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Speaker: The Honourable Donald M. Stewart, M.L.A.

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YELLOWKNIFE, NORTHWEST TERRITORIES

FRIDAY, FEBRUARY 22, 1985

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Mr. Ballantyne, Hon. Tom Butters, Hon. Nellie Cournoyea, Hon. Tagak Curley, Mr. Erkloo, Mr. Gargan, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Hon. Bruce McLaughlin, Hon. Richard Nerysoo, Mr. Paniloo, Hon. Dennis Patterson, Mr. Pedersen, Mr. Pudluk, Mr. Richard, Hon. Nick Sibbeston, Hon. Don Stewart, Mr. T'Seleie, Mr. Wah-Shee, Hon. Gordon Wray

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Friday, February the 22nd. Item 2, Members' replies. Mr. Curley.

Point Of Privilege

HON. TAGAK CURLEY: Yes, Mr. Speaker, I wish to rise on a point of privilege. In view of the exciting times that we are facing these days, and the fact that the press, particularly the public broadcasting here, seems to be taking the view that the issue of the division is cast in stone as far as their reports are concerned, and we are not. From our perspective, the CBC seems to be taking the biased reporting on the division and it is only fair that we as taxpayers, those of us from the East, are given an opportunity to explain our point through the press as well. I notice -- since last night, since 5:30 p.m. there was no reference at all to any one of us from the East but it went on to cover the points of interest from the West. Again, this morning it took approximately 10 minutes or so before CBC finally got the interest to cover the viewpoints from the East so I would urge that in view of our support to the public broadcasting system that they do not appear to take the view that the issue of division is settled once and for all. We respectfully urge them to take a balanced reporting of this very important issue. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Curley. Point of privilege, Mr. Ballantyne.

MR. BALLANTYNE: Mr. Speaker, I looked in depth at the Globe and Mail yesterday and I would like to report to this House the Globe and Mail was absolutely accurate on everything they reported about the devaluation of the Canadian dollar and we have no concerns with what was reported in the Globe and Mail yesterday. Thank you.

MR. SPEAKER: And they call it privileges, it certainly is at times, believe me.

Item 2, Members' replies. There do not appear to be any Members' replies today.

Item 3, Ministers' statements. Item 4, oral questions. Mr. Appaqaq.

ITEM 4: ORAL QUESTIONS

Question 117-85(1): Business Assistance For Cleaning Of Duck Down, Sanikiluaq

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. When the Minister of Renewable Resources was in Sanikiluaq she was told about the project that the hunters and trappers association would like to start. This project would involve cleaning of duck down. The game officer in Cape Dorset is aware of the intentions of the hunters and trappers association of Sanikiluaq. The hunters and trappers association would like this project to get under way as soon as possible. According to my information there has been no action taken to help this project get started. Sanikiluaq people would like to see this project under way as soon as possible. Therefore, now I would like to ask the Minister of Economic Development to look into this, since this business venture would be an economic benefit to all the people in Sanikiluaq. Now I would like to suggest that the Minister of Economic Development talk with the economic development officer in Sanikiluaq and find ways to get this project started. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 117-85(1): Business Assistance For Cleaning Of Duck Down, Sanikiluaq

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Speaker. I want to tell the Member that I understand what you are talking about and I also know that your community has a lot of down from the ducks but I have not really heard about this through my department, but I will have my officials look into this to see if they can sell some down. You have an economic development officer -- maybe we can talk with him and I will report back to you as to how we can assist you on this.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. That appears to conclude oral questions for today.

Item 5, written questions. Item 6, returns. Mr. Sibbeston.

ITEM 6: RETURNS

Return To Question 115-85(1): Funding For Dock Facilities, Pangnirtung And Clyde River

HON. NICK SIBBESTON: Mr. Speaker, this is a return to oral Question 115-85(1), asked by Mr. Paniloo on February 21st. It concerns canoes in Pangnirtung and Clyde River and docking facilities.

With regard to the canoes destroyed by weather in 1984 in Pangnirtung and Clyde River, I wish to advise that in the past people were able to go to the Eskimo Loan Fund or to the Department of Economic Development and Tourism for forgivable loans or grants to buy replacement canoes. These funds, however, are no longer available. People are now encouraged to insure their own boats against loss or damage by storms. It is not the responsibility of the hamlet to replace or repair personal property destroyed by such things as storms. They are really considered an act of God or something that no one has any power over. With regard to the question of providing docking facilities, the responsibility for policy on docking facilities has been assigned by the Executive Council to the Minister of Public Works and Highways and so I am referring the matter to Mr. Wray.

I require more time to address fully the question raised by Mr. Paniloo yesterday on the Clyde River community hall and I will reply to the Member's question on Monday.

MR. SPEAKER: Thank you, Mr. Minister. Mr. McLaughlin.

Return To Question 101-85(1): Temporary Personal Care Facility, Fort Smith

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I have a return to oral Question 101-85(1), asked by Mr. Arnold McCallum on February 20th regarding the temporary personal care facility in Fort Smith. The proposed renovations to the "pink house" in Fort Smith will be tendered through the Department of Public Works and Highways in Fort Smith. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Returns. Are there any further returns for today?

Item 7, petitions.

Item 8, reports of standing and special committees. Item 9, tabling of documents. Mr. Patterson.

ITEM 9: TABLING OF DOCUMENTS

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I am pleased to table Tabled Document 23-85(1), Report to the Legislative Assembly from the Constitutional Alliance of the Northwest Territories, dated February 22, 1985. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Tabling of documents. Mr. Richard.

MR. RICHARD: Thank you, Mr. Speaker. Mr. Speaker, I wish to table Tabled Document 24-85(1), Brief from the Society Against Family Abuse, NWT, dated February 18th, 1985.

MR. SPEAKER: Thank you, Mr. Richard. Tabling of documents. Item 10, notices of motion. Mr. Sibbeston.

ITEM 10: NOTICES OF MOTION

Notice Of Motion 6-85(1): Reconfirmation Of Support To The Constitutional Alliance

HON. NICK SIBBESTON: Mr. Speaker, I wish to give notice that on Monday, February 25th, I will move the following motion: Whereas in February 1982, the Ninth Assembly passed the motion which recognized the Constitutional Alliance of the Northwest Territories and its mandate to -- okay, Mr. Speaker, it is a fairly lengthy motion and I will just read the main part. I move, seconded by the Member for Iqaluit, that the 10th Assembly reconfirm its support for 1) the Constitutional Alliance to: a) complete negotiations on a tentative boundary and submit its recommendations to the public for ratification; b) continue to explore the concept of non-renewable resources revenue sharing between the two new territories, as well as agreements on other critical transborder issues such as watersheds and caribou migrations; and c) participate in the pursuit of principles for non-renewable resource management and revenue-sharing agreements with the federal government, along with other possible transfers of responsibilities to each territory; and 2) the Western and Nunavut Constitutional Forums to: a) continue to develop constitutional proposals for each territory in close consultation with the public; b) ensure that all members of the forums affirm all tentative agreements with their constituents; and c) negotiate constitutional proposals ratified in the North with the Government of Canada; that the alliance and forum Members appointed by the Assembly continue to report back and seek guidance from this House on a regular basis, and finally, that the Government of the Northwest Territories begin to participate more fully in the constitutional development process by: 1) providing support to the Assembly's representatives on the alliance and forums on various issues as required; 2) undertaking special tasks for which the alliance and forums are not equipped; 3) playing a major role in discussions with the federal government regarding non-renewable resource management and revenue sharing, as well as the transfer of other responsibilities to territorial governments; 4) accepting primary responsibility for negotiations with the federal government regarding the implementation of division; and 5) co-ordinating implementation.

AN HON. MEMBER: A lot of big words.

MR. SPEAKER: Thank you, Mr. Sibbeston. Notices of motion. Mr. Sibbeston.

Notice Of Motion 7-85(1): Report Of The Constitutional Alliance To Committee Of The Whole

HON. NICK SIBBESTON: Mr. Speaker, I wish to give notice that on February 25th, I will be moving the following motion. I move, seconded by the honourable Member for Iqaluit, that Tabled Document 23-85(1), the Report of the Constitutional Alliance of the Northwest Territories, be moved into committee of the whole as the first item of business on Monday, February 25th, 1985.

MR. SPEAKER: Thank you, Mr. Sibbeston. Item 10, notices of motion.

Item 11, notices of motion for first reading of bills. Item 12, motions.

ITEM 12: MOTIONS

Motion 5-85(1). Mr. Wah-Shee. Mr. Wah-Shee is not in the House. I believe this is the third calling -- it has been reintroduced. It will then stay on the orders until Monday. Motions. Mr. Sibbeston.

HON. NICK SIBBESTON: Mr. Speaker, I wish to deal with the motion that I gave notice of today, and seek unanimous consent to do so. This is the motion with respect to Tabled Document 23-85(1), Report of the Constitutional Alliance of the Northwest Territories.

MR. SPEAKER: Unanimous consent is being requested to move the Constitutional Alliance report into committee of the whole for first item of business, I presume, today. No? On Monday. All right. Are there any nays? You have unanimous consent, Mr. Sibbeston.

---Agreed

Motion 7-85(1): Report Of The Constitutional Alliance To Committee Of The Whole, Carried

HON. NICK SIBBESTON: Thank you, Mr. Speaker.

WHEREAS the Report of the Constitutional Alliance of the Northwest Territories has been tabled in this House;

AND WHEREAS it would be desirable to discuss this document as soon as possible;

NOW THEREFORE, I move, seconded by the honourable Member for Iqaluit, that Tabled Document 23-85(1), the Report of the Constitutional Alliance of the Northwest Territories, be moved into committee of the whole as the first item of business on Monday, February 25, 1985.

MR. SPEAKER: Your motion is in order. Proceed, Mr. Sibbeston. Question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Item 13, first reading of bills.

Item 14, second reading of bills. Item 15, consideration in committee of the whole of bills and other matters: Bill 7-85(1), Appropriation Act, 1985-86, and Bill 3-85(1), Workers' Compensation Act, with Mr. Gargan in the chair.

ITEM 15: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 7-85(1), APPROPRIATION ACT, 1985-86

CHAIRMAN (Mr. Gargan): The committee will now come to order.

Department Of Personnel

On Department of Personnel, does the Minister wish to bring in his witness? Mr. Nerysoo.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. I would like to have the concurrence of the House to ask Mr. Ted Bowyer who is the deputy minister of Personnel to enter the committee of the whole.

CHAIRMAN (Mr. Gargan): Is it agreed by the committee?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Mr. Minister. For the record, would the Minister introduce his witness?

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. I would like to introduce the deputy minister of Personnel, Mr. Ted Bowyer.

CHAIRMAN (Mr. Gargan): Thank you. We are on general comments on Department of Personnel. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. I was not here yesterday so I would like to know if they tabled the affirmative action program that was supposed to be done.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Mr. Chairman, I have not tabled it but I am just waiting for the documents to be delivered and hopefully they will be delivered this morning. I can seek unanimous consent to return to tabling of documents and table it at that time.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. I would like to see that tabled document before I go on further in the native employment. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mrs. Lawrence. Mr. T'Seleie.

MR. T'SELEIE: Thank you, Mr. Chairman. I would like to ask the Leader of the Government at which point in time does he expect the Department of Personnel to come under a Minister of the Government?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Well, I would hope that it would be sooner rather than later. I am in the process of now working with the Commissioner to see that the responsibility does fully come under the responsibility of a Minister and, hopefully, by the next session you will see that a transition has been made, that the responsibility for Personnel will be that of an Executive Council Member.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Mr. Appaqaq.

Visits To Communities

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I think the Department of Personnel has a person going into the communities once in a while and I think three years ago a person from the Department of Personnel went down to my community. It would be better, I think, if this person from the Department of Personnel would be able to visit the communities every year instead of every three years because it would be very helpful to the people that are not able to speak in English very well -- for their benefit, regarding employment for the native people. So, I was wondering if it was possible to change this visiting period to be once a year instead of every three years?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Yes, thank you, Mr. Chairman. Just to indicate to the Member that we will be speaking to the regional directors about this particular item and, certainly, will raise the concern that the Member has brought to my attention and see if we can change the situation in that particular region.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Mr. Ballantyne.

Public Service Commission Option

MR. BALLANTYNE: Thank you, Mr. Chairman. To get back to a comment that the Minister made about in the future an Executive Member taking over total responsibility for the Department of Personnel. There has been some talk in the past of the possibility of setting up a public service commission and in the finance committee hearings before Christmas we had, I think, a fairly lengthy discussion about that, some of the options and some of the pros and cons of going that way. Now I wonder if the Minister could bring this House up to date on what are the feelings right now of a public service commission.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. That is correct. We have done some work on it and we are continuing to do some work. There seem to be some questions as to whether or not it should be a public service commission. I think the key and the important thing right at the moment for us, at least for me as the Minister responsible, is to make sure that the responsibility of Personnel becomes one that is truly under the jurisdiction of a Minister. From there we can seek other direction from the particular Minister as to the approach that he wishes to take. Again, there is some question with regard to a public service commission and there are, as the Member also indicated, pros and cons to setting up a public service commission and we feel, and certainly I feel at the moment that it would not serve the government's interests and also the Legislature's interests to go that route. It may be in the future that we would be able to take that step and create an independent body but at this particular juncture, there seems to be some hesitancy and certainly hesitancy on my part to proceed in that direction.

If it were my advice, I would rather see it under the jurisdiction of a Minister as a department at this time, looking at what the possibilities might be. I think there are a number of problems that have been encountered in other jurisdictions with public service commissions and the independence of that particular body and some question as to really how accountable a public service commission is to legislatures or those people that have been elected to take the particular responsibility on. So, in that sense, at this time if you were to ask me, it would not be a good idea. However, that does not rule out the possibility that a public service commission would at some time in the future come into existence.

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

Political Involvement

MR. BALLANTYNE: Thank you, Mr. Chairman. I understand the Minister's concerns and it is a fact that in southern jurisdictions, even though it appears as though there is a public service commission that is objective, there are varying degrees of political involvement. I guess my concern is and it is something I am sure the Minister will be looking at is that there has to be the appearance to the public that there is not direct political involvement in employment all the way up and down the commission, that we still have at least the illusion of objective bureaucrats. I think after 25 years of Liberal government in the South, I am not sure if there are...

AN HON. MEMBER: Hey, hey, whoa, whoa!

MR. BALLANTYNE: ...are no political loyalties, but, none the less, I think I would like to see that when this discussion of which way we want to go is taking place it is brought before the House so that the House can have some input into it, because I think the important thing is trying to maintain that balance whereby you have -- there are obviously some political ramifications in any employment but also there has to be that sense of fairness and objectivity and trying to find that balance somewhere I think is the dilemma that any government has. So, when you are a little bit further along I wonder if you could bring some of the thoughts or some of these discussions back to the House?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. I would just like to indicate that without question if we get further along and we have some ideas to bring to the Members of the Legislature, we will. I would just further say that at the moment there is in our opinion a lot of independence with regard to the responsibility now that the Department of Personnel carries out. In many cases it is really in conjunction with departments and as a support group and there is no doubt that we have seen at times probably some decisions that have not been in our interests but not so much with regard to personal interests as opposed to overall government direction. In that particular case we are able to deal with it but I do say that there is no question that it is certainly not our intention, as a government, to interfere in the process of recruiting with the exception, of course, that we develop the policies that are associated to employing people in the Northwest Territories and ensuring that those particular policies are carried out but we also have an agreement with the Public Service Association that we have to abide by. There are conditions and it is our opinion that the relationship that we have developed with the Public Service Association and also, well, the role and the responsibilities that the Department of Personnel has carried out to date, certainly has not only created the perception or the illusion that they are an independent body. But they have carried it out in a very independent pragmatic way so in that sense we have not seen serious interference, political interference, you might say. Not to say that interference will not come through policy direction and hopefully it will be carried out as directed in policy.

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

Appointment Of Deputy Ministers

MR. BALLANTYNE: I think right now the civil service that we have is pretty independent. But if I go on to a different topic, what right now is the procedure, for instance, for Ministers to choose their deputy ministers or to change their deputy ministers? I know that in the federal government the Prime Minister has really the ultimate authority in that area through his Privy Council Office. What is the relationship here with Ministers and deputy ministers and the role of the Leader in the choosing of deputy ministers?

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

HON. RICHARD NERYSOO: At the moment we have an opportunity to speak to the Commissioner at least with regard to our deputy ministers, on whether or not we feel that they are satisfactory and whether or not we feel that they can perform the job that we want to accomplish.

I do say that there have been changes now, that the Government Leader will play a significant role in the decision itself, in conjunction, of course, with the Commissioner because there is still a responsibility in the hands of the Commissioner, but certainly upon direction that will be given by the Executive Council and the Executive Members themselves on what they feel is the most appropriate direction to take. The Government Leader will have the opportunity then to speak to the Commissioner about certain particular changes and shuffles that might occur in government. That in itself is a role that had not been there before. Certainly we have been able to persuade our government or at least, the Commissioner, that that is the role as a government we should be applying.

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

MR. BALLANTYNE: I see the roles and responsibilities of our Executive are evolving but I guess as one suggestion if there will be an interim period where a Minister will be responsible politically and with administrative responsibility for the Department of Personnel, probably for the interim period logically that should rest in the Office of the Leader. Because the Leader will be looking at the overall needs of the government in that role and I think that would be the logical place for an interim step, that the Department of Personnel goes under the Office of the Leader.

CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. RICHARD NERYSOO: I will consider that advice and relay it to the Commissioner when we continue our discussions on the responsibility of Personnel.

CHAIRMAN (Mr. Pudluk): Thank you, Mr. Minister. Mrs. Lawrence.

MRS. LAWRENCE: (Translation) Thank you very much. I would like to speak about native employment. We have not received any papers so how are we supposed to talk about native employment? There are 24 Members here and they should have at least made 24 copies for the Members. If they cannot even do that how can they do a good job? We should have at least waited until we received copies before we started talking about it. Mahsi, Mr. Chairman.

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

Development Of Native Employment Policy

HON. RICHARD NERYSOO: I do not want to debate the comments that were made. I just say that we must be doing a good job if we have a document to table. It is a policy with regard to the way in which we will now approach native employment in this government. That policy has never existed before in this government. We have also laid out the direction we will be giving to the deputy ministers, the heads of our departments as well as regions. And I must say and compliment Ms Casaway and other members of the Department of Personnel who worked so diligently to develop that particular policy. It was in support or at least it was in consultation with all the native organizations. There was consultation with the Public Service Association and certainly discussions were made also -- I had the opportunity to speak to the Advisory Council for the Status of Women with Mr. Patterson and the Commissioner. So we were able to at least address some of the issues that they raised.

Without any question the issue of affirmative action has to be dealt with in a very fair way. While we are dealing with a native employment policy now, we have to deal in a year from now, with the question of affirmative action for women and handicapped as well. That is the timetable that we have laid down for ourselves. We have committed financial resources. We will be establishing a Minister responsible for an equal opportunities directorate. And also we will be having that particular Minister responsible reporting to this House on that particular issue. So we have already taken steps. We have not identified the particular Minister yet but that in itself is something that has to be discussed with the Executive Council to get their ideas on who should take that particular responsibility on. So we have moved and I believe that we have done a good job in trying to develop a policy that is very reflective of the concerns of a number of people across the NWT.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Mr. T'Seleie.

MR. T'SELEIE: Thank you, Mr. Chairman. I would like to ask the Minister whether or not he has considered or ever considered legislating a percentage of native employment in the public service.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Mr. Chairman, no, we have not considered legislating, mainly because there could be some very serious disadvantages with legislating and we feel -- of course, one could always argue the fact that there are advantages as well. What has not existed in this government is a policy and we want to find out whether or not we will be successful with that policy and how far we will be able to go with that policy. That, in itself, may be able to satisfy, or at least accomplish what we intend to do but I would caution, I would really caution anyone that would suggest the idea of legislating the idea of percentages because it could work against the intent of a particular program. The other thing is that it could have very dramatic implications on the morale of the people who are already in the public service and I am not referring only to the non-native people, I am talking about the native people as well. So, in that sense I think we have to be somewhat cautious about it and there may be a time that we see that it is necessary but at this time I would suggest that it is not the right direction to go.

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

Benefits For Maternity Leave

MR. BALLANTYNE: Thank you, Mr. Chairman. On another matter. I had a concern expressed to me by a number of female employees of the government that this government has a policy whereby they give maternity leave and the women are entitled to UIC benefits for a certain period of time. What is happening is that they are counting their housing allowance during that period of time as income and deducting it from their UIC benefits. I wonder if the government has looked into this problem because it seems to me that if we establish a principle that we support the right of women to have children and to come back to their jobs without the loss of benefits, the UIC policy seems to run counter to that and is there any way we can handle that whereby women can receive those benefits and not be penalized for receiving their housing allowance?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. I have not been made aware of that particular situation but certainly we will look into it and see what options might be available to us to see if we can find the appropriate solution. I will report, hopefully during the next session, as to what the outcome of this particular discussion might be.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. Mr. Chairman, I have a question of the Minister relating to staff housing and I appreciate that this issue seems to be a mixture between the Department of Personnel and the Department of Public Works. I had questioned the Minister of Public Works and Highways as to whether the government recovers, through rent charges to staff, the actual cost of staff housing to the government. Without getting into the dollars and cents I would like to know, Mr. Minister, whether you can tell me if government does recover through rents which are now, I am told, supposed to be on market scale, whether the government recovers 100 per cent of the cost of staff housing.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. Maybe if I can ask Mr. Bowyer to answer that particular question.

CHAIRMAN (Mr. Gargan): Mr. Bowyer.

MR. BOWYER: Thank you, Mr. Chairman. This question was raised during the debate of Public Works budget and we have had discussions with Public Works and we have jointly done a preliminary report. However, we found there were some things being missed out of that so we are working on this report and we should be able to give you the information fairly soon. I can tell you that we do not recover 100 per cent, there are vacancy rates and other things that happen. But I think they fail to account for some things like the Housing Corporation who pay through a different -- not pay roll deduction, we get a journal voucher -- so there are a few complications to getting the information together. I think we should be able to provide it by next week.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Bowyer. Mr. Ballantyne.

MR. BALLANTYNE: I have another question. One of the recommendations of the special committee on housing was to have the Department of Personnel and the Department of Social Services look into the concept of actually reimbursing the Housing Corporation for government personnel that are living in public housing now. I think there are some 400, or thereabouts, government personnel in housing. As I understand it they would not be eligible if they lived in public housing for the \$450 a month. Is the amount that it is actually costing the government for having these people living in public housing, is that amount reimbursed directly to the Housing Corporation? Or, in fact, is the Housing Corporation picking up a benefit and paying for a benefit that is part of this government's policy? I think that is what is happening.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: I can say that the Department of Personnel certainly does not pay the costs or anything with regard to public housing. I believe I could ask Mr. Bowyer to give further information on that.

CHAIRMAN (Mr. Gargan): Mr. Bowyer.

Rent For Government Staff In Public Housing

MR. BOWYER: Yes, thank you, Mr. Chairman. The individuals, the staff members of this government who live in public housing pay rent to the Housing Corporation. There are other forms of subsidy in public housing that get, again, rather complicated but if they are in partially subsidized government housing -- and this is for all people -- then they do not get the \$450. The Department of Personnel has no arrangement with the Housing Corporation where we help offset any additional cost to them, only to the extent, I guess, that our employees through pay roll deductions pay the rent and it is a guaranteed sum to the Housing Corporation. The final recommendations of the report will have to be reviewed with the Housing Corporation, Social Services and ourselves. All of which, I guess, comes back to the basic problem that there is not enough housing, public housing or staff housing, to go around.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Bowyer. Mr. Ballantyne.

MR. BALLANTYNE: Yes, my point is if it is the policy of this government -- and it is part of the employment package, employees are given \$450 a month -- and these employees, because they are living in public housing are not receiving all of that or, in some cases I guess, none of it, is that in fact the Housing Corporation is picking up that responsibility and indirectly the Housing Corporation is paying for that benefit which the government should pay for. You know, we are looking at some of the problems of the Housing Corporation and this one is not one of their making, so we suggested that we look into it so that those government agencies that are actually responsible for certain things should pay for them. In this particular case, the Housing Corporation is not responsible for providing any sort of a housing subsidy to government employees. That should be the responsibility of the government.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Mr. Chairman, we will certainly look at that and see if we can provide a report on that. I believe that we can work with the Department of Public Works and also with the Housing Corporation in providing that information.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. With regard to my question earlier about native employment policy of this government, I would just like to state for the record that I am not in favour of approving the main estimates of the Department of Personnel until the native employment policy is tabled in this House and Members have had a chance to review the document. Mahsi cho.

CHAIRMAN (Mr. Gargan): Thank you, Mrs. Lawrence. For the record then. General comments. We will take a 15 minute coffee break.

---SHORT RECESS

The committee will come back to order. General comments. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. I have a question for the Minister. I would like to know just how soon is he expecting to table the native employment policy?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. RICHARD NERYSOO: Mr. Chairman, as I indicated earlier, I had not received the printed document. We have now received it and as soon as we get back into formal session, I will be seeking unanimous consent to go back to tabling of documents and I will table that document in the House. Hopefully, it will be this morning.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mrs. Lawrence.

Motion To Defer Discussion Of Department Of Personnel Pending Tabling Of Native Employment Policy

MRS. LAWRENCE: Thank you, Mr. Chairman. Since we do not have the policy on native employment, I move that we defer further discussion on the main estimates of the Department of Personnel until Members have had a chance to review the policy. Mahsi cho.

CHAIRMAN (Mr. Gargan): Your motion is in order. To the motion. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. I always felt that native employment was such a big farce and it is just proving the point now by not even having any constructive policy on native employment. Unless we have a policy and they mean business so that we will have native employment that could be effective -- I just cannot see telling us that they are going to table a policy. We are dealing with Personnel. I just do not understand why we have to even discuss the main estimates of Personnel until we see that policy. I think it is only fair that we should defer it until other Members have a chance to see and review the policy of the native employment. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mrs. Lawrence. To the motion. Mr. Richard.

MR. RICHARD: Mr. Chairman, I would be in support of the motion of Mrs. Lawrence. During the deliberations of the standing committee on finance in December, the Minister and other Ministers referred to the native employment policy and also the affirmative action policy which, we were told at that time, would be tabled at this budget session. In the standing committee we specifically requested an advance copy of these policies, which at least one Minister did undertake to make available to MLAs on a confidential basis, so that we could review these documents prior to them being discussed in the Legislature...

HON. TAGAK CURLEY: Confidential?

MR. RICHARD: ...and in fairness to the...

MR. MacQUARRIE: Just broaden who it is confidential to then.

MR. RICHARD: ...in fairness to the Department of Personnel, Mr. Chairman, some statistics, some considerable statistics about the current level of native employment by this government were provided to us in advance, but those statistics simply confirm emphatically Mrs. Lawrence's concerns that she has expressed and I would be in support of her motion that we defer so that we can discuss the policy after it is tabled. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. Mr. Minister, to the motion.

HON. RICHARD NERYSOO: Mr. Chairman, what is kind of ironic about this particular motion is the very simple fact that there was a request of us to develop an employment policy. We have that employment policy in government. It is not a matter of whether or not it is a policy that has been seen by this particular Legislature. It is a policy in government. The policy has been signed, has been approved by the Executive Council Members and we now have that policy in government. Now, if Mrs. Lawrence is suggesting that we do not have a policy, then I suggest to her that we really have no document to table and that if, as I already indicated, I am prepared to table the particular document, then there must be a policy and as much as Mrs. Lawrence wants to see the document, I suggest also that Members of the Eastern Arctic have a right to have that particular document translated into the appropriate language. Now, let us be fair, if you want the document and want to see the policy then it ought to be available to everyone.

Now, even more so, if Mr. Richard is also suggesting we do not have a policy, then so be it, I guess the reality is that we do not have a policy. But I do say to the general public of the Northwest Territories, we do have a policy and even better than that we are committing over \$300,000 to that particular initiative. If he does not and Mrs. Lawrence does not want to approve the budget and approve that particular expenditure then they should say so as well. They should indicate that to the general public because the Executive Council is committed to the policy, is committed to spending that extra money to ensure the success of that particular program. So, I would suggest that they indicate whether or not they are prepared to proceed with that particular expenditure. If not, then they should say not.

HON. TOM BUTTERS: Point of order, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. Butters, point of order.

HON. TOM BUTTERS: Mr. Chairman, might the motion be circulated?

CHAIRMAN (Mr. Gargan): We will recess for five minutes then to get your motion circulated.

---SHORT RECESS

The committee will now come back to order. We are dealing with Mrs. Lawrence's motion. To the motion. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, the motion suggests that the House defer further discussions on the main estimates of the Department of Personnel until Members have had a chance to review the policy. I suggest that the Member does not have to attack the problem with a sledgehammer. The policy and the funding made available for the policy is contained on page 7.8 of the Department of Personnel estimates. We could continue to carry on with general questions and then get into the various details of the department's expenditures with the exception of that page, personnel services. And we could leave that particular page until Members have had a chance to review the policy. So there is no need to defer the estimates of the whole department at this time. We can meet the Member's wishes but at the same time continue with a review of the estimates. So I will be voting against the motion.

Motion To Defer Discussion Of Department Of Personnel Pending Tabling Of Native Employment Policy, Vote Challenged

CHAIRMAN (Mr. Gargan): To the motion. Are the Members ready for the question? Question is being called. All those in favour? Opposed, if any? The vote has been taken and it is a tie vote. I am voting against this motion.

---Defeated

---Applause

Mrs. Lawrence.

MRS. LAWRENCE: Mr. Chairman, can I make another motion?

CHAIRMAN (Mr. Gargan): Mrs. Lawrence, could you make your motion when we get to personnel services to defer that particular -- go ahead, Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. I move that we defer for further discussion until the Members have a chance to review the policy and translate for eastern Members.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Gargan): Mrs. Lawrence, could you repeat that motion again and provide copies?

MRS. LAWRENCE: I move that we defer this native employment policy for further discussion until Members have a chance to review the policy and translate it for the eastern Members. Mahsi cho.

CHAIRMAN (Mr. Gargan): Mr. Butters.

HON. TOM BUTTERS: Point of order, Mr. Chairman. I believe that that is really the same motion except that...

CHAIRMAN (Mr. Gargan): Mr. Butters, could you -- okay.

MR. PUDLUK: Point of order.

CHAIRMAN (Mr. Gargan): Mr. Pudluk.

MR. PUDLUK: Member is not in place. Vote is invalid.

AN HON. MEMBER: That is a good point.

CHAIRMAN (Mr. Gargan): Mr. Pudluk, would you repeat your point of order?

MR. PUDLUK: When that vote took place, Ms Cournoyea was not sitting in her seat.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Pudluk. Order, please. Mr. Pudluk, your point of order is correct. A Member has to be in his seat in order to vote so I recall this -- Mr. Wray.

HON. NELLIE COURNOYEA: Point of order.

HON. GORDON WRAY: Point of order. Mr. Chairman, the Member for Yellowknife Centre is improperly attired in the House and was when the vote was taking place.

---Laughter

CHAIRMAN (Mr. Gargan): Mr. Wray, you do not have a point of order.

---Laughter

Mr. Wah-Shee.

MR. WAH-SHEE: Mr. Chairman, the point of order that I would like to raise is that the vote has already been taken.

AN HON. MEMBER: Hear, hear!

MR. WAH-SHEE: So I think that if Ms Cournoyea did not vote and obviously it was...

MR. BALLANTYNE: We have won.

MR. WAH-SHEE: We have won the motion that was put forward by Mrs. Lawrence.

CHAIRMAN (Mr. Gargan): Ms Cournoyea did vote but she was not in her seat at the count of the vote. Mr. Minister, point of order.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. Yes, point of order. We are prepared to defer the section that deals with the question of native employment.

AN HON. MEMBER: Hear, hear!

HON. RICHARD NERYSOO: However there are other sections in the Department of Personnel that can be discussed that have no impact with regard to the question of the native affirmative action program. Or the native employment policy program. So I mean that if the mover of the motion does not accept that then I guess she will not accept the fact that we try to compromise.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mrs. Lawrence, I believe you had a motion on the floor which I have not ruled on yet. Do you still wish to proceed with your motion?

MRS. LAWRENCE: Yes, Mr. Chairman, I would like to proceed with my motion. And the motion -- well, what happened to the first motion that I made?

MR. MacQUARRIE: We were hoping you wouldn't notice that.

MR. McCALLUM: I think I'll go for a walk.

CHAIRMAN (Mr. Gargan): With regard to Mr. Pudluk's point of order, I would like to take a 10 minute recess to come back with a ruling on it.

---SHORT RECESS

Chairman's Ruling

The committee will now come back to order. On the point of order raised by Mr. Pudluk. Mr. Pudluk is correct in his point of order and I quote from Beauchesne's Rule 223(2) which states: "A Member must be in his own seat should he wish to vote and should remain in his seat until the division is complete and the result announced." This was not the case when the vote of the honourable Member, Ms Cournoyea, was counted. I therefore rule that the Member, Mr. Pudluk, did raise his point of order as soon as he could and therefore the vote of the honourable Member, Ms Cournoyea, is not counted. The vote then being seven to six, Mrs. Lawrence's motion is carried.

HON. NELLIE COURNOYEA: Point of order, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Point of order, Ms Cournoyea.

Ruling Challenged

HON. NELLIE COURNOYEA: Mr. Chairman, I would like to challenge your ruling on the basis that precedents have often been set in the past. I have noticed on very many occasions that people were not in their respective seats when votes have been taken. As a precedent, it has been set. As well, the honourable Member, Mr. Pudluk, should have raised his point of order before you, yourself, had placed your vote and put forward in the House, announced the results of the vote. I challenge you.

CHAIRMAN (Mr. Gargan): I will rise then and report to the Speaker and have the Speaker decide on it.

MR. SPEAKER: Mr. Gargan.

ITEM 16: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF BILL 7-85(1), APPROPRIATION ACT, 1985-86

MR. GARGAN: Thank you, Mr. Speaker. I made a ruling in the committee of the whole and it was challenged.

MR. SPEAKER: Thank you. Mr. Clerk, could I see you at the chair for a moment? Ms Cournoyea, you have challenged the ruling, would you care to give me an explanation on your position, please?

HON. NELLIE COURNOYEA: Mr. Speaker, when there was a vote taken, the vote was counted, the vote was tied, the chairman voted, he announced his vote. Later the honourable Member, Mr. Pudluk, indicated that I was not in my chair when the vote was taken but this was announced after the

committee of the whole chairman had announced the decision. I also indicated that on numerous other cases, precedents had been set where votes had been taken and counted while other Members were not duly in their seats. Thank you.

Speaker's Ruling

MR. SPEAKER: Thank you, Ms Cournoyea. To my recollection, and I have checked with the Clerk, there is no record that at any time did a Member rise on a point of order to indicate that a Member was out of their chair when a vote was taken. So, although it may have occurred, if it was not challenged and a ruling set then, of course, the fact that it did occur really does not enter into the decision-making process. Our rules say that it must be done and if it is brought to our attention by a Member then, of course, the ruling must stand, because that is in your rules. The second part of your point is that the vote was announced and the chairman did vote and announce the result of the vote. Now, the question on which I have to satisfy myself is, did Mr. Pudluk make his point of order known to the chairman as quickly as he could?

MR. PUDLUK: Oh yes, I put it like this.

MR. SPEAKER: Now, that is the position I find myself in. I was not in the House. The location of Mr. Pudluk's chair, I know from past experience, sitting at that table, it is not always easy to see an honourable Member if he has just got his hand up. So, I will rule that the Member did get the attention of the chairman as quickly as he could...

AN HON. MEMBER: No, point of order.

MR. PUDLUK: Yes, I did.

MR. SPEAKER: ...and therefore the ruling of the chairman will stand. The vote of Ms Cournoyea will not be counted on this particular occasion. Now, that is your own rule with regard to being in your place.

We will resume in committee of the whole with Mr. Gargan in the chair.

REVERT TO ITEM 15: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 7-85(1), APPROPRIATION ACT, 1985-86

Motion To Defer Discussion Of Department Of Personnel Pending Tabling Of Native Employment Policy, Carried

CHAIRMAN (Mr. Gargan): The Department of Personnel has been deferred.

---Carried

Which department does the government wish to proceed with? Mr. Minister.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. I would like to move that we report progress.

CHAIRMAN (Mr. Gargan): This motion is not debatable. All those in favour? To report progress. Opposed, if any? This motion is carried.

---Carried

I will now rise to report progress.

MR. PUDLUK: There was some interference again with Bob MacQuarrie's seat, somebody else was sitting in his seat.

CHAIRMAN (Mr. Gargan): Mr. MacQuarrie did not vote, I believe. I will rise now and report progress.

MR. SPEAKER: Mr. Gargan.

REVERT TO ITEM 16: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF BILL 7-85(1), APPROPRIATION ACT, 1985-86

MR. GARGAN: Mr. Speaker, your committee has been considering the departmental details of the 1985-86 main estimates and wishes to report progress.

Motion To Accept Report Of Committee Of The Whole, Carried

Mr. Speaker, I move that the report of the committee of the whole be concurred with. Thank you.

MR. SPEAKER: Thank you, Mr. Gargan. Members have heard the report of the chairman of the committee of the whole. Are you agreed?

SOME HON. MEMBERS: Agreed.

---Carried

MR. SPEAKER: Announcements from the floor. Mr. Clerk, announcements and orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a meeting of the standing committee on finance on Saturday, at 2:00 p.m. There will be a meeting of the standing committee on legislation on Monday, at 9:00 a.m. and a meeting of the Management and Services Board on Monday, at 10:00 a.m.

ITEM 17: ORDERS OF THE DAY

Orders of the day for Monday, February the 25th, at 1:00 p.m.

1. Prayer
2. Members' Replies
3. Ministers' Statements
4. Oral Questions
5. Written Questions
6. Returns
7. Petitions
8. Reports of Standing and Special Committees
9. Tabling of Documents
10. Notices of Motion
11. Notices of Motion for First Reading of Bills
12. Motions: Motion 5-85(1); Motion 6-85(1)
13. First Reading of Bills
14. Second Reading of Bills
15. Consideration in Committee of the Whole of Bills and Other Matters: Tabled Document 23-85(1); Bill 7-85(1); Bill 3-85(1)

16. Report of Committee of the Whole

17. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:00 p.m., Monday, February 25th.

---ADJOURNMENT

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