all the 24 Members gave their word". We cannot do that because they have to have that flexibility to change their minds as well.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I think when these kinds of things go through the system, they have to go through the op-plan to FMB, FMB puts the budget together, and it eventually winds its way to the standing committee on finance and eventually gets into this House. I think something must be very flawed in the process if it makes it all the way to the books twice in a year and then all of a sudden the right

moves were not made in a particular region to find out where people are from, what the needs are and so on and so forth.

So I am saying that there is a certain faith that we have in the numbers that come before us, that they have been voted all the way up through the ladder. I guess it is our fault, too, because we probably did not say, "Has a needs assessment been done in every community in the region?" But I think that is a given that you expect. If you are going to expend over two million dollars, you would think that the studies have been done; and if there was an error made, then fine, Mr. Chairman, but it is difficult for us to be looking that deep into the system. We are taking it on good faith that it has made it all the way through on its own merits and all the right buttons have been pushed and the right switches pulled.

I would just point out to the committee that perhaps in future years committees have to dive deeper and second guess departments and ask if they have done all these things. I will freely admit, the standing committee on finance took it in good faith in two years. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Mr. Pollard said what I was going to say.

#### **Community And Family Support Services, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Page 32, community and family support services, \$1,798,000 under special warrants. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total department, special warrants, \$4,423,120. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Under "not previously authorized", a surplus of \$100,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Energy, Mines And Petroleum Resources**

#### **Energy, Mines And Petroleum Resources, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** There being agreement on that page, I will go to page 33, Energy, Mines and Petroleum Resources, operations and maintenance, under special warrants, \$500,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

#### **Economic Development And Tourism**

#### **Business Development, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Page 34, Economic



Development and Tourism, operations and maintenance, business development under special warrants, \$1,000,000. Agreed? Mr. Pollard.

**MR. POLLARD:** Just a comment that I think the committee of the whole is pleased to see these initiatives in here. I know it is going to cost us one million dollars, Mr. Chairman, but they were recommendations of the committee of the whole. I am just pleased to see them in there. Thank you very much.

**CHAIRMAN (Mr. McLaughlin):** Business development, special warrants, \$1,000,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Economic Development Agreement, Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Economic Development Agreement, special warrants, \$4,075,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total O And M, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total department under special warrants, \$5,075,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Tourism And Parks, Total Capital**

**CHAIRMAN (Mr. McLaughlin):** Continuing on page 35, Economic Development and Tourism, capital, tourism and parks, special warrants, \$1,208,000. Agreed? Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, thank you very much. There is \$124,000 listed in there and it says "60th parallel/border - Enterprise". I was wondering if the Minister could tell the committee exactly where that is going to be spent. Is that going to be spent at the 60th parallel? Or in the community of Enterprise? Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Minister of Finance, you are handling this bill. Thank you.

**HON. MICHAEL BALLANTYNE:** The 60th parallel.

**CHAIRMAN (Mr. McLaughlin):** Thank you. Tourism and parks. Mr. Pollard.

**MR. POLLARD:** Mr. Chairman, I will not try to delete the amount, but I have said in this House many times that continually spending money at the 60th parallel and the border Tourism Information Centre is more expensive than putting the facility at Enterprise. I would also point out that the Minister of Tourism has said on at least one occasion in this House that he would consider moving that expenditure to Enterprise and reducing the O and M expenses which the border costs. I really know how much they cost, sir, because I see DPW plumbers having to drive out there and God knows what else. I am just saying, for the record, that it is strange that the Minister said he would consider moving that into Enterprise and save us some O and M money, and yet, it is showing up here as an expenditure that almost looks like it is in Enterprise, but as the Minister of Finance has confirmed, it is at the border. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** Tourism and parks, under special warrants, \$1,208,000. Agreed? Mr. Ernerk.

**MR. ERNERK:** Thank you, Mr. Chairman. Where is Dawson Visitor Centre? Thank you.

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

**HON. MICHAEL BALLANTYNE:** It is in Dawson City in the Yukon.

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

**MR. ERNERK:** Thank you, Mr. Chairman. Why are we spending money in the Yukon? Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** We are trying to divert tourists that might otherwise go to Alaska to go up the Dempster Highway to Inuvik. Four hundred thousand cars go up the Alaska Highway, and we are trying to get some of them to come up our way.

**Tourism And Parks, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Tourism and parks, special warrants, \$1,208,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Under capital, why are we giving a contribution of \$100,000? Why are we doing it as a contribution?

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister, question on the Liard visitors centre, the \$100,000 contribution, why is it a contribution?

**HON. MICHAEL BALLANTYNE:** Why are we giving a contribution?

**CHAIRMAN (Mr. McLaughlin):** The Member asked why is it under capital when it is a contribution?

**HON. MICHAEL BALLANTYNE:** I understand that there is a fairly significant project going into Fort Liard and this is part of that particular project. It is done by the band.

**CHAIRMAN (Mr. McLaughlin):** Mr. Minister, I believe the Member is trying to inquire as to why this is a contribution of capital funds.

**HON. MICHAEL BALLANTYNE:** Yes, a contribution of capital funds.

**CHAIRMAN (Mr. McLaughlin):** I think the Member wants to know why you are giving it to them.

**HON. MICHAEL BALLANTYNE:** For the same reason we give it to other people. They made a proposal and Economic Development thought it was a good proposal and they are giving them the money.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Mr. Chairman, I realize that with this capital money we are appropriating, we are not undertaking to build the visitors centre in Fort Liard by our government, that is why we are giving capital money dollars to the Liard Valley

Development Corporation to build a building. That is why you entered a contribution with them. Am I correct?

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

**HON. MICHAEL BALLANTYNE:** That is correct.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Mr. Chairman, at the end of the construction of that Fort Liard visitors centre, will our government own that building?

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

**HON. MICHAEL BALLANTYNE:** There have been, as you know, some problems with the large project. As I understand it, we have subsequently withdrawn our visitors centre component and we are going to build it ourselves. The money will be used to build it, at the end of which we will own it.

**CHAIRMAN (Mr. McLaughlin):** Mr. Zoe.

**MR. ZOE:** Mr. Chairman, did I hear the Minister say that this \$100,000 that is being appropriated will no longer go to the Liard Valley Development Corporation as a contribution because we are going to undertake the job ourselves?

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

**HON. MICHAEL BALLANTYNE:** That is correct. There were problems which I did not know about until just now, and we are no longer going to make the contribution; instead, we are going to build it ourselves.

**CHAIRMAN (Mr. McLaughlin):** Tourism and parks under special warrants, \$1,208,000. Mr. Zoe.

**MR. ZOE:** Mr. Chairman, on the second line there again the Fort Liard visitors centre, \$80,000. Is that for the same building?

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

**HON. MICHAEL BALLANTYNE:** That is right.

#### Tourism And Parks, Total Capital, Agreed

**CHAIRMAN (Mr. McLaughlin):** On tourism and parks, special warrants, \$1,208,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized, \$123,100. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

#### Total Capital, Agreed

**CHAIRMAN (Mr. McLaughlin):** Total department, special warrants, \$1,208,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Not previously authorized,

\$123,100. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

#### Education

#### Advanced Education, Total O And M, Agreed

**CHAIRMAN (Mr. McLaughlin):** Page 37, Education, O and M, advanced education, not previously authorized, \$45,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

#### Schools, Total O And M

**CHAIRMAN (Mr. McLaughlin):** Schools, not previously authorized, \$1,853,000. Mr. Ernerk.

**MR. ERNERK:** Thank you, Mr. Chairman. I would like to ask a question under schools for the Minister responsible for Education who is absent just at the moment. Mr. Chairman, perhaps the Minister would like to take this question under advisement and reply to me later. My question has to do with the potential establishment of the leadership residence program in Nunavut. I take it this was mostly consultation money in which the Department of Education worked in co-operation with local community education societies, as well as the Keewatin Divisional Board of Education, to see if such a leadership residence program in that region would be supported by the people in the Keewatin Region. Am I right?

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

**HON. MICHAEL BALLANTYNE:** That is right. The funding is to allow the Department of Education to initiate program development and community consultation.

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

**MR. ERNERK:** What was the final recommendation?

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

**HON. MICHAEL BALLANTYNE:** The consultation is going on now so there are no results as of now.

#### Schools, Total O And M, Agreed

**CHAIRMAN (Mr. McLaughlin):** Schools, \$1,853,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

#### Arctic College, Total O And M, Agreed

**CHAIRMAN (Mr. McLaughlin):** Page 38, Education, operations and maintenance, under not previously authorized, Arctic College, \$533,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Total department, under not previously authorized, \$2,431,000. Agreed?



**SOME HON. MEMBERS:** Agreed.

--Agreed

**Schools, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** On page 39, under Education, capital, schools, special warrants, \$4,672,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**Arctic College, Total Capital, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Also in capital on page 40, Arctic College, under special warrants, \$445,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Total department, under special warrants, \$5,117,000. Mr. Pollard.

**MR. POLLARD:** Thank you, Mr. Chairman. Just before we conclude the supp, some of the dollars that we talked about today actually appeared in the budget that we approved in April, so I would just ask the Minister of Finance if there are any projects that were destined to be, and approved by, this House...

**CHAIRMAN (Mr. McLaughlin):** Excuse me, Mr. Pollard. Perhaps what we should do is finish Education and then when we go back to the bill as a whole it would be more appropriate.

**Education, Total Capital, Agreed**

I would like to conclude, if I can, the Department of Education, capital, on page 40, total department, \$5,117,000. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** We are now about to deal with the whole bill clause by clause. Before we do that, we can entertain general comments. Mr. Pollard first, then Mr. Lewis.

**MR. POLLARD:** Mr. Chairman, I would just like to ask the Minister of Finance, through you, sir, seeing as this supp is sort of being added on to the budget we passed in April, are there any projects that were in the capital budget book that we passed in April that have since been deleted, any specific projects for any specific community that have since been deleted? I have reason to believe there are, sir, but I am not aware of the details. Thank you.

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

**HON. MICHAEL BALLANTYNE:** It is too early in the year to know, but we expect that if the trend continues, \$25 million of the capital budget will carry over into next year. At this point in time, I am not aware of any that have been cancelled.

**CHAIRMAN (Mr. McLaughlin):** Mr. Pollard.

**MR. POLLARD:** I talked about an absolute deletion and the Minister talked about, "It is too early in the year" to understand what is going to be carried over. I think he used the word

"cancelled", so is he not aware of any projects that have been promised to communities that have been deleted out of this year's budget? Thank you, Mr. Chairman.

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

**HON. MICHAEL BALLANTYNE:** No, at this point, I have absolutely no knowledge of any; who knows. I do not know right now myself. Mr. Voytilla does not know of any.

**CHAIRMAN (Mr. McLaughlin):** Next I have Mr. Lewis.

**MR. LEWIS:** I pass, Mr. Chairman. The question I wanted to ask has been answered.

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

**CHAIRMAN (Mr. McLaughlin):** Okay, we are doing Supplementary Appropriation Act, No. 1, 1991-92, which is Bill 46. We are now on clause 1, application. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 2, supplementary appropriation. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 3, purpose of expenditures. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 4, lapse of appropriation. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 5, accounting. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Clause 6, commencement. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Page 2, schedule, vote 1, operations and maintenance. Total operations and maintenance, \$21,037,955. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Vote 2, capital. Total capital, \$33,420,336. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**Total Appropriation, Agreed**

**CHAIRMAN (Mr. McLaughlin):** Total appropriation, \$54,458,291. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

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

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Is the committee now agreed that Bill 46, Supplementary Appropriation Act, No. 1, 1991-92, is now ready for third reading?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. McLaughlin):** Thank you, Mr. Minister and Mr. Lew Voytilla for adding to our pleasure during the consideration of this bill. Mr. Lewis.

**MR. LEWIS:** Mr. Chairman, we still have quite a bit of business to do. We have the Environmental Protection Act, which is a very important piece of legislation, which we really must pass before we leave this House. We also have the conflict of interest provisions to deal with as well, before we leave. I know that all Members would like to see the passage of the Plebiscite Act before we leave as well. So we have some three important things to deal with. I would like to report progress, Mr. Chairman, so that we can come back fresh tomorrow morning, or whenever the Speaker decides, so that we can deal with those three important pieces of legislation.

**CHAIRMAN (Mr. McLaughlin):** There is a suggestion to report progress. Would somebody make a motion to report progress? Mr. Lewis.

**MR. LEWIS:** Mr. Chairman, I polled as many Members as I could to see what the will of the House was, and I thought I was reflecting that by suggesting we report progress. If it is different from that, then I am happy to go along with whatever you want to do.

**CHAIRMAN (Mr. McLaughlin):** There are two options. We could report progress and return at a time set by the Speaker. Or we could recess the committee to a certain time. My advisers are suggesting that reporting progress is the smartest thing to do. What is the committee's wish? Mr. Lewis, would you like to propose a motion?

**MR. LEWIS:** I thought I had moved that we report progress, and I have my reasons for that, Mr. Chairman.

**CHAIRMAN (Mr. McLaughlin):** There is a motion on the floor that is in order. There is no debate. All those in favour? There is no quorum right now. Could the Government Leader expedite a quorum? Members, there is a motion on the floor to report progress. It is in order, and there is no debate on this motion. All those in favour of the motion, please raise your hands. Those opposed to the motion? The motion is defeated.

---Defeated

What is the wish of the committee? Mr. Allooooloo.

**HON. TITUS ALLOOLOO:** Thank you, Mr. Chairman. The government wishes to proceed with the Plebiscite Act.

**Bill 49: Plebiscite Act**

**CHAIRMAN (Mr. McLaughlin):** Are Members in agreement that we proceed with the Plebiscite Act. There seems to be a majority in agreement. Bill 49 in your books, Members. Mr. Allooooloo, would you like to make opening remarks on this act?

**Minister's Opening Remarks**

**HON. TITUS ALLOOLOO:** Thank you, Mr. Chairman. I wish to provide some brief comments concerning the amendments to the Plebiscite Act. The House adopted Motion 17-91(1) earlier during this session, which requested the Executive Council to develop for introduction during this session amendments to the Plebiscite Act which would permit the holding of a plebiscite approving the boundary that would divide the future western and eastern territories.

The bill before the committee of the whole today accomplishes this directive and, if approved, would permit the holding of a plebiscite on the question of a boundary at the appropriate time.

The bill also amends the Plebiscite Act to repeal references to the Elections Act, 1978 and to substitute references to the current Elections Act. This is required as the Plebiscite Act was enacted in 1981 and was administratively based on the Elections Act, 1978. The Elections Act, 1978 was subsequently amended in 1987, and, in fact, the 1978 act was repealed. The amendments before you are to bring the voting procedures for the holding of a plebiscite in line with the current Elections Act.

Mr. Chairman, I would be pleased to answer any questions. Thank you.

**CHAIRMAN (Mr. Ernerk):** Thank you. General comments. Mr. Minister.

**HON. TITUS ALLOOLOO:** Mr. Chairman, I will be proposing an amendment to clause 21, the coming into force section. The change will be to have these amendments not come into force until November 30, 1991.

**CHAIRMAN (Mr. Ernerk):** General comments on the bill. Are you ready for clause by clause?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Clause 1. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

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

**SOME HON. MEMBERS:** Agreed.

---Agreed

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

**SOME HON. MEMBERS:** Agreed.



--Agreed

**CHAIRMAN (Mr. Ernerk):** Clause 4. Mr. Minister.

**Motion To Amend Subclause 4(1), Bill 49**

**HON. TITUS ALLOOLOO:** Mr. Chairman, I move that subclause 4(1) of Bill 49 be amended by striking out proposed paragraph 6(4)(a) and substituting the following: "(a) the chief plebiscite officer and the deputy chief plebiscite officer;"

**CHAIRMAN (Mr. Ernerk):** Your motion is in order. Do you wish to speak to your motion? Mr. Zoe.

**MR. ZOE:** Under clause 4 where the proposed amendment is being made, how would the new clause read now?

**CHAIRMAN (Mr. Ernerk):** Madam Law Clerk.

**LAW CLERK (Ms. MacPherson):** Thank you sir. The new clause would read: "The following persons are not qualified to vote at a plebiscite and shall not vote at a plebiscite: a) the chief plebiscite officer and the deputy chief plebiscite officer; b) the returning officer for each plebiscite district; c) every person undergoing punishment as an inmate in a prison for the commission of an offence, d) every person who is disqualified from voting under any law of Canada, a province, or the Yukon Territory relating to the disqualification of voters for corrupt or illegal practices."

**CHAIRMAN (Mr. Ernerk):** Thank you, Madam Law Clerk. Any other comments? To the motion. The Chair recognizes there is no quorum. Mr. Clerk, would you ring the bell, please? Thank you. The Chair recognizes a quorum. To the motion.

**AN HON. MEMBER:** Question.

**Motion To Amend Subclause 4(1), Bill 49, Carried**

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

--Carried

Mr. Zoe.

**MR. ZOE:** Mahsi cho. Mr. Chairman, on subclause 4(1), the proposed paragraph 6(2)(c), qualifications of voter. There is a period stated in paragraph (c) as being "ordinarily resident in the Territories for a period of at least three years immediately before polling day." Has it changed from the previous Plebiscite Act, since we are amending it here?

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Zoe. Mr. Minister.

**HON. TITUS ALLOOLOO:** It is already in the act. No change.

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 4, as amended. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 5. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

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

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 7. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

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

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 9. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 10. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 11. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 12. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 13. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 14. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 15. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 16. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 17. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 18. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 19. Agreed? Mr. Zoe.

**MR. ZOE:** Mr. Chairman, you are going a little too fast. The clauses are very lengthy and on clause 18, if I may.

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

**MR. ZOE:** Mr. Chairman, clause 18, section 34.1 prosecutions. I realize this is new under the Plebiscite Act. Why is this section in here? Mr. Chairman, can I get an explanation for the new clause 18 since it is new in this Plebiscite Act?

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Zoe. Mr. Minister, would you like to respond, please?

**HON. TITUS ALLOOLOO:** Thank you, Mr. Chairman. Let me hear the question again, please.

**CHAIRMAN (Mr. Ernerk):** Mr. Zoe, would you repeat your question please for the Minister's benefit?

**MR. ZOE:** Mr. Chairman, clause 18 is a totally new clause. Can the Minister explain why we need this clause in the amendment to the Plebiscite Act?

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Zoe. Mr. Minister.

**HON. TITUS ALLOOLOO:** Mr. Chairman, this clause is to come in line with the existing Elections Act.

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Minister. Clause 18. Agreed?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Ernerk):** Are there any other clauses that you wish to comment on, Mr. Zoe?

**MR. ZOE:** Mr. Chairman, it is my understanding then that we are basically --- clause 18 is very lengthy in regard to prosecutions and so forth, validity of consent, offence by a plebiscite officer, inquiry by chief plebiscite officer -- we are basically making the Plebiscite Act exactly the same or similar to the Elections Act. Am I correct?

**CHAIRMAN (Mr. Ernerk):** Thank you, Mr. Zoe. Mr. Minister.

**HON. TITUS ALLOOLOO:** Mr. Chairman, yes, similar.

**CHAIRMAN (Mr. Ernerk):** Thank you. For the third time around. Clause 18. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 19. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Thank you. Clause 20. Agreed?

**SOME HON. MEMBERS:** Agreed.

---Agreed

**CHAIRMAN (Mr. Ernerk):** Clause 21, commencement. Mr. Morin.

**MR. MORIN:** Thank you, Mr. Chairman. Under clause 21, I would like to move an amendment: That Bill 49 be amended by striking out clause 21 and substituting the following: "This act shall come into force on November 30, 1991." Thank you.

**CHAIRMAN (Mr. Ernerk):** Mr. Morin, can I have a copy of your motion please? Thank you, Mr. Morin. Would you repeat your motion?

#### **Motion To Amend Clause 21, Bill 49, Carried**

**MR. MORIN:** Thank you, Mr. Chairman. I move that Bill 49 be amended by striking out clause 21 and substituting the following: "This act shall come into force on November 30, 1991."

**CHAIRMAN (Mr. Ernerk):** Thank you. The motion is in order. To the motion.

**AN HON. MEMBER:** Question.

**CHAIRMAN (Mr. Ernerk):** Question is being called. The Chair does not recognize a quorum again. Ring the bells please, Mr. Clerk. The Chair recognizes a quorum. To the motion. Question is being called. All those in favour? Opposed, if any? The motion is carried.

--Carried

Clause 21, commencement, as amended. Agreed?

**SOME HON. MEMBERS:** Agreed.

--Agreed

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

**SOME HON. MEMBERS:** Agreed.

--Agreed

**CHAIRMAN (Mr. Ernerk):** Does the committee agree that Bill 49, An Act to Amend the Plebiscite Act, is ready for third reading, as amended?

**SOME HON. MEMBERS:** Agreed.

--Agreed

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

**MR. MORIN:** I would like to report progress.

**CHAIRMAN (Mr. Ernerk):** We have a motion on the floor to report progress, which is not debatable. All those in favour? Opposed, if any? The motion is carried.

---Carried

I will now rise and report progress to the Speaker. Thank you.

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

**MR. SPEAKER:** I will call the House back to order. The honourable Member for Aivilik.

**MR. ERNERK:** Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Tabled Document 115-91(1) and Bills 44, 46 and 49 and wishes to report progress, with six



motions being adopted. Discussion on Tabled Document 115-91(1) is concluded, Bill 46 is ready for third reading, and Bill 49 is ready for third reading as amended. I move that the report of the chairman of committee of the whole be concurred with. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you. Is there a seconder to the motion? The honourable Member for High Arctic. 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

Item 19, third reading of bills. The honourable Member for Amittuq.

#### ITEM 19: THIRD READING OF BILLS

**HON. TITUS ALLOOLOO:** Mr. Speaker, I seek consent to proceed with third reading of Bill 49, An Act to Amend the Plebiscite Act.

**MR. SPEAKER:** The honourable Member is seeking consent to give third reading to Bill 49. Are there any nays? The honourable Member for Tu Nede. The honourable Member for Amittuq, proceed.

#### Third Reading Of Bill 49: Plebiscite Act

**HON. TITUS ALLOOLOO:** Thank you, Mr. Speaker. I move, seconded by the honourable Member for Aivilik, that Bill 49, An Act to Amend the Plebiscite Act, be read for the third time.

**AN HON. MEMBER:** (Inaudible comment)

**MR. SPEAKER:** It is not necessary. It is understood that it is amended and the record will show appropriately.

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 49 has had third reading. Third reading of bills. The honourable Member for Yellowknife North.

**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 third time.

**MR. SPEAKER:** The honourable Member is seeking consent to proceed with third reading of Bill 46. Are there any nays? There are no nays. Proceed.

#### Third 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 third time.

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

**AN HON. MEMBER:** Question.

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

--Carried

Bill 46 has had third reading. Third reading of bills. Item 20, Mr. Clerk, orders of the day.

#### ITEM 20: ORDERS OF THE DAY

**CLERK OF THE HOUSE (Mr. Hamilton):** Orders of the day for Sunday, July 7, 1991.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Tabling of Documents
12. Notices of Motions
13. Notices of Motions for First Reading of Bills
14. Motions
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 44, 45, 43 and 47
18. Report of Committee of the Whole
19. Third Reading of Bills
20. Orders of the Day

**MR. SPEAKER:** Just prior to adjourning the House I just wish to invite Members and staff for relaxed discussion in the back rooms.

This House stands adjourned until 1:00 p.m., Sunday, July 7, 1991.

--ADJOURNMENT

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