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

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

WEDNESDAY, MARCH 12, 1986

MEMBERS PRESENT

Mr. Angottitauruq, Mr. Appaaq, Mr. Arlooktoo, Hon. Michael Ballantyne, Hon. Tom Butters, Hon. Tagak Curley, Mr. Erkloo, Mr. Gargan, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Hon. Bruce McLaughlin, Mr. Nerysoo, Mr. Paniloo, Hon. Dennis Patterson, Hon. Red Pedersen, Mr. Pudluk, Mr. Richard, Hon. Nick Sibbeston, Mr. T'Seleie, Mr. Wah-Shee, Hon. Gordon Wray

ITEM 1: PRAYER

---Prayer

Speaker's Ruling

DEPUTY SPEAKER (Mr. Wah-Shee): Before we proceed with the orders of the day I would like to provide to the House my ruling concerning the point of privilege raised by Mr. Wray on Monday, March 10th. To review for Members the circumstances surrounding the point raised by Mr. Wray during oral questions, Mr. MacQuarrie asked Mr. Wray and I quote from the unedited transcript, page 1107: "Could I ask the Minister whether that incident would fit within his dictionary definition of patronage that he supplied to the House the other day?"

At that point Mr. Wray raised his point of privilege and I quote again from the unedited transcript, page 1108: "What the Member has referred to is a direct charge against me as a Member of this House in participating in patronage."

Mr. Wray did advise the House he would take Mr. MacQuarrie's question under advisement and then, in my opinion proceeded to answer. Mr. Wray then asked the Member if he would withdraw his remark. I have checked the transcript extremely carefully and find that there is no case of privilege in this matter.

Item 2, Members' replies. Mr. T'Seleie.

ITEM 2: MEMBERS' REPLIES

Mr. T'Seleie's Reply

MR. T'SELEIE: Thank you, Mr. Speaker. I had a very tough time in deciding to make my reply. I think, Mr. Speaker, partly because quite often rather than speak -- I would prefer that when I speak that I make myself understood and in the course of writing my reply I have a problem doing that.

About a year ago at the Rankin Inlet session, I said that my constituency was one of the most difficult constituencies to represent. I recognize, of course, that every constituency has its own difficulties but I had a reminder of the broad range of interests that I have to try to respond to when the mayor of Norman Wells called for my resignation at a Shihita Regional Council meeting last August. The reason that he did that was because of a newsletter that I put out in which I neglected to mention Norman Wells. The item made the CBC news at 5:30. The mayor's move came as a surprise to me and other elected community representatives and of course it was not supported. The incident showed me that the nature of the concerns that I had to deal with, certainly the concerns

of the bar owner who is concerned with not having his bar filled to capacity on a nightly basis because there are no more pipelines being built, are a lot different from the concerns of the person who does not want to see any more pipelines because of the impacts which might change patterns of animal behaviour, patterns which he has learned over a lifetime, changed to the point where he can no longer predict them or the fact that his children will not ever really have meaningful and permanent employment from these kinds of projects. The example might seem extreme but I think it is in some ways typical of the concerns that I have to try to respond to.

#### Concerns Of Norman Wells

The concerns of Norman Wells are not unlike those of any growing municipality. After the completion of the artificial islands and the pipeline there appears to be a trend toward a more permanent population base. Over the last few years I know that this government has been contributing toward expanding the natural gas network system. As well, I am aware that the utilidor system has been upgraded and expanded at various times. This coming summer, major work will proceed on a \$1.5 million sewage treatment facility. The Department of Local Government has been a major contributor to a hockey arena, which I understand is in the final stages of completion. In addition, a curling rink and a summer swimming pool are being put in place. In addition, various departments including Economic Development, DPW, Local Government, Social Services and the Executive have been establishing personnel at Norman Wells in the last few years. This is something that I do not entirely agree with because I think that other communities should be given the opportunity to experience more regional government administration. Also, I do not see Norman Wells as being typical of the region. If we are to make bureaucracy more accountable and more knowledgeable of the problems of the people that it is supposed to serve at a community level then this is a step that I recommend we take.

MR. GARGAN: Hear, hear!

MR. T'SELEIE: Norman Wells is moving toward tax-based status. If this tax-based status for that community will mean that the community will be able to take care of its own infrastructure and its own capital requirements, then I am in support of it. I am aware that some of the capital requirements of that community, such as roads and land development, put a strain on the capital plan of the region. I hope that tax-based status for Norman Wells will free up more capital dollars for other communities in the region.

#### Development Of Community Government, Fort Good Hope

As you are aware, Fort Good Hope has what is referred to as a community government. Originally the idea for change came as a result of the fact that the majority of community members were of the opinion that the hierarchy of settlement, hamlet, village status was not something that they could agree with because it did not give them enough control. The terms of reference of a hamlet as the government viewed them, were not the same as they were viewed by the community. One example was that community people did not feel that their area of jurisdiction could be limited to only hamlet or municipal boundaries. They felt that it extended far beyond these boundaries because of their interest in lands for hunting, trapping and fishing. Along with this was the fact that the government model carried with it many rules and regulations that they did not agree with nor understand. A further problem was the fact that, at the time, those people who were involved with the original settlement council concept were callous in their approach on how they wanted to make their own people fit into a government's model.

I recall one year, about 10 or 12 years ago, when it was time for elections for settlement councils, we were asked by some of our leadership in the community not to vote. As a result of this the settlement council elections had barely a 20 per cent turnout. And yet for a period of one or two years the government continued to consult and meet only with these settlement councils, even though a great many people had not voted. Subsequent to this I believe what the government did was basically throw up its hands, which is the way they should have approached it in the first place.

For a period of some years after this there was no community government, as such, that was recognized by the government but basic administration continued. It was not until 1978-79 that the community government came into being. The Hon. Nick Sibbeston was partially instrumental at that time in making this form of municipal government recognized by the Executive Council of the time.



During the time that there was no government at the community level there was never much interest in that community in the area of municipal services because these services, except for sewage and garbage pick-up, were done through one contractor. These contracts such as water delivery, roads, airport maintenance, etc., were carried out through the only contractor in town. I believe that the community has not benefited from this situation which was the case from the earliest of times, at least since the government first started putting infrastructure into communities in the 1960s. I am not complaining about the work of these contracts not being done or the quality of the work. I am told that in comparative terms the services which were offered by the contractor were quite good. My point is that the community people never had a chance to experience how to run a business or run the services to the community itself. Therefore, they did not care. So over a period of many years since the government first started paying for municipal services, there has never been a real benefit to the community in terms of people benefiting from government dollars that were put into that community. I am aware that from time to time the contractor did hire local people but only when he had extra contracts. The permanent or full-time employees that he does have are also outsiders.

I am also aware that in a community such as Fort Franklin and in Eastern Arctic communities, there are many more people who have a real appreciation of how a community is run because in those communities the government owns all the equipment. And as I understand it, the hamlet merely hires the drivers and operators. So I believe that in Fort Good Hope at least there is a kind of malaise with respect to municipal services for the reasons that I stated above.

I am happy to say that this situation is changing, though only in the last few years. I was a part of a meeting several months ago at which time the contractor gave a commitment to the community that he would be around for only a couple more years. He has other interests in the South that also require much of his time and feels that perhaps it is time to allow others in the community to worry about municipal services. I would urge that this government, especially the Department of Local Government, be aware of this situation so that they will be in some position to respond. I want to also point out that this is partially the business of the Department of Economic Development to assist the community in trying to find ways in which they can put together necessary capital to begin to help the community begin to start running its municipal services.

#### Slavery As Language Of Instruction

Since the arrival of a new principal in Fort Good Hope, parents are more interested in what is happening at the school. The new principal is receptive to receiving ideas, criticisms, and I am told is trying his best to put some meat on one of the Department of Education's stated objectives of having parents more involved in the education of their children. I know that as late as two weeks ago there was a community meeting at which 60 or 70 people showed up. This meeting was concerning the usage of Slavey as the language of instruction. Parents at that meeting I am told were in general agreement. However, some had reservations about what it would mean for the instruction of children in English. I believe that this is a positive step and it should be done but we should make sure that we do not have the type of situation that Mr. Angottitauruq referred to in his constituency, whereby children were being confused because the Inuktitut dialect that they were being taught was not the same as what they were listening to at home. So the question is not whether to implement the program but if you implement it, to make sure that you have the resources to do it properly.

#### Housing In Fort Good Hope

Housing in that community continues to be a problem. Members should be aware that there was no type of housing put into this community for a period of about seven or eight years between 1973 and 1980 because the community refused to accept any more public rental units. During this time, new families were created, the population grew and families doubled up and people managed. It was not until 1980 when the small settlement home assistance program came into being that new units began to be introduced into that community. This as you know later came to be known as the HAP program, which is a very popular program.

It is difficult for people to understand why the government spends so much money on the public housing program when for the price of one of these units you can probably build two HAP units. I have to say too that I find it difficult to understand and it is an area which I think the Minister of Housing should try to do something about, at least in the Western Arctic. I think it would be a major feather in the Housing Minister's cap if he were able to negotiate or find ways that money

that is allotted to public housing could be used for other forms of housing which in the long-term would not cost as much. There are many houses in this community that I do not believe should be lived in. I do not want to use the word "deplorable" but that is the word that comes to mind. These houses need to be replaced. In any event, the housing in that community has some way to go before it can be considered to be under control.

After some years without a wildlife officer, an officer was posted in Good Hope last year. This position is an important one for the community since there is a great deal of interest by local residents in the programs of the Department of Renewable Resources. Last September, about 40 families, which is the usual number each year, again went out on the land until Christmas. One of the very real regrets for many people is the fact that at different times of the year they are not able to get out of the settlement for extended periods on the land because of work or other kinds of town commitments, such as the fact that their children have to go to school. Many people continue to view the land as providing the most stable form of livelihood.

Another area which is important for the community and in other communities in my constituency is the area of alcohol and its problems. In my opinion, there has been a good deal of improvement in this area. I want to encourage the government to continue to support drop-in centres as I believe these have made a real difference in making people aware of the dangers of abusing alcohol.

#### Partnership With British Petroleum

Fort Good Hope has also in the last two years been involved at a federal and territorial level in the negotiation of a resource development agreement and in the release of some additional lands for exploration. The principles of this agreement are I think something the government can learn from. First of all, what essentially happened was that the resource development company, British Petroleum, saw it in its interests to consult extensively with and to form a partnership with the community. A joint company was formed and an agreement was made in respect of sharing in revenue, equity participation, environmental protection, decision making, etc. The community was satisfied that it would have a large measure of control in every matter and therefore agreed to go after the federal government to lease additional lands for exploration. The joint company is one of the bidders for the new lands. The community hopes to begin benefiting, if their joint company is the successful bidder.

#### Colville Lake

Sometime early last year I wrote a letter to the Minister of Local Government in which I argued that the community of Colville Lake should qualify for some form of settlement status. Although some work still needs to be done, I am pleased that the government has at least partially responded by agreeing to make a contribution for a small community hall, as well as by placing a small school in the capital plan for some years down the road. A major concern for many of that community's residents is the very sudden increase in the last few years in exploration for oil and gas in their hunting, trapping and fishing areas. This, I believe, is having some effect, not only on the fur bearers but on the Bluenose caribou herd. With regard to the increased exploration in that area, I feel strongly that the concerns of that community be listened to and addressed. Colville Lake votes in the NWT elections and they are also guaranteed two voting seats on the Shihta Regional Council.

#### Fort Franklin

Mr. Speaker, the name Sahtu means Bear Lake. The Fort Franklin people are known by other Dene as Sahtu Dene or Bear Lake people. They get their name from the lake. In other words they are the people who have traditionally used and occupied the shores of this great lake and as such they see themselves as the owner of this great lake and its resources. One of the major concerns that people have had at Fort Franklin for years is concern over sport fishing lodges. Their concern is that the lake is slowly being depleted of its trout and other fish by sport fishing lodges. The people have requested that no new permits be issued to the lodges which would make it possible for them to expand their areas for sport fishing. What has happened is that the lodge operators are finding that the areas immediately around their lodges are not as good for fishing and therefore are looking for other areas to fish. The people are particularly concerned about inland lakes which are used by them for subsistence fishing. I am told that none of the lodges are owned or operated by the Dene. Also most of the lodge operators do not reside in the NWT and further, employment of native people at these lodges is almost non-existent.



Another major concern in Fort Franklin is the need for a new airport. When the new school was officially declared open last year, there was some talk among parents to the effect that they did not want to send their children to the new school because it was too close to the airport. They were worried that a plane could crash into the school. I am not sure why something like this was not identified at the planning stages of the school. In any case there is a need for the federal government to proceed on its planned airport for that community. We are told that in the scheme of things, Fort Franklin is high on the priority list for new airports but we also know that the arctic airports program, as far as the feds are concerned, is somewhere in limbo. In relation to this subject of airports there is a need for an observer-communicator at Fort Franklin. There is some speculation by community people that the tragic air crash in October, 1984 may not have happened had there been reliable reporting of weather from the community. The Canadian Aviation Safety Board report which was released in late 1985 stated that the crash was due to pilot error.

In the matter of community offices, Fort Franklin should be high on the list and I am pleased that the new community hall will be constructed there within the next two years. The present hall is quite old and should be replaced.

#### Band Involvement In Economic Sector

Very recently the band corporation in Fort Norman was successful in securing ownership of the main contracting company in that community. The band corporation hopes that by taking this step that they will be able to take advantage of DPW contracts on winter road construction north and south of Fort Norman, as well as the section into Fort Franklin. I want to say here, Mr. Speaker, that in three of the communities that I represent there are band corporations. Overall I think that there is an increasing awareness and willingness on the part of native people to participate in the economic life of the North, though certainly not just at any cost. I want to say that I support and encourage native involvement in the economic sector. It is a positive step.

During the capital planning consulting tour that I was a part of before Christmas, the subject of recreation and the need for facilities was a major concern in Fort Norman. Although I am not one to advocate that the government should hand over everything that a community asks for, I want to point out that recreational facilities is one area the government might want to seriously consider. In three of the communities that I represent there are no real recreational facilities except for the school gyms which are always booked up. It seems that recreation is one area which could lead to more healthy communities especially for the younger people. I can see that recreation and organization of events can quite easily become a focus for many residents in some communities.

#### Proliferation Of Committees

In terms of some general remarks I want to say that one of the general areas that continues to concern me is organization at a community level and the proliferation of committees. We have HTAs, LEAs, housing associations, social services committees, band councils, hamlet councils and regional councils. The government should take steps to correct this situation. I have on more than one occasion been told one thing by a chief or a mayor and another by a chairman of a housing association. It is not always easy to know who to believe.

I want to recommend to the government that they turn over funds that they use to operate these committees to the main councils in each community who would in turn, turn it over to a subgroup or subcommittee to do the job that needs to be done at the community level. Hamlet, band or community councils are more representative of a community and I feel that their authority should be recognized in the proper way. I should point out that the government should only do this in communities which request that it be done. I think too, Mr. Speaker, that it would make administration much simpler and it would be less confusing for community residents who often do not know who is the boss.

Generally I want to indicate my support for the Executive Council, especially in the area of affirmative action. Affirmative action should have been started many years ago. I think in the long run that the whole government would have been better off for it. I do not advocate that we should just hire native people because they are native people, but we should be aware and open to the fact that there are native people out there who are qualified, capable and experienced and who can function at senior levels in this government. I believe that this Executive is serious about its stated objectives. I know that in my constituency, all the wildlife officers except for one,



are non-native. There are no native policemen, there are no native NCPC plant managers. There are no native nurses and there are no native Hudson's Bay managers. This is a situation that I hope to see changed in the future. I hope that affirmative action will benefit my constituents. I want to also indicate my support for the Executive in the area of recruiting new blood for the senior territorial civil service. This is something that needs to happen and I know we all agree that it is good to have new blood in any organization. Civil servants have a great deal of influence in what happens in day to day government and if they are set in their ways and not willing to accept new and different ways, then things are more difficult for everyone concerned.

Another general concern for me is the whole area of military build-up, cruise missiles and low level flying. Northern people have no say in decisions that are made by the military. If we were to poll northerners for their views, I think we would find that a majority would either be opposed or extremely nervous about the increasing militarization of the NWT. This being the case, I believe that this government has an obligation in representing the concerns of its people to the other levels of government. I find it difficult to support the notion that we have to support the status quo in order to maintain our credibility as a government. I think that the more this government distinguishes itself and attempts to make its special circumstances understood, in the long run we will all be better off for it. We should not attempt to always copy what is going on in the South.

#### Settlement Of Aboriginal Rights

Mr. Speaker, a majority of my constituents are Dene and Metis. I know of no other issue that has the potential to fundamentally alter their lives as has the satisfactory settlement of aboriginal rights. Certainly it seems to me that no other issue has had people's attention as this issue has had. In the matter of oil and gas development at Norman Wells, in the matter of increased exploration on traditional lands around Fort Good Hope, Fort Norman and Colville Lake, in the matter of encroachment of sport fishing on subsistence fishing at Great Bear Lake and in many other matters, my constituents feel that aboriginal rights must and will make a difference. These matters, Mr. Speaker, are not matters of motherhood and apple pie. I want to state at the outset, that the purpose of aboriginal rights settlements is not to make second-class citizens of anyone. Nor is the purpose to deliberately and knowingly undermine the authority of what is called public government. The satisfactory, fair and meaningful settlements of aboriginal rights here in the North, can be beneficial to both native and non-native people and in my view, the suggestion that aboriginal rights settlements will undermine public government, will create ethnic states, will create second-class citizens, is a suggestion that puts aboriginal rights in a negative context and it, therefore, has the effect of diminishing what aboriginal people can expect from the satisfactory settlement of their rights. For these reasons and for the reason that the Dene/Metis are now beginning to negotiate a lands and resources agreement, it is hard for me not to address this issue.

Mr. Speaker, aboriginal rights were recognized and enshrined in the Canadian Constitution in 1982. Here in the Western Arctic we also know of the famous caveat case of 1973. I think that we can describe aboriginal rights as consisting of property rights, cultural rights and the rights to self-determination. In terms of the property rights of the aboriginal people, this right applies to all those lands that were traditionally used and occupied. The definition of these property rights is still being negotiated but it appears to be taking the shape of a regime in which some lands will be held in fee simple title, with a portion of those lands including subsurface title, in the rest of the lands aboriginal peoples will need to maintain property rights, whether in the form of a share in revenues or royalties or a measure of control over developments or a benefits agreement, like the one that has been the cause of so much controversy in this House. So for Mr. MacQuarrie to state categorically and unequivocally in this House that the resources are publicly-owned resources on publicly owned lands is, in my view, to miss the whole point and to start from such a fundamentally different premise as to make negotiations impossible.

With regard to the suggestion that aboriginal settlements will make some into second-class citizens, I want to say that I find the concerns expressed by the Members from Yellowknife to be more than a little ironic. In travelling back and forth between my constituency and Yellowknife, I am continually struck by the vast differences in standards of living, in employment statistics, in family incomes and in all areas the dominant society uses to judge quality of life. With the exception of Norman Wells, I am sure that I am safe in stating that considerably less than 50 per cent of my constituents have running water. Many do not have electricity and few know the luxury of living in dwellings where there is a separate room for every member of the family. Few know of

savings accounts, vacation homes, etc. I do not have up-to-date statistics, but I would be surprised if more than 50 per cent of the employable adults in Sahtu have held even a seasonal wage job in the past year. So when I hear the affluent Yellowknifers crying that they are about to be turned into second-class citizens by agreements intended to guarantee some participation for native people, I must admit that it is hard for me to feel any genuine sympathy.

MR. GARGAN: Hear, hear!

#### Agreements To Ensure Participation In Benefits

MR. T'SELEIE: Another suggestion that was made was that the Inuit impact and benefit agreements will undermine the authority of public government. This again is a suggestion that puts aboriginal rights in a negative context and one that, in my view, misrepresents the honourable intent of such development-related agreements by aboriginal peoples. The reason for negotiating these kinds of agreements is simply to ensure participation by aboriginal people, not to willingly and knowingly undermine public government. The Norman Wells expansion and pipeline project is an example of a large-scale development project that was intended to bring all kinds of benefits to the Dene and Metis in terms of training, jobs and economic spin-offs. The facts of the matter, as we now know them, are that this did not happen. The lesson here is that good intentions and programs without the force of legislation are simply not good enough.

Also, Mr. Speaker, it is my view that these types of resource development-related agreements are necessary if we are to ensure that native people in the North are not snowed under by the negative impacts of large developments. It is also my belief that the social situation and the disadvantaged position of northern aboriginal people will never change until aboriginal people are allowed those measures of control over development that they seek. I also think, Mr. Speaker, that the willingness to allow the North's aboriginal people these concessions, if they can be called that, has to be a conscious decision on the part of the dominant society, which at this time obviously still has the control.

Mr. MacQuarrie believes that the principles of public government and democracy and equality are worth protecting and preserving. I could not agree more and I hope that the example of Quebec, where the people were allowed to maintain their property, their language, their religion, their educational system and their own government while still participating in public government, can serve as an inspiration for the kind of partnership that the native people of the NWT are seeking. I realize, Mr. Speaker, that this is not the final word on this matter but I felt that I needed to make these points at this time and I want to thank you for listening. Thank you.

---Applause

MR. DEPUTY SPEAKER: Thank you. Item 2, Members' replies. Item 3, Ministers' statements. Mr. Sibbeston.

#### ITEM 3: MINISTERS' STATEMENTS

##### Minister's Statement 15-86(1): On The Matter Of Iligiittut Ltd.

HON. NICK SIBBESTON: Mr. Speaker, I would like to make a statement with respect to the Iligiittut Limited matter. I have reviewed all matters concerning the Iligiittut Limited matter and I am satisfied that there has been no wrongdoing on the part of any government official or officials. The company is indeed an Inuit company with a broad base of support in the Keewatin. The company officers appear to be in full control of the affairs of the company.

The contract to Iligiittut Limited has occupied a great deal of the time in question period over the last several days and has resulted in allegations and counter-allegations being made in the House. Mr. Speaker, I believe that the time has come to set the record straight and set the matter to rest once and for all. I will therefore seek to put the matter in its proper perspective and respond to the concerns that the honourable Member for Yellowknife Centre has raised.

First and foremost, I want to dispel the idea that the awarding of this contract was in some way contrary to government policy or the contract regulations. It is indeed true that the government does not have a formal leasing policy but in my view it is wrong to suggest that no rules apply to leasing situations in the government. The awarding of lease contracts is specifically provided for

and covered extensively in the contract regulations of the government. As honourable Members know, regulations have the force of law and are far more effective than policies. The Iligiittut matter therefore was and is covered by the contract regulations of the government.

It is equally important, I believe, to appreciate the nature of the tendering process. A submission of a tender is in law no more than an offer to enter into a contract and until the offer has been accepted, no legal relationship or obligation arises between the parties. Indeed the government is under no obligation to accept anyone's offer and may reject any or all of the offers at any time.

The contract regulations set out the legal regime under which the government will function when it is intending to enter into a contract. The regulations are duly printed and made public so that persons dealing with the government are made aware of the rules of the game. In recognition of the fact that the government must reserve unto itself the right to decide who it wishes to do business with, the regulations grant to the Executive Council an overriding paramount authority to enter into a contract with any person and further provide that in such a case most of the other provisions of the contract regulations shall not apply. While at first glance such a provision may appear to be overpowering, it is important to keep in mind the checks and balances that are built into it. The paramount authority is not given to the department head or even to the Minister, but to the Executive Council, where such a matter would undergo severe scrutiny. Moreover, the Executive Council is always accountable to the Legislative Assembly for all its decisions. The Executive Council is elected by the Legislative Assembly to carry out the Executive functions of the government and as long as it enjoys the confidence of the Assembly, it has the mandate to administer the government. The authority of the Executive Council on contracts is utilized very sparingly. In fact, in the current fiscal year, I am informed that out of approximately 900 contracts awarded by the Department of Public Works to date, the Executive authority was used in only five contracts.

AN HON. MEMBER: Hear, hear!

#### Lease Contract Conformed To Regulations

HON. NICK SIBBESTON: Mr. Speaker, to get more specific in the Iligiittut matter, the decision to enter into a lease contract was made by the Executive Council in full conformity with the contract regulations. In my view therefore, it is unfair for any honourable Members to give the impression to the people of the NWT that, in awarding the contract, somehow the Executive Council acted beyond its authority or in violation of the contract regulations.

The proposal for construction and rental of a 23 unit apartment complex was advanced by a company called Sanajiit (1980) Limited, in Rankin Inlet, acting for a new company to be formed for this project. In July, 1985, the Commissioner, who then had responsibility for the Department of Personnel, proposed and obtained the approval of the Executive Council to authorize the government to enter into negotiations with the newly-formed company called Iligiittut Limited. The Commissioner's recommendation was based on the fact that the newly-formed company involved residents from several communities and the base would be as broad as possible.

Mr. Speaker, allegations have been made about the lack of such broad participation in the Keewatin and the alleged changes in the number and names of shareholders of the company. In the complex world of corporate commerce such manoeuvres are not unknown nor is the idea of promoters of business ventures new. However, in retrospect, the government probably could have been more vigilant to examine in detail the proposed plans for broadening the shareholder base of the company in question. It is not unusual though, that would-be shareholders become more interested only after the promoters of a business scheme have secured a tangible investment opportunity.

#### Procedures And Guidelines To Be Developed

The concerns raised over this matter in the last two weeks have shown the need for the government to satisfy itself that a company proposing to enter into a business arrangement with the government in the future, complies fully with the terms and conditions of such a proposal. I undertake to develop specific procedures and guidelines, with the assistance of the Minister of Justice and the Minister of Public Works.



Contrary to the honourable Member's letter, no changes were made to the regulations in May, 1985. The revision of the contract regulations was completed in March, 1985 and they were gazetted on June 12, 1985. The particular provision regarding the requirement to give reasons was removed for the simple reason that it was very poorly drafted and it put in doubt the procedures to be followed. For example, the old section read: "12(2) Where a contract authority recommends that a contract be awarded to a person or firm other than the person or firm who submitted the lowest tender, he shall forward his recommendation together with the reasons thereof to the Executive Committee for approval."

Mr. Speaker, this wording could be interpreted quite reasonably to mean that the contract authority -- normally a Minister -- could award a contract once he had forwarded the reasons for approval to the Executive Council. This procedure would be contrary to the Auditor General's recommendation that the contracts be awarded by the Executive Council. The wording would also suggest that the Executive Council would only be required to rubber-stamp the approval. The wording does not provide what the situation would be if the Executive Council does not approve or if the contract authority has by that time already awarded the contract.

My responses indicate the reasons why the provision was revised. It was not revised because the government did not want to document the reasons. In fact, as noted by me in the House on March 10th, the reasons for awarding the contract to someone other than the lowest bidder are always recorded. Therefore, unless there is an emergency, the procedures of the Executive Council require the tabling of a decision paper by the sponsoring Minister before the Executive Council can act on it. Such a decision paper would contain full details of the situation, with reasons, and the recommendations to the Executive Council.

Mr. Speaker, as I have indicated, the changes were made to improve the regulations and to raise the decision-making authority from the Minister to the Executive Council; to put in place the appropriate checks and balances; and to remove any question of bias. Mr. Speaker, I again emphasize that no departure from the present regulations is being made and reasons for the use of Executive Council authority are always recorded. However, if there still persists a doubt in the minds of some honourable Members, the government would be quite prepared to further amend the contract regulations to recognize current practice and to specifically provide that the Executive Council record its decisions for not awarding the contract to the lowest bidder. The type of amendment contemplated would simply provide that where the Executive Council enters into a contract or authorizes the entering into of a contract, it must record the reasons for doing so. Thank you, Mr. Speaker.

---Applause

MR. DEPUTY SPEAKER: Item 4, oral questions. Mr. Richard.

Question 182-86(1): Amendment To GNWT Contract Regulations

MR. RICHARD: Mr. Speaker, I wish to thank the Minister for the extensive reply. Just so I am clear on the last aspect of his reply, will the Minister undertake to put forward an amendment, to his colleagues on the Executive Council, to reinstate the requirement in law that the reasons be documented for not accepting the lowest tender? Is the Minister prepared to give that undertaking to bring an amendment forward to the Executive Council?

MR. DEPUTY SPEAKER: Thank you. Mr. Butters.

Return To Question 182-86(1): Amendment To GNWT Contract Regulations

HON. TOM BUTTERS: I will read my concluding remarks again. I think they fairly well parallel what the Member has asked. I indicated, Mr. Speaker, that the government would be quite prepared to further amend the contract regulations to recognize current practice and to specifically provide that the Executive Council record its reasons for not awarding the contract to the lowest bidder. The type of amendment contemplated would simply provide that where the Executive Council enters into a contract or authorizes the entering into of a contract, it must record the reasons for doing so. I believe that was what the question indicated was required.

MR. DEPUTY SPEAKER: Mr. Curley.



Return To Question 164-86(1): Application By Iligiittut Ltd. For EDA Grant

HON. TAGAK CURLEY: Mr. Speaker, return to oral Question 164-86(1), asked by Mr. MacQuarrie on March 10, 1986, with respect to EDA application for Iligiittut.

In respect of the honourable Member's question pertaining to an alleged EDA application by Iligiittut for an EDA loan or grant, I have been advised that such information is to be kept confidential and not disclosed. Such information can only be used for the administration of the EDA board and can only be released with the consent of the applicant. In view of those circumstances I do not think it would be proper to disclose the information sought by the honourable Member for Yellowknife Centre. Thank you.

MR. DEPUTY SPEAKER: Item 4, oral questions. Mr. MacQuarrie.

Question 183-86(1): Public Perception Of Government Contract Regulations

MR. MacQUARRIE: A question for the Minister of Finance. I would ask the Minister if he really expects the public to believe that a critical section of the government contract regulations was dropped because of poor wording, when that very section was the focus of attention of the Auditor General and of the public accounts committee and when it was dropped at a time shortly after the Arctic Star Distributors Ltd. contract issue came to the fore? Does the Minister expect the public to believe it was merely because of poor wording?

MR. DEPUTY SPEAKER: Mr. Butters.

Return To Question 183-86(1): Public Perception Of Government Contract Regulations

HON. TOM BUTTERS: The matter had been under consideration since well into 1984. So the Financial Management Board has been examining that for a considerable period of time.

MR. DEPUTY SPEAKER: Oral question. Mr. Paniloo.

Question 184-86(1): Hiring Of Dentists

MR. PANILOO: (Translation) Thank you, Mr. Speaker. This is directed to the Minister of Health. Some who like to laugh at me will do so, but I have a question. I had to have all my teeth removed. I have false teeth, you can look at them later on. My question is: How do you proceed in hiring the dentists? Do you only hire the ones you can afford or do you hire inexperienced dentists? My supplementary question is: We had approved a lot of money for the Department of Health, over a million dollars. Are these going to be used -- I am going to be putting in my false teeth so you can see that they do not fit. Are we going to be spending this kind of money for poorly fitting false teeth?

MR. DEPUTY SPEAKER: Order. Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I am just glad the honourable Member does not think of tabling that as a document.

---Laughter

Return To Question 184-86(1): Hiring Of Dentists

The coverage for dental services for Inuit and status Indians is covered by the Indian health policy and proper dental services are expected. Those dental services are provided by any practising dentist in the NWT. In other words, a person can go to any one of those dentists. So perhaps the Member might want to go to one of the dentists in Yellowknife when he is here. The dentists that visit the communities are contracted by the federal Department of Health and Welfare. I am not sure exactly what the various contractual ratings are for the different regions but the dentists that do go into the regions are all properly licensed and qualified from different universities. However, I could advise the Member that if he wants to see a dentist in Yellowknife while he is here I am sure he could be accommodated and if he has difficulties then he could maybe table the object in question in the June session. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. Mr. Erkloo.

Question 185-86(1): Old RCMP Building, Pond Inlet

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Justice. The women's association in Pond Inlet, I think perhaps they wrote a letter to you concerning whether they will be able to obtain the old RCMP building and I would like to know if they will be getting the house.

MR. DEPUTY SPEAKER: Mr. Minister.

Return To Question 185-86(1): Old RCMP Building, Pond Inlet

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I am aware of the situation and am having ongoing discussions with the RCMP. There is some problem with the RCMP wanting the land. They have offered to move the building but apparently if they move the building it may fall apart. So I am still talking with the RCMP and we are trying to work out a solution to the problem. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. The honourable Member for Deh Cho, Mr. Gargan.

Question 186-86(1): Criminal Records For Summary Convictions

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Justice. Yesterday morning when I was listening to the radio there was some concern expressed by an individual with regard to him not appearing in court. This guy was charged with not appearing in court and he had a record on account of that. This is not the only individual case. There are a lot of other cases where individuals did not appear in court and actually have records because of that particular situation. Most of those are summary convictions which means parking tickets or speeding tickets, something that you pay a voluntary fine for. He still could get a record for that and I believe the situation only applies here in the NWT and does not apply anywhere else in Canada. I would like to ask the Minister if I am correct in saying that and whether he intends to do something with regard to that particular situation?

MR. DEPUTY SPEAKER: Thank you. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I am aware of the situation. This is not the first time it has come before us. There are some discrepancies between our laws and federal laws. I will have a more complete response for the honourable Member tomorrow. We are working on it and the honourable Member has made a very important point. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. Mr. MacQuarrie.

Question 187-86(1): Reasons Why Arctic Star Distributors Ltd. Did Not Receive Contract

MR. MacQUARRIE: Thank you, Mr. Speaker. My question is for the Government Leader and it refers to what I consider to be a deceptive if not deceitful response earlier, when the Government Leader said that there are several reasons why lowest bids may not be accepted and went on to list some of them. I acknowledge there are several reasons why low bids may not be accepted. My question to the Government Leader is: Has the Government Leader or any Member of his cabinet demonstrated to the public that any one of those reasons apply to not accepting the low bid in the case of Arctic Star Distributors Ltd.?

MR. DEPUTY SPEAKER: Thank you. Mr. Sibbeston. Mr. Minister, are you prepared to reply to the honourable Member's question at this time?

HON. NICK SIBBESTON: Mr. Speaker, I was so shocked and surprised at the question I did not quite get it all. Could the Member please state it again and very simply so I can answer yes or no if that is what he wants?

MR. DEPUTY SPEAKER: Mr. MacQuarrie, would you clarify your question please.

MR. MacQUARRIE: The question is this, Mr. Government Leader: You listed several reasons why a government may decide not to accept the lowest bid. I acknowledge there are reasons why a government may not accept the lowest bid. My question to you though was that you seem to be

implying that those reasons applied in the case of Arctic Star Distributors Ltd. My question to you, Mr. Government Leader, is: Has your government demonstrated publicly in any way that even one of those reasons does apply to this particular contract?

MR. DEPUTY SPEAKER: Thank you. Mr. Minister.

Return To Question 187-86(1): Reasons Why Arctic Star Distributors Ltd. Did Not Receive Contract

HON. NICK SIBBESTON: Mr. Speaker, the answer is no.

MR. MacQUARRIE: Thank you.

MR. DEPUTY SPEAKER: Item 4, oral questions. Mr. Angottitauruq.

Question 188-86(1): Travel Assistance For Spring Break, Kitikmeot Students

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I have a question for the Minister of Education. I have received a telex from the KREC chairman, and he states that he is getting calls from the parents of the students at Sir John Franklin and they are going for a break on the 14th of March to the 24th. The parents are requesting that I, as their MLA, find some funds, which I do not have, so therefore I am asking the Minister if he would have any funds to send students home for this March break. Thank you.

MR. DEPUTY SPEAKER: Thank you. Mr. Patterson.

Return To Question 188-86(1): Travel Assistance For Spring Break, Kitikmeot Students

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. That matter of students going home for spring break has been carefully considered. I am informed that the cost for sending the Kitikmeot students and students from all regions who are attending residential schools, would be approximately \$250,000, which we cannot afford, and which is not in the Department of Education budget. So the short answer is no. But I would go on further, Mr. Speaker, to say that I have been concerned in the past that when some students have gone home for Easter break, having been very close to finishing their school year, they have ended up remaining home and not returning to finish off the school year. That is one concern.

Secondly, Mr. Speaker, I would like to point out that the Akaitcho Hall residence will be providing a daily recreation program to ensure that the students, even though they may not be going home, will be able to relax and get a proper break at that time of year. I would also point out, Mr. Speaker, that with a break of only one week, as the honourable Member may know, travel time alone to some communities in the Member's constituency could occupy up to half of that short break. So for all those reasons it has been adjudged as something not necessary to support financially. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. The honourable Member for Sahtu, Mr. T'Seleie.

Question 189-86(1): Fort Franklin School Playground

MR. T'SELEIE: Thank you, Mr. Speaker. I would like to ask the Minister of Education a question on the Fort Franklin school playground. The Minister had indicated to me at the standing committee on finance in January that he would be working actively at trying to have this playground finished this summer. I would like to ask the Minister if he has anything to report on that at this time.

MR. DEPUTY SPEAKER: Thank you. Mr. Patterson.

Return To Question 189-86(1): Fort Franklin School Playground

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I can tell the honourable Member that it certainly is my intention that we do that work this summer, through the Department of Public Works, which does this kind of work for the department. We have budgeted \$100,000 to devote to making a proper playground at the school. I cannot positively confirm that the work can be done this summer. At



this time, I understand there are some problems, including the availability of gravel. But I can assure the honourable Member that the intentions are to get the work done and perhaps by the next session we will be able to give you a firm commitment on that. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. Mr. McCallum.

Question 190-86(1): Fort Chipewyan Band Hunting Caribou In NWT

MR. McCALLUM: Thank you, Mr. Speaker. I have a question for the Minister of Renewable Resources. Could the Minister indicate to me if there has been an agreement reached between his department and the Cree and/or Chipewyan band of Fort Chipewyan to allow them to take caribou in the NWT? Has there been a change to the regulations to accommodate that?

MR. DEPUTY SPEAKER: Thank you. Mr. Pedersen.

Return To Question 190-86(1): Fort Chipewyan Band Hunting Caribou In NWT

HON. RED PEDERSEN: Thank you, Mr. Speaker. I want to thank the Member for giving me notice that he intended to ask a question on this subject. Mr. Speaker, the application by the people of Fort Chipewyan for access to caribou from the Beverly herd, is currently being discussed in the communities of the South Slave region. The Fort Chip people presented their application to the Beverly/Kaminuriak Caribou Management Board in August and the board has given their approval in principle. As the honourable Member is aware, the people of Fort Chipewyan are traditional users of the Beverly herd. By policy my department supports this type of access by non-residents of the NWT who are traditional users of resources which at times are only available within our borders. Similarly, we ask that in situations like that of the Porcupine caribou that users from the NWT have access to resources which they traditionally use, in other jurisdictions, in the Yukon. As part of our commitment to the land claims process we consult on any proposed changes which have an impact on the outcome of land claims. My departmental officials are presently consulting with users of caribou in the South Slave region. Thank you.

MR. DEPUTY SPEAKER: Thank you. Mr. McCallum.

Supplementary To Question 190-86(1): Fort Chipewyan Band Hunting Caribou In NWT

MR. McCALLUM: Thank you, Mr. Speaker. I have a supplementary to the Minister. Could the Minister indicate to me how large the proposed kill or take is to be, and given the data that the department has, can the herd take the proposed number? I recall in discussions when we talked about increasing for resident hunters, the Minister indicated that he had some concern whether the herds would be able to accommodate an increased kill.

MR. DEPUTY SPEAKER: Thank you. Mr. Pedersen.

Further Return To Question 190-86(1): Fort Chipewyan Band Hunting Caribou In NWT

HON. RED PEDERSEN: Thank you, Mr. Speaker. This is still, as I mentioned, in the consultation stage with the users of the herd. There are no agreements signed on it. There are no set quantities being discussed. There are quantities being mentioned but nothing has been agreed upon. I want to assure the Member that there will be no additional harvesting of the herd which would be contrary to the safe harvesting data that our biologists will provide us with. Thank you.

MR. DEPUTY SPEAKER: Thank you. Oral questions. Mr. MacQuarrie.

Question 191-86(1): Call For Minister Wray To Resign

MR. MacQUARRIE: Thank you, Mr. Speaker. I have recognized the musk-ox mentality of the Executive Council and what seems to be a determination to go down together, and I will do my best to arrange that, but I will begin at a point where it is possible to begin now. Mr. Speaker, my question is to the Minister of Public Works. I asked in this House, Mr. Speaker, not whether that Minister would breach Executive confidentiality, but rather whether he would answer to the people as to how he handled or recommended handling the people's money, in the matter of a contract let last year for a housing rehabilitation project for 25 units, f.o.b. Hay River. The Minister, and I checked the record carefully, because I do not wish to be frivolous in what I am about to do, the Minister



said unequivocally that he will not answer. Mr. Speaker, since the foundation of responsible democratic government is not, as the Minister and the cabinet seem to believe, cabinet confidentiality, but rather the fundamental principle is accountability to the people through this Assembly, particularly in the matter of taxation and the expenditure of public funds, I call on the Minister of Public Works to resign, and through you, Mr. Speaker, I ask the Minister now, when will the Minister resign?

MR. DEPUTY SPEAKER: Mr. Minister.

Return To Question 191-86(1): Call For Minister Wray To Resign

HON. GORDON WRAY: Thank you, Mr. Speaker. The Government Leader answered the question on the contracts. I did not say I would not disclose to the public. I said that he asked me if I would disclose my reasons for taking to the Executive Council. My reasons for taking to the Executive Council are the same as my reasons I presented in the Executive Council and therefore, to protect cabinet confidentiality, I would not disclose them. As to when I resign, Mr. Speaker, I will resign when this House asks me to resign and not the Member for Yellowknife Centre. Thank you.

AN HON. MEMBER: Hear, hear!

MR. DEPUTY SPEAKER: Item 4, oral questions. Mr. MacQuarrie.

Supplementary To Question 191-86(1): Call For Minister Wray To Resign

MR. MACQUARRIE: Does the Minister not agree that although confidential discussions and particular positions may not be disclosed, that the Executive Council ought to disclose reasons and therefore he has every right to do so? Therefore, Mr. Speaker, I ask again, does the Minister not recognize that in exercising what appears to be an arbitrary and personal use of public power, and in his subsequent refusal to make himself accountable to the people, that he is attacking and undermining an indispensable principle of democratic government? Namely, that those who have governmental power must answer to the people for its exercise. And that principle, Mr. Speaker, is a principle that men and women through the centuries have struggled to win at great cost, even to the sacrifice of human life. I therefore ask the Minister, is he not able to recognize that? And I ask again, when will the Minister resign?

MR. DEPUTY SPEAKER: Thank you, Mr. MacQuarrie. Mr. Wray.

Further Return To Question 191-86(1): Call For Minister Wray To Resign

HON. GORDON WRAY: Thank you, Mr. Speaker. First of all, I am not exercising arbitrary power. I am exercising the powers that were given to me under the contract regulations which were passed under legislation, which is this House's legislation. I am utilizing the power which this House gave me and not power that I gave myself. Secondly, the Government Leader has already explained the position on cabinet secrecy. I am guided by the statement of my Leader. Thirdly, I will resign when this House asks me to resign, Mr. Speaker. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. Mr. Appaqaq.

Question 192-86(1): Aircraft Fuel, Sanikiluaq

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I will not ask anyone to resign. Yesterday I asked a question of the Hon. Tom Butters and I am going to be asking again. I need some clarification on this. I tabled Document 24-86(1) and in this letter it is perfectly clear regarding fuel for the airplanes that go to Fort Churchill and to Winnipeg from Sanikiluaq, the charters by Health and Welfare Canada. The problem I have is that I would like to ask if the fuel will be delivered to the settlement or will it not be delivered? Thank you.

MR. DEPUTY SPEAKER: Thank you. Mr. Butters.

Return To Question 192-86(1): Aircraft Fuel, Sanikiluaq

HON. TOM BUTTERS: Mr. Speaker, I indicated yesterday that I had advised my department to look into the matter of providing fuel at Sanikiluaq for emergency use. Since my response yesterday, I have reviewed the material referred to by the Member and I notice that there is a suggestion that Shell

Oil had either corresponded with or telephoned to all the carriers who might be servicing the Sanikiluaq community, and that as far as Shell Oil was concerned, none of them had indicated a requirement for fuel. I have requested that my department make a telephone check with Health and Welfare, the Churchill base, and determine requirements. I have advised the department that once that communication has been carried out and the need identified, we would respond to that need. Obviously we do not wish to see NWT residents put at risk because there is inadequate fuel or no fuel in the community and we will move to act and put fuel on site. I do not know when that will be. Shell Oil says they would provide it to us and fly it in but we will probably take action ourselves and arrange for distribution there on an emergency basis.

MR. DEPUTY SPEAKER: Are there any further oral questions?

Return To Question 161-86(1): Land Application Process, Clyde River

HON. GORDON WRAY: Thank you, Mr. Speaker. I have a return to oral Question 161-86(1), asked by Mr. Paniloo, with respect to land applications in Clyde River. I wish to advise that the department has processed the four land applications in Clyde River, about which concern was raised as to the length of time involved in obtaining approval. Leases have been prepared and sent on March 11th to the hamlet office in Clyde River for signature by the applicants for the land. Thank you.

MR. DEPUTY SPEAKER: Thank you. Oral questions. Mr. Gargan.

Question 193-86(1): Scientific Research Violation

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Renewable Resources regarding an act respecting scientific research. Last year a formal complaint was made regarding three individuals who are doing research in the Deh Cho area. The complaint resulted in the summary conviction of three individuals that did violate the scientific research act regarding a subsisting licence to do this research. I also would like to, Mr. Speaker, say that two of the individuals are federal employees and they are aware of this act. However, they did violate the act and under this particular act is the Minister prepared to take any action against these three individuals that I indicated?

MR. DEPUTY SPEAKER: Thank you. Mr. Pedersen.

Return To Question 193-86(1): Scientific Research Violation

HON. RED PEDERSEN: Thank you, Mr. Speaker and thank you to the Member for providing previous advice. I believe one thing is wrong in the Member's question. There was no summary conviction, there was an investigation under the Summary Conviction Procedures Act. I have looked into this matter and this is what I have found out. The Fort Simpson detachment of the RCMP did begin an investigation with a view to laying charges against the people in question, under the Scientists Act. Apparently this investigation was lengthy and required work both in Ottawa and Saskatoon and in Yellowknife. The final consensus of this investigation was that charges should not be laid because the research that was being carried out was considered to be a survey and not a scientific study. Also I have been informed, Mr. Speaker, that the statute of limitations on laying of these charges expired on March 9, 1986, which I believe was after I was given the information. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you. Mr. Gargan.

Supplementary To Question 193-86(1): Scientific Research Violation

MR. GARGAN: Mr. Speaker, supplementary. The statute of limitations -- I was led to believe that it was coming up this month. I would like to thank the Minister for that. However, my other question to the Minister is that these acts are in place, and there is a lot of archaeological work being done. There are all kinds of scientific studies being done and I am sure that the Minister is keeping tab on this so that these types of things are enforced. I would like to ask the Minister if incidents like this have occurred before and whether there have been any actions taken if they did violate this type of act?

MR. DEPUTY SPEAKER: Thank you. Mr. Pedersen.

HON. RED PEDERSEN: Thank you, Mr. Speaker. I would like to take the supplementary as notice and provide a reply tomorrow.

MR. DEPUTY SPEAKER: Thank you. Oral questions. Mr. Nerysoo.

Question 194-86(1): Amendment To Jury Act

MR. NERYSOO: Thank you, Mr. Speaker. I would like to direct a question to the Minister responsible for Justice. The Minister responsible for Justice has placed before us an amendment to the Jury Act to allow for the aboriginal people who do not speak or understand either French or English. I am wondering if the Minister has done an analysis of the consequences of such an amendment and the implications of the court procedures and whether or not he has had an opportunity to consider whether this might not, in fact, impede the process of justice and could cause some difficulties. I wonder if that analysis has been done.

MR. DEPUTY SPEAKER: Thank you. Mr. Ballantyne.

Return To Question 194-86(1): Amendment To Jury Act

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I think the Member asks a fair question. We are entering into a new and complex area. The Department of Justice has undertaken very considerable consultation with the judiciary, with the native organizations, and the bar, looking at possible problems we might encounter. The overwhelming support we have up to this point is: yes there will be difficulties but there is tremendous positive attitude toward the initiative. So we think there will be some problems but they are problems we can overcome. Thank you.

MR. DEPUTY SPEAKER: Thank you. Mr. Nerysoo.

Supplementary To Question 194-86(1): Amendment To Jury Act

MR. NERYSOO: Thank you, Mr. Speaker. A supplementary to the Minister of Justice. Has the Minister got the appropriate interpreters in place to, in fact, enforce this particular amendment?

MR. DEPUTY SPEAKER: Thank you. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: I wonder if the honourable Member will repeat the question.

MR. DEPUTY SPEAKER: Mr. Nerysoo, would you clarify your question, please?

MR. NERYSOO: Thank you, Mr. Speaker. Again, does the Minister have the appropriate interpreters in place to enforce such an amendment to the Jury Act?

MR. DEPUTY SPEAKER: Mr. Ballantyne.

Further Return To Question 194-86(1): Amendment To Jury Act

HON. MICHAEL BALLANTYNE: Again, it is a valid question. These questions were asked during the standing committee on finance and I thought I answered them there. Our department was working very closely with the Department of Culture and Communications to ensure that there will be adequate resources and interpreters to be able to carry out the provisions of this act. Thank you.

MR. DEPUTY SPEAKER: Thank you. Mr. Nerysoo.

Supplementary To Question 194-86(1): Amendment To Jury Act

MR. NERYSOO: Thank you, Mr. Speaker. A supplementary. I agree that it is necessary to work with the Minister of Culture and Communications but what is happening here is we are amending the Jury Act and the reality is that the amendment will apply immediately upon the passing of the amendment and upon recognition and proclamation by the Commissioner. I am concerned that such an amendment may, in fact, cause problems with regard to the court process and throw out some very serious cases in a court of law. I am concerned that unless we are prepared to put the interpreters into place immediately, that we could find ourselves in a very difficult position. I say this because there are a couple of very important and difficult court cases that will be arising in the very near



future in my particular constituency. I feel that if the case is that the individual who is appearing before court requests Loucheux translation, for instance, that service will not be made available and as such the amendment would not be valid. I am concerned that, as such, we are not going to be able to provide that service. I am wondering if the Minister might be able to provide or at least table in this House the analysis that has been done with regard to such an amendment and the implications of such an amendment?

MR. DEPUTY SPEAKER: Thank you. Mr. Ballantyne.

Further Return To Question 194-86(1): Amendment To Jury Act

HON. MICHAEL BALLANTYNE: Thank you. Again, the Member's points were brought out in both the finance committee, of which he is chairman, and the legislation committee. I gave an undertaking to both those committees that this particular amendment would not be proclaimed until we had adequate translation resources in place. I also gave even a stronger commitment to the legislation committee that I would bring before them the analysis that the honourable Member has asked for before we actually proclaim this particular amendment. So I think that the Member's concerns are justified and valid. We see that going ahead with this particular amendment this session, whether it is now or when the session is adjourned. It would be possible, but we have given an undertaking not to proclaim it until the appropriate resources are in place. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. Mr. Gargan.

Question 195-86(1): Definition Of Scientific Research

MR. GARGAN: Mr. Speaker, I just want again to ask a question of the Minister of Renewable Resources regarding scientific research. Under the act there is no definition of what scientific research is. If you go into archaeology there are surveys done in archaeological sites through engineering. I do not know whether the word "survey" could be termed as scientific research too. I would like to ask the Minister to explain that.

MR. DEPUTY SPEAKER: Mr. Pedersen.

Return To Question 195-86(1): Definition Of Scientific Research

HON. RED PEDERSEN: Mr. Speaker, I do not think I can explain the acts to the Member. I would like to say I share his concern about the weakness of that act. It is lacking in definitions. I have asked my department to start looking at the drafting of new legislation which is explicit. In the meantime, Mr. Speaker, I have taken action. I have written to Mr. Crombie and asked for a small amendment to the NWT Act, which would allow us to immediately protect archaeological sites from disturbance, defining the disturbance, so that between now and when our own legislation will be ready for consideration by this House we can take some better action than we have in the past. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. The honourable Member for Sahtu, Mr. T'Seleie.

Question 196-86(1): Extension Of Deadline For Applications

MR. T'SELEIE: Thank you, Mr. Speaker. My question is for the Minister of Culture and Communications. On Monday, in Question 169-86(1), I asked the Minister concerning the translator-interpreter job in my region that was just advertised. One of the requirements of that job was grade 10. I indicated that there were some members of my constituency who felt that requirement was not necessary and I had asked the Minister to review that requirement. The Minister indicated that he would consider it for a couple of days. I am wondering if he is in a position now to tell us whether or not he is willing to extend the deadline for applications on that job.

MR. DEPUTY SPEAKER: Thank you. Mr. Pedersen.



Return To Question 196-86(1): Extension Of Deadline For Applications; Further Return To Question 169-86(1): Applications For Position Of Assistant Interpreter-Translator

HON. RED PEDERSEN: Thank you, Mr. Speaker. Yes, we are willing to extend the deadline on that job. I have asked my deputy minister to look at the possibility of including some other relevant qualifications in the make-up of the total qualifications required for the position. My deputy minister, I have just been told, is attempting to contact Mr. T'Seleie to consult with him on some suitable combination of skills and formal education required for that position.

MR. DEPUTY SPEAKER: Thank you. Oral questions. Mr. McCallum.

Question 197-86(1): Staffing Formula For Schools

MR. McCALLUM: Thank you, Mr. Speaker. I have a question of the Minister of Education. I am not sure what date the Minister made a reply to oral Question 99-86(1) in which I asked about pupil/teacher ratio formula, or the staffing formula, I guess is the terminology used now. I wonder if the Minister can indicate to the House just what is the staffing formula? He alluded to it in his return to my oral question previously but has not indicated just what the staffing formula is. Has it been set and could he indicate to us what it is?

MR. DEPUTY SPEAKER: Thank you. Mr. Minister.

Return To Question 197-86(1): Staffing Formula For Schools

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. As I did indicate earlier in the House, I am convinced that in many areas, such as the adequacy of classroom space in a school, the provision of bussing services and staffing, it is appropriate and fair that a formula be developed and made public, with the objective of funding basic teaching staff, teachers and classroom assistants, on an equitable basis for all schools, taking into account the diversity and size of schools as well as the programs delivered and the population served. So I am proposing a new staffing formula -- I do not think there has really been one, as such, up until now -- which will not apply, incidentally, to staff employed for special needs, cultural inclusion programs or other programs unique to particular schools. The proposed staffing formula will cover administration, supervising, counselling, library, remedial and teacher preparation needs of the school. Classroom assistants under the proposed formula would only be provided to schools where at least 25 per cent of the kindergarten to grade six student population are native students.

In addition, Mr. Speaker, I propose that for each school year, the number of staff allocated to a school will be based on the number of attending pupils enrolled on the last sessional day of October of the previous school year. Kindergarten pupils are considered also in the proposed staff allocation, except that the numbers of staff will be divided by two, recognizing that kindergarten is a half-day program.

Mr. Speaker, the proposed teacher/pupil ratio, subject to the comments that I made earlier, would be as follows. For kindergarten to grade nine, I am proposing one teaching position for every 19 attending pupils. For grades 10 to 12, recognizing the requirement for additional staff due to teacher specialties and a wider variety of programs, a detailed ratio has been developed which would provide a fair allocation of staff to high schools. It would be as follows: zero to 20 pupils, one and a half teaching positions; 21 to 25 pupils, two teaching positions; 26 to 30 pupils, two and one half teaching positions; 31 to 35 pupils, three teaching positions; 36 to 40 pupils, 3.5 teaching positions; 41 to 45 pupils, four teaching positions; 46 to 50 pupils, five teaching positions; 51 to 55 pupils, six teaching positions; 56 to 60 pupils, 6.5 teaching positions; 61 to 75 pupils, seven teaching positions; 66 to 90 pupils, 7.5 teaching positions; 91 to 110 pupils, eight teaching positions; 111 to 126 pupils, 8.5 teaching positions; 127 to 144 pupils, nine teaching positions; 145 pupils and beyond, a ratio of 16 to one.

Now to answer the Member's question, Mr. Speaker, I propose to implement this formula for the next school year. As I mentioned in the House, where there may be significant adjustments in school staff, I would propose to cushion the impact by providing a two year transition period. Although I believe this matter is within my authority as Minister of Education, I do propose to present the revised staffing formula to the Executive Council before it is finalized and I have not, as of today, done that. But I felt it important, since I had indicated to the Member that I had hoped to

get back to him with more detail before the end of this session, that by giving details of what I am proposing, I will be giving him as much information as I can as to what he might expect with respect to his community and indeed any other community in the Northwest Territories in the coming year.

MR. DEPUTY SPEAKER: Thank you. Any further oral questions? Mr. McCallum.

Supplementary To Question 197-86(1): Staffing Formula For Schools

MR. McCALLUM: Could the Minister indicate to me what would be the staffing formula for schools that would go from grade eight to 10 or seven to 10 and would have junior and senior high schools? Is there a change in that? Also could the Minister indicate how this high school staffing formula is going to affect high schools outside of the city of Yellowknife; in Pine Point, Hay River, Inuvik, Frobisher Bay and Fort Smith. Does that mean very many cuts?

I recall in the discussions of the standing committee on finance on the department, there was a note that there were to be three teachers cut from the Fort Smith school. I was told then it was to be three from the region. I now understand that the regional superintendent has indicated that, indeed there will be three in the high school, one in the elementary in the first year, with an additional three more the next year. So if you have not decided, it is already out.

MR. DEPUTY SPEAKER: Is that a question or comment?

---Laughter

Mr. Patterson.

Further Return To Question 197-86(1): Staffing Formula For Schools

HON. DENNIS PATTERSON: I will try to answer that. Firstly, I have indeed consulted superintendents about the proposed formula but, as I say, the matter as of today has not yet been finalized. Secondly, as to how the formula will affect schools with, I believe the Member said, grades seven to 10 or eight to 10.

MR. McCALLUM: Grade seven to grade 12.

HON. DENNIS PATTERSON: Pardon me, grade seven to grade 12 and eight to 12. Mr. Speaker, as I indicated, we will provide or propose to provide a straight 19 to one, pupil/teacher ratio, up to grade nine. So that would be the rule governing the portion of students in a seven to 12 high school or an eight to 12 high school, who are in grades eight to nine or seven to nine. The lower teacher/pupil ratio for the grades 10 to 12 would apply to that portion of the students who are at grades 10 to 12.

Mr. Speaker, I have been, in developing this formula, acutely conscious of the economies of scale, if I may use that term, that apply to a smaller high school and the fact that with fewer teachers there is less flexibility in a smaller high school than you have in a much larger high school, with more teachers and students and therefore more flexibility. Generally, Mr. Speaker, I can say that I have found significant discrepancies in staffing allocation in various schools in the Northwest Territories. I am determined with this formula, that although we may not be able to please everyone, at least everyone will be treated equitably. So with respect to, I believe the Member mentioned Frobisher Bay, Hay River, Pine Point, Fort Smith, I can assure the honourable Member that they will all be treated equally and this formula will be applied without partiality or favour to all those schools.

The projections in Fort Smith would indeed result in reductions because my assessment is that, for whatever reasons, over the years there has been a richer level of staffing provided at the high school and elementary school level in that community, compared to schools of the same size elsewhere. Generally I believe the impact will not be significant in Hay River or Pine Point. There will also be a significant reduction in the Frobisher Bay high school. I think the details I have given the honourable Member will enable him to make his own calculations about the impact on Fort Smith schools. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Oral questions. Mr. McCallum.

Supplementary To Question 197-86(1): Staffing Formula For Schools

MR. McCALLUM: Supplementary, Mr. Speaker. Does the Minister not feel that by reducing the number of teachers in particular schools, high schools specifically, that the students will suffer because they will have fewer numbers of option courses to take, that the course offerings obviously are going to suffer. We have heard many different discussions about the lack of graduates from high schools going out and coming back into the North. If you are going to reduce something, does the Minister not feel that there are going to be even more dramatic changes in the education system and we will get fewer graduates because there are fewer options for the students to take? I have no difficulty in trying to establish fairly, the number of teachers in particular schools across the way but I would caution the Minister because I think what is going to happen in Frobisher Bay, Fort Smith, Pine Point, Inuvik and Hay River, is that the high schools will drop down and you will have very few. And you will go back to what occurred 20 some years ago. The students in those communities could not take course offerings and they had to be taken into the hostel at Sir John Franklin. I know that that is already over-taxed now; you do not have enough room for students there. So does the Minister not feel that this may be a backward step in trying to address the whole problem of not getting enough high school graduates from the Northwest Territories?

MR. DEPUTY SPEAKER: Thank you. Mr. Patterson.

Further Return To Question 197-86(1): Staffing Formula For Schools

HON. DENNIS PATTERSON: Well, Mr. Speaker, I certainly feel that the development of a staffing formula that ensures that every community is treated equally is progress and not a backward step. I have been troubled ever since I have had this job with challenges that there have been inequities in staffing and I am determined that the only fair way to deal with these chronic complaints is to have a clear formula which is published and applied rigorously to every school.

Mr. Speaker, I respect the Member's concern. I would say that we are satisfied, in making this proposal, that we are providing enough staff for core high school programs. I do acknowledge that where enriched programs have been developed in some schools -- and I would say they may have been developed because there has been an enriched level of staffing -- the full range of programs in non-critical options may well have to be reduced. But I am satisfied that this proposed formula will provide a core high school program, recognizing that in a small high school you cannot have the full rich range of options that the large number of students in a larger high school will require. In that case, Mr. Speaker, where a student does require a course like calculus or trigonometry, then our residential policy does permit such a student to be admitted and subsidized to attend the nearest high school which allows those programs. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: This is your last supplementary, Mr. McCallum.

Supplementary To Question 197-86(1): Staffing Formula For Schools

MR. McCALLUM: Thank you, Mr. Speaker. I appreciate what the Minister is indicating but I have a concern and I hope that he has the concern that students in the senior high school grades as a result of cutback in particular communities -- never mind that the teachers or tax-paying people within the community, they have been there for periods of time. Leave that aside. Just the courses in the school itself. For example, at the grade 10 level, does the Minister not believe that what will happen there is that there will be, for example, one English course taught? Dollars to doughnuts it ends up in those smaller high schools as English 13, if that is the proper terminology. It is the one I remember. Not the academic English 10; or it will be English 15. Does the Minister not believe that in grade 10 as well, there will be one math course taught and it will not be the academic math? It will be the Math 13. It will go on and on into the sciences as well. You get the non-academic courses so that they will not get, as I have heard many Members say, the calibre of high school student who will go out and come back and do something in the Territories. They will not have had the options to be able to pursue their education. Does the Minister not agree with that, and if so, does he not think that is a backward step?

MR. DEPUTY SPEAKER: Thank you. Mr. Patterson.



Further Return To Question 197-86(1): Staffing Formula For Schools

HON. DENNIS PATTERSON: Mr. Speaker, that certainly would be a backward step and if I thought that was the implication of the proposed staffing formula, then I would not be proposing it. I will undertake, however, to carefully review the implications for the smaller high schools with regard to the honourable Member's comments, respecting that being a former high school principal he may have some perspective that I lack. I certainly would confirm that indeed it is the goal of my department to increase the numbers of advanced diploma graduates and increase the number of students who wish to achieve their potential and obtain matriculation and go on to take university courses where that might be the career they should wish to pursue. I certainly would not be advancing a formula which I feel would confine us simply to the general diploma options at the small high school level. I am quite confident that what is proposed will not restrict us in the manner that the Member has suggested but I will review it again and ensure that this will not be the result. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you. Item 4, oral questions. I do not believe any Member wishes to save their questions until tomorrow. Mr. Richard.

Question 198-86(1): Restitution For Damaged Vehicle

MR. RICHARD: Mr. Speaker, on a less weighty matter, I have a question for the Minister of Education. It concerns his conduct, Mr. Speaker, and although not serious enough to warrant the call for his resignation...

---Laughter

...it is of particular concern to a constituent of mine. My constituent, Mr. Speaker, came to the Legislative Assembly today to watch the proceedings and parked his vehicle outside the building. The Minister, I am told, in his rush to keep the Speaker's deadline of 1:00, today drove his vehicle into my constituent's vehicle and caused damage. My constituent would like to know what the Minister is going to do about it, sir.

MR. DEPUTY SPEAKER: Mr. Patterson.

Return To Question 198-86(1): Restitution For Damaged Vehicle

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. The honourable Member will be pleased to learn that I have promised his constituent that I will happily contribute to the prosperity of the auto body business in Yellowknife and remedy the minor cosmetic damage that resulted. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Thank you. Oral questions, item 4. Mr. McCallum.

MR. McCALLUM: My question to the Minister of Education, Mr. Speaker, is in relation to the new high school that is to be built in Rankin Inlet. What kind of ratio or staffing formula will be going into that school, if you are trying to get high school students?

AN HON. MEMBER: (Inaudible comment)

MR. McCALLUM: No, I did not ask anything about the contract or who is going to build it, no, not a word!

MR. DEPUTY SPEAKER: A point of order here. I believe there is a problem with raising the same question plus having asked three supplementary questions so I will have to...

MR. McCALLUM: (Inaudible comment)

MR. DEPUTY SPEAKER: ...I will have to deny the honourable Member the question. Oral questions. Item 5, written questions. Mr. Nerysoo.



ITEM 5: WRITTEN QUESTIONS

Question 199-86(1): Community Complexes At Fort McPherson And Aklavik

MR. NERYSOO: Thank you, Mr. Speaker. I have a written question directed to the Minister of Local Government. Can the Minister of Local Government provide me with a written update on the discussions relating to the construction of the community complexes for Fort McPherson and Aklavik?

MR. DEPUTY SPEAKER: Thank you. Item 5, written questions. Mr. MacQuarrie.

Question 200-86(1): Proposals For Staff Accommodation In The Keewatin

MR. MacQUARRIE: Thank you, Mr. Speaker. A question for the Minister responsible for the Housing Corporation. Will the Minister provide me with copies of all correspondence from individuals or companies involving proposals to the corporation, or the Minister responsible, with respect to providing staff accommodation in the Keewatin and elsewhere under a lease or lease-to-purchase agreement, during the period from the beginning of 1984 to the present?

MR. DEPUTY SPEAKER: Thank you. Item 5, written questions. Mrs. Lawrence.

Question 201-86(1): Curfew By-Laws At Fort Resolution

MRS. LAWRENCE: Thank you, Mr. Speaker. Could the Minister of Justice advise me on the status of a request by the Deninoo council in Fort Resolution for new curfew by-laws? It is my understanding that current by-laws are outdated. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 5, written questions. Mr. Nerysoo.

Question 202-86(1): Interviews Through The Department Of Personnel

MR. NERYSOO: Thank you, Mr. Speaker. While I support the idea of the Government Leader assuming the responsibility for Personnel, I have been apprized of some concerns. I would like to direct a question to the Government Leader. Did the Government Leader, personally or through his staff, instruct the Department of Personnel to interview individuals for certain positions and could the Government Leader indicate the positions and reasons for such instruction?

MR. DEPUTY SPEAKER: Thank you. Item 5, written questions. Mr. MacQuarrie.

Question 203-86(1): Proposals To DPW For Staff Accommodation In The Keewatin

MR. MacQUARRIE: Thank you, Mr. Speaker. My question is for the Minister of Public Works. Will the Minister provide me with copies of all correspondence from individuals or companies involving proposals made to the department or to the Minister responsible, with respect to providing staff accommodation in the Keewatin and elsewhere under a lease or lease-to-purchase agreement, during the period from the beginning of 1984 to the present?

MR. DEPUTY SPEAKER: Thank you. Item 5, written questions. Item 6, returns. Mr. Pedersen.

ITEM 6: RETURNS

Return To Question 159-86(1): Caribou Study, Sanikiluaq

HON. RED PEDERSEN: Thank you, Mr. Speaker. I have a return to written Question 159-86(1), asked by Mr. Appaqaq on March 7, 1986, regarding the Sanikiluaq reindeer herd.

The Department of Renewable Resources shares the concern of the people of Sanikiluaq for the health of the reindeer herd on the Belcher Islands. Because the reindeer are considered a domestic herd, our department does not regulate them in any way. We do not set quotas, or provide special protection for these animals under the Wildlife Act.

We have made several commitments in the area. We have hired a renewable resource officer for Sanikiluaq for the primary purpose of working with the people to develop a management plan for their reindeer. Our regional biologist has assisted in the preparation of work plans and

applications for funding assistance from the Economic Development Agreement. We are still hopeful that the EDA application will be favourably reviewed soon. I have provided the honourable Member with this and related information in a letter to him today. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 6, returns. Item 7, petitions. Item 8, reports of standing and special committees. Mr. Sibbeston.

HON. NICK SIBBESTON: Mr. Speaker, on a point of order...

MR. DEPUTY SPEAKER: Well, I did not see anybody's hand go up when we were on returns. Now, we require unanimous consent to return to Item 6, returns. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. DEPUTY SPEAKER: Are there any nays? We are back on Item 6, returns.

Return To Question 84-86(1): Low Level Military Flights Over The NWT

HON. NICK SIBBESTON: Mr. Speaker, this is a return to Question 84-86(1) asked by Mr. T'Seleie on February 21st, regarding military flights over the NWT.

Mr. Speaker, I am able to tell the Member and the House that a request for low level flights has been received by Canada from the joint Canada/US NORAD Command. The proposed route over the NWT begins northeast of Great Slave Lake and heads southwest passing east of Reliance and west of Lake Athabasca before terminating in Cold Lake, Alberta. However, the Department of National Defence has informed me that low level flights of B-52s are still under review and have not been approved.

According to the department spokesman, DND has requested the US Air Force to provide more details in order for the environmental protection services and the wildlife services to do an adequate assessment of the proposal. Once their review has been completed, the Ministry of Transport will be requested to review the proposal to ensure that it complies with the Aeronautics Act. So at this time all I can tell the Member is that no flights of B-52 planes are currently scheduled. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Item 6, returns. Mr. Wray.

Return To Question 111-86(1): Criteria For Choosing Chefs De Mission

HON. GORDON WRAY: Thank you, Mr. Speaker. I have a return to written Question 111-86(1), asked by Mr. Nerysoo, on the criteria for selection of chefs de mission for Arctic Winter Games. Principles and procedures for the selection of the chef de mission for the Arctic Winter Games and Canada Games have been formalized in a document which I am distributing with this return. This document also details the responsibilities of the chef de mission and the qualifications for the position. It is a rather long document so rather than read it out I will just table it.

The criteria and procedures for selection of other mission staff are similar and we endeavour to ensure that these selections are representative of the people of the NWT. Thank you.

MR. DEPUTY SPEAKER: Thank you. Item 6, returns. Mr. Ballantyne.

Return To Question 130-86(1): Space Heaters In HAP Units

HON. MICHAEL BALLANTYNE: I have a return to written Question 130-86(1), asked by Ms Cournoyea. It is concerning the space heater option in HAP houses. The space heater option has been eliminated from the HAP portfolio for the following reasons:

- a) A space heater as a single source of heat for a HAP unit is not adequate to supply the required heating load.
- b) In order to ensure that HAP home-owners receive the same quality and comfort levels as public housing tenants, forced air furnaces are specified in lieu of space heaters.
- c) Safety considerations arise when space heaters do not receive adequate, regular maintenance.

The Housing Corporation is considering offering a space heater as an option where appropriate and requested.

Return To Question 58-86(1): Housing Association Rental Rates

I also have a return to written Question 58-86(1), asked by Mr. Paniloo on February 18, 1986, to do with housing association rental rates.

Rental rates for northern rental and public housing units are based on a portion of the gross income of each adult member in the household, except elders. The minimum rate is \$32 per month for any type of unit. The maximum rate is determined by the housing program and the geographical location. For example, the maximum rate for a northern rental unit in Clyde River, which has undergone repairs and improvements under the rehabilitation program, is \$285 per month. The rent rate is no more than 25 per cent of assessed income or \$285 per month, whichever is the lesser amount.

Tenants are encouraged to report defects such as faulty furnaces to their housing associations immediately. Any unresolved maintenance problems can be forwarded to the district managers.

A draft of the new rental scale will be distributed to Members of this House and circulated to the communities. Following the release of the proposed rental scale, there will be a consultation period to allow interested parties to comment on the proposal. Thank you.

MR. DEPUTY SPEAKER: Item 6, returns. Mr. Wray.

Return To Question 137-86(1): Five Year Capital Plan

HON. GORDON WRAY: Thank you. I have a return to written Question 137-86(1), asked by Mr. Angottitauruq, on the five year capital plan. There has been a change in the capital planning process from previous years. The department will no longer be preparing the five year capital plan on the basis of pre-set regional capital targets. Instead, the department will be carefully considering the five year capital plans submitted by each community and prioritizing project needs for each program on a territorial basis. Needless to say, the capital dollars available will be limited and not all projects can be funded in the fiscal year requested. However, I plan to balance project needs and the funding available Territories-wide, rather than primarily on a regional basis.

As a result, it will no longer be necessary for all six hamlets in the Kitikmeot Region, or for communities in any other region for that matter, to negotiate and reach mutual agreement on their respective capital plans before submitting them to the department. The five year capital plans submitted by each community council will be considered on their individual merit and incorporated into the overall departmental five year capital plan accordingly.

Before making any final decisions, however, I will be asking each MLA to review the capital plan for the communities they represent. The Department of Local Government draft capital plan will be presented to each regional council for their review and comments as well.

As always, my officials are available to assist each community council in identifying the projects that are eligible for funding under capital programs sponsored by my department and to prepare a comprehensive five year capital plan which reflects the community councils' priorities.

MR. DEPUTY SPEAKER: Item 6, returns.

Item 7, petitions. Item 8, reports of standing and special committees. Mr. McCallum.

ITEM 8: REPORTS OF STANDING AND SPECIAL COMMITTEES

Report Of Standing Committee On Public Accounts

MR. MCCALLUM: Thank you, Mr. Speaker. I have a short report from the public accounts committee. Now that the Legislature has received the Auditor General's report to the Legislature on the examination of the accounts and financial transactions of the Government of the Northwest Territories and the Auditor General's letter on any other matter for the year ended March 31, 1985, I want to announce to the House that the public accounts committee will hold its hearings in Yellowknife from May 6th to 9th inclusive.



The Auditor General of Canada, Mr. Kenneth Dye, has accepted an invitation to attend our meetings. These meetings will be open to the public as well. So Mr. Dye will be here as a witness for the public accounts committee.

In the Auditor General's report on any other matter for the year ended March 31, 1984, the Auditor General recommended that the Department of Education at the time should ensure that it complies with the government's contract regulations when awarding contracts other than to the lowest bidder. The government's response was of course, that they agreed and it would be done with future contracts. During the proceedings of the public accounts committee last May, discussion took place regarding this subject and in the committee's report in October, the committee recommended that all decisions of the Government of the Northwest Territories to award contracts to other than the lowest bidder be supported by sufficient and appropriate documentation, detailing the reasons for the decision. This report, Mr. Speaker, was accepted in this House by the Assembly. It was felt the principle was accepted by the Assembly, by the government, by the public accounts committee, the Auditor General and, we thought, by the Executive Council.

However, in reading the Northwest Territories Gazette of June 12, 1985, the public accounts committee found that the government contract regulation number 64 was repealed on March 12, 1985, which in effect and in our opinion deleted the requirement for documentation when awarding contracts to other than the lowest bidder. It appears to the public accounts committee that these changes were made or were being made in May, 1985 or thereabouts, when the public accounts committee was discussing the Auditor General's report. The public accounts committee realizes that it may be necessary at times for the Executive Council to award contracts to other than the lowest bidder and that the Executive Council should make that decision in its wisdom as it has the final responsibility. However, the public accounts committee, Mr. Speaker, still holds firm to the principle that sufficient and appropriate documentation must support a decision to award to other than the lowest bidder.

AN HON. MEMBER: Hear, hear!

MR. McCALLUM: In light of Mr. Butters' statements today, Mr. Speaker, that the government is open to amend the government contract regulations to take into account the concerns of MLAs and the public accounts committee, I would like to move -- and I just happen to have copies of it, Mr. Speaker, if I could have the pages distributed to Members, and it is translated -- I would like to move that this Assembly formally expresses its concern to the Executive Council regarding the deletion from the government contract regulations of the requirement to document the reasons for not accepting the lowest bid following the tender process and recommend to the Executive Council that the requirements be immediately reinstated in the government contract regulations.

MR. DEPUTY SPEAKER: Point of order, Mr. McCallum. We are under Item 8, reports of standing and special committees and you cannot move a motion under that particular item. However, you can give your report and later on the agenda if you so desire you may give notice to your motion. The other option you have is that you can move your report to the committee of the whole. Mr. McCallum, have you completed your report?

MR. McCALLUM: Mr. Speaker, I do not want to argue the point -- I wouldn't. In my report the public accounts committee made this recommendation and I thought that in so doing that, the recommendation and the motion were part of the report. That is why I included it. If I can get around it by saying that "the public accounts committee formally expresses its concern" -- I think I used the terminology "I move that this Assembly". I am sure the Clerk would indicate to me whether that would be copacetic or not. So if I may retract what I said when making this recommendation, to remove the words "this Assembly" and put in instead "the public accounts committee" formally expresses its concern.

MR. MacQUARRIE: You are just reporting a motion. That should be no problem. You are not...

MR. DEPUTY SPEAKER: Mr. McCallum, if the motion is part of your report then you can proceed and read the report along with your motion and upon the completion of your report you can also move that the report be adopted and that would be in order. Mr. McCallum.

MR. McCALLUM: Mr. Speaker, at the risk of...

MR. RICHARD: ...took English 32, didn't you?

MR. McCALLUM: No, I'd better leave it alone. The motion that I read during my report was a motion passed by the public accounts committee. I made the mistake of saying "this Assembly". I should have said "this committee" formally expresses its concern. So mea maxima culpa.

Motion To Accept Report Of Standing Committee On Public Accounts, Carried

To continue if I may then, since I have read the committee motion. We believe, Mr. Speaker, that it is of the utmost importance that the Assembly, as well as the Executive Council, holds to the principle that when making a decision to award to other than the lowest bidder, sufficient and appropriate documentation must support that decision. Again, in light of Mr. Butters' remarks this afternoon I do not think that should present much problem for the government. So I move acceptance of this report.

MR. DEPUTY SPEAKER: Thank you. Do you have a seconder to that motion, Mr. McCallum? Your motion requires a seconder. Secoded by the Member for Yellowknife South, Mr. Richard. To the motion. Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

---Applause

Item 8, reports of standing and special committees. Mr. MacQuarrie.

Report Of Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Speaker. I would like to provide the House with a report of the standing committee on legislation.

Mr. Speaker, the standing committee on legislation met in Yellowknife and was prepared to meet and review proposed bills received from the government for the seventh session of the 10th Legislative Assembly on February 8th to the 11th and again on the 17th, 1986, in Yellowknife.

Bills with financial implications were referred to the standing committee on finance. They were: Bill 1-86(1), Appropriation Act, 1986-87; Bill 6-86(1), Loan Authorization Act, 1986-87; and Bill 11-86(1), Supplementary Appropriation Act, No. 3, 1985-86. Another financial bill, Bill 8-86(1), Petroleum Products Tax Act, was received late, withdrawn by the government, redrafted and resubmitted to the standing committee. It was then referred to the standing committee on finance.

Firstly, Mr. Speaker, the Members of the standing committee on legislation would like to state that we expect the government to prepare bills in time for committee review and the committee expects that these bills should arrive translated, otherwise it is impossible for the committee to discuss the bills intelligently.

In addition, the committee feels that it should not be placed in the position of having to review bills for the first time while the House is in session. These laws have impact on the lives of many people and the committee feels they cannot be treated in a curt manner that precludes a thoughtful and thorough review. The government therefore, Mr. Speaker, should not expect quick and easy passage of legislation if the Members of the standing committee on legislation are denied a reasonable review process.

In the June session last year it was made clear that a six week deadline for receiving legislation was required. The committee is disappointed, Mr. Speaker, that the government has failed to take the wishes of the standing committee on legislation into account. Regrettably, Mr. Speaker, the standing committee on legislation would like to inform the House that it is disappointed with the handling, by the government, of its legislative program for the seventh session of the 10th Assembly.

Only four bills included in the government's preliminary list of legislation provided to the standing committee met the deadline set by the committee for a proper review: Bill 3-86(1), Institute of Chartered Accountants Act; Bill 4-86(1), Insurance Act; Bill 10-86(1), Society of Management Accountants Act; and the Amendment to the Vehicles Act.

Bill 8-86(1), Petroleum Products Tax Act, that I mentioned earlier came to the committee late, was withdrawn by the government, redrafted and resubmitted. Bill 2-86(1), Income Tax Act, arrived late, as well as Bill 5-86(1), Jury Act; Bill 9-86(1), Public Trustee Act; and Bill 12-86(1), Taxation Act. As a result the bills related to taxation and vehicles were not translated in time for the opening of the standing committee meeting on February 8th.

The amendment to the Public Service Act was received very late. In fact after the seventh session had begun. Subsequently, the standing committee on legislation Members refused to consider a review of the bill because of the potentially significant changes entailed in the bill and the inadequate time allowed to complete a thorough and proper review.

#### Proposed Local Authorities Elections Act

Mr. Speaker, the committee was also prepared at its February meeting to discuss the proposed local authorities elections act. For several years, attempts have been made to change provisions of the act where elections of local authorities were concerned. This bill is of great interest to many communities. At the last fall session the then Minister of Local Government tabled the bill. The chairman of the standing committee on legislation believing that hamlets and municipalities, including organizations such as the Association of Municipalities, would wish to review and comment as to its provisions, sent the proposed bill out to those concerned parties, after checking to ensure that the government would proceed with the bill at this session.

The committee has been told that the proposed legislation was discussed in a meeting of Baffin Region mayors in Frobisher Bay in February, and that at the Association of Municipalities meeting in Yellowknife held at approximately the same time as our own meeting, representatives of that organization made preparations to respond to the proposed bill before the standing committee. There was also, Mr. Speaker, input on that bill from the Inuvik town council, the city of Yellowknife and Yellowknife separate school board. However, much to the embarrassment of the standing committee, we were informed approximately 10 days before our committee meeting by way of a telephone call from the present Minister of Local Government, a call which the standing committee chairman initiated, that the proposed bill on the local authorities elections act would not be proceeded with.

Members will note that there seems to have been considerable indecision on the part of the government with respect to the legislative program for this session. This apparent lack of commitment by the government to bring forward important legislation and the inability to abide by a reasonable schedule for submissions to the standing committee on legislation raises a great deal of concern in the minds of committee Members.

Mr. Speaker, I would now like to address specific issues that have been identified by the committee Members in reviewing the government's legislative program for this session. That is only highlighting a few issues and a few bills. As a matter of fact I think in view of the many other things that have to be done that I will not read that part of my report, Mr. Speaker, and just move on toward the end.

#### The Elections Act Review

The standing committee also wishes to report on their discussion of their Elections Act review. The standing committee on legislation report on the Elections Act, 1978, was presented to the House at the 1985 fall session. The Legislative Assembly approved the majority of the recommendations. Furthermore the chairman met with the Government Leader to begin the process of devolving funds necessary to run our own elections. The chairman has also met with the chief electoral officer of Canada who has promised his co-operation and assistance in transferring this elections responsibility. Negotiations have been and will continue to be held with the federal government to devolve the funding and responsibility of elections from the chief electoral officer of Canada to the Northwest Territories. However, there are a number of policy issues and public concerns that still need to be resolved. There are questions on what shall be the nature of the responsibilities of the NWT chief electoral officer. Who should be responsible to appoint the chief electoral officer? And to whom will the chief electoral officer be accountable?



Other policy and personnel issues that should be considered are the position of the chief electoral officer, as to whether it would be a full or part-time responsibility and should the position be an NWT government employee or someone filling a contracted position. The question as to who will appoint returning officers and establish their rates of pay is outstanding. All of these issues, Mr. Speaker, have been referred by the committee to the Management and Services Board for resolution knowing that the standing committee on legislation will have an opportunity to review the draft legislation when it is ready in the fall of 1986.

Mr. Speaker, other ongoing significant issues addressed in the Elections Act are, for example, the granting of the vote to prison inmates and judges and the Charter of Rights implications of that decision. The committee agreed that it should continue to wait for the federal parliamentary report from the standing committee on rules, privileges and elections on this matter. However, it is the intention of the standing committee that legislation should be enacted in the fall session, 1986, in order to ensure that the chief electoral officer and other officials are properly trained in time for the next territorial election.

As a concluding statement, Mr. Speaker, I will say that considering that a thorough and studious review of proposed legislation cannot be completed on short notice, it was the decision of the Members of the standing committee, as of February 17th, 1986, not to deal with further legislation at this session of the Legislative Assembly. Thank you, Mr. Speaker.

Motion That Report Of Standing Committee On Legislation Be Received And Moved Into Committee Of The Whole, Carried

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I will now move, seconded by the honourable Member for Slave River, that the report of the standing committee on legislation on bills and other matters for the seventh session, be received by the Assembly and be moved into committee of the whole.

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

MR. RICHARD: Question.

MR. DEPUTY SPEAKER: Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

MR. DEPUTY SPEAKER: Item 8, reports of standing and special committees. Item 9, tabling of documents. Mr. McLaughlin.

ITEM 9: TABLING OF DOCUMENTS

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I wish to table the following document: Tabled Document 46-86(1), Social Assistance Program, April, 1980 to March, 1985.

MR. DEPUTY SPEAKER: Thank you. Item 9, tabling of documents. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Speaker. I wish to table Tabled Document 47-86(1), which is a press release by the Metis Association of the NWT supporting Mr. Wray's position in negotiating contracts.

AN HON. MEMBER: Good.

---Applause

MR. DEPUTY SPEAKER: Item 9, tabling of documents. Mr. Sibbeston.

HON. NICK SIBBESTON: Mr. Speaker, I wish to table Tabled Document 48-86(1), a letter from Guy Alikut, president of Iligiittut, concerning the matter of the company receiving a contract from this government.

MR. DEPUTY SPEAKER: Thank you. Item 9, tabling of documents. Item 10, notices of motion. Mr. McCallum.

ITEM 10: NOTICES OF MOTION

Notice Of Motion 20-86(1): Royal Canadian Legion Jubilee Week

MR. McCALLUM: Thank you, Mr. Speaker. I give notice that on Friday, March 14th, I will move the following motion: That this Assembly recommend to the Executive Council of the NWT that May 3rd to 10th inclusive, be proclaimed as "The Royal Canadian Legion Jubilee Week". I will be asking for unanimous support under motions to proceed today, sir.

MR. DEPUTY SPEAKER: Item 10, notices of motion. Mr. MacQuarrie.

Notice Of Motion 21-86(1): Revocation Of Appointment Of Member From Kivallivik As Member Of The Executive Council

MR. MacQUARRIE: Thank you, Mr. Speaker. I wish to give notice that when the appropriate time required for notice has elapsed, I will move that the Legislative Assembly recommend to the Commissioner that he revoke the appointment of the Member for Kivallivik, Mr. Wray, as a Member of the Executive Council.

HON. DENNIS PATTERSON: Shame, shame, shame!

MR. DEPUTY SPEAKER: Item 10, notices of motion, Mr. Erkloo.

Notice Of Motion 22-86(1): Multipurpose Hall For Hall Beach

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. On March 14th, I will move, seconded by the honourable Member for Baffin South, that this Legislative Assembly recommend to the Executive Council that they consider allocating funding for Hall Beach to build a multipurpose hall in 1986-87 and also I will try and get approval for this motion.

MR. DEPUTY SPEAKER: Item 10, notices of motion. The honourable Member for Sahtu, Mr. T'Seleie.

Notice Of Motion 23-86(1): Native Communications Society Funding

MR. T'SELEIE: Thank you, Mr. Speaker. I give notice that on March 14th, I will move the following motion: I move, seconded by the honourable Member for Deh Cho, that this Legislative Assembly recommend to the Executive Council that it consider making emergency funding available to the Native Communications Society to carry the organization through its current financial crisis.

MR. DEPUTY SPEAKER: Thank you. Item 10, notices of motion. Item 11, notices of motion for first reading of bills. Mr. Butters.

ITEM 11: NOTICES OF MOTION FOR FIRST READING OF BILLS

Notice Of Motion For First Reading Of Bill 6-86(1): Loan Authorization Act, 1986-87

HON. TOM BUTTERS: Mr. Speaker, I give notice that on Friday, March 14th, 1986, I shall move that Bill 6-86(1), An Act to Authorize the Making of Loans to Municipalities During the Fiscal Year Ending the 31st Day of March, 1987, be read for the first time.

MR. DEPUTY SPEAKER: Thank you. Item 11. Item 12, motions. Motion 19-86(1): Report of Task Force on Aboriginal Languages to committee of the whole. Mr. Sibbeston.

ITEM 12: MOTIONS

Motion 19-86(1): Report Of Task Force On Aboriginal Languages To Committee Of The Whole

HON. NICK SIBBESTON: Mr. Speaker:

I MOVE, seconded by the honourable Member for Iqaluit, that the report of the task force on aboriginal languages be moved into committee of the whole.

MR. DEPUTY SPEAKER: Thank you. Your motion is in order. Mr. Sibbeston, do you wish to speak to your motion?

HON. NICK SIBBESTON: Mr. Speaker, I am asking that the report be dealt with in committee of the whole because the task force members have been working diligently and with success, I believe, in producing a good and practical report with recommendations to our government and our Assembly. I also feel that there is much interest in the matter of aboriginal languages in all parts of the North and that it should be dealt with at this time in our Assembly. It is also very important to have the matter of aboriginal languages dealt with by our Assembly as quickly as possible. I know that the task force members are here and have kindly agreed to be available to us...

MR. DEPUTY SPEAKER: A point of order, Mr. Sibbeston. Your seconder is not in the House. We require a seconder to your motion. Mr. Sibbeston.

HON. NICK SIBBESTON: Mr. Speaker, the Member for Inuvik has graciously consented to be the seconder.

MR. DEPUTY SPEAKER: Thank you. Proceed with the motion, Mr. Sibbeston.

HON. NICK SIBBESTON: As I indicated, the task force members are here in the building and they have graciously agreed to come before the committee of the whole and be available for any questioning that Members may have. Mahsi cho.

MR. DEPUTY SPEAKER: Thank you. To the motion. Mr. McLaughlin.

Amendment To Motion 19-86(1), Carried

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I would like to move an amendment to the motion just made that the report of the task force on aboriginal languages be moved into committee of the whole. Mr. Speaker, I wish to move an amendment to that motion. I would like to move that after "committee of the whole" be added "today as the first item of business for the time period not to exceed two hours".

MR. DEPUTY SPEAKER: Your amendment is in order. To the amendment.

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: Question has been called. All those in favour? Opposed, if any? The amendment is carried.

---Carried

To the motion as amended.

AN HON. MEMBER: Question.

Motion 19-86(1), Carried As Amended

MR. DEPUTY SPEAKER: Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Item 12, motions. Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. I would like to ask for unanimous consent to deal with the motion for which I gave notice earlier.

MR. DEPUTY SPEAKER: Unanimous consent is being requested. Is it agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. DEPUTY SPEAKER: Are there any nays? Mr. McCallum, proceed.



Motion 20-86(1): Royal Canadian Legion Jubilee Week

MR. McCALLUM: Thank you, Mr. Speaker.

WHEREAS the Royal Canadian Legion is celebrating its diamond jubilee year, the 60th year in 1986;

AND WHEREAS the Executive Council of the Government of the NWT has made proclamations that set aside certain weeks to honour organizations;

AND WHEREAS the Royal Canadian Legion has contributed to the social and recreational good of NWT citizens;

AND WHEREAS the Royal Canadian Legion members have given of themselves in times of conflict and strife for Canada;

NOW THEREFORE, I move, seconded by the honourable Member for Inuvik, Mr. Butters, that this Assembly recommend to the Executive Council of the Government of the NWT that May 3rd to 10th, inclusive, be proclaimed as "The Royal Canadian Legion Jubilee Week".

MR. DEPUTY SPEAKER: Thank you. Mr. McCallum, your motion is in order. To the motion.

MR. McCALLUM: Thank you, Mr. Speaker. If I may very shortly, as I have indicated in the motion the Royal Canadian Legion that started out in 1926 as a commonwealth Legion is celebrating its jubilee year, 60th year, as an organization across this country. Now known as a dominion Legion, the organization has always been to the forefront, Mr. Speaker, in many activities throughout Canada, in youth activities such as sports, track and field, army cadets, education field. It helps its members in getting their proper benefits from their service at the time. In a number of communities in the Territories, the Legion provides services to senior citizens, transportation, vans to help people around. They have given an awful lot of themselves over the years. I think the organization is a very commendable one and is one that deserves some recognition and honour and I ask for the support of Members of this House in recommending to the Executive Council that a week in May would be proclaimed as in other jurisdictions, as the Royal Canadian Legion Jubilee Week. Thank you.

MR. DEPUTY SPEAKER: Thank you. To the motion. Mr. Butters.

HON. TOM BUTTERS: Just to add, Mr. Speaker, that the "whereas" clauses say it all. The Legion has served Canada well in peace and war and is today serving all walks of life in our community. This is a most well-earned tribute to a valued and hard working organization.

MR. DEPUTY SPEAKER: Thank you. To the motion. Are you ready for the question?

AN HON. MEMBER: Question.

Motion 20-86(1), Carried

MR. DEPUTY SPEAKER: Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Item 12, motions. Item 13, first reading of bills. Mr. Butters.

ITEM 13: FIRST READING OF BILLS

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Pine Point, that Bill 6-86(1) -- I beg your pardon, I should have asked for consent. May I ask for consent, sir, of the House to give first reading today of this bill? Sorry.

MR. DEPUTY SPEAKER: You tried to pull a fast one, Mr. Minister. Unanimous consent is being requested. Agreed?

SOME HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Are there any nays? Mr. Butters, please proceed.

---Agreed

First Reading Of Bill 6-86(1): Loan Authorization Act, 1986-87

HON. TOM BUTTERS: Thank you, sir. I apologize for that oversight. Mr. Speaker, I move, seconded by the honourable Member for Pine Point, that Bill 6-86(1), An Act to Authorize the Making of Loans to Municipalities During the Fiscal Year Ending the 31st Day of March, 1987, be read for the first time.

MR. DEPUTY SPEAKER: Thank you. To the motion. Ready for the question? Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Bill 6-86(1) has had first reading.

Item 13, first reading of bills. Item 14, second reading of bills. Mr. Butters.

ITEM 14: SECOND READING OF BILLS

HON. TOM BUTTERS: May I seek consent, sir, to give second reading to Bill 6-86(1) today?

MR. DEPUTY SPEAKER: Unanimous consent is being requested. Are there any nays? Mr. Butters, proceed.

---Agreed

Second Reading Of Bill 6-86(1): Loan Authorization Act, 1986-87

HON. TOM BUTTERS: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Pine Point, that Bill 6-86(1), An Act to Authorize the Making of Loans to Municipalities During the Fiscal Year Ending the 31st Day of March, 1987, be read for the second time. The purpose of this bill, Mr. Speaker, is to authorize the Commissioner, or the Minister acting on his behalf, to make loans to municipalities for municipal purposes during the fiscal year ending the 31st day of March, 1987.

MR. DEPUTY SPEAKER: Thank you. To the principle of the bill.

AN HON. MEMBER: Question.

MR. DEPUTY SPEAKER: Question has been called. All those in favour? Is anybody voting on this? Opposed, if any? The motion is carried.

---Carried

Bill 6-86(1) has had second reading. Bill 6-86(1) is ordered into committee of the whole after Bill 8-86(1). Item 14, second reading of bills. Item 15, consideration in committee of the whole of bills and other matters: Tabled Document 42-86(1); Bills 1-86(1), 11-86(1), 15-86(1), 14-86(1), 8-86(1), 6-86(1), 12-86(1), 13-86(1) and 2-86(1), 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 1-86(1), APPROPRIATION ACT, 1986-87; TABLED DOCUMENT 42-86(1), THE REPORT OF THE TASK FORCE ON ABORIGINAL LANGUAGES

Tabled Document 42-86(1), The Report Of The Task Force On Aboriginal Languages

CHAIRMAN (Mr. Gargan): We are dealing with Tabled Document 42-86(1), the Report of the Task Force on Aboriginal Languages. I would like to ask the Members that this particular discussion not exceed two hours. Would the Government Leader like to make any opening remarks?

HON. NICK SIBBESTON: Mr. Chairman, the committee of the whole now will be considering the report. In aiding us in this discussion I wonder if the Members would be agreeable to having the task force members appear before us as witnesses.

AN HON. MEMBER: Agreed.

CHAIRMAN (Mr. Gargan): Does the committee agree that the witnesses of the task force come in?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Mr. Minister, please proceed.

HON. NICK SIBBESTON: Mr. Chairman, it is also indicated that it might be a good opportune time for a coffee break. If that is the case...

CHAIRMAN (Mr. Gargan): A coffee break was not planned because we are having supper at five o'clock. Okay, I will ring the bell in about seven minutes.

---SHORT RECESS

CHAIRMAN (Mr. Richard): The committee will come to order. Is the committee agreed that the witnesses can come into committee of the whole?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Could we have the Sergeant-at-Arms bring the witnesses in? Mr. Sibbeston, would you like to do the introductions, sir?

HON. NICK SIBBESTON: Mr. Chairman, I will just introduce the two chairpersons and maybe I will ask them to introduce their colleagues. One is Edna Elias, who is co-chairman of the Inuit portion of the task force, and the other is Fibbie Tatti.

CHAIRMAN (Mr. Richard): Thank you, Mr. Minister. Ms Elias, would you like to introduce your colleagues, please?

MS ELIAS: I am Edna Elias, who has been the co-chairperson of this task force on aboriginal languages. My co-chairperson has been Fibbie Tatti, who is from Fort Franklin. The other members of the Dene task force are Sabet Biscaye, who is from Fort Resolution, and Sue Look, who is from Inuvik and lives here in Yellowknife. Leena Twerdin, who is from Pangnirtung and lives in Frobisher, has also been a member of the Inuit sector. The only male that we had in the task force escaped early and went home on Tuesday. So Jose Kusugak could not be here because he had commitments in Rankin Inlet.

CHAIRMAN (Mr. Richard): Thank you, Ms Elias. Would you or Ms Tatti like to make an introductory statement before we request general comments from the Members of the committee?



### Introduction By Co-Chairperson

MS ELIAS: The Inuit group of the task force got started in September and our Dene colleagues got started in October. Our main objective was to get as many views and opinions and recommendations and suggestions from as many people as we could from across the Territories on their ideas of how we can enhance and promote the use and the development of our native languages, which are the languages of the Inuit which is Inuktitut, Inuinnaqtun, and Inuvialuktun and all the Dene languages which are spoken in the western half of the NWT.

We travelled separately in our two sets of territories. We may sound like it is divided now. But we travelled in our distinct areas, although we did hold joint public hearings here in Yellowknife and also in Inuvik. It was very unique in Inuvik because Inuvik has a population of very mixed people. Inuvialuit, Dene and Metis and non-natives all live in Inuvik and we also made a side trip to Aklavik which is also of mixed population. After our community travels and all the consultations we met regularly among ourselves. We knew we had to come up with one report and we would compare notes to find out whether there were any similarities or differences in all the recommendations that we were hearing. We found that there really is a common ground. The main one is that the native people were feeling that they are strangers, aliens, in their communities and regions because of the fact that they cannot communicate with their government and even with other non-government sectors in their communities.

Based on that common ground, all these recommendations came out that are directed toward the government, although you will find in the report there are recommendations which will affect non-governmental organizations in the private sector. So if you have had a chance to read our report -- we realize you just got it on Monday -- you will find that our main emphasis was that it be written in the native languages first. As you can see one whole side is done in Inuktitut and translated in Inuktitut. And then on the reverse side of it, if you turn the report upside down, you will get all the executive summaries in the Dene languages. In the middle section of the report is the written section of the complete report which we sort of put as last priorities, so we put it in the book. I will leave that as our introduction, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Ms Elias. Did any of the other members of the task force wish to make comments at this time? Ms Tatti.

MS TATTI: What the task force members will do is try to give you an overview of the basic recommendations that we have made. The major recommendations that we have made.

### Components Of Official Status

One of the major recommendations that we have made is that the aboriginal languages will be recognized as official languages of the NWT, in all different areas in the NWT. The Official Languages Act, the Quebec charter of the French language, the federal Official Languages Act and the Canadian Constitution, each one of them defines the official status the way it suits them best. So there is no one defined term that can be used to define official status. So what we have done is we have taken the basic four components of official status and have used it the way that it suits the North. So in the official status there are four components; one of them is the courts, the second one is the Legislature or parliament, the third one is government services and the fourth is legislation.

Within the Quebec charter of the French language act they have laid a lot of emphasis on the Legislature and what happens within parliament. The main emphasis is to provide services at headquarters level. What we have done is that for the Northwest Territories we have laid emphasis on certain ones and we have laid less emphasis on certain ones. The ones that we felt were important for the NWT are the courts and government services. In the recommendations that we have made, we suggested that government services be provided in the native languages at headquarters but more emphasis would be given at the community levels. And that within the courts we felt at this point in time that there would be interpreters within the courts, that whatever decisions are being made in the courts can be done in the languages, and that we had legal counselling that gave us the advice. It is not important at this point in time to have all the legal documents be translated. That we can go that route without having to do that. So what we have done is that with official status we have tried to make it appropriate for the North and try to define it the way it can best serve the North.

CHAIRMAN (Mr. Richard): Thank you, Ms Tatti. Ms Elias. Press the microphone please, Ms Elias.

Recommendation To Establish New Ministry And Language Commissioners

MS ELIAS: In our report we have also included a section under aboriginal language institutions. Under this we are recommending that a new ministry be established and offices of language commissioners. We are recommending that there be two commissioners appointed and these commissioners would be appointed and chosen by the Executive Council of the Legislative Assembly upon recommendation of the native Members of the Assembly. And that the two commissioners be speakers of appropriate aboriginal languages so that we would have one commissioner who is Dene and one commissioner who is Inuit. Their term of office would be a minimum of five years. Their mandate would be to promote the use and development of aboriginal languages, report to the Assembly and the public on the progress of the implementation and also report on the use of aboriginal languages in the private sector. They would be able to conduct research and collect data as necessary, make recommendations to the Assembly on further enhancement and development programs. Under the new ministry of aboriginal languages and culture we are proposing that the minister be chosen by the aboriginal Members of the Assembly from amongst themselves. This new ministry would consist of two councils. One council to work on the Dene languages and one council for the Inuit languages. On each council, there would be three MLAs so that there would be three MLAs on the Dene council and three MLAs on the Inuit council and then the other seven Members be selected by the Assembly upon recommendations of native organizations, regional councils, band councils and so on.

The duties of the ministry would be to be responsible for making regulations and for policy planning and programs related to the overall development of aboriginal languages. In the area of education and training, the ministry will be jointly responsible with the Department of Education for the overall design of the teacher education programs. That includes the program in Fort Smith and the one in Frobisher Bay. We will also be responsible for the delivery of the teacher training programs after five years of establishing the ministry. In curriculum development, the ministry in conjunction with the Department of Education, will be responsible for the development of appropriate curriculums for instruction in English in classroom situations whether the situation is English as the first language or as the second language. The ministry will prescribe the use of these curriculums. The ministry will have joint responsibility with the Department of Education for the overall high school curriculum. The curriculum shall still include aboriginal language and cultural concepts whenever and wherever possible. The minister will be responsible for developing high school level courses of northern social and cultural studies, to be offered in appropriate aboriginal languages.

The ministry will also develop programs for the training of interpreters/translators so that they can, if they wish, specialize in certain areas and work toward a certification of the interpreter/translators. The ministry will be responsible for setting standards for assessing the capability of teachers, interpreters, translators, whoever has a job that requires the use of their language, if they have to specialize in their language.

CHAIRMAN (Mr. Richard): Thank you, Ms Elias. Mr. Sibbeston.

Commendation For Report And Task Force Members

HON. NICK SIBBESTON: Mr. Chairman, I am pleased to have the honour of publicly thanking the task force members for the report that they have produced and I think we can be forever grateful to Mr. Richard Nerysoo for making such a good selection of the task force members. I do want to commend the members for their hard work and taking on this very difficult task. I consider that the report that has been provided to us will be one of the most important documents that will come before the Assembly during the life of this Legislative Assembly. I really do mean that.

I believe what you have done is taken the ideas, the feelings, the emotions, you have captured the way of life, the way of thinking of people in the communities and have transformed them and made a report of it because you were counted on because of your knowledge of the Dene and Inuit languages. You know the people and you also know the government system. So your task was to bring all of this information and make some recommendations to us. I believe that you have done that.

Generally, from my reading of the report, I find it very practical and reasonable and certainly it is within the realm of possibility for our government to implement the recommendations, if not all of them, some of them during the life of this government over the next year and a half. Thank you, once again. That is all I will say for now except to remind Members that we are unfortunately in a

very limited time constraint of two hours at this stage. But Members have agreed that we will deal with the report more fully in June when we reassemble again. It is an opportunity for Members just to make an opening statement and one or two questions and move on. Again, mahsi cho.

(Translation) Thank you for your presence. You have made a good report so I want to thank you for your endeavours. (Translation ends)

CHAIRMAN (Mr. Richard): Is it agreed that we will now invite general comments from Members of the committee?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): General comments. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Chairman. I dare not allow myself not to comment after all the criticism with regard to the negotiations in trying to provide for the financial resources and the recognition of aboriginal rights in the Territories.

AN HON. MEMBER: You have only two hours.

MR. NERYSOO: If I could table in this House all the comments that were made in both the Yellowknifer and the News/North you would not have enough room here.

However, I do say to the Members, as I said through a remark to Mr. Sibbeston, I think that the decision that I made in choosing the members of the task force was -- and I look at all the members and I say -- was a stroke of genius, I guess in that it might have been a stroke of genius that I never thought would occur. But none the less I believe that the decisions that I made in selecting you six members, including Jose who is absent today, I believe has helped my -- at least alleviate a lot of the concerns that people in this Legislature and people in the general public had about the idea of a task force.

The task force also gave the opportunity for people to express their concerns with regard to languages, language development. It gave them the opportunity to voice their opinions and to give ideas as to how we might enhance and develop the languages. It also gave us an opportunity or will give us an opportunity to realize the amount of work that we have to do to promote, to enhance, to encourage the use of our languages as Dene people, as Inuit, in all facets of government and in our general lives.

So I believe that I can personally say thank you to all of you and express my appreciation of the work that you have done. I know that I have a lot of work to do in reading the document and most importantly, without any question the discussion on the report will be long and probably difficult at times in dealing with the recommendations. None the less I personally, as I said, would like to express my appreciation to all you members. As I said, after having received the report I can rest and relax and just maybe receive some credit -- like the credit given to me by Mr. Sibbeston, the Government Leader -- for the choice and for the work that you have done as a task force. Thank you very much.

---Applause

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

MR. GARGAN: Thank you, Mr. Chairman. I can only refer to a tabled document that the Government Leader just tabled, regarding the fair allocation of resources to its regions for government services. One of the recommendations that came out of the task force I have a bit of concern with and I would like to express that now. That is the task force recommends that several new institutions be created within the existing public government system to carry out this responsibility. They go on to the new administration that is going to be created, the new ministry. Also they talk about the education system and how they are going to implement new programs within the existing education system -- or some of the new programs. I would like to tell the task force that we do have a cultural survival program that is in existence in a lot of the communities, at least in the Western Arctic, that I am aware of. Also the aboriginal languages



have been worked on for about three years, thanks to the Minister of Education for that. Outside of government with regard to air line services, most of the Dene people in the West cannot afford air line travel. So we are in a situation where most of the people that do use air line services travel with escorts for medical reasons.

On page 15 of the report it talks about the different groupings and they classify the Dogrib, the north and south Slavey, the Loucheux, the Chipewyan and the Cree as Athapascan languages. I just want to make one correction, that the Cree is not an Athapascan language, it is an Algonquin language.

The other concern I have too, is with regard to the terms of the report in that the MLAs would serve five years on this board or commission. Unfortunately, we do not serve that long, we usually serve four years, so there has to be some kind of a correction on that. On page 19 they refer to standardizing the dialects of the Dene language. At the same time they also are saying that while the task force supports international co-operation among all Inuit people, Canadian Inuit are coping successfully with the present diversity of dialects and the task force believes there is no need to force the issue of standard dialect at this time. So on one hand they are supporting standardizing the Dene dialect and then on the other hand they are not supporting this. So there is a little bit of conflict there I think.

They do mention that the history of the aboriginal languages has been eroded by the missionaries and by the schools. The task force believes aboriginal people hold a special responsibility themselves for their own language. One place it is true, is the family unit and the community unit.

#### Proposal Not Fully Supported

If I could just refer to the Government Leader's situation, that during the summer months, Mr. Chairman, we did submit a proposal to come up with a regional position on aboriginal languages on which we did get some support. Unfortunately the Executive did not fully support this initiative because they said that they already had an established task force in place and they would not consider the proposal at this time. Before the report of this task force was tabled, there was some concern expressed in the communities that the area offices were already being designated some PYs for translators. I felt that it was only fair that I express that concern, that it would be premature to actually be designating person years, when in fact the tabled document has not been in place. The response to that was that I did receive a letter from the area office and that consultation would take place with the regions before these new positions are created. I have a concern because we have come up with a number of resolutions.

I can give you two examples of the Deh Cho Regional Council's position on aboriginal languages and the responsibility it should have with regard to that particular area, since we do represent a large number of aboriginal Slavey-speaking people in our area. However, the report does not mention anything about these types of programs. I have read as far as page 24 and then I went down to the graph that was done on this particular report about providing services for health, justice, for government. But it does not say too much about what is going to occur at the community level other than the existing programs that are now in place. That is that we do have language programs in the schools, cultural survival programs in the schools, but we sort of tend to maybe undermine the band councils, the regional councils. This is where I have some concern.

However, Mr. Chairman, we are only discussing this report. I am not too sure whether we have to accept the report but those are some of the concerns I have. I would like it to be known that the amount of travel that was done was to all the Dene communities in the Deh Cho region. However, I have talked with the chief in Fort Providence and I have talked with the chief in Hay River and they did address the task force. In Fort Providence I do not believe the chief did. But what the chief in Hay River said was that more emphasis should be put toward the schools and also toward the communities, because aboriginal languages belong to the community; there should be some kind of ownership. This is where the programs should start from. I am a bit leery because we are creating a bureaucracy and once we have created that ministry with the commissioners, we then work out the details. We work out the details of what the communities want and then is when we start our work to deal with the communities. I do not know if that is right.

So I thought maybe I would express those concerns. I do have a concern that if we are discussing this as a discussion paper, I do not mind discussing it, but I certainly have reservations on whether we should accept it or not. Thank you, Mr. Speaker.

CHAIRMAN (Mr. Richard): Thank you, Mr. Gargan. Did members of the task force wish to respond to Mr. Gargan's comments before we hear from others? Ms Elias.

MS ELIAS: I welcome your views and opinions, Mr. Gargan. It seems like you are taking this opportunity to address some views that you had before, that should be addressed to perhaps other Ministers, but you are using us to express it at the same time. So those are historical comments.

I would like to make one correction in what you said. The five year term of office that we made the recommendation on, is the term of office for the commissioner and not the minister. So you would not have to worry about him having a term of office when you are only elected for four years.

#### Clarification On Standardization

As for the standardization section, the Inuit have standardized their writing system, have a standardized syllabic writing system and a writing system which uses the Roman orthography; in other words, the a,b,c letters. But we have not standardized the dialects. We can see that as a future goal perhaps to establish a media dialect which would be universal amongst Inuit regions, the circumpolar regions. In standardizing the Dene languages we are not talking about standardizing them in the spoken sense but we would like to see standardization of the Dene writing system so that a north Slavey speaker can read what a Dogrib speaker is writing and vice versa. I am not referring to standardizing the spoken languages at all unless you yourself, who I understand are a south Slavey speaker, would like to learn how to speak north Slavey. Those are just the comments that I have. Thank you.

CHAIRMAN (Mr. Richard): Qujannamiik, Ms Elias. Mr. Curley.

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Chairman. I will make a brief statement on this report. I am very happy to hear this report. Also, I would like to thank the task force and I am sorry Jose could not be here. He is from the same region as I. The chairperson Edna, Fibbie, Susan, Sabet and Leena, thank you very much, all of you. Your staff members were a great deal of help to you, Wilf Bean, I do not think he is here at this time, Rosemary Cairns, who is sitting in the gallery and Rosemary Meyok. They were the helping staff of the task force and we must recognize them. Also, for being able to help the task force in preparing the report. I would like to make a brief statement on aboriginal language.

I am really happy about the report because our Inuit people and also our relatives, the Dene our close friends, sometimes the elders are kind of afraid of expressing their concerns because they are unilingual. Also Richard Nerysoo, I would like to thank you. When they started implementing the task force they had complete support from the House. They started in Fort Smith. The aboriginal people will be able to feel welcome and feel a bit more at ease. An employer I had a few years ago and I used to be unable to speak to the RCMP because we were afraid to talk to them. Concerning the justice system and to be able to implement these aboriginal programs in the schools, I am in full support of this. I am really happy to see that one million dollars will be given to the NWT for languages. I think it is going to be able to be used for three years. I would like to say very much for this enhancement of these programs and I will make a brief statement in English. (Translation ends)

#### Pride In Speaking Language

Mr. Chairman, I am very excited about the report because I think it makes a very important document to guide the GNWT and the public. For the first time I really think that the aboriginal languages of the Dene and Inuit people are now going to make an impact on the majority of the people in the NWT. When I grew up obviously I was fluent in my language and I have never apologized for being able to speak in my language. When I was much younger I remember when I started travelling to the Western Arctic that I was shocked when I started moving out there because they were not proud of their language. That was quite a while ago, 15 years ago now. I never did apologize for being able to speak my language because it is something that has given me pride, pride in my culture and the fact that it is my heritage, my great grandfather and my father were dependent on it and they have been able to interpret their society and use the language to survive. It is significant for me today to say that, because I was just saying in Inuktitut that even our own people, our elders, when the white man would come around visiting in earlier years, used to be so afraid of the people,

they could not communicate. I remember growing up when I could not quite understand English, that in very uncertain terms I used to be made aware that I had a communication problem and that was just it. I have since become a bit wiser that that communication problem is not just a one way street which impacts on native persons.

Some of my colleagues do not understand my language; I think it is their problem also. I think today we are starting to balance that. I remember travelling with my officials throughout the Kitikmeot Region a year and a half ago. I would naturally speak to public meetings in my language and I would forget to translate what they were saying. My officials would come around asking me what was said. Finally, I got a little tired, I remember saying to a couple of them, "Look, this is really your problem, don't bother me. If you cannot understand, find a way to communicate." So I am really grateful for the opportunity that you have given your people, my people, Inuit people, Dene people, an opportunity to really feel at home for the first time in the North with the language and the role that it is going to play in the very complex and changing society. So I hope you guys will be around to start seeing the implementation. I know you people have a sizeable budget. It is a lot more than my energy secretariat's budget and I envy all of you for taking an important role. Thank you.

---Applause

CHAIRMAN (Mr. Richard): Matna, Mr. Curley. Did the task force have any response to Mr. Curley's remarks? Ms Twerdin.

MS TWERDIN: I would like to thank Tagak Curley on behalf of the task force because you have been supporting us and you understand our difficulties. I would like to thank you. (Translation) What you have experienced yourself is a great expression to people that the Inuit and Indian languages will be something that has to be prioritized to be implemented. Thank you.

CHAIRMAN (Mr. Richard): Thank you, Ms Twerdin. General comments. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I would also like to echo what other Members have said. I personally know the task force members have worked very hard in a short time frame at a very difficult task. It is the first time that this government has had a comprehensive long-term recommendation of a strategy for language development and enhancement from experts. And I acknowledge your expertise and I respect that.

#### Significant Increases In Funding Negotiated By Mr. Nerysoo

There are many bold and exciting proposals in this report and I look forward to this Assembly considering the report in more detail at its next session. I think it is appropriate that we should consult our constituents and consider the weighty recommendations carefully before making any early conclusions. I am confident this report will make a profound difference on the status of aboriginal languages in the NWT. I would like to say that for it, unlike other reports, we are certain that we will have some significant sums of money to devote to this task over the next three years. We have the pleasant task of deciding how to best spend the money that is allocated rather than trying to find it. In that connection, Mr. Chairman, I would like to just pay a little tribute to Mr. Nerysoo because I happen to know, having been somewhat involved in the difficult negotiations and discussions that surrounded this matter in this Assembly when Mr. Nerysoo was Leader, I happen to know that when he went to negotiate aboriginal languages funding for this government, the first offer was \$250,000 over three years. I think the fact that we are dealing with significantly more money than that paltry sum, albeit for a very large task, is certainly a tribute to him and I would like to acknowledge that here today.

SOME HON. MEMBERS: Hear, hear!

HON. DENNIS PATTERSON: Mr. Chairman, I really feel hesitant about offering any comments other than to say that the report is exciting and bold and has many good things but I would like to just perhaps in a very preliminary way throw out a few questions that came to mind which Members might consider and which the task force members might consider since I hope they will be back when we do consider the report in detail...

CHAIRMAN (Mr. Richard): Excuse me, Mr. Patterson, I am just recognizing the clock. If your questions are lengthy, could we resume with you at seven o'clock when we come back, or were they going to be very brief?



HON. DENNIS PATTERSON: Very brief, Mr. Chairman. I will not be here after seven. If I may, two simple questions, and I will just leave them with the members. The first one is, is it necessarily true that a non-aboriginal Member will be unsympathetic to native language issues, a non-aboriginal Executive Member? Is it necessarily true that a Minister of Education should be a teacher or that a Minister of Justice should be a lawyer? Just a question.

And secondly, on the matter of joint responsibilities as suggested between Education and the ministry of aboriginal language and culture, while I think the need for co-operation is essential I would respectfully ask whether members really consider it practical that two Ministers can have one responsibility. I would think it should be one or the other. Those are just some questions that I think need to be addressed. They do not go to the substance of the report but perhaps to the way in which it can be best implemented. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. Patterson. In view of the hour, the committee stands adjourned until 7:00 p.m. mountain standard time.

---SHORT RECESS

CHAIRMAN (Mr. Gargan): I will call this committee to order. We are still on general comments. Any more general comments to the witnesses on the task force on aboriginal languages?

MR. T'SELEIE: (Translation) The interpreter is unavailable right now. The north Slavey one is not in yet. (Translation ends)

Mr. Chairman, I would like to thank the members of the task force for their report. I have not yet read the report but I will be reading it very carefully before we go through it in June. I want to also say that I feel it is very important that we as aboriginal people maintain our own languages. I feel the issue of languages is central to the whole issue of culture and a way of life. I want to also say that I will be supporting those measures that can be implemented that would ensure that aboriginal languages in the NWT will be around for many years to come. So I would just like to thank the task force members again for their report.

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

MRS. LAWRENCE: Is there no translator?

CHAIRMAN (Mr. Gargan): Do we have a Chipewyan translator? I am sorry there is no translator available right now.

#### Constituents Invited To Read And Comment

MRS. LAWRENCE: Thank you, Mr. Chairman. All the more reason why we have to implement these native languages. Congratulations to the task force for coming up with this report. As well I would like to commend the Member, Richard Nerysoo, for taking the initial step in trying to carry out this task force. First of all I have to admit that I really did not have a chance to read the report and I will be looking through it. I did send some to my constituents so that they can have a look and comment on it as well. I feel that it is very important to have this task force report and try to have it implemented just as fast as we can. I do not believe you could appreciate the aboriginal language unless you speak the language yourself. I find that to me it is really important and I miss it if I do not speak my language and many times I feel more comfortable speaking my language than English. I also feel very comfortable talking with elders, they have a nice way of communicating with you if you can understand them. When I go into my communities for meetings, we do all our meetings in Chip, especially in Snowdrift. It gives me a nice feeling talking to the young people as well as the elders. I communicate very well with them.

So I just feel it is very important to be able to speak the native language and try to keep it up with our young people. To me it means a lot to be able to deal with this task force. I do not want to speak very long because we do not have much time, we are only given two hours to deal with it. I would just like to make a general comment regarding this task force. I want to say thanks to all the task force, including Mr. Kusugak, unfortunately he is not here, but I would just like to congratulate them. Just looking through it -- a lot of hard work has been done and I have high hopes that we will be dealing with it just as soon as we can. Mahsi cho.

CHAIRMAN (Mr. Gargan): Mahsi cho, Mrs. Lawrence. Any further general comments from the committee? Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I am just going to make a short comment to the task force. It is not from the Baffin Region but it is my own language too, northern Quebec. I would like to thank the task force. I have not seen them in my community, Sanikiluaq, but I would like to thank them. The reason they have not come over there is because it is too far or maybe the northern Quebec dialect is too fast for them. I am sorry they have not come to my community. The report seems to be very good and it is directed to our children and something to do with education also.

#### Page Numbering In Inuktitut Portion

It seems like it is not finished because they have no page numbers in the Inuktitut part, so it is kind of hard for me to follow the pages. I am hoping they will put the page numbers in. In the middle of the report there are some mistakes, I think. For the future it could be taken as a mistake. Some of the community names are not correct. Lake Harbour and Cape Dorset are reversed. I think some people might take it as misleading. I am just commenting on the numbers on the map. I think it would be best to correct the numbers on the map. I do not have much more to say. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Appaqaq. Mr. Arlooktoo. Excuse me. Go ahead, Leena.

MS TWERDIN: (Translation) Thank you, Mr. Chairman. I would like to respond to your questioning. You said that there was no page numbering. If you take a look at the beginning they have the numbers after the titles. There is a number 132, which is the beginning. If you want to look at the numbers such as 132 just below the title pages. Also the things that you are saying about the community numbers mistakes -- I think that was a typo and in the map there is a mistake. I think the lay-out artist made a mistake on the numbering. We were not in control of the lay-out artist work. I am sorry.

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

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. I do not have much comment toward the task force but I would just like to say thank you that you have been able to come to my community. We have a community that hardly anybody ever goes to and I am just happy to say that you have been able to come to my community. We, the Inuit people, always use the interpreters because we use our aboriginal language. I am happy to say that there is a plan to use our languages in your task force report. We use our own language in the Assembly here and I feel that it is going to be promoted a lot more and I would like to thank you for the report.

There are some mistakes in the report in Inuktitut but I could clearly understand them. The Inuktitut translations always have typos and I understand we have seen this quite a few times so that is not really a big thing but I feel that I am generally happy with the whole of the report. Mr. Appaqaq said that there were some mistakes in the numbering of the map. Number 51 is Cape Dorset and number 50 is Lake Harbour. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Appaqaq -- Arlooktoo. I am sorry.

---Laughter

I was looking at the numbers here on the pages. Are there any further general comments by the Members? Mr. Pudluk.

#### Language Important In Search For Identity

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. I would like to thank the task force for putting their report together. I know that there was a lot of work put into this report during the task force and I am very happy about aboriginal languages being taught. I will tell a story about myself. When I was younger my mind was not all one thing -- I used to think that I did not like my Inuktitut language. I preferred English as the mother tongue. I was not too happy with my capability to speak in English. For these reasons I was like that for a while but afterwards I found out that I did not like the fact that I was an Inuk. In this written report I was reading where it states that somebody said that knowing the language enables you to have power. With my

language I can know myself and that way I can have strength. Yes, this is true and I believe in it. Sometimes it turns out that I did not like my own strength. At the present time I am very happy looking at the report and this report will help other people to understand about their own problems that they previously had. I would like to thank you in that respect.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Pudluk. Mr. Erkloo.

MR. ERKLOO: (Translation) Thank you, Mr. Chairman. I just want to state that I am very happy and appreciate the work that you have done. When Baffin Regional Council had their annual general meeting in Pond Inlet, some of the task force members went to Pond Inlet to meet with BRC. Because I am an Inuk person and I like to speak in Inuktitut, I would like to thank you for the very good work that you have done. It is very hard to do work like this as MLAs but I would like to thank you for the very good work that you have done. Thank you.

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

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I just have a very few words to say. I am a non-aboriginal person but in my constituency about a third of my constituents are aboriginal people and I am really aware of their concerns, pertaining to their language rights. Also, I have had the opportunity in my life when travelling around the world to spend many months in countries where nobody understood my language. I know I have been in the middle of the Amazon jungle and up in the mountains of Ethiopia going for days when it becomes very difficult even to get food or ask for water or directions. I know that frustration, what it is like when the language we take for granted nobody else understands or appreciates. I think I have some sensitivity to the feelings of the aboriginal people of the NWT.

I would especially like to thank the task force specifically in the area of justice. It is because of the work of the task force and because of the discussion and the debates and even the controversy about language in the NWT that I became more aware of the issue when I became Minister of Justice.

In the courts there are problems, I had to think, what can we do in Justice? And because of the work started in the task force I asked around and the idea of the amendment to the Jury Act came up in an innocent conversation with a lawyer in town who said, "You know, it is really, really unfair that the Jury Act says now that to be in a jury in the Northwest Territories, you have to speak English or French." So I had my department look at it and we said that, yes, it is a bold step and it is a risky step but we are going to change that. And also by changing that, we forced the issue of proper interpretation in the courts because people have said for years that we have to have better interpretation in the courts. But unless there is an issue to start it, it does not happen. So hopefully with the amendment to the Jury Act, if it is passed, some of these things at least in my area will make a beginning. I appreciate the work of the task force for allowing me to think about it and to make at least a small beginning in that area. So thank you very much.

CHAIRMAN (Mr. Gargan): Mahsi, Mr. Ballantyne. Do we have any further general comments from the Members? Mr. MacQuarrie.

#### Approach To Entrenchment Of Status Commended

MR. MacQUARRIE: Thank you, Mr. Chairman. I would like to compliment the members on first of all obviously the great deal of work that has been done in a very short time over the past several months. The report has come at a time when, at least I personally am busy with very, very many things and I have not given a thorough reading to the report yet but I did take the time to at least give it a cursory look. Having travelled to many communities in the Northwest Territories and having been now in this House for whatever it is, six or seven years, I have come to appreciate how very important it is to aboriginal people for their language to have status in their homeland and for aboriginal people to have the ability and the right to use their language as a language that has status. That is in my mind all the time and will be when I read through the recommendations thoroughly which I undertake to do well in advance of the time that we discuss them at the next sitting.

Having looked through it briefly, I can say at least that I admire the approach that you have taken to entrenchment and status for aboriginal languages. It is an approach that I can support and it will be a matter eventually of looking at each recommendation and discussing it thoroughly here and



deciding whether each particular recommendation is supportable or not. But as I say, at least the approach with regard to entrenchment of status, I admire that and I believe I can support that.

That is all that I will say now so as not to overcommit and have to backtrack later perhaps. I would not want to do that. But I do give the commitment that I will read it thoroughly, keep very much in my mind how important the matter is for aboriginal people and I look forward to a thorough discussion in this Assembly, and beyond that, as quickly as possible to action in implementing those recommendations that the Assembly as a whole has decided ought to be recommended. Thank you for appearing here today.

---Applause

CHAIRMAN (Mr. Gargan): Thank you, Mr. MacQuarrie. General comments. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, I too would wish to extend my thanks to the task force for the report they have concluded and also to commend them and their absent colleague on the diligence and the energy with which they have gone about their task -- a task which has culminated in the report that is on our tables today. I believe that the future may see this report as a landmark report in that it addresses the subject that is very infrequently addressed in the nations of the world and that is aboriginal languages of any nation. I would say it will be a landmark report in the NWT, in Canada and possibly the western world so we will see how the future deals with the report as do the governments of the future.

Before I conclude my remarks I would like to add commendations that others have made to Richard Nerysoo, the Member for Mackenzie Delta. It has been my privilege to have witnessed a number of negotiators who have trekked from the Northwest Territories to Ottawa and sat down with politicians and officials to attempt to wrest from that gigantic centre, very self-centred centre, the requirements, programs and fiscal resources necessary to assist the people of the Northwest Territories. Going back to even Commissioner Ben Sivertz I do not think there has been anyone as successful as Mr. Nerysoo has been in convincing Ottawa of territorial and native needs. I recall that Secretary of State officials are still wondering how a young fellow from the Northwest Territories could talk \$16 million out of their political masters. I think we owe Mr. Nerysoo a very great debt of gratitude not only as a House but on behalf of all native people in the Northwest Territories for the money that he has developed for them during the time that he was Government Leader.

---Applause

CHAIRMAN (Mr. Gargan): Thank you, Mr. Butters. General comments. Are there any further general comments? Mr. Nerysoo.

Motion Of Appreciation To Members And Staff Of Task Force On Aboriginal Languages, Tabled Document 42-86(1), Carried

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MR. NERYSOO: Thank you, Mr. Chairman. I realize that I have had an opportunity to make general comments and express my appreciation but I would like to present a motion to this House and the motion would read: I move that this committee express its sincere appreciation and gratitude for the work that was conducted by members and staff of the task force on aboriginal languages on behalf of the Executive Council and this Legislative Assembly.

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

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Gargan): Question is being called. All those in favour? Opposed, if any? This motion is carried unanimously.

---Carried

Before we conclude, I would like to ask the witnesses if they have any remarks. Ms Elias.

MS ELIAS: Before we close we would each like to make a closing statement to the Assembly if we may do so.

CHAIRMAN (Mr. Gargan): Mrs. Look.

MRS. LOOK: (No translation available)

--Applause

CHAIRMAN (Mr. Gargan): Do we have translators for Loucheux? Okay, for the record could you repeat yourself in English?

Implementation Now The Responsibility Of MLAs

MRS. LOOK: I shall interpret for myself. I am very pleased to see most of you like our report and I thank you very much for your nice remarks on behalf of my friends here. We did have hard work. This subject has been around for a long time, as you all know. It has been kicked back and forth in this House for years. At first when we started we were a little afraid of it, but as we went from community to community we saw how happy the people were to see us, this group working together, and that they came forward and expressed their views. They were not afraid to talk to us. We all conducted our meetings in our respective languages which showed us that there is a need for our languages. So we did this work for you guys -- there is my English -- for you respected Members. I know we asked for a lot but we did our job and now it is up to your people to implement some of those recommendations. Some of them could be started tonight. As you saw there were no interpreters for most of you. Thank you.

---Applause

CHAIRMAN (Mr. Gargan): Thank you, Susan. It was supposed to be "you guys and gals".

---Laughter

Elizabeth Biscaye.

MS BISCAYE: When we went to a lot of the communities the response was very good. A lot of the native people came out and a lot of non-native people also came out. One thing that we realized as we travelled from community to community, was that a lot of people felt that this is the right time to do something about native languages. Now we were given a task to do which we have completed, I think. Now it is in your ball park. It is up to you people to decide what you are going to do about it. But you should keep in mind that the NWT here is the home of the Inuit and Dene languages. If we lose it here we do not have any place else to go to to get it back. That is all I want to say. You people who made really good comments, mahsi cho. We really appreciate it and it makes us forget the long five months.

---Applause

CHAIRMAN (Mr. Gargan): Thank you, very much, Elizabeth Biscaye. Fbbie Tatti.

MS TATTI: (Translation) We hope that in the future our children will know their language and also their culture. That is the reason we have made these recommendations. We have finished our job now and we are depending on you to complete the job, the aboriginal people are depending on you, for you to complete the rest of the work. (Translation ends)

...adding directions for native languages. The task force has done its job. It is now up to the government, with the support of the native organizations and people, to implement it.

Aboriginal People Must Make Decisions

In closing I would like to say, the fundamental principle is that aboriginal people should have the right to control those aspects of government that are of critical importance to the protection and enhancement of our cultures. Language is obviously central to that and certainly the education of our children is as well. The only people who have the interest, the knowledge, the skills and above all the will to preserve those cultures, are the aboriginal people themselves. For example, when you are involved in standardizing the original language or creating new words or concepts in the language, how could you possibly involve people who do not know the language and, above all, are not familiar with the culture? This does not mean there are no non-native people who have some

valuable knowledge and skills to contribute. A new ministry will certainly welcome those people with these skills. The point is, it has got to be the aboriginal people themselves who make those decisions in those areas which directly affect their culture. This is not an attempt to criticize any present department and any effort they have made with regard to language and culture. But now it is time to move ahead. The message we got from the people in the communities is that now is the time for aboriginal people to take on the responsibility for the development and protection of aboriginal languages, themselves.

(Translation) And so this report that we have just completed, you have asked us to complete this report and make recommendations. In the future if anyone asks how you have solved those problems, it will be up to you how you have completed the job.

CHAIRMAN (Mr. Gargan): Thank you. Ms Elias.

MS ELIAS: (Translation) Our report has taken six months. We are sort of going up the ladder right now. We are on the bottom rung and we have to work upwards. Our recommendations are just being tabled and we are still at the bottom of the ladder. The Inuit people and the MLAs -- we would like you to start implementing them, sort of going up the ladder. Also our aboriginal languages and culture have to be implemented. We have been asked by Inuit people, when we go to the communities, what we are going to do after the report, after working through these aboriginal language programs. We will be looking forward to the implementation of these recommendations. Also we will report to the Inuit people and say we are really trying to work hard for these aboriginal languages and also we have been talking with a few of you as MLAs having legislative responsibilities and as Members of the House to try and work hard on the reports and recommendations we have in the report. Also, Inuit people and the Dene and the aboriginal people who speak their own language find sometimes it is impossible to work along with each other since we do not understand sometimes. Also, when we help each other and when we talk as unilingual and bilingual people sometimes it is impossible to work together when you do not know the other language. The recommendations -- we are going to be trying and working hard for them. We are trying to get approval from the government itself to try and put these recommendations forward. (Translation ends)

... very serious issues that we overlooked and therefore did not consider in making these recommendations. The report may be accepted but perhaps not all the recommendations may be implemented. Those are two different things. In the implementation process some of the recommendations may get changed slightly or they may be changed so that in order to implement the recommendations, rather than not implementing them at all, some of the recommendations may be required to be changed slightly so that they can be implemented without changing the existing structures and systems too much, that is, perhaps the Department of Culture and Communications or the Education department. That is in your hands.

#### Monitoring Process Of Implementation

We, the members of the task force certainly look forward to hearing responses and getting reactions from you as Members of the Legislative Assembly and the Ministers of this territorial government and also from the public, all the people that we have been speaking to. The task force is dissolved and we have been at this Assembly discussing it with you, although it has been very brief, but our job is not yet over. People will always be talking to us and asking us just as you have been doing. But we will be with the public and scrutinizing or monitoring, we might say, the process of implementation which we feel is also a part of our task as people concerned about our language and the preservation of it.

To close off, having worked with some Dene people who picked up some of our words and I picked up some of their words and Fibbie's favourite is Dene xeedee nezo. So I would like to say also that we picked up different dialects. I would like to say qujanna, matna, taikuuqpauyaq in Nellie's language, merci, mahsi cho, thank you.

---Applause

CHAIRMAN (Mr. Gargan): Thank you, Ms. Elias. To Leena Twerdin for her last remarks.

MS TWERDIN: (Translation) Thank you, Mr. Chairman. I just want to say first of all as an Inuk person, I would like to thank Mr. Nerysoo for the implementation of this task force. As we have heard in the past, we understood the Inuit concerns and their needs concerning aboriginal



language. First, in the task force report, you have heard these concerns and also the Inuit people will be more aware of the needs and the aboriginal language needs in the communities. I will be looking forward to seeing in the future you as MLAs trying to push forward to implementation of the recommendations. You have the power to do things that the Inuit and Dene residents themselves are not able to push forward and also I am happy to be able to talk in my aboriginal language. Thank you.

---Applause

CHAIRMAN (Mr. Gargan): Matna, Ms Twerdin. I would like to also say I am sorry that Mr. Kusugak is not here. The only guy to be on our side. Could you just say that I was sorry he was not able to make his presentation? I would like to thank the witnesses at this time on behalf of the committee. Mahsi cho. Does the committee agree that the opening remarks on Tabled Document 42-86(1) are concluded and that the Tabled Document 42-86(1) will remain on the orders for further discussion. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Thank you very much.

---Applause

Bill 1-86(1), Appropriation Act, 1986-87

We are dealing with Bill 1-86(1), Public Utilities Board. It is on page 2.10 in your main estimates book, under Executive Council Secretariat. I would like to ask Mr. Curley for his opening remarks.

Public Utilities Board

Minister's Opening Remarks

HON. TAGAK CURLEY: Thank you, Mr. Chairman. Very quickly, I think the Members are well aware that the Public Utilities Board is responsible for regulating both electrical hydro and natural gas utilities in the NWT. I am going to be quite brief in my remarks because I think the Members are well aware that there are a number of changes that are taking place with respect to the power corporation and NCPC relocation matters. So therefore, I think many of the comments have already been made when I presented the Energy, Mines and Resources Secretariat's estimates here.

Just a very brief introduction. The board is made up of five publicly appointed members with a staff of four public servants. These GNWT employees are split equally between this board and the Highway Transport Board under Mr. Wray. As for our 1986-87 estimates for the Public Utilities Board, I think again it is important to note that the particular item is split between the two boards although it is reflected as a total figure for our purposes during this Assembly.

Mr. Chairman, I think the Members may be interested in the fact that we are going through a number of changes and the most important one that we are presently actively considering and working toward is the amendment and revision of the Public Utilities Act. This will be presented as a total package during the energy corporation legislation on which we hope, if all goes well and providing that the terms and conditions are agreeable to the government as we negotiate the financial matters with the federal government, by next June we hope to make the appropriate recommendations. So Mr. Chairman, I am not going to go on too long. If there are questions to me or to our dual secretary for both the Public Utilities Board and the Highway Transport Board, Mr. Dale Thomson -- it probably depends on the number of questions the Members may wish to ask. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Are there any general comments with regard to the Public Utilities Board? Mr. Minister.

HON. TAGAK CURLEY: Mr. Chairman, one other point that I just became aware of, with a note from our secretary, is the fact that there is one position that has expired on February 7th and we have not reappointed the member from Fort Smith. If I can get concurrence of the Members, very quickly, it

is important that we reappoint the member and I have consulted with the other member from Fort Smith as well as my Executive colleagues. On this side we would propose to try and see if we could get unanimous consent to give a notice of motion and then a motion to appoint him. If not, I will try again tomorrow. It is important that we make that appointment because there will be a number of public hearings that will be taking place on March 17th to 19th, somewhere south of the lake.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Are there any general comments on the Public Utilities Board?

Executive Council Secretariat, Total O And M, Agreed

If not, the Executive Council Secretariat, total O and M, \$2,467,000.

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of The Executive, Total O And M, Agreed

CHAIRMAN (Mr. Gargan): We will turn now to page 2.07. The Executive. We are now prepared to conclude the Department of the Executive. Total O and M, \$12,885,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that the Department of the Executive is concluded?

SOME HON. MEMBERS: Agreed.

---Agreed

Department Of Justice

CHAIRMAN (Mr. Gargan): Thank you, very much. We will turn now to page 9.06, the Department of Justice with Mr. Ballantyne. Opening remarks.

Minister's Opening Remarks

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. At 8:00 o'clock at night there are some that might say that "justice is blind" or as my learned friend, Mr. Richard, might say, perhaps, "The Justice Minister is blind."

Mr. Chairman and Members of the Legislative Assembly, it is my pleasure as Minister to present to you the main estimates for the Department of Justice. As Minister responsible for the Department of Justice, I shall look forward to receiving your guidance in carrying out my responsibility. Since my appointment as Minister in October of 1985, replacing Mr. Nerysoo, I have been working closely with the department to ensure that services are provided to the public and to the rest of the government as efficiently and effectively as possible. I have also attempted to ensure that the priorities of this Assembly are met as they apply to the department. With this in mind, as Minister of Justice, I have set down goals and objectives that I expect the department to achieve before the term of this Legislature expires.

As you are no doubt aware, the Department of Justice provides legal support on constitutional matters. In the next fiscal year we will be actively involved in legal support on aboriginal comprehensive claims; determining what effects the COPE claim will have on this government; working with departments on the devolution of responsibilities such as health from the federal government and ensuring that our legislation meets the requirements of the Charter of Rights and Freedoms. As provided in the document on political and constitutional development in the NWT, just recently tabled in this House, the Department of Justice will play a greater role in constitutional and political matters as they arise.

Over the next two years the department will place much greater emphasis on the positive aspects of the administration of justice rather than on the punishment-oriented functions. There will be a greater emphasis on law reform, taking into account the special circumstances and needs of the residents of the NWT. I will be advancing legislation at this session to make it possible for an aboriginal person to sit as a juror, even if he or she does not speak English or French. This provision will, in my view, allow a far greater number of our residents to participate in the justice system. Until now, such residents were denied this opportunity.

A natural corollary of this initiative will be to place much greater emphasis on the provision of better interpretation services for the courts. We expect to work closely with the Department of Culture and Communications and the task force on aboriginal languages to determine how best interpreter services can be improved in our courts.

The department will also be taking initiatives in the field of victims of crime. Mr. Chairman, for the last few hundred years our legal system has been so preoccupied with protecting the rights of the accused and of the convicted that it has forgotten the truly injured party in a crime, namely the victim of a crime. The NWT is participating in the federal-provincial Ministers of Justice meetings in working toward ensuring that substantial improvement is made in enhancing the rights of victims of crime. As part of these initiatives, much greater emphasis will be placed on the criminal injuries compensation program. I intend during my tenure to review the present legislation on the criminal injuries program with a view to seeking to make it more accessible to the people than it was before.

#### Law Reform And Revision Of Legislation

Mr. Chairman, I regret that the Department of Justice has not been able to give as much attention to the law reform function as would have been desirable. In a small jurisdiction such as ours most of the available funding has been expended on the priority programs of this department and of this government. This leaves very few resources for such functions as revisions of legislation or law reform. This is not to say, however, that both revision and law reform are not vital functions of the department.

Over the next fiscal year I propose to put greater emphasis on law reform and on the revision of our statutes. I am hopeful that with innovative use of present resources it will be possible to carry out law reform activity. However, in jurisdictions such as ours, I feel that functions such as the law reform function is a shared responsibility between the Department of Justice, the Law Society of the Northwest Territories and other bodies that may be associated with the orderly development of the law. I hope to work closely with the law reform committee of the Law Society and other organizations in developing initiatives in this field. As an example of law reform, the department has commenced work on a review in the area of family law.

Revision of our statutes is also long overdue. I am hoping that this function can be commenced in the next fiscal year so that the much-needed revision of statutes can occur. The department is already co-operating with the Law Society and the accountancy profession in reforming the companies legislation in the Territories. I am hopeful that in the course of the coming year further activity will occur to reform the companies legislation and the personal property security legislation.

An area that needs to be addressed is the justices of the peace training program. This program is the backbone of our judicial system. During my tenure, I hope to consider revision to this legislation and to greatly enhance the training facilities for our justices of the peace. I expect in the coming year to take some effective steps to improve the calibre and quality of our justices of the peace system.

The introduction of the Young Offenders Act has created a strain in the court system and the legal aid service. It has been determined that in the current fiscal year up to 40 per cent of court time has been spent on young offender cases. Over 1200 young offenders were charged during 1985. Approximately \$200,000 has been paid to defence counsel through the legal aid program to represent young offenders. Since this government is still negotiating with the federal government to obtain funding for the Young Offenders Act, the main estimates figures provided in this document do not include the funding requirements for young offenders.



It is a well-known fact, Mr. Chairman, that the real estate and business activities in the North have greatly increased over the last several years. This has resulted in inordinate delays in the processing of documentation, leading to frustration and costs to the public. I propose to address this problem in the coming fiscal year.

It will be the priority of the Department of Justice to revitalize the mine safety function to its fullest potential. There will be much greater emphasis placed on the educational aspects of mine safety. I hope during my tenure to provide for the enhancement of training of personnel in the mine safety division so that they can better deal with the task of protecting workers in our mines. As Members know, the mining industry is of vital importance to the Northwest Territories. It is therefore incumbent upon us to ensure that the industry is regulated and protected in the best manner possible in full consultation with both management and labour.

As you are aware, the appropriate amendments have now been made at the federal level to declare the territorial Condominium Act valid. The department is now developing the appropriate regulations to administer this act.

The responsibility for lottery licensing will be devolved to the regions effective April 1st. My officials have met with individuals from each region and have conducted a training seminar with respect to this matter.

#### Additional Resources Sought

With these opening remarks I would like to draw your attention to the areas in which the Department of Justice will be seeking additional resources. There has been a dramatic increase in the number of requests for bills and regulations over the last several years. I am informed that there is currently a one year backlog of requests for drafting of regulations. As a partial solution, the department intends to assign two legislative counsel to draft regulations only. A request is therefore made for two legislative counsel and two support staff in legislation division. Although this additional staff will not be able to completely overcome the problem of responding to requests for amendments to legislation, it certainly will be a major step in bringing legislative drafts, regulations and publications up to date.

Contributions for legal aid have been added to ensure continued legal aid for persons throughout the Northwest Territories. In 1984-85, the budget for legal aid experienced a shortfall in its requirements and supplementary funding was required. Increases in legal aid caseloads, as well as costs associated with delivering legal aid to individuals in the Northwest Territories, will again require increased funding for 1986-87. As already mentioned, the Young Offenders Act has contributed significantly to this situation.

Funding for a second legal aid lawyer in the Baffin, \$108,000, and for the Western Arctic law centre, \$193,000, were given preliminary approval by the Financial Management Board subject to Ottawa's agreement to cost share these two items. We understand that the federal Department of Justice will be taking this request to cabinet in the very near future.

Additional funding for court services is necessary to meet the increasing cost of court travel to communities in the Northwest Territories. There has been significant increase in caseload statistics, the number of circuit trips and the number of days on circuit. Territorial court circuits have increased from 54 in 1982-83 to 105 in 1985-86. As a result of this situation, witness and interpreter fees have increased and court travel costs continue to rise. The courts have been made very aware of the increase in costs for court services and I believe that the judiciary is extending its fullest co-operation in keeping those costs in check.

One clerical position is being requested for our public trustee officer in order to improve the level of service in the administration of estates and trusts. The number of estates which are administered and the complexity of the estates has continued to rise. Between 1982-83 and 1984-85, the value of liquid assets held by the public trustee increased by \$600,000 and active files increased by 70. The public trustee currently has approximately 500 estates and trusts under administration.

Cost Of Police Services

The cost of police services under the RCMP agreement have continued to rise and these increases are reflected in the budget of the Justice department. I have reviewed in some detail the escalating costs for police services and have expressed my concerns to the Commissioner of the RCMP and the Solicitor General. Much greater information is now being released to the Government of the Northwest Territories by the RCMP than was ever the case in the past. Monthly financial statements are being submitted by the RCMP and reviewed by the department. As well, monthly meetings are taking place to monitor expenditures and discuss any outstanding items. The estimate identified for 1986-87 does not allow for any major searches or protracted and extensive investigations.

During 1985-86 there were two major searches and one protracted and extensive murder investigation which is yet to be solved. As well, there is a base deficiency in the RCMP appropriation which has existed since 1982-83. This has been created as a result of the RCMP continually underbudgeting for the last few years. I am currently attempting to resolve this issue with the RCMP and with our Executive Council.

The Police Services Agreement provides for the Minister of Justice to set the goals and objectives of police services. I have indicated to the commanding officer of "G" division that all recruitment to the extent possible, will be for native persons from the Northwest Territories. With this in mind, we are proposing the staffing of five positions as native special constables in 1986-87. We have the full co-operation of the commanding officer and hope that the concerns raised in respect of police services will be addressed. There is, however, continued demand for additional police detachments and increased police personnel from the communities. If we are to meet those requests there will be a need for additional resources. Mr. Chairman and Members of the Assembly, with these opening comments, I invite you to examine in detail the budget for the Department of Justice. Thank you.

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

HON. MICHAEL BALLANTYNE: Yes, Mr. Chairman, with the permission of the committee I would ask that my deputy minister, Mr. Stien Lal, be asked to enter the House.

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

MR. McCALLUM: Thank you, Mr. Chairman. Perhaps I should open by saying that we made the wrong award after the SCOF meetings. We made an award to the Minister, I think it was the most defensive Minister or at least the runner-up. I want to change it. Now I think we are going to give him the award for the most responsive Minister.

AN HON. MEMBER: Hear, hear!

MR. McCALLUM: In the January meetings, I know I had a number of questions that we went through that I was going to ask but I think he covered all bases...

MR. RICHARD: No way. Get the answers first.

MR. McCALLUM: ...to get the answers first before we ask the questions. But anyway, that is good. It certainly changes my mind and I am sure that other Members of the standing committee on finance will rearrange their votes for various awards that will be given out on an annual basis.

MR. MacQUARRIE: That comes from experience in the trenches. We will have to give a few more of them that experience.

---Laughter

MR. McCALLUM: That is right. The Minister has a good background. He worked with our committee at times as well.

MR. RICHARD: (Inaudible comment)

MR. McCALLUM: Well, I would not go so far as to say that.

MR. RICHARD: No, I would not either.

---Laughter

MR. McCALLUM: Hey, speak for yourself.

CHAIRMAN (Mr. Richard): I am fairly busy as chairman.

---Laughter

MR. McCALLUM: The basic comment that I would like to make, Mr. Chairman, with regard to this particular department is in the area of young offenders and unfortunately that, as the Minister said, is not included here and I know that he referred to what has occurred over the past year. I guess we will have to wait until we get into a supplementary estimate on it.

However, I am concerned again about the law reform, the steps that are being taken. The Minister again has pre-empted us in this area, to indicate that they are going to look at providing two new people to update the regulations and everything that is concerned with this particular topic. But it is a problem that Members of this House have had concerns with over the past few years. There is a lot of work to be done in it and a lot of backlog to be caught up. I am very pleased to see that the Minister has taken some steps or is taking some steps to address the outstanding problems here.

#### Costs Of Implementing Language Policy

One concern in this whole question of languages and the idea of this government having two official languages, although one will not come in for two or three years, is in the business of the implementation of that and its effect on the departmental initiatives concerning translation of legislation. I guess I have a concern whether in fact the cost of this translation of departmental legislation is going to be absorbed totally by this government or whether it will come out of the larger pot of money. That in itself will be quite a large undertaking.

I think that the recommendations that we have just looked at or have just received from the task force on aboriginal languages mentions this as well. I think they are very much correct in saying what they do about the duty of the government for government services in the courts or just in terms of getting material to people in various communities. The right of the people of the Territories is to receive, and the duty of the government is to provide material in the aboriginal languages because there is no way that people in some communities can possibly know, even in communicating back and forth with, for example, law officers in two different languages, when there is no information going back and forth. I would hope that the department will look at that particular recommendation of the task force on aboriginal languages and know that that is something that they will have to deal with very quickly. I know that initiatives were begun by the Department of Justice with the other official Canadian language but I think it is of even greater importance to try to do something with particular aspects of legislation where they do in fact have an impact on people in some of the Dene or Inuit communities so that they really know what is going on.

I do not want to ramble too much, Mr. Chairman, because as we get into various parts or activities of the department I will have some questions of the Minister in these areas but I would want to indicate at this time, in possibly more seriousness than my earlier statement, that I do appreciate that the Minister and his staff have been very responsive in terms of the concerns that were raised during the standing committee on finance meetings when we discussed the department's budget. I believe it is that kind of responsiveness that gives hope to the people on the standing committees, that government is really listening to what we are trying to do. But I do not want it to go overboard and give him kudos because I am sure I will have some other question to ask at a later date. Thank you.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Minister, before you respond could you, for the benefit of the interpreters, slow your speech down a bit. Thank you.



HON. MICHAEL BALLANTYNE: I have with me Mr. Stien Lal, who as you all know is deputy minister of Justice.

CHAIRMAN (Mr. Gargan): I just requested that you slow down your speech for the interpreter's benefit. Mr. Minister.

HON. MICHAEL BALLANTYNE: I thought we were trying to finish by tomorrow night so I thought I would speed it along by talking more quickly. I will. I apologize to the interpreters.

I think the first part of Mr. McCallum's question I can answer. We are in the process right now of hiring a French legislative counsel and a French legal counsel to actually start work in translating legislation. That will be 100 per cent funded by the Secretary of State. The second part of the question is more difficult and it is something that the department will be studying. We have just received the task force report and obviously there will be some short-term and long-term cost implications to this government. I think the Member's concerns are valid. It is just too early to give a definite answer right now as to what they will be and hopefully, by the resumption of this session or the fall session we will have a better idea of what the costs of implementing the recommendations of the task force will be.

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

MR. RICHARD: Thank you, Mr. Chairman. I have a number of matters that I wish to address with the Minister on this departmental budget. I can concur with Mr. McCallum that the Minister in his opening remarks is addressing a number of concerns that were raised during the finance committee meetings. However, I feel quite strongly that there are a number of matters about the department -- there are shortcomings and I have raised them in the finance committee meetings and the Minister, in effect, is agreeing that these matters must be addressed, but I feel, Mr. Chairman, even at the risk of repeating some of the matters here in this Assembly, that that must be done.

#### No Proper Program Of Law Reform

Firstly, the Minister referred to the importance of law reform. I note in the objectives of the department for the coming year, is included the objective to provide efficient drafting and publishing services to the government for legislation and law reform initiatives. That is the reference to law reform. Mr. Chairman, with all respect, the government has never had a proper program of law reform. We have ordinances, now called acts, that are 100 years old or more, in some instances. The Companies Act, the Securities Act, the legislation dealing with personal property, family law, there has been virtually no reform in any of those areas. The Mechanics' Lien Act for instance, the Companies Act uses terminology that was drafted 100 years ago in England. The government has always acknowledged that they have to do law reform to clean up the archaic language in the statutes but presumably the department's problem is that with limited resources, they have never been able to spend any time or effort on law reform. It is always at the bottom of the priorities pile, so to speak.

In this budget, Mr. Chairman, out of some \$29 million, there is \$13,000 allocated to law reform. There may as well be no money allocated. You cannot do law reform with \$13,000 a year. The government has to have the will to take it on as a project. It has to be a two, three, four or five year project, easily, to do it right and probably several hundreds of thousands of dollars. We saw, Mr. Chairman, earlier in this session an example of one piece of legislation in the Department of Local Government, the Municipal Act. The government is on the verge of spending a million dollars over a three or four year period on one piece of legislation. The department is allocating \$13,000 to do law reform.

I know, Mr. Chairman, that the Minister agrees with me that the government is not doing enough and I, to assist him then, wish to make a motion on this matter. I have a copy for you and the Members and it is translated.

#### Motion That Funds Be Allocated For A Comprehensive Law Reform Program, Bill 1-86(1), Carried

Mr. Chairman, I move that this committee recommend to the Executive Council that sufficient funds be allocated to the Department of Justice to carry out a comprehensive program of law reform. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. I would like a copy of the motion. Mr. Richard, your motion is in order. To the motion.

MR. RICHARD: Mr. Chairman, I will not repeat myself. I think the Minister is in agreement. Perhaps he can comment on the motion. It simply calls on the Executive Council to come to grips with an old problem and to try and find funds to do it properly because \$13,000 is not going to do a thing.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: I agree with the sentiments expressed by Mr. Richard. I guess our problem over the years in the government has been that of establishing priorities and Mr. Richard is quite correct in saying that law reform has not been historically a priority of this government and our department has to vie with other departments. This House has set certain financial priorities, we have had education and housing committees and the language task force. I think that as this government becomes more mature and as the issues we deal with become more complex, the need for revising our laws and regulations, the need for law reform, to me anyhow, becomes greater. So I honestly cannot say if we, as a government, have those resources available. I, like every other Minister, will have to convince my colleagues of the necessity of it. But I welcome from the House, from this committee, their support of the idea that, in the scale of things, law reform is important and we, as a government, should be looking at it more seriously.

CHAIRMAN (Mr. Gargan): To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Gargan): Question has been called. All those in favour? Opposed, if any? This motion is carried.

---Carried

General comments, the Department of Justice. Mr. Nerysoo.

Effects Of Amendment To Jury Act

MR. NERYSOO: Thank you, Mr. Chairman. Earlier today I was asking questions with regard to the whole question of the amendment to the Jury Act. There seemed to be an insinuation by the Minister that I had not been in attendance during any discussions on the whole question of the amendment. I reviewed the transcripts and there was nothing, with the exception of the idea or the comments suggesting that there would be an amendment. So what I requested earlier was an analysis of the effects of such an amendment because I have no document before me and in fact I was chairing the session and I just do not appreciate the idea or the suggestion that I was not in attendance at the time when that particular issue came up. I would ask the Member if he would be prepared at some time to provide us with an analysis from the department.

CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I apologize to the Member for creating any false impressions. As I recalled it, it was discussed in more detail in the finance committee but I accept the Member's comments and I guess it was at the standing committee on legislation that we had the larger discussion. So I apologize to the Member for any misleading statements that I might have made. They were made inadvertently.

To answer the question. The question is a valid one and we as a department and we as a government, do not intend to proclaim the amendment to the Jury Act until that thorough analysis that Mr. Nerysoo has asked for has been done. I will assure the honourable Member as I have assured the legislation committee that it will be made available to the Member, as soon as we have that information.

CHAIRMAN (Mr. Pudluk): General comments. Mr. Paniloo.

MR. PANILOO: (Translation) Thank you, Mr. Chairman. I would like to ask in regard to RCMP. My constituency would like me to ask you as to how the RCMP can get into a private house when there is something happening in that house. They would like to find out as to when you can use your search warrant when coming to a house. I was called from Pangnirtung because one of the RCMP officers was unable to get into a house during the year of 1986. I would like to find out as to what really happened on that date.

CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. In a community, for the RCMP to obtain a valid search warrant, they would need to get it authorized by a justice of the peace in that community. And if there is a particular incident that happened, I would be pleased to get that information and we can respond in detail to that particular incident.

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

MR. PANILOO: (Translation) I have not really got the right information as to what happened that night in Pangnirtung but what I asked was, what procedure does the RCMP take in order to go into a home if there are problems?

CHAIRMAN (Mr. Pudluk): Do you have a problem with that? Mr. Minister.

HON. MICHAEL BALLANTYNE: Again, what happens in any community is that if for instance there is a problem in a house and the RCMP officer becomes aware of the problem, the RCMP officer would have to find a justice of the peace and swear an affidavit or swear before the justice of the peace the reasons why the RCMP should be able to go into the house. So that is the process and I can see in some communities there might be a problem for the RCMP actually being able to find a justice of the peace. What we are trying to do in the justice of the peace program might also help to alleviate that problem.

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

RCMP Clerical Support Staff

MR. GARGAN: Mr. Chairman, I know a couple of years ago they used to have in the detachments clerical support staff and I believe that has not been the case recently. It is a form of summer employment for students and other people and I just want to ask the Minister if that type of a program is within the department. Or is it still in place? I know in the summer months in my constituency of Fort Providence, the RCMP are on the road quite a bit and there is nobody to answer calls when this occurs. I know in a lot of cases I did try to get a hold of them and I was not able to because they were out of the building or out somewhere patrolling. I just wanted to ask the Minister, is such a program still within his department?

CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. As I understand it, if we are talking about clerical help, the RCMP policy is that there has to be at least three officers in a community before that community is eligible for clerical help. As I said in my opening statement and I will repeat it again, we are having a major problem with the cost of the RCMP as you can see. It consumes probably some 60 per cent of our budget. It is my intention to attempt to establish the priorities in the RCMP but there just are not the resources we would like available to do all the things that we want to do. But basically you would have to have three RCMP officers in a community in order to be eligible for a clerk or clerk typist.

CHAIRMAN (Mr. Pudluk): Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. I have spoken on a number of occasions since 1984 in regard to perhaps looking at a different type of police force. The national statistics that I have show that in the Northwest Territories we have a five times higher crime rate than the rest of the country. But we also have 15 times more policing up here than any of the other provinces. On a per capita base in the South you are looking at, for every 20,000 people, one law enforcer, whether it is provincial, municipal or the RCMP. In the Northwest Territories that is not the case. For every 200 people, man, woman and child, there is one RCMP.



MR. T'SELEIE: That is because we are more peaceful.

Alternative Policing Program

MR. GARGAN: So the statistics are quite high with regard to policing up here. I would like to tell the Minister that with the Young Offenders Act we do have curfews, we do have compulsory education and we have spousal assault. We do have by-laws and these are an area where possibly a new program could be established. I keep referring to preventive security officers -- that is a term I kept using when I referred to such a force ever being established when Mr. Nerysoo's department was looking in that direction. This was also addressed to Mr. Nerysoo at the time he was the Minister. So I just wanted to ask the Minister whether any directions are taken in that area?

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

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I understand what the Member is saying. I know some of the frustrations. The number of police we have here per capita is indeed probably the highest in Canada. That is partially due to the vast size of the area and the difficulty in servicing the small communities.

The second reality we deal with is almost every community now wants police and those who have police want extra police. So that is part of it. I think what the Member is asking is, is it possible to take a more innovative approach here in the NWT? We are looking at some possibilities but I think, philosophically, whatever you do has to have the support of the community. You can put in one policeman or 10 policemen but if they have no community support they will never do their job. The desire in each community, for instance to handle liquor problems, has to be there. It has to have the support of the leaders of the community. I guess what has happened over the years is that RCMP have gone into communities and some of the responsibilities that used to be handled by the leaders and by the people are now handled by the RCMP.

To get at what you are talking about, Mr. Gargan, it has to come from the communities. We are now looking at some ideas which are innovative, I think. We are looking at the possibility of setting up an auxiliary police force so we will have special constables, we are trying to get more aboriginal people as regular constables and special constables but there might be a need in communities for people in the community to assist the police, to do some of the things you are talking about, to do some of the preventive things, to sit down and talk to some of the kids and to get involved at a community level with people whom they know. There is obviously a cost associated with that but I have asked the RCMP to look at that possibility. That might alleviate some of the problems. But I think that until communities come to grips with that, the reality is that anything that has to be done has to be community based. There are no magic solutions to the problems.

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

MR. GARGAN: I could give you a good example of what I am saying with regard to preventive security officers and I could refer to Alaska where native people are considered to have public safety officers. These people are part of the Alaskan police force and they are stationed in isolated communities. They pretty well do take on a multipurpose role with regard to that type of policing in the smaller communities. Perhaps it is something that the Minister might like to consider looking into. Thank you.

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

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. Certainly as a department, we are interested in any ideas and I guess the closest equivalent we have to that in the NWT is a special constable. But there is obviously a different political structure in the US and Alaska and they address their problems in a different way. The function of a public safety officer is really the combination, I would say, of a special constable and a by-law officer with a number of different functions, so I see the idea that you are getting at, I understand your point. I am not sure if that is the way but we are open to suggestions of ways to get community people more involved especially at the preventive end of policing. Thank you.

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

MR. GARGAN: Mr. Chairman, the only other concern I have is with regard to my constituency and the Hay River Reserve. The policing on the reserve is not quite adequate and there are instances of emergencies which have occurred which have resulted in death that perhaps may have been prevented if there was more patrol in that area. I could only refer again to the South where the reserves do have their own police on the reserve and they do the policing. I would like to ask the Minister whether such a program could be considered for the reserve perhaps. Thank you, Mr. Chairman.

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

Auxiliary Police Detachment Proposal

HON. MICHAEL BALLANTYNE: Again, I would be interested in any specific details. If better access to police would have prevented a tragedy, I would like to hear the specific details. To answer your general question, there is another concept that we are working at and the Hay River Reserve might be the place to try it out. It is the concept of the auxiliary police detachment, where the actual detachment would be in Hay River but a special constable would actually live on the reserve and carry out those police functions. All the administrative support would be in Hay River. We are looking at that possibility. In my discussions with both the Commissioner of the RCMP and with the Minister responsible, the Solicitor General, I brought these points up and the RCMP are looking at that possibility and, if we can do it, to pick out a couple of areas to try it out. The idea of a satellite detachment is really what we are talking about. I think that it is a possibility because of the proximity to Hay River that your area might be a prime candidate to try out something like that.

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

MR. GARGAN: Thank you, Mr. Chairman. I would like to tell the Minister that he is going to have my support if such a program was initiated and perhaps established on the reserve. Thank you.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. Again, under the objectives of the department for the coming year, one is to develop a response to the consultant's report on the Landlord and Tenant Act review. Mr. Chairman, if I recall the report done by Ms McMillan was completed by her, I believe, in the month of May, 1985 and it was my recollection when the then Minister tabled it in the Assembly in either June or October, that there was an undertaking by the then Minister to provide the government's response to that in a timely fashion with a view to bringing in draft legislation. I believe it is getting late for the session and late at night, Mr. Chairman, I cannot remember but I believe earlier this session I inquired with the Minister as to what the timing is and where is the new legislation or where is the response of the government to the McMillan report. Could the Minister now indicate what the plan is? Are we going to see the government response tabled in the Assembly before we finish part one of this session? Or when are we going to see it? Thank you.

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

HON. MICHAEL BALLANTYNE: I indicated, Mr. Chairman, to the honourable Member earlier in the session that it would be tabled. I had hoped to be able to table it today but I will table it tomorrow. I just got Executive Council approval for it in the past week. Unfortunately, I did not know that the session would be ended so quickly. It was not done on purpose, to put it off until the end of the session. But it will be tabled tomorrow in this House and I would expect to hear comments from Members when we reconvene in June. After that it will go to Mr. MacQuarrie's committee and I have indicated to Mr. MacQuarrie that I think it would be quite appropriate -- it is obviously his decision -- to have witnesses called in to review it and we are aiming toward the fall session with our legislation.

CHAIRMAN (Mr. Pudluk): Thank you. General comments. Mr. McCallum.

MR. MCCALLUM: Thank you, Mr. Chairman. Just a question not so much on the police services agreement, and I understand the difficulty that the Minister has getting the right resources to continually look after the cost for the police services agreement. It is my understanding that with the introduction, I should not say the introduction but the enhancement, of the native special

constables that it is also a cost-sharing agreement with the federal government. Will the Minister indicate to us now just what is the ratio of this particular agreement? I understand the police service agreement is 62 per cent this coming year and it will escalate to 70 per cent over a period of years. Whatever happens after that I do not know. What are the percentages with the native special constable agreement that you have with the federal government?

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

HON. MICHAEL BALLANTYNE: Thank you. Our percentage in the coming fiscal year that we are discussing with the federal government is 62/38. Under the program that Mr. McCallum is talking about with DIAND and it is called the 3B special constable program, it is a 50/50 cost sharing agreement.

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

#### Transfer Of Prosecutorial Function

MR. McCALLUM: Thank you, Mr. Chairman. Another matter, which is within the whole matter of the devolution of responsibilities and I have referred to it at different times, is the prosecutorial function. Obviously that would quite possibly mean the establishment of an attorney general office in the Territories. Could the Minister indicate to me what is the status of any kind of negotiations with the federal government in this particular field? I recall back some years ago the then federal Minister was of a mind to do something along that but nothing, to my knowledge, has occurred over a period of time. Is it still the intent of the government and you, Mr. Minister, to pursue this particular function and to establish a territorial attorney general position or office for the Northwest Territories? What is the status? Thank you.

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

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. As the Member knows, over the past number of years it has been a stated goal of the department to ultimately take over the prosecutorial function. What we have done as a department, is to divest ourselves of the museum section to become closer akin to a Department of Justice attorney general's office in the provinces. I personally think it would be a positive move for the government to take over this particular function, but as you know in the past four or five months there has been a lot of controversy about devolution and about how devolution might impact on land claims. So I have not pushed this with my cabinet colleagues. What I intend to do though, over the next two or three months, is have a full discussion with the native organizations to try to show them that there are advantages and hopefully we can work out, between our government and the native organizations, some sort of a format to try to go ahead with it. As you know in the constitutional paper that has just recently been tabled in this House the government has put forward a process to try to achieve devolution in concert and in co-operation with native organizations. I think if that process is accepted, then at that time we might have some success of adding prosecutions to the list. I think it is premature at this time to add another element of devolution when we are still discussing whether or not anything should be devolved to this government.

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

MR. McCALLUM: Just to continue, Mr. Chairman, I had the understanding that this whole concept of devolution and the concerns raised by different organizations about it had been reconciled to the satisfaction, I thought, of the Government Leader. And it seems to me that other Members of this committee have indicated that they would like to see devolution continue. I think this is one aspect -- I think that is the rationale for streamlining the department. This was the rationale for doing it, that you were going to continue to pursue it in a manner that I would hope that give you the backing of your cabinet colleagues on this particular goal. Otherwise I would see no reason to go into the business of streamlining your department. So I would hope you would pursue this. I have no difficulty with you talking to native organizations but I had not heard or read anything wherein these organizations had some difficulty with this transfer of responsibility from the federal government. So I would hope that you could get the consent of your colleagues and that you continue to press for this. If there is still some concern over this devolution process then that is something that I guess has come up, because I was under the understanding that it had been reconciled throughout the government. Maybe you could correct me if I am wrong.

CHAIRMAN (Mr. Gargan): Mr. Minister.



HON. MICHAEL BALLANTYNE: No, it has not been 100 per cent reconciled. There will be a meeting of aboriginal leaders and government officials in the near future, with a view toward a full-fledged meeting of all the native organizations and our government to try to finally see if we can come to some understanding. There have been some partial understandings in the area of devolution of health, forestry and highways. There has been some understanding with the Dene and Metis about a process that we, as a government, and they might proceed along. There is still some concern that has been expressed by the Inuit. We, as a government, are trying right now to address those concerns and I think it would be premature for me and for our government to unilaterally go ahead with negotiations with the federal government until the overall concerns have been addressed. So as a department, we support the concept but it will go ahead in concert with other devolution areas. I hope that within the next few weeks or months we will be able to work out our agreement with the native organizations that we can go ahead in certain areas of devolution. I hope that is one of the areas in the Department of Justice that at some point we will be able to proceed with.

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

#### Court Facilities

MR. McCALLUM: Thank you, Mr. Chairman. I am looking again at the objectives. One of the objectives in the court services is to develop standards for the construction and upgrading of court facilities. Do I take it from that then, that you are thinking about putting up more courthouses, or purchasing or leasing court facilities in various communities? There is very little in the capital budget of this department that would suggest that there is anything going on with this particular activity. Just what do you mean when you are talking about "the construction"? I understand when we are just talking about upgrading of court facilities, but what are you talking about with construction? Are you visualizing building more courthouses?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: In this year's capital plan there is not a lot of money. What has been done is a consultant has been hired through the Department of Public Works to develop recommendations for standards of court facilities in the Northwest Territories. That study should be completed sometime during this year. At that point we can look at what the long-term costs will be. Obviously as a government we have some major financial considerations. Courthouses are expensive facilities and they will have to compete with schools and with houses and with recreation facilities. It will be up to this Legislature and to our Executive to decide their priorities because there are obviously not enough dollars to do everything. But what we will try to do is rationalize a process for courthouses in some of the communities and as dollars become available, try to act on that rationale.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Are there any further general comments? Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. Under police services, it says, "increase the number of native special constables in communities in the Northwest Territories". Does that mean in all the communities, or just selected communities? Which communities are they referring to, where they will be putting in native special constables?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: No, it will not be all the communities. Maybe I can explain to the Member where we have special constables and where the intention is to put other special constables. Under the 3B program, which is a 50/50 cost-sharing agreement with DIAND, there are positions now in Eskimo Point, Frobisher Bay, Hay River, Pangnirtung and Fort Simpson. Under the RCMP agreement, and that one is the 62/38 split, there are positions in Aklavik, Cape Dorset, Clyde River, there are two in Frobisher Bay, Grise Fiord, Igloodik, Inuvik, Lake Harbour, Nanisivik, Pond Inlet, Sachs Harbour and Spence Bay. We are intending in the upcoming year, if we have the financial resources, to hire another five special constables, but we have not determined at this point exactly where those five will go.

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

By-Law Enforcement

MRS. LAWRENCE: Thank you, Mr. Chairman. One other concern that was brought to my attention was trying to implement the by-laws and I understand it is not really up to the RCMP to enforce some of these by-laws, such as skidoo by-laws or curfew by-laws. What service does it come under if we should want funding to hire people to enforce these by-laws? Will that come under special constable or what department would it come under?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: My understanding of the police agreement is that the police are not specifically instructed to enforce by-laws in communities. The Member is right. In many communities that function is a function that has been taken over by a by-law officer. It is a difficult one to answer. I do not have the answer for the Member today, although we have talked about it. I think the idea that we are exploring now of the auxiliary police force, might be an answer to the problem. The possibility of the community hiring a by-law officer is quite an expensive proposition and it might be that the community would look at the possibility of a part-time by-law officer. But it is something that the Member has expressed, and I think a valid concern, how do we deal with some of these problems? There seems to be a gap in our policing system. So it is one that we will look at and hopefully, Mrs. Lawrence, in the near future we will come up with a solution that will assist you with your problem.

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

MRS. LAWRENCE: Thank you, Mr. Chairman. I just have one other question. What is an auxiliary police force?

CHAIRMAN (Mr. Gargan): Mr. Minister.

Explanation Of Auxiliary Police Force

HON. MICHAEL BALLANTYNE: The concept is a new one and the way the force is set up now, there are regular constables and there are special constables. But it seems to us that there is a possibility in many communities to have certain people in those communities designated to assist the RCMP in certain duties. They could be paid a small honorarium. They would have certain powers, to enforce certain sections of municipal by-laws for instance, and they would carry on a community police function. They could deal in areas which the RCMP, as you pointed out, are not handling right now. So that was the idea and is something that we are exploring. Sort of like deputy sheriffs.

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

MRS. LAWRENCE: Mr. Chairman, I guess that comes to my next question. If they should have an assistant to the RCMP, individuals from the community assisting the RCMP, who will be paying these individuals? Where will this fund come from? From the RCMP budget, or from the community budget or from the territorial government?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: As I said, this is a program that we are looking at and we already have major problems in the RCMP budget with base deficiencies. If we ever could get a program, the ideal way to do it would be under the police agreement because we would have the 62/38 split, as opposed to 100 per cent funded by the GNWT. But we might, in order to achieve that, be forced to make cuts in other RCMP duties. So it might not be possible to have everything, so we may have to decide as an Assembly, as communities, what the priorities are and maybe some of the other programs and functions performed by the RCMP might have to be curtailed.

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

MR. MACQUARRIE: Thank you, Mr. Chairman. Maybe you will try to provide a little light entertainment at this late hour of the evening...

MR. RICHARD: Do, do!

MR. MacQUARRIE: ...and I just want to see whether the honourable Minister, Mr. Ballantyne, can skate better than Mr. Curley, or not.

HON. MICHAEL BALLANTYNE: (Inaudible comment)

MR. MacQUARRIE: Good, good, I am glad to hear that. Earlier in this session, some of us had raised the matter of the TFN subagreement and one of the concerns, generally, was whether the Executive Council had given adequate consideration to the very serious principle that is involved behind that. The question arose, and I have asked some other departments, as to the amount of input and consultation there is with various departments. It seems so important to me that the whole government interest be looked after, that there are people on our staff who are aware of the kinds of concerns that the Executive Council would want to be aware of and want to deal with. And I am still not persuaded that that is the case, although I am hopeful, based on what I am hearing during the session, that it will certainly be the case in the future. So, at any rate could I just ask the Minister what kind of consultation process there was for the Department of Justice and whether the Minister's department was a full participant in helping to determine governmental positions that would guide the Aboriginal Rights and Constitutional Development Secretariat when they attend the land claims talks?

HON. MICHAEL BALLANTYNE: Mr. Chairman, because I have only been a Minister since November...

MR. MacQUARRIE: And he said he couldn't skate.

HON. MICHAEL BALLANTYNE: I do not know. No, no, I will try and answer your question.

MR. MacQUARRIE: That is just a joke. I apologize.

Department Will Be Accountable For Decisions

HON. MICHAEL BALLANTYNE: No, I will not say that. I cannot give you all the details because I do not honestly know of the degree of participation of the department previously. But speaking generally, I think, as the observer from the other side, I think something that we as a government have recognized, is that we as a government have very few resources, little equity, when we are dealing with so many major issues. At almost every level, when you look at the number of issues we are dealing with, there are hundreds of advisers out there advising someone else. I am sure there have been times when events have moved so quickly that all the departments in this government have not been 100 per cent co-ordinated. I think that is only to be expected. Departments are carrying out their day to day functions which tax them almost to the fullest. But since I have become Minister, I think the need is recognized to have that close co-operation between departments, who have a direct responsibility for these matters of division, devolution, land claims, and all the assorted sundry groups and organizations that deal with them. In the paper that was tabled, our department, as clearly indicated, will be a major participant and will be fully accountable as part of this government for any decisions that are made in the future. I am not sure if that answers your question 100 per cent but it is the best I can do.

CHAIRMAN (Mr. Gargan): Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Chairman. I just would not want to allow the present Minister to go unchallenged by the former Minister because the reality was that it was very clear that the responsibility for the constitutional discussions with regard to the First Ministers' Conference was clearly the responsibility of the Minister of Justice. As such it was the Department of Justice that developed the presentations to the First Ministers' Conference and co-ordinated that position. The actual negotiations of aboriginal rights was another issue and that was the responsibility of the Aboriginal Rights and Constitutional Development Secretariat. I just wanted to clarify that before you get the impression that there was no co-ordination or no responsibility on the part of the Department of Justice during my tenure as Minister of Justice.

CHAIRMAN (Mr. Gargan): Mr. Minister.



HON. MICHAEL BALLANTYNE: There was no intention on my part to say that and the former Minister, I think, has answered Mr. MacQuarrie's question. Obviously our department, the Department of Justice, has played a lead role in constitutional development and dealing with constitutional changes at the federal level. The Aboriginal Rights Secretariat had obvious responsibility in the area of land claims. I think that is clear to everybody. Mr. MacQuarrie's question was how did the two relate? You can answer that better than I can, how it related at the time. But I said that there were difficulties, and hopefully this document that we have placed before you will ensure that co-ordination is continuous and continuing and that our department, as I said, will take full responsibility now for being party to any decisions that this government makes.

CHAIRMAN (Mr. Gargan): Mr. Richard.

Due Consideration Of Agreements By Executive Council

MR. RICHARD: Just to comment on this topic. I, for myself -- and I mean no disrespect to current or past Ministers -- am taking it that, with the discussion document on constitutional development that Mr. Patterson and Mr. Ballantyne have tabled, the proper co-ordination and consultation has not taken place to date. I am satisfied with the government's response since this issue of the TFN subagreement was first raised, at least thus far; that this government, the Executive Council, is going to be very cautious each time a subagreement is placed in front of them for approval, for the initialling stage anyway, in the future. That is one thing that has come out of the discussion in this session. But I do not accept, Mr. Chairman, with the implications of that particular agreement, constitutionally, which were conceded by the Minister of Justice in a response in the Assembly earlier this session in return to an oral question -- and the implications of the agreement are that this Assembly could not pass in future, legislation contrary to the Inuit impact and benefits agreement -- that that matter was not given due consideration from a constitutional aspect when it crossed the table of the Executive Council. That is just a comment, Mr. Chairman.

MR. MacQUARRIE: Very valid comment.

MR. RICHARD: You think that's a good comment?

MR. MacQUARRIE: I think it is.

MR. RICHARD: Others think it is a good comment too.

---Laughter

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. Are there any other general comments? Mr. Appaqaq.

Questioning Of Young Children During Investigation By RCMP

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I would like to comment on my concern about the peace officers in the communities. First of all I will make a comment and then I will question. During the hamlet meeting last summer we heard what was for me, not too good news. I think that one of the peace officers was questioning a child who was five years old. When I was a member of the hamlet council, during our meeting last summer, they informed me of this situation. Are the RCMP able to do such a thing? To question a five year old child? Is that within their authority? I would like to find out if they can do such a thing, we would like to know. Can you clarify this?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. My understanding is that in the course of an investigation, the RCMP officer has the right to ask questions of a child. Obviously that right does not mean that an RCMP officer can abuse a child. Whatever answers come from those questions might not be that significant later on in court but the RCMP officer does have the right to ask those questions. But if there has been an example of abuse by an RCMP officer in doing that, my department would like to know about it and I am sure the RCMP would like to know about it because they can talk to a young child but have no right to abuse a young child.

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

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I would like to make it clear that we are all aware the five year olds cannot think for themselves. For example, they can just say what they want. Their language is very limited. I think that five year old children are too young to be questioned. We did not like the fact that an RCMP officer questioned a child. I was wondering if this can be rectified. I would like to find out if the RCMP was breaching his authority. Thank you.

CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. MICHAEL BALLANTYNE: The Member's comments are correct. The vocabulary and the understanding of situations in a young child are obviously not as great as that in an adult. In any court of law that would be taken into consideration. A judge would have to decide how realistic the words of the child were. But in some cases it might be that a young child is the only one who saw a crime and the only one who could be a witness to a crime. In most cases, and I would hope in just about all cases, a parent or a guardian would be present when the RCMP were questioning a young child but the Member is right in that the opinions and the observations of a young child are not the same as those of an adult and if it ever gets to a court, a judge would take that into consideration in rendering a decision.

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

Confidentiality On The Part Of Interpreters

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I understand your answer. I will go to another topic. My question is still regarding RCMP. We have had a concern about RCMP officers. I think that RCMP officers should not use just anyone as an interpreter. I do not like the idea of them picking up anyone who can speak English as an interpreter when somebody is charged. A lot of times the gossip spreads. There is a lot of gossip when they use just any person who is bilingual, when somebody is being charged by somebody. Sometimes when the charge is confidential some interpreters who are not trained have a tendency to spread rumours within the community. This has been a concern in my constituency. I think that it would be much better to get an interpreter who is trained and qualified for the RCMP officers to use as an interpreter. I would just like to inform you about this. I was wondering if you can possibly get such an interpreter for anybody who is charged, because I know that some of these things are confidential. Thank you.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I think the point was raised by the task force on aboriginal languages, that there has been a problem in the communities with proper interpretation. Whether it is in the courts or whether it has to do with police work, there is an obvious need for better trained interpreters and for more specialized interpreters who would be able to carry out their duties more effectively. It is something that we, as a government, obviously from the comments to the task force today, take very seriously. I will be looking at this, as part of an overall study on how to improve the use of aboriginal languages.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. General comments. Are there any further general comments? If not, does the committee agree that we go to the details of the Department of Justice?

SOME HON. MEMBERS: Agreed.

---Agreed

Directorate And Administration, Total O And M, Agreed

CHAIRMAN (Mr. Gargan): Page 9.06 in the main estimates. Directorate and administration, total O and M, \$1,029,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Consumer Services, Total O And M

CHAIRMAN (Mr. Gargan): Consumer services, total O and M. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. I have a question under consumer services where they give out licences for businesses. I understand we have the northern preference and a lot of southern people are coming into the Territories getting a licence registered in the Territories. They do not live here. They live in the South. I did not realize that they can do that. Is it legal to do that? I guess that is the question I am trying to ask.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: My understanding is once a community has reached hamlet status it has the right to issue business licences. Until the community has reached hamlet status all the licences are issued by the GNWT.

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

MRS. LAWRENCE: Thank you, Mr. Chairman. That is not what I am asking. I am trying to ask you this question. I know that licences are issued here in Yellowknife to people that live in the South, to run a business here, so that they can be registered in the Territories. I wonder why the government is letting them do that. They do not even live in the Territories; they live in the South but they get licences registered in the Territories. They buy a licence here.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: I am not sure. Is the Member referring to people coming from the South for a short time to sell rugs or whatever?

CHAIRMAN (Mr. Gargan): Mrs. Lawrence.

MRS. LAWRENCE: Business licences for consultant businesses, and things like that, not those short-term things. I am talking about a long-term business licence.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: In order to get a business licence, for instance if somebody comes up to the city of Yellowknife to get a business licence, there are certain standards. Now there is very little we can do, because of the mobility portion of the Charter of Rights and Freedoms, to stop people from coming up here. But what we have done in the business incentive policy is set time limits on how long somebody is established in the North, how many employees they have and a number of criteria to give them an edge over somebody who has just come up from the South. There is no legal way we can stop anybody coming up here and setting up a business in the NWT, but for established northern businesses, under the business incentive policies they do have some advantages.

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

MRS. LAWRENCE: Thank you, Mr. Chairman. So are you saying that they allow people from the South to come and get business licences, that they do not necessarily have to live in the Territories but they do have the business licence, so therefore they could be considered for any contracts or anything like that?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: Anybody can come up to the North and set up a company but until they qualify for the business incentive policy they will not get the same preference. As I said, there is no way that we could say in the Northwest Territories that businesses cannot come up here. It just would not be allowed under the constitution. But what we have done to protect existing northern businesses is to develop a business incentive policy. That is really as far as we can go under the law right now.

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



MR. McCALLUM: Thank you, Mr. Chairman. Under this particular activity could I get some idea from the Minister what is the difficulty with the Labour Standards Act? As I understand it we made two changes to the Labour Standards Act; minimum wage and maximum hours of work in certain particular fields. An objective says to develop methods of administration related to amendments to the Labour Standards Act. Have any other changes been made to that act? How do these changes affect the administration of it and is there an extra cost involved here?

CHAIRMAN (Mr. Gargan): Mr. Minister.

Proposed Changes To Labour Standards Act

HON. MICHAEL BALLANTYNE: There are proposed changes to the Labour Standards Act and again because of the huge backlog of legislation it is something that we are working toward. Some of the areas that the government is looking at are a reduction in standard hours of work to eight hours per day and 40 hours per week; labour standards protection for domestic servants in private homes; enactment of maternity leave; bereavement leave and sick leave provisions; provisions to be added requiring notice in case of individual and group terminations of employment; employment agency and labour contractor provisions to be added to the Labour Standards Act; the Employment Agencies Act to be repealed; and transportation of employees out of remote areas to be required on termination of employment.

To answer the Member's questions fairly. Yes, as the act comes more into line with southern jurisdictions it is going to cost more money to enforce it. As it stands now we have a Labour Standards Board, we have three members and two PYS. As we get more and more sophisticated, as more and more businesses are started, there is more and more activity. In order to carry out our statutory obligations there are going to be greater costs. Definitely. In southern jurisdictions, in most jurisdictions the ultimate end has been, whether it was in five years or in 10 years, a Department of Labour where a lot of these functions come under one Minister. Now we are a fair way away from that but that would be the logical progression. Obviously there will be costs to this government, yes.

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

MR. McCALLUM: Thank you, Mr. Chairman. When does the Minister intend to bring forward these changes to the Labour Standards Act? Is he contemplating bringing some of those changes this year? He mentioned the Labour Standards Board. As I understand it there is a chairperson and three members but there is also a vacancy on that board. Is that correct? Does the Minister intend to bring that board up to strength? Again I think there is a labour standards officer and some secretarial help I would expect.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: As it stands now there is a labour standards officer. There is also an inspector whom we have upgraded in the past year. So there are two people that could actually do inspections. The board, I believe, has a provision for five positions; the chairman and four positions. Presently the chairman and two positions are filled. I understand that sometime in the not too distant future, one of those positions will become vacant. So I am looking at right now, yes, filling those positions.

The answer to the first part of the question is I cannot give a definite answer as to when we are going to bring it forward. As you have heard from Mr. Richard, and as I have said, our department is swamped with requests for legislation but during the summer we are engaging a law student to draw up some amendments. So we will be making some progress. If ever this government makes resources available we can do all these things but what we are going to have to do is prioritize them. Using existing resources with more innovation and working more closely with the Law Society and the reform committee, I think will be key to it. Again as I said in my opening statement, in a small jurisdiction we do not have the resources to do everything. So we are going to need some co-operation with other components of the legal system.

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

### Liquor Inspectors

MR. McCALLUM: Thank you, Mr. Chairman. One of the issues that has arisen both from a community level and from regional councils and I think within here is this whole business of liquor inspectors. I think that the Minister and his department have received numerous pieces of communication, letters, asking for an increase in full-time and part-time liquor inspectors in various communities throughout the North. I note in the person year total that there is no indication of any increase under consumer services. You have the same number of people for this coming year as you had the year before. Do I take it from that, that the Minister has not then been able to increase the number of liquor inspectors either on a part-time casual basis or on a full-time basis?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: The Member is right. There are only two full-time liquor inspectors right now in the Northwest Territories and it obviously is not feasible from a financial point of view to have a liquor inspector in every community. I think people should understand what the role of the liquor inspector is. A liquor inspector is not a supervisor. A liquor inspector can only make periodic checks to make sure that establishments comply with the Liquor Act and the regulations. What we are going to try to do, though, this year is on a contract basis, on a part-time basis, see if we can respond to some of the concerns of the communities who are saying to us that there are not enough liquor inspections done in their community. So we are going to try to do it on a contract basis rather than have another full-time person year.

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

MR. McCALLUM: Thank you, Mr. Chairman. Perhaps the Minister can indicate to me how he is going to get the funding, where the funds come from for this because there is no increase in the total expenditures of the department in this particular activity. Where does the contracting that you are going to do come from? And what areas are you talking about? Are you talking about doing it on a regional basis? Where does it come from? Is it in some other place that I have not come across?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: I think the Member has pointed out a valid concern. The resources of the department are limited. The other O and M, the \$232,000 -- we are going to have to try to find some money. What I am going to have to do with the department, and I have talked it over with the deputy minister, is look at moving some resources around in the department, trying to fill some of these areas. So I agree 100 per cent, we do not have the resources to do all the things we would like to do, but we think we can improve what we do by more imaginative use of our present resources. A year from now you can tell me whether I was skating or not.

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

MR. McCALLUM: I have one further question on the business of consumer services. As I understand it, government liquor outlets in most all places are now contracted out, I am not sure of the terminology. The one that is not is in Hay River. Why? Are there plans to do it in Hay River?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: The actual functional responsibility of that would be with Government Services. Perhaps that question could be directed to Mr. Butters.

CHAIRMAN (Mr. Gargan): Consumer services. Total O and M, \$864,000. Agreed? Mrs. Lawrence.

### Registration Of Vital Statistics

MRS. LAWRENCE: Thank you, Mr. Chairman. I just have one short question for the Minister on improving the registration of all vital statistics. As you know we are having a lot of problems in the communities locating some of these registrations when the time comes up for their old age pension. How is he intending to improve that department?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: As the Member knows we had some problems in communities which we dealt with. But some ways we can improve is in the search procedures for unregistered births. I think we are going to have to computerize the searches for birth registration, both within and outside the Territories. We have to provide a public education program of how important it is to register the birth of your child immediately after it is born. I know the frustration in a lot of communities. There are a number of reasons why people have not been able to register births and in many cases people do not exist legally. It is something we are looking at. What we are doing is dealing with it on a community-by-community basis as we did in Fort Resolution. But we are trying to come up with an overall way of improving it, streamlining the system. Does that answer your question?

Consumer Services, Total O And M, Agreed

CHAIRMAN (Mr. Gargan): Consumer services, total O and M, \$864,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Legal Services, Total O And M

CHAIRMAN (Mr. Gargan): Legal services. Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. There is one aspect of this activity that I wanted to comment on and make a motion on, and that is the legal registries of the department. There is a reference to them in the main estimates document, the function of the legal registries and the document registry. It has been a concern of myself and many others who use the registries, Mr. Chairman, that government should be considering computerizing the entire operation of the legal registries. I am not that knowledgeable in computers but from my limited knowledge of what computers can do in this day and age, it occurs to me that government should no longer be running the registry on a manual system as it is now. I am not sure if the Minister has ever been over there but if anyone was to go there they would see volumes and volumes and volumes of index books. By and large the functions of the legal registries are to receive documents, to register them, to record information, and then to retrieve that information and retrieve documents. The recording of the documents is done manually at the moment.

I am sure if one who was knowledgeable in computer applications looked at the office or series of offices, they would conclude very quickly that the current system is not cost-efficient compared to how a computer could carry out the function. I say this both in terms of the staff, the public servants who are there doing their job and also members of the public who go to those offices to seek information. The searches that have to be done to obtain information are done manually as well. I am told -- I cannot recall now -- but I asked a few months ago how many of these little computers are in government and there are now hundreds of computers in the government.

AN HON. MEMBER: There are 180.

MR. RICHARD: There are about 180, Mr. Chairman, and that is besides the big one across the street. I had asked when the standing committee on finance was considering Mr. Butters' department. He has computer experts in his department and they indicated, Mr. Chairman, that they usually get requests from a department and then go in and look and see if it is feasible to put a computer application in for a given function. Mr. Chairman, I wish to make a motion calling on the government to look into that possibility.

Motion To Investigate Computerizing Of Legal Registries Functions, Bill 1-86(1)

Mr. Chairman, I move that this committee recommend to the Executive Council that it investigate the feasibility and cost efficiency of computerizing the functions of the legal registries in the Department of Justice. Thank you.

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

MR. RICHARD: Thank you, Mr. Chairman. The motion is fairly straightforward. It simply calls on the Executive Council to investigate whether there is not a more cost-efficient way of providing this service to the public. Thank you.



CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: Mr. Richard's comments are valid. What has happened in both legal registries and land titles is that there has been a tremendous increase in registrations. As the economy of the NWT develops and people are becoming more aware of our legislation and as the business incentive policy requires that all businesses are up-to date in legal registries if they are going to get a preference, that is an increase in the workload. There are real frustrations coming from the smaller communities and now that we have many native businesses starting, many native development corporations starting businesses, they are starting to feel the frustration also. In land titles the activity increases 15 to 20 per cent a year as more people own their own land and the workload in that office increases. I honestly do not know why it has not been computerized. I think it is valid. They are swamped right now and it is causing no end of frustration out in the communities and around the Territories. I have sent a letter to Mr. Butters as chairman of the FMB and his response back to me was I should make a formal submission to the FMB to do the evaluation and to computerize it. So I intend to do that. I agree. That is one area of government where it makes a lot of sense to have a computer. So given the resources are available, I will definitely try and act on that.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Question has been called. Mr. Richard.

MR. RICHARD: Mr. Chairman, there is one other aspect that I neglected to mention. If the legal registries do computerize, I think that they will be in a position to provide a much better service not only to the public that goes and visits their offices here at headquarters but also in the regions as well. My colleague from Iqaluit has mentioned in this House on a previous occasion that the people in the Baffin do not like the service they are getting through the mails to the registry system here in Yellowknife, at headquarters. Although I do not know the detailed technology about computers, presumably if the whole system was computerized a member of the public in Baffin or the other regions could go down to the area office and push a few buttons and get the service that they now have to get through the mail system to Yellowknife. Thank you.

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

AN HON. MEMBER: Question.

Motion To Investigate Computerizing Of Legal Registries Functions, Bill 1-86(1), Carried

CHAIRMAN (Mr. Gargan): Question has been called. All those in favour? Opposed, if any? This motion is carried.

---Carried

Legal services. Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. The decrease in the O and M is said to be a result of the one-time funding for the Davidson inquiry. Do I take it that that inquiry cost between \$80,000 and \$120,000?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: The cost was \$120,000 for the Bardswich inquiry into the Davidson death.

Legal Services, Total O And M, Agreed

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Legal services, total O and M, \$969,000. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Legislation, Total O And M

CHAIRMAN (Mr. Gargan): Legislation, total O and M, \$563,000. Mr. Richard.

MR. RICHARD: Mr. Chairman, under legislation I have raised with the Minister and the previous Minister in the past the failure of the government to produce a revision of the statutes and the regulations. This is another area, Mr. Chairman, where I feel that the department should have been moving in a more timely fashion. The revised ordinances, now the revised statutes, were last published in 1974, some 12 years ago. Since then, each year as we pass acts in this Assembly there is an annual volume produced, first published in the Gazette and later in a hardbound volume, and I have lost my note here as to when the last annual hardbound volume was produced but I believe it was 1982.

So there are two aspects to this, Mr. Chairman. I do not believe that the government is publishing its statutes and regulations in a timely fashion, but more importantly, there has to be a revision done. The government has indicated through the various Ministers that they have been working on it but, Mr. Chairman, it has been 12 years since the revision. If one wants to find out what is the law in the NWT in a given field whether it is education, wildlife, you must now look in the 1974 revision and then you must look in each of the annual volumes since that time. It is very difficult for a layperson, certainly, to determine what the law is because all of the statutes have not been brought into one book and indexed.

The same is true with respect to regulations. The Minister indicated in his opening remarks the increased number of regulations that government is enacting. Mr. Chairman, the last time that the regulations were put together in one volume was in 1980, six years ago. It is ironic that in that document there is an introductory note from the then registrar of regulations -- this is 1980, Mr. Chairman -- and he states, "The department is presently at work on a loose-leaf publication that will combine the ordinances and the regulations and provide for regular updating. The publication of the 1980 revised regulations is intended to be the foundation with respect to that loose-leaf publication." This has not happened, in the six years since the revised regulations were published.

Motion To Recommend Funding For Revision Of Statutes And Regulations, Bill 1-86(1), Carried

So again, Mr. Chairman, I wish to move that this committee recommend to the Executive Council that sufficient funds be allocated to the Department of Justice to enable an early revision of the statutes and the regulations of the NWT. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. Can we have a copy of the motion, please? Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: I will say the two legislative counsel and two support staff will help, but I sent a letter on January 20th to the standing committee on finance which outlined in detail our timetable. I am not sure if Mr. Richard got a copy of that particular letter. If he did not, I would be prepared to read it to him.

MR. RICHARD: (Inaudible comment)

HON. MICHAEL BALLANTYNE: Does that particular timetable and that response satisfy the honourable Member? Or is there more to the question that I am missing?

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

MR. RICHARD: Mr. Chairman, no, it does not relate to the motion. I have another motion I wish to put tomorrow, on a more timely publication of the statutes and regulations properly indexed as they are enacted. The Minister's letter which I read earlier this evening to Mr. Nerysoo, our finance committee chairman, deals with that second issue, the annual publication of the laws. My motion speaks to getting the revision done, getting all of the ordinances into a couple of volumes and doing the same with the regulations. So the Minister's response to our committee chairman does not address that particular problem. Thank you, Mr. Chairman.

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

---Carried

Does the committee wish me to recognize the clock?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): There is a motion on the floor by Mr. MacQuarrie to report progress. All those in favour? Opposed, if any? The motion is carried. I would like to thank Mr. Stein Lal, the deputy minister. I will rise now and report progress.

MR. DEPUTY SPEAKER: Mr. Gargan.

ITEM 16: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF TABLED DOCUMENT 42-86(1), THE REPORT OF THE TASK FORCE ON ABORIGINAL LANGUAGES; BILL 1-86(1), APPROPRIATION ACT, 1986-87

MR. GARGAN: Mahsi cho, Mr. Speaker. Your committee has been considering Tabled Document 42-86(1), The Report of the Task Force on Aboriginal Languages, and wishes to report the opening remarks of this matter are concluded and that Tabled Document 42-86(1) will remain on the orders for further consideration. Also your committee has been considering Bill 1-86(1) and wishes to report progress with four motions being adopted and requests leave to sit again.

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. DEPUTY SPEAKER: Members have heard the report of the chairman of the committee of the whole. Are you agreed?

SOME HON. MEMBERS: Agreed.

---Carried

MR. DEPUTY SPEAKER: Item 17, third reading of bills. Item 18, orders of the day.

ITEM 18: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton): Orders of the day for Thursday, March 13th, at 9:30 a.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



13. First Reading of Bills
14. Second Reading of Bills
15. Consideration in Committee of the Whole of Bills and Other Matters: Bills 1-86(1), 11-86(1), 15-86(1), 14-86(1), 8-86(1), 6-86(1), 12-86(1), 13-86(1), 2-86(1); Tabled Document 37-86(1); Report of the Special Committee on Rules, Procedures and Privileges; Bills 3-86(1), 4-86(1), 5-86(1), 7-86(1), 9-86(1), 10-86(1); Report of the Standing Committee on Legislation on Bills and Other Matters; Tabled Document 42-86(1)
16. Report of Committee of the Whole
17. Third Reading of Bills
18. Assent to Bills
19. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Wednesday, March 13th at 9:30 a.m.

---ADJOURNMENT

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