



Northwest Territories Legislative Assembly

Standing Committees on Accountability and Oversight and Social Programs

Public Meeting on
Bill 12, Public Health Act
Bill 13, Change of Name Act
Bill 14, Employment Standards Act
and
Bill 15, Liquor Act

June 11, 2007
Inuvik, Northwest Territories

**STANDING COMMITTEES ON ACCOUNTABILITY AND OVERSIGHT/STANDING
COMMITTEE ON SOCIAL PROGRAMS**

Chairman

Mr. Robert McLeod, MLA, Inuvik Twin Lakes, Acting Chair

Members

Mr. Jackson Lafferty, MLA, Monfwi
Mr. Calvin Pokiak, MLA, Nunakput
Mr. David Ramsay, MLA, Kam Lake
Mr. Robert Villeneuve, MLA, Tu Nedhe
Mr. Norman Yakeleya, MLA, Sahtu

Witnesses

Ms. Ruth Wright
Ms. Billie Lennie
Mr. Rick Adams, Operator, Mad Trapper Inn
Ms. Verna Norman, Operator, Mad Trapper Inn

Committee Staff

Ms. Gail Bennett, Operations Assistant Clerk
Ms. Colette Langlois, Director of Research

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7:05 p.m.**

ACTING CHAIRMAN (Mr. McLeod): We will call our meeting to order. We have Bill 15, Liquor Act; Bill 12, Public Health Act; Bill 13, Change of Name Act; and Bill 14, Employment Standards Act. My name is Robert McLeod. I am the MLA for Inuvik Twin Lakes. I am chairing this particular meeting.

I will get the Members to introduce themselves, for the record, starting with Mr. Yakeleya.

MR. YAKELEYA: Thank you, Robert. Norman Yakeleya, MLA for Sahtu.

MR. RAMSAY: Thank you, Robert. Thank you for hosting the committee members here in the community of Inuvik. It's a pleasure to be here and I welcome the audience that we do have here and look forward to the questions. Mahsi. Oh, David Ramsay, MLA, Kam Lake.

---Laughter

MR. VILLENEUVE: Thanks, Robert, for inviting us to Inuvik. It's great to be here again. My name is Bobby Villeneuve, MLA for Tu Nedhe.

MR. LAFFERTY: I am Jackson Lafferty, MLA for Monfwi. I, too, am looking forward to a general discussion, questions and whatnot. Thanks, Robert, for inviting us. Mahsi.

MR. POKIAK: Good evening. My name is Calvin Pokiak, MLA for Nunakput. I thank Robert for inviting us here to Inuvik and look forward to our discussion. Thank you.

ACTING CHAIRMAN (Mr. McLeod): We have staff with us. Collette Langlois is the director of research, for the record. Gail Bennett is committee clerk.

So we are going to start travelling to communities and gather input on the bills. We have a larger audience tonight. The people who have spoken to us have said they like the Liquor Act. They think it's a good update from the old one that we had, which is ...(inaudible)...We will try to take...okay.

How is it? Is it working? There are some sheets on the table over there on the bills. We do have a couple of members of the public here, so if you have any questions on any particular bills, we will do our best to answer them. If we can't answer them, we will bring them back to the Minister and hopefully get the answers. I want to add that Jackson Lafferty is the chair of the Accountability and Oversight committee, but he's been kind enough to let me chair this particular meeting. So do you have any questions?

MS. WRIGHT: Hi, I am Ruth Wright from Inuvik. Bill 12, Public Health Act, do you mean to say that our Public Health Act doesn't cover safe drinking water or they are just going to change it to be more explicit?

---Interjection

UNIDENTIFIED SPEAKER: Thanks, Mr. Chairman. Drinking water right now is covered in the regulations, so we are putting more of it into the act now.

MS. WRIGHT: I have been telling a lot of people who have been buying bottled water because they are all so cool in here and hip and that, but if they do not believe the municipal government is getting your public drinking water to a healthy standard, they should be up in arms because it is our drinking water. Then they go out and buy this bottled water and on the news or somewhere I heard the "YUPPY people" and their children are getting so many cavities because there is no fluoride in their bottled water. It's filtered out. I don't think that's really been publicized enough up here to get people to start putting more faith into their municipal drinking water. That's an issue. Our health bills are enough as it is with all the candy and pop kids are drinking. They don't need bottled water as well.

Can I ask another question about a different bill?

---Interjection

MS. WRIGHT: Bill 13, Change of Name Act. I kept all my identification before I got married, so when I got a divorce, I just switched over and started using it. I got my passport that way and everything. I didn't realize that you didn't have to actually go out and get this thing, until I read it. So the government is not really looking into it's nice I am getting all this stuff. I never really knew you had to publicly notify people that someone is changing their name. That's very interesting. It is just a comment.

MS. LENNIE: Hi. My name is Billie Lennie. I just have a question about the Change of Name Act. It's just a general question. Who do I go to with regards to my children's birth certificates? Their last name is under Lennie, my two oldest kids. The youngest child I have, she couldn't go under Lennie. They said she had to go under Anglangisuk (sic) because that's what my husband's name on his birth certificate says. I said what about my other kids, because they are under Lennie? What do I do? They said that

was a mistake. I am about to get passports, so what do I do? Who do I go see about this or how do I solve this problem?

MR. VILLENEUVE: Bobby Villeneuve. Just to address Ruth's question about the bottled water issue, I have to agree with what you are saying. I think bottled water is bad, way overboard. Our tap water is better than bottled water. I think bottled water is more of a landfill hazard than anything with all the empty bottles you see all over town. Here in the NWT especially, our tap water is good enough for everybody to drink right out of the tap. I think 64 percent of Canadians think the same.

Just with the name change, the act right now, as it is, the changes are going to allow for easier, more user friendly ways of changing kids' names, adopted kids or kids from different fathers with different names. That's what the act will do, but right now you have to go through the Supreme Court, I believe, the Territorial Court. You have to make an application to the Supreme Court to get a name change done. What this act is going to allow is it's going to allow the department of vital statistics to make the change as an administrative function as opposed to a judicial function, which is cumbersome and takes a long time. It's just a waste of judges' and judicial time. Hopefully when this act comes into effect April 1, 2008...You are still caught up in the old system now I guess, but hopefully people in your situation down the road will alleviate a lot of anxieties and the slow, ongoing application processes that people go through today. If you can hold out that long, then good. If not, then you are stuck under the old system. I hope that helps.

MS. LENNIE: Maybe I will ask one more question about it. So if I was going to get passports, apply for passports, would I still use Lennie for them since they are saying it's not their legal name, since it's not their father's legal name, which technically means I am not a Lennie. Who do I talk to about stuff like this?

---Interjection

UNIDENTIFIED SPEAKER: Thanks, Mr. Chairman. In terms of applying for the passport, it could take quite a while for the name change to go through. So if they are on the birth certificate now, then I would think that's their legal name and you could use that to apply for the passport. But I am not sure what the circumstances are, so you may want to check with the passport office and make sure there isn't an issue there, but if you wanted to change it in the longer term, you would have to go through the courts to get that name change.

ACTING CHAIRMAN (Mr. McLeod): Okay, for the benefit of those who...(inaudible)...the Liquor Act, the Employment Standards Act and the Change of Name Act, these are bills that were brought to our committee by government and we are given 120 days that we have these bills in our hands. We go out and have public hearings to hear what the public has to say. We bring them back to the Ministers that sponsor the bill and then we decide, as a committee or individually, whether we will support the bill or not, depending on what the public tells us. I don't know if you had an

opportunity to have any briefings on the bills, but if you have any questions, first I would ask you to state your name.

MR. ADAMS: Okay, my name is Rick Adams. My lady is Verna Norman, my assistant manager. We are currently operating the Mad Trapper Inn and obviously my concern, one of the four issues, is the Liquor Act and the renovations to it. I would like to hear what's going on and make any comments regarding that, please. Thank you.

ACTING CHAIRMAN (Mr. McLeod): Thank you, Rick. The Liquor Act, they are rewriting a law that is very old. There are a few changes being made. A couple of the big ones are the Sunday openings for establishments. That will be a municipal decision now. They will have the authority to decide whether they will allow Sunday openings in the community or not.

The other one is the amount of fines that are going up for people who are caught bootlegging. This is an act that has been in the works for a while and they finally brought it out. The stores, they are trying to have the stores not be able to sell these non-beverage liquor, mouthwash, rubbing alcohol and stuff like that. You will find if you go into the stores, the stores will have them behind the shelves where they can't be seen. They have a pretty good idea of who is buying them for drinking and who is buying them for use.

Then there are different types of licences. I guess there were different licences you had to have before and now it's down to four. So they have made some improvements. The one I am not sure how it's going to go over is customers will be allowed to bring their own wine into restaurants now, but I think that will be up to the restaurant if they want to allow it. Then they would be able to recork it and bring it out with them. I think right now they have to leave it.

Those are a few of the major changes, Rick. If you have any questions on any of this, like I said, we were not the people who brought the bill forward. We just listen to what the public has to say about it. We bring those questions to the Minister. So we will do our best to try to answer any questions that you may have. If we can't answer them, we will make sure we will get an answer for you.

MR ADAMS: I would like to make it very clear that Sunday opening is not a paramount issue with us. There is concern with Sunday openings and I have been in the community for 25 years. I understand the Delta. Albeit, business-wise, Sunday openings would be good. A lot of tourists come to me every Sunday asking if we could do this. But that's a side issue. The big issue for me as a hotel owner and a bar owner is the punitive measures that currently exist under the current act and the fact that a liquor inspector can walk in and find one violation in my bar, although our best efforts to avoid that, and do a show cause hearing and shut me down, where I have 13 people unemployed. Ninety percent of my people are Inuvik people, native people, which means they are out of a job.

The graduated fines, I have read these 38 recommendations backwards and I totally support the graduated fines. If we are dirty, if there is an issue, we should be punished, no doubt about it. It's the Liquor Act and I totally agree with it. But right now, a liquor inspector can walk in and, for whatever reason, he can hold a show cause hearing and I have 13 people unemployed. If they hit me on a Friday or Saturday night, we are talking \$20,000 or \$25,000. The fine is nothing. The \$2,000 or \$3,000 fine is nothing, but the \$20,000 or \$25,000 we lose in revenue on a Friday or Saturday night is something and these are 13 people unemployed. The loss in reputation is significant. I support the Liquor Act totally, but I would just like some break. The graduates' fines mentioned here are excellent. The recommendations are excellent. Where underage comes in, we try our best. We are Delta people. If somebody sneaks in, that is unfortunate. We try our best. I like the fact that that individual will be fined \$200, perhaps \$500.

The recommendations are good. I would really like them to proceed as they stand and that's my stance. The Sunday openings are not a big deal. Verna and I like our Sundays off. That's number one. She has children and I like Sundays. That's not number one. The number one issue is the punitive actions the Liquor Board can take against us, where they can take one violation and I have 250 people on a Friday night and it's pretty easy to find one individual who may be a little high and I can lose my licence. That's my main concern as I stand here tonight in front of this committee.

ACTING CHAIRMAN (Mr. McLeod): Thank you very much for that, Rick. We will bring your concerns to the Minister. We will see if he can address those. We will make sure the Minister is aware of your concerns and we thank you for your support on the rest of it, because I think a lot of us up here do think that this is a fairly good bill. It's one that I think is long overdue. We thank you for your comments and we will bring your concerns to the Minister and see if they can address it.

MR. ADAMS: (Microphone turned off)

ACTING CHAIRMAN (Mr. McLeod): Thanks very much.

MS. WRIGHT: Ruth Wright from Inuvik. In this one, it would be an offence for minors to use false or altered ID. Is that not already the law?

---Interjection

MS. WRIGHT: No? So the people who do go there with false identification just get sent out. So now it is up to the establishment to make sure that everybody walking in has proper identification. Okay.

And the maximum penalty for bootlegging, \$25,000. How is that going to be enforced? Nowadays, you can walk down the street and ask kids who are bootlegging and they will tell you this person, that person and that person over there. But how do you get them charged because they are bootlegging?

ACTING CHAIRMAN (Mr. McLeod): Thank you, Ruth. How do you get them charged? It's not up to us to get them charged, it's the RCMP. The RCMP will get them charged. Everybody knows who is bootlegging, but to try to get proof is something else. That's why there is so much of it going on. So once they are charged and if they are found guilty, they can get a maximum fine of \$25,000 for the first offence and when the Minister was before us, I asked him about minimum fines because you can have a maximum on anything. If you take somebody's life, you can get 25 years to life, but who gets that? Nobody. I would like to see, personally, a minimum in there so even if they are caught bootlegging for the first time in their life, they might get a \$2,500 fine. That might discourage them. But to go back to your question, it's not up to us to have them charged. The RCMP would have to go there and get their proof and have them charged and then once they get to court, then the \$25,000 maximum fine will apply. I hope that answered your question.

MS. WRIGHT: The last time you guys were up here, there was another bill that said...I forget what it was because that's what I thought this was...Is that bill passing?

ACTING CHAIRMAN (Mr. McLeod): As Minister Menicoche would say, that's a very good question. No, that bill is still in committee's hands and we went through the May sitting without giving it third reading. We went down to Fort Smith. They asked us to come down because they wanted to speak to the bill, too. I think at the August session, we will decide whether that bill gets third reading. If it doesn't get third reading, it doesn't pass. So as of right now, it's still out there and we are still taking comments on it and people are still welcome to give written submissions. What we are hearing so far from the public, they all like intent but there is not so much support for it and we have to expect that.

MS. WRIGHT: With that bill, you practically don't need the RCMP to go charging them. You just say, guess what? My neighbour has this, that and the other thing. I know they are doing it.

This other one down here, customers could bring their own bottle of wine and if you buy a bottle of wine at the restaurant and you don't drink all of it, then you could take it home. Lots of restaurants down south and in Europe do that all the time. So I don't see a problem with that one. The restaurants might say they are losing business, but they might gain a lot of business because some people like a particular wine they are not going to get up there. So they might do a lot more business, as well.

Now this one right here, the Minister will have to seek community input before changing the liquor store hours of operation. I thought that was already in there as well, that you get your permit for this many hours of operation. Do you just change it because the day...Isn't that already a law?

---Interjection

UNIDENTIFIED SPEAKER: Thanks, Mr. Chairman. They do need a permit for their store hours, but what has changed is the Minister used to be able to give that permit without consulting with the community and now the Minister will have to go and talk to the community about it.

MR. ADAMS: I am going to have to apologize. It's the old show tonight and we are very, very busy. But I just want to thank you for the chance to talk to you about this. There are 38 recommendations in here and I support all of them. They are all progressive. If we have a problem, I think the executive summary that I read is a good step. Liquor is a thing that is going to face us for the rest of our lives, the bootlegging, but this is a good start both for the hotel owners and for the public. I support this. I don't know what else to say about this. There are some good changes that were needed and, as owners of the bars, we are responsible people, they are responsible people who are trying to make a dollar of course, but also respect the community. I have been here many, many years and I respect both sides. I would like to conclude with that. Thank you very much for the chance to meet with you folks.

ACTING CHAIRMAN (Mr. McLeod): Thank you, Rick, and thank you very much for your input on this particular bill.

So if we don't have any more questions or concerns, I think we will call this meeting to a close. What I am going to do is give Members a chance to say a few words. So I will start with Mr. Yakeleya if he has anything he wants to say.

MR. YAKELEYA: Thank you, Robert, and thank you for inviting us here to listen to people of Inuvik talk about these bills come before government and have our discussion group. Thank you, Ruth and Billie, for the questions especially for the safe water. I think we should look at the tap water in our communities and use that more than bottled water. I like your comments on that. We will have to do more analysis of bottled water versus our own water system here.

I want to say I appreciate your comments and the questions you asked are very important for us. When you are thinking about these laws, it's important. What you said is very important. I appreciate you taking the time to talk about this bill and to also voice your concern. Thanks.

MR. RAMSAY: Thank you. I will just take a few minutes. These guys listen to me speak quite often, so I will take a few minutes. I just wanted to say thank you very much for your questions. Thanks for coming out this evening.

This Liquor Act is long overdue. It's something this government has been talking about and the one before it was talking about as well. By the time we dissolve the 15th Assembly at the end of August, this legislation will hopefully will have passed and we can move forward.

Obviously, liquor is a big subject in the Northwest Territories and it's something I don't take lightly and my colleagues don't take lightly. We have to find that balance where you want people to be responsible for their own actions, but you also have to ensure you are taking the right measures to make sure it is used the way it should be: responsibly. It's a really fine line trying to balance those two things. I think this new act will take us in the right direction anyway. We haven't been getting too much negative feedback on it. It's progressive, like Rick said, and we are happy to be out shopping it around in the communities in the Northwest Territories.

We also have three other bills with us that aren't receiving as much air time as the Liquor Act, but also important is the Employment Standards Act and the Public Health Act that we are out here with. The Change of Name Act is more of a minor bill but we are happy to be out here with the four of them and we look forward to meeting not only with the residents here in Inuvik, but we are also on our way to Tsiigehtchic, Tulita and Gameti as well on this trip. Some of our colleagues are travelling south to Fort Smith, Hay River, Jean Marie River and Fort Simpson, doing the exact same thing that we are doing.

So once again, I want to say thank you very much to Robert for hosting us here in Inuvik. I know it's a busy time for the community, hence the small turnout tonight. I think there is a lot of community in the air here in Inuvik and I just wanted to say thank you very much. Mahsi.

MR. VILLENEUVE: Thanks, Dave. I just want to make the point that any questions that come up in these hearings we take very seriously no matter how minor they seem to you. They are very serious issues that we do take note of very seriously and take back to committee and make sure they are reviewed and that the answers are there. For instance, the question you just asked of who gives the authorization to enter into a house that you say is a bootlegger. That is a totally good question. Where is it in the act? I am not sure. It says something about an oath there. Is it under SCAN? Maybe not. Good questions. A simple question like that, I am sure a lot of people are wondering. How does this work with my neighbours? All these questions are very pertinent to us and they will be duly noted, anything that's raised, no matter how big of an audience or how small an audience we have. It's the quality. Thank you.

MR. POKIAK: Yeah, thank you. I would like to thank everyone for coming out tonight. I know the questions that have been asked are important questions. I think the acts that are coming up are important for the public to prepare for. I appreciate MLA McLeod for inviting us here today. We just have to work and bring all the information required to the Minister. Thank you.

MR. LAFFERTY: Mahsi. Usually I start off with opening remarks in my own language. (English not provided)

I would just like to say thanks for being with us even though we have a little delegation here. Still, it's important to us because whatever message is being relayed here will

certainly be passed on to government officials. We are the messengers from the committee's perspective and onto the actual government. We are a consensus government. We like to listen to the public's input, bring that forward and argue it. We argue on behalf of the constituents, the members of the North. There have been some good questions laid out, so we will certainly follow through with that. With that, thank you, Robert, for inviting us to the community. Other things are happening in the community. They are busy times, but we are here and we will back I guess tomorrow sometime. Mahsi.

ACTING CHAIRMAN (Mr. McLeod): Thank you, Jackson. Thank you, colleagues. Thanks to you guys for being here. It doesn't matter if there are 50 people in here or just one. The message still gets to Yellowknife and the questions are so important, like the Members said. Thank you again for being here and, colleagues, for coming out. With that, we will call this public hearing to a close. Thank you.

---ADJOURNMENT