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The Honourable Michael Ballantyne, Speaker

THURSDAY, JUNE 18, 1992

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MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Antoine, Mr. Arnngna'naaq, Mr. Arvaluk, Hon. Michael Ballantyne, Mr. Bernhardt, Hon. Nellie Cournoyea,

Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, Ms. Mike, Mr. Nerysoo, Hon. Dennis Patterson,

Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mr. Todd, Hon. Tony Whitford, Mr. Zoe

ITEM 1: PRAYER

--- Prayer

SPEAKER (Hon. Michael Ballantyne):

Good afternoon. Orders of the day for Thursday, June 18, 1992.

Item 2, Ministers' statements. Item 3, Members' statements. Mrs. Marie-Jewell.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Apology For Not Allowing Continuance Of Member's Statement

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I rise today to apologize to one of my colleagues on this side of the House. Yesterday, Mr. Speaker, I denied the Member for Nahendeh to continue on his Member's statement. In reviewing the Hansard, I recognized what I thought I had heard was not correct, and with that I would like to apologize for not allowing him equal opportunity to continue with his Member's statement as I have allowed other Members in this House. Thank you.

--- Applause

MR. SPEAKER:

Members' statements. Mr. Todd.

Member's Statement On Establishment Of Nunavut

MR. TODD:

Thank you, Mr. Speaker. It is with great pleasure that I rise today to speak about the establishment of Nunavut, a dream that we in the Eastern Arctic, can finally see on the horizon. Just six short weeks after the plebiscite, the date when Nunavut will finally be established, once such a faraway dream, now seems so close to fruition. It is for that reason I believe it is incumbent upon us to begin planning now for that day. Virtually every decision we make in this Legislature will have some impact on the future of the eastern territory.

On Wednesday, Mr. Speaker, the honourable Member for Baffin Central spoke quite eloquently about the need for the government to rethink the way its departments, boards and agencies deliver programs in planning for the creation of Nunavut. In that vein, I believe it is also time to promote the evolution of non-government organizations that will play a large and vital role in the development of Nunavut.

At present, umbrella organizations such as the NWT Chamber of Commerce, the NWT Construction Association and the NWT Association of Municipalities represent some of the people of the Northwest Territories. Since Nunavut will be established far more quickly than any of us can imagine, I believe it is time to establish and, more importantly, fund parallel organizations for the Eastern Arctic to ensure an orderly transition once division occurs.

Similarly, special conferences or events such as the recent Prospects North conference that received grants from this government can only be funded in a similar manner, Once

these new organizations are established, it will be necessary to fund similar conferences and trade shows in the Nunavut area.

Mr. Speaker, people in Nunavut are excited by the challenge of creating a new territory. We are ready for that challenge. It is now time for this government to recognize that Nunavut will soon be a reality and recognize its role in providing support for that eventuality.

MR. SPEAKER:

Members' statements. Mr. Lewis.

Member's Statement On Aven Seniors' Centre

MR. LEWIS:

I rise today out of grave concern, not only that Yellowknife, these days, seems to be in the news right across the country, but even locally there are concerns that many of the facilities of which we are proud are in danger of being decimated.

The Aven Seniors' Centre had a deficit last year of \$30,422. With the current commitments of this government, as I understand them, that deficit will increase to \$54,467. That facility was built on the basis of a tremendous amount of volunteer labour and help, and there has been a tremendous voluntary contribution from people throughout this community, and it is exhausted.

There are people there who are not wealthy; probably the average would be about \$10,000 a year that people have to live on. Currently, they are paid \$376 a month, and even if that were to be increased, Social Services always finds some convenient way to say, "Well, we do not really have to provide you with the resources you need because if you increase your costs, then, of course, we can reduce ours."

I would like the government to recognize that this place is a very, very important place, not just for Yellowknife, but for all people in the NWT, because it provides a home which is rather unique. It provides 24-hour care for elderly people with medical needs. It keeps people active and able to lead a meaningful life. It recognizes, appreciates and values the cultural background of its people, and it provides affordable medical care and housing in a very home-like kind of environment.

MR. SPEAKER:

Mr. Lewis, your allotted time has expired.

MR. LEWIS:

Thank you, Mr. Speaker. I will not abuse this privilege of being allowed to continue.

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MR. SPEAKER:

Mr. Lewis, you I have not been allowed yet. Are you asking?

MR. LEWIS:

I would like to continue and ask for unanimous consent to do so.

MR. SPEAKER:

The honourable Member is seeking unanimous consent. Are there any nays? There are no nays, Proceed, Mr. Lewis.

MR. LEWIS:

I will not abuse this privilege. This centre allows for out-of-town elders to move here to be with their families. I know that the Government Leader, herself in her 50s, has made requests so that people she knows from her area can come here to live, to be close to friends and family. Even the mother of one of our ordinary Members, is there enjoying the kind of care that is provided in that facility.

I would like, therefore, to urge all Members of this House to take particular note of this item when we have to deal with it at budget time because I shall be fighting this one and will give it a priority among all the social issues that we have to deal with. Thank you.

MR. SPEAKER:

Mr. Gargan.

Member's Statement On Our Lady Of Fort Providence Church

MR. GARGAN:

(Translation) Thank you, Mr. Speaker. In a return to an oral question the day before yesterday, the Minister of Culture and Communications stated that his department is prepared to contribute \$25,000 to assist in the restoration of Our Lady of Fort Providence Church. I would like to take this opportunity to thank the Minister of Culture and Communications for the \$25,000 he has pledged to help pay for repairs. This is a good start. With this \$25,000, we can hopefully have the church stabilized by this fall. Then we will finally be able to use the church once again for special events such as weddings, baptisms, and Christmas and Easter services.

On behalf of the citizens of Fort Providence, especially our elders and the Catholic Church, I would like to thank the Minister for this funding. However, I would like to point out that this funding is long overdue and represents only a fraction of the funding we need. It is going to take a lot more than \$25,000 to bring the church up to standard. An estimate in 1990 suggested restoration could cost as much as \$150,000. Once the church is stabilized, a great deal

of work will be required to ensure that the church conforms to current fire code standards. We must also upgrade the church's electrical wiring and repair the roofing. We must also restore the paintings which have suffered since we were forced to close our Lady of Fort Providence Church nearly two years ago.

In closing, Mr. Speaker, I would like to once again tell the Minister that it is a good start, and we are hoping he is sincere in his commitment to finishing this important task. Thank you.

--- Applause

MR. SPEAKER:

Members' statements. Mr. Antoine.

Member's Statement On Aircraft Maintenance Facility

MR. ANTOINE:

Mahsi, Mr. Speaker. I would like to conclude the statement that I started yesterday. I also accept the apology by the Member for Thebacha for naying me.

--- Applause

I still have concerns about the feasibility study on the decision that it was based upon. I think it is an inadequate piece of work. I think it is wrong to assume that just because there is a central office in one community, the maintenance area must be located there as well. With the modern convenience of computer link-ups, faxes, electronic mail, there is no need for a maintenance facility to be next door to the operations.

The Government Leader's New Directions indicates that the facility would be developed in co-ordination with new training programs for aircraft maintenance engineer trades at Thebacha Campus. I think the presence of the Thebacha Campus should have no bearing on the decision as to where the location of a heavy maintenance facility should be.

All I wanted to say is that I was hoping the final decision for the location of the aircraft maintenance facility would not be made until the study was reviewed by the communities concerned so that a fair chance would be given to emerging market communities. How else can these communities develop if they are not given a fair chance? Mahsi.

MR. SPEAKER:

Members' statements. Mr. Koe.

Member's Statement On Co-operation Among Ethnic Groups In Inuvik

MR. KOE:

Thank you, Mr. Speaker. Inuvik has close to an equal number of Gwich'in, Inuvialuit and non-aboriginal residents. Each group looks for a different organization to represent their interests: the Gwich'in, the Gwich'in Community Council; the Inuvialuit, the Inuvialuit or Inuvik Community Corporation; and others, the town council. Before land claims were settled, all of these groups worked independently of each other; however, I believe all respected each other's authority.

I would like to describe some examples of renewed cooperation among these three groups. During the Commission for Constitutional Development, all three groups submitted a joint proposal which outlined principles to establish a new governing relationship, such as the areas of jurisdiction that are fundamental to the revitalization, promotion and protection of aboriginal heritage, and the maintenance of democratic principles to ensure that no group or individual shall be excluded from governing the community. More discussions will be carried out in the future to define a new governing structure and authorities for Inuvik.

The two aboriginal organizations are concerned about the perceived lack of commitment by education authorities, their development and instruction of aboriginal languages. For example, there are no aboriginal language instructors in the high school. In fact, there is no aboriginal teacher. The situation continues to undermine the self-esteem of our native youth. Both organizations, in working with educational institutions, agreed to an interim arrangement to hire two halftime language instructors. In the long term, the Gwich'in and Inuvialuit have asked the Official Languages Commissioner to investigate the implementation of the Official Languages Act and the federal-territorial funding agreement. It is hoped that this investigation can produce recommendations that the Legislative Assembly may consider in the near future.

The region requested, as well, a teacher education program to be placed in Inuvik to increase the aboriginal teaching staff...

MR. SPEAKER:

Mr. Koe, your allotted time has expired.

MR. KOE:

May I seek unanimous consent to proceed with my statement?

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MR. SPEAKER:

The honourable Member is seeking unanimous consent. Are there any nays? There are no nays. Proceed please, Mr, Koe.

MR. KOE:

... where 70 percent of the students are aboriginal. Without this program, Gwich'in and Inuvialuit will continue to see drop-outs. Government, before getting approval for funding priorities, has stopped any further TEP initiatives without consultation from this Assembly.

The Town of Inuvik, the Gwich'in and Inuvialuit organizations have also decided to participate in fund-raising efforts to build a recreation centre. This long overdue project is in Inuvik's capital plan. However, the current allocation is totally inadequate to build a skating rink, let alone a recreation centre. When the Legislative Assembly considers the capital budget, I hope Members will take into consideration that the existing facilities are condemned and may be closed in the next year or two. The community is willing to provide their fair share of funds to build a recreation facility which should serve Inuvik for many years.

On another initiative, the Town of Inuvik and other tourism organizations, including the two aboriginal groups, formed a steering committee to assist the Department of Economic Development and Tourism in the development of a tourism visitors' centre. The centre will provide regional focus to a tourism industry that is rapidly creating a new economic base. The Inuvialuit and Gwich'in have entered into a joint ownership arrangement for the project. Ownership will ensure that aboriginal heritage is presented in a truly northern fashion.

Mr. Speaker, these initiatives are paving the way for a new partnership among all the ethnic groups in Inuvik, and I look forward to working with the Inuvik partners, which are creating a healthy working environment for the political, social and economic development of the community. Mahsi.

--- Applause

MR. SPEAKER:

I notice the trend in the last couple of days that Members' statements are going quite often beyond two and a half minutes. I would like to ask Members to try to keep their statements within two and a half minutes because if we are constantly breaking our own rules, I do not think that gives a very good impression, So if I could just ask Members to respect the rules of the House. Thank you, Members' statements. Mr. Bernhardt. A point of privilege. Mrs. Marie Jewell.

MRS. MARIE-JEWELL:

Mr. Speaker, I realize that I have not set the time for indicating a point of privilege, but I think part of our problem on this side of the House is that the Canadian flag is in our way, and we cannot see the clock to speed up as we do our Members' statements if time is lapsing. Thank you.

MR. SPEAKER:

Mrs. Marie-Jewell, I think you have made a very astute observation, and one that this House will duly take note of and rectify. Members' statements. Mr. Bernhardt.

Member's Statement On Concerns About
Decentralization Initiatives

MR. BERNHARDT:

Thank you, Mr. Speaker. I rise today to speak about my concerns regarding the decentralization initiatives announced Tuesday by the Government Leader. I have tried, during my short time in this House, to give this cabinet the benefit of the doubt in the planning for the restructuring of northern government. I understand that the job they have is very difficult, and tough decisions are required. Mr. Speaker, I can bide my time no longer.

During the last Assembly, several ordinary Members spoke passionately about the seemingly unequal distribution of money for capital projects and other programs throughout the NWT and, in particular, the Kitikmeot Region. Sadly, this cabinet seems to be continuing this trend. The recent decentralization of government programs ignored the two most economically disadvantaged regions of the NWT; the North Slave and the Kitikmeot. Clearly it is these

regions that require the most benefits derived from the decentralization of government programs.

Mr. Speaker, I do not want to sound opposed to any mining venture in my region; I simply say that the people of the Kitikmeot want to build a strong and self-sustaining economy that can survive downturns in the economy. We cannot rely solely on the discovery of minerals that we may have or that may or may not be developed in the future.

MR. SPEAKER:

Mr. Bernhardt, your time has expired.

MR. BERNHARDT:

I seek unanimous consent to finish my statement.

MR. SPEAKER:

The honourable Member is seeking unanimous consent. Are there any nays? There are no nays. Continue, Mr. Bernhardt.

MR. BERNHARDT:

Thank you, Mr. Speaker. It is not often that I agree with the former Member for Kitikmeot. However when he stated during the last Assembly that in regard to the distribution of government money and programs, "it would be better if the Kitikmeot became part of the Keewatin Region, or better yet, was considered a suburb of Iqaluit," I think he hit the nail directly on the head. Thank you.

MR. SPEAKER:

Members' statements. Item 4, returns to oral questions. Mr. Alloofoo.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question O491-12(2): Quality of Student Care Services At Akaitcho Hall

HON. TITUS ALLOOFOO:

Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Antoine on April 2, 1992, concerning student care at Akaitcho Hall. The Member for Nahendeh requested a review of all policies and procedures regarding the supervision and care of students at Akaitcho Hall, with specific references to counselling of students with drug and alcohol dependencies.

In November 1990, an interim proposal regarding the care of students with alcohol or drug dependencies was considered by the administrator and staff of Akaitcho Hall, the board of management and the Department of Education. As a result, a number of workshops on alcohol and drug related dependencies were offered to students. These workshops were useful, but they were not part of the planning approach to improve student care.

The review of Akaitcho Hall, conducted from May 19-21, 1992, will make comprehensive recommendations on the level of student supervision and care at the residence. Many

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professionals, students, staff, parents and board members were interviewed as part of the review, including Pastor Gavac, who prepared the November 1990 interim proposal. The review will be completed by the end of June 1992.

MR. SPEAKER:

Mr. Patterson.

Further Return To Question O541-12(2): Fire Marshal Refused Entry At Giant Mine

HON. DENNIS PATTERSON:

This is a return to a question asked by Mr. Lewis yesterday, on the refusal of entry of the Fire Marshal at Giant Mine. On the morning of Wednesday, June 17, 1992, the Fire Marshal, accompanied by the acting chief mining safety inspector and the fire chief of the City of Yellowknife, attended at the Giant Mine to perform inspections. The officials were unable to gain access to the property.

One charge each has been laid pursuant to section 20 of the Fire Prevention Act against Mr. Terry Byberg, mine manager, and against Royal Oak Resources for obstructing the Fire Marshal. The Fire Marshal, the acting chief mining safety inspector, and the fire chief of the City of Yellowknife again attended at Royal Oak on the afternoon of Wednesday, June 17, 1992 and were given access to the property.

As the charges of obstructing the Fire Marshal have been laid, no further comments will be made on this matter by departmental officials or the Minister until the charges are disposed of in court. The first appearance in court of those charged is set for Thursday, July 16, 1992

The Department of Safety and Public Services is continuing to closely monitor safety conditions at Royal Oak Resources to ensure that the occupational health and safety of all personnel are preserved.

MR. SPEAKER:

Returns to oral questions. Item 5, oral questions. Mr. Pudluk.

ITEM 5: ORAL QUESTIONS

Question O560-12(2): Police Services In Grise Fiord

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. Grise Fiord has a problem of not having a policeman in their community. On June 5th I wrote a letter in regard to their concern. Can the Minister of Justice indicate to me if Grise Fiord will be included to have an RCMP there?

MR. SPEAKER:

Mr. Patterson.

Return To Question O560-12(2): Police Services In Grise Fiord

HON. DENNIS PATTERSON:

Mr. Speaker, I am as concerned as the Member about the possibility of so-called satellite detachments at communities like Grise Fiord being deprived of their members in the future. I think they are important not only for the community but also for other reasons, including sovereignty.

Mr. Speaker, to answer the Member's question, there has, as of today, been no final resolution of this issue. I am still in discussions with the RCMP about this matter. We are attempting to work out an arrangement which will allow communities like Grise Fiord to still have police services in the coming year, even despite the financial restraint that we are operating under. I will continue working vigorously in that direction, Mr. Speaker. Thank you.

MR. SPEAKER:

Oral questions. Mr. Gargan.

Question O561-12(2): Possible Uses For Culled Fish

MR. GARGAN:

(Translation) Thank you, Mr. Speaker. The Minister of Renewable Resources is the Minister I wanted to question, but I can direct this to the Economic Development Minister. There is a lot of talk on fishing, and there are bluefish, grayling, jackfish, whitefish, fish of this kind. A lot of these fish are being disposed of, and early this spring there was a meeting in Hay River. Some of the delegates from Providence attended this meeting. This is the reason I wanted to ask the Minister if, instead of disposing of this fish, it can be sold or we could use the stuff for pet food or something. I wonder what they are going to do with this.

MR. SPEAKER:

Mr. Pollard.

Return To Question O561-12(2): Possible Uses For Culled Fish

HON. JOHN POLLARD:

Thank you, Mr. Speaker. There have been a number of proposals over the years. I think at one time, in 1985, there was a proposal to ship culled fish and fish that had net marks or cut fish, out on the lake, to Calgary to Red Top Dog Foods. Red Top Dog Foods offered 13 cents a pound at that time, Mr. Speaker, and the freight to get it to Calgary was 15 cents a pound. Fishermen who catch fish on the lake that are not accepted by the Freshwater Fish Marketing Corporation cannot afford the fuel to haul them off the lake, so there has been a lot of looking at that.

There is an interesting proposal at the present time from a group in Hay River, to start up a company that would process that fish in Hay River, and that is being looked at now. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. I have Mr. Dent next.

Question 0562-12(2): Response From Federal Minister Of Labour Re Giant Mine Strike

MR. DENT:

Thank you, Mr. Speaker. My question is for the Minister of Justice. Can the Minister advise this House whether he has had any response from the federal Minister of Labour to his letter and the motion which was passed unanimously by this House requesting binding arbitration be used to resolve the labour dispute at Giant Mine?

MR. SPEAKER:

Mr. Patterson.

Return To Question O562-12(2): Response From
Federal Minister Of Labour Re Giant Mine Strike

HON. DENNIS PATTERSON:

Mr. Speaker, as I told the office of the Hon. Marcel Danis this morning, I was waiting, then I was waiting anxiously, and then I was waiting very anxiously, for a reply on what the federal government intended to do on this very grave situation. I have to inform the House and the Member that as of this moment I have received no reply from the Minister as to what the federal government intends to do. I will advise the House as soon as I receive further information on this. I think the Minister's office is very anxious to find out what is going on.

MR. SPEAKER:

Mrs. Marie-Jewell.

Question O563-12(2): Catering Services Contract,
Thebacha Campus

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I would like to pose a question to the Minister of Education. Yesterday I asked the Minister of Government Services in respect to the tendering processes for the government. I would like to advise the Minister of Education that I am interested in the

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results of an invitation to tender on a catering services contract contracted by Thebacha Campus of Arctic College, which was published in News North on May 25th. I understand the tender call closed on June 2nd. At the same time, I understand that the bid prices that were submitted on this particular contract were not released for public information, and I would like to ask the Minister of Education if he knows why his officials conducted the opening of that bid in that particular manner.

MR. SPEAKER:

Mr. Allooloo.

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I will take the question as notice and get back to the Member.

MR. SPEAKER:

The question has been taken as notice. Ms. Mike,

Question O564-12(2): Division Of Workers'
Compensation Investments

MS. MIKE:

Thank you, Mr. Speaker. My question is for the Minister responsible for the Workers' Compensation Board. The board's annual report for 1990 shows total investments of approximately \$89 million with approximately \$45.5 million in Government of Canada bonds; \$16.5 million in provincial, territorial and municipal bonds; and about \$28 million in corporate bonds and stock holdings. Does the Minister know what formula is going to be used when it comes time to divide these holdings between NWT Workers' Compensation Board and the new Nunavut Workers' Compensation Board?

MR. SPEAKER:

Mr. Patterson.

Return To Question O564-12(2): Division Of Workers'
Compensation Investments

HON. DENNIS PATTERSON:

No, Mr. Speaker. I do not know.

MR. SPEAKER:

Supplementary, Ms. Mike.

Supplementary To Question O564-12(2): Division Of
Workers' Compensation Investments

MS. MIKE:

Thank you, Mr. Speaker. Will the Minister make an effort to find out?

MR. SPEAKER:

Mr. Patterson.

Further Return To Question O564-12(2): Division Of
Workers' Compensation Investments

HON. DENNIS PATTERSON:

Mr. Speaker, I will certainly make that effort. I believe that perhaps the Minister of Aboriginal Affairs and Constitutional Development is better qualified to answer that question, but I believe that issues like that are covered in the political accord that was initialled between our government and the Government of Canada and the TFN. I believe there is a process in that political accord which would deal with planning and the transition to a new government. I believe that is the route I will be pursuing in following up on the Member's question. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Ms. Mike.

Supplementary To Question O564-12(2): Division Of Workers' Compensation Investments

MS. MIKE:

Thank you, Mr. Speaker. In recognizing that section 7(1) of the Workers' Compensation Act gives the members of the board exclusive jurisdiction over all matters

and questions arising under this act, and that section 60(1) of the same statute gives the board the authority to make any investments, can the Minister explain how he will be able to ensure that his views and those of his cabinet colleagues are even considered during strategic planning on how to divide the investments of the Workers' Compensation Board?

MR. SPEAKER:

Mr. Patterson.

Further Return To Question O564-12(2): Division Of Workers' Compensation Investments

HON. DENNIS PATTERSON:

Mr. Speaker, I think that the division of the Northwest Territories will certainly require legislative change, and I would predict that if there are barriers in the present Workers' Compensation Act to preparing for division and re-allocating the investment portfolio of the Workers' Compensation Board in connection with division, then it would be the responsibility of myself and of this Legislature to amend the legislation so that those barriers do not stand in the way of pursuing the political evolution of the Northwest Territories. So the legislation would and could be changed. Thank you.

MR. SPEAKER:

Oral questions. Mr. Todd.

Question O565-12(2): Prospects North Conference In Eastern Arctic

MR. TODD:

Thank you, Mr. Speaker. My question is for the Minister of Economic Development. During the recent Prospects North '92 conference, there were approximately 53 speakers and panel participants. There were only three panel participants from the Eastern Arctic, and I believe out of 37 business exhibitors there was one from the Eastern Arctic. In light of this, could the Minister inform the House what options, if any, are being considered for this kind of conference in the Eastern Arctic?

MR. SPEAKER:

Mr. Pollard.

Return To Question O565-12(2): Prospects North Conference In Eastern Arctic

HON. JOHN POLLARD:

If the department is approached, Mr. Speaker, it will be given due consideration. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Todd.

Supplementary To Question O565-12(2): Prospects North Conference In Eastern Arctic

MR. TODD:

One of the optimistic notes of this conference was the attendance of the Russian delegates. Could the Minister inform the House what plans are in place, if any, for a follow-up contact with the Russian delegates that came to this Prospects North conference?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O565-12(2): Prospects North Conference In Eastern Arctic

HON. JOHN POLLARD:

Mr. Speaker, most of the dialogue between the Soviet delegation and people in the Northwest Territories has been done through Ferguson, Simek Clark. We are aware of their aspirations. We have looked at some of their art, and if there are opportunities for the Northwest Territories in the Soviet Union beyond what we have already looked at, we will be following up on it, Mr. Speaker. Thank you.

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MR. SPEAKER:

Supplementary, Mr. Todd.

Supplementary To Question O565-12(2): Prospects North Conference In Eastern Arctic

MR. TODD:

Could the Minister advise the House in what financial way, if any, did he extend support for the development of these contacts? What is our financial commitment to these contacts at the Prospects North conference?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O565-12(2): Prospects North Conference In Eastern Arctic

HON. JOHN POLLARD:

Mr. Speaker, the Department of Economic Development and Tourism gave money, and I want to say \$50,000, although I will check that number, to Prospects North, to assist them with their conference. To my knowledge, sir -- and I will check again -- I do not believe that we assisted the Soviets. Thank you.

MR. SPEAKER:

Oral questions. Mr. Koe.

Question O566-12(2): Status Of "Working Toward A Common Future"

MR. KOE:

Mahsi, Mr. Speaker. In April, a report entitled Working Toward a Common Future, which was prepared by the Commission for Constitutional Development, was completed and distributed widely across the Northwest Territories to residents. My question is to

the Minister of Intergovernmental and Aboriginal Affairs. What is the status of this report?

MR. SPEAKER:

Mr. Kakfwi.

Return To Question O566-12(2): Status Of "Working Toward A Common Future"

HON. STEPHEN KAKFWI:

Mr. Speaker, the report was given to the committee of political leaders this spring, and it was agreed at that meeting that all the members of the political committee -- the Inuvialuit, the Dene Nation, the Gwich'in Tribal Council, the Sahtu Tribal Council, the Metis Nation, and the Members of the Legislature -- would take time over the next few months to bring the report to the attention of their constituents, and the expectation would be that the Dene Nation, the Metis Association, and the Inuvialuit, in particular, would be expected to take the lead in discussing and responding to the recommendations within that commission report.

It was my view that because of the rather intense schedule that the constitutional talks had placed on myself and the members of the staff I work with, that it was not realistic to think we could have staff give adequate time and attention to providing an analysis and critique of the report on any short order. So I had served notice that probably sometime this summer we would be in a better position to provide Members of the Legislature and the public with cabinet's view; and whatever way the Legislature may choose, follow that on what to do with this commission report.

That was the way in which the report was left. It was brought to the attention of the committee of political leaders. There were no decisions made, other than that we would take time and it would be brought back to our respective constituents for review and discussion. Thank you.

MR. SPEAKER:

Supplementary, Mr. Koe

Supplementary To Question O566-12(2): Status Of "Working Toward A Common Future"

MR. KOE:

Thank you, Mr. Speaker. When will Members of this Assembly get an opportunity to discuss this report?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question O566-12(2): Status Of "Working Toward A Common Future"

HON. STEPHEN KAKFWI:

Mr. Speaker, I was of the view that, without wanting to prejudice the discussion that could happen within the membership of the Dene Nation, the Metis Nation and the other aboriginal organizations, we should allow these groups and organizations to take the lead in the discussions. I think we would all benefit as a Legislature if we allowed, for instance, the Dene Nation and the Metis Assembly this summer to discuss it, since they have some equal ownership to the recommendations and observations contained within the report. Politically, I thought it would be wiser for us to allow that to happen. Then perhaps we could have our own discussion in the fall session. Thank you.

MR. SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question O566-12(2): Status Of "Working Toward A Common Future"

MR. KOE:

Thank you, Mr. Speaker. As Minister responsible, you received criticisms from several aboriginal organizations when this report was being developed, specifically from the Dene Nation, Metis Nation and Deh Cho Tribal Council. Could you enlighten this House as to your position on some of these allegations from these groups?

MR. SPEAKER:

I have a problem with that question, and I will ask the honourable Member to rephrase that question because questions should not refer to allegations.

MR. KOE:

I am still learning. There were letters received from the Deh Cho Tribal Council and press statements made by the Metis Nation and Dene Nation regarding the Minister's position on working toward a common future. Can the Minister enlighten the House as to his position on these positions presented by these organizations?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question O566-12(2): Status Of "Working Toward A Common Future"

HON. STEPHEN KAKFWI:

Mr. Speaker, the only letter that we got from the Deh Cho in regard to constitutional talks was in relation to the national constitutional talks that were happening in Ottawa, not on the process set up by the Western Constitutional Commission. The text of the letter basically said they were serving notice to the world that as far as the Deh Cho chiefs were concerned, I personally and as Minister of Intergovernmental and Aboriginal Affairs did not represent the treaty interests of the Dene in constitutional talks. It is an understanding that everyone has had for many, many years, but they felt reason to reiterate that. It has always been understood that the chiefs and treaty Dene are represented by their chiefs, by the Dene Nation and by the Assembly of First Nations in national constitutional talks.

MR. SPEAKER:

Your last supplementary, Mr. Koe.

Supplementary To Question O566-12(2): Status Of "Working Toward A Common Future"

MR. KOE:

Thank you, Mr. Speaker. Will there be a phase

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two of this process?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question O566-12(2): Status Of "Working Toward A Common Future"

HON. STEPHEN KAKFWI:

Mr. Speaker, when the commission was set up, it was done in the closing hours of the last Legislative Assembly. I think Members will recall that in the last session there were some questions as to why funding was provided the way it was and, for instance, why there was no funding given for a public campaign on the plebiscite in the West. These were matters that

the last Legislature did in haste, and the budget that was provided for the commission was supported by the eastern Members because they were anxious to get on with Nunavut and the plebiscite, and they understood and supported the need on the part of the western MLAs to come up with a process, to begin a process to begin work on a constitution for a western territory.

Since then, as you know, the commission has spent its money and we have gone into a deficit budget. So when we had a meeting with the political leaders, part of my argument for taking time over the spring and summer to review the commission report and to allow it to go to the assemblies and to have the aboriginal organizations look at it carefully, is that in my view, if there is going to be a phase two, it has to be a very well thought out, well coordinated, package deal that has the full support of the Inuvialuit, the Metis, the Dene, and the different organizations that represent the Dene, and, as well, it has to be clear and understood by the Members of this Legislature. They do not want to jeopardize the ongoing work required for the western part of the Territories to work on a constitution by puffing a hastily developed package together. So I think whatever we do, it is going to take some argument to get all Members to provide funding for continuing on to phase two of the constitutional process.

So that was the reason for it. I think there will be an ongoing stage because that is one of the conditions for division: that there be an acceptable constitution developed for the western territory before division should proceed.

MR. SPEAKER:

I would like to take this opportunity to welcome a former colleague to the Legislative Assembly, a cabinet Minister holding many portfolios, a friend to all living things, Mr. Gordon Wray.

--- Applause

Mr. Lewis.

Question O567-12(2): Aven Seniors' Centre, Yellowknife

MR. LEWIS:

Thank you, Mr. Speaker. My question is to the Minister of Social Services. I have indicated that the Aven Seniors' Centre faces a deficit of over \$54,000 this year as a result of a reduction of commitment by

his department to the running of that centre. There has also been a reduction by CMHC of over \$2000 a month. If the centre decides to increase the amount of monthly cost from \$376 per month, then that will cause a reduction in the amount of commitment Social Services will make to the centre. And since there are as many as six people on the waiting list, does the Minister have any contingency plans so that those six people can be looked after somewhere else if this centre cannot fund the operation properly?

MR. SPEAKER:

Mr. Whitford

Return To Question O567-12(2): Aven Seniors' Centre, Yellowknife

HON. TONY WHITFORD:

Thank you, Mr. Speaker. I do not have the specific details on individuals. However, I am aware of the problem that the Aven Seniors' Centre is facing financially. I have met with the board personally on a couple of occasions, and so have the senior staff of my department, to discuss this matter. We are working on trying to resolve this unfortunate combination of events. As the Member points out, I do not have a contingency plan, because I am not aware of a plan.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Lewis.

Supplementary To Question O567-12(2): Aven Seniors' Centre, Yellowknife

MR. LEWIS:

Thank you, Mr. Speaker. Has the Minister, though, since he is aware of the situation - although he may not have all the details, he is aware of this principle, that if the centre decides to raise the amount, even a small amount - is he still committed to the principle that whatever they can raise has to be reduced from the contribution made by his department to that centre?

MR. SPEAKER:

Mr. Whitford.

Further Return To Question O567-12(2): Aven Seniors' Centre, Yellowknife

HON. TONY WHITFORD:

Thank you, Mr. Speaker. I am planning to take before cabinet a proposal on the senior citizens' centre, in the area of increasing the user fee.

MR. SPEAKER:

Oral questions. Mr. Koe.

Question O568-12(2): Resolving Concerns Of Aven Seniors' Centre

MR. KOE:

Thank you, Mr. Speaker. On the same subject the honourable Member for Yellowknife Centre was discussing, the Minister stated that he has met with the board and the senior officials of the Aven Seniors' Centre. What specific actions will the Minister take to resolve these concerns?

MR. SPEAKER:

Mr. Whitford.

Return To Question O568-12(2): Resolving Concerns Of Aven Seniors' Centre

HON. TONY WHITFORD:

Thank you, Mr. Speaker. Specifically, we are all aware of the deficit. We are aware that other facilities are facing similar deficits, and I am looking at ways of coming up with some money to offset the deficit for this particular year. That is all I can say on the matter at this point.

MR. SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question O568-12(2): Resolving Concerns Of Aven Seniors' Centre

MR. KOE:

These funding concerns are probably the same across the Territories in these types of facilities. Is the Minister developing, or looking at developing, any new policies or programs to deal with funding of these types of facilities?

MR. SPEAKER:

Mr. Whitford.

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Further Return To Question O568-12(2): Resolving Concerns Of Aven Seniors' Centre

HON. TONY WHITFORD:

Thank you, Mr. Speaker. Yes, I am, because the department is aware that there are a number of different facilities, and some of them operate on different funding formulas. I know in some communities there is a lot of pride taken in operating a facility from community resources, with some assistance from sponsoring agencies such as Social Services and Health. We do not want to get in and take over the whole of the operation and not allow these local groups to have a role to play in it, so it is difficult to come up with a broad brush policy on operation of facilities. That is why it has taken some time, but we are looking at the matter.

MR. SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question O568-12(2): Resolving Concerns Of Aven Seniors' Centre

MR. KOE:

Thank you, Mr. Speaker. I am also aware that this facility in particular cannot get any capital contributions. The question is, why cannot the Aven Seniors' Centre obtain any capital contributions from the government to fix up and maintain their facility?

MR. SPEAKER:

Mr. Whitford.

Further Return To Question O568-12(2): Resolving Concerns Of Aven Seniors' Centre

HON. TONY WHITFORD:

Thank you, Mr. Speaker. As I said, I have met with the board. I have received their concerns in written form. This is before the department, to try to resolve this. There are a number of complications, of course. We have several hoops to jump through here in order to obtain that kind of funding, and it is being looked at. It is not being ignored, Mr. Speaker.

MR. SPEAKER:

This is your last supplementary, Mr. Koe.

Supplementary To Question O568-12(2): Resolving Concerns Of Aven Seniors' Centre

MR. KOE:

Thank you, Mr. Speaker. The existing policies also seem to limit the ability of the Aven Seniors' Centre to raise or utilize private funding to maintain their operations and maintenance of the facility. Will the Minister be looking at this aspect also, and maybe look at the legislation and policy?

MR. SPEAKER:

Mr. Whitford.

Further Return To Question O568-12(2): Resolving Concerns Of Aven Seniors' Centre

HON. TONY WHITFORD:

Thank you, Mr. Speaker. I would like to thank the Member for the suggestion, and that will be included in anything that we do. Thank you.

MR. SPEAKER:

Oral questions. Mr. Arnagna'naaq.

Question O569-12(2): Progress Of Water Line In Arviat

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. My question is to the Minister of Municipal and Community Affairs. I wanted to find out the progress of the water line in Arviat. Thank you.

MR. SPEAKER:

Mr. Patterson.

Return To Question O569-12(2): Progress Of Water Line In Arviat

HON. DENNIS PATTERSON:

Mr. Speaker, we are still waiting for the snow to melt so that we can do the work necessary to survey a site, look at the water intake point and design the line, but I want to assure the Member that as soon as conditions permit, this project is going to be given a high priority by my officials. We are intending to bring materials in this summer and begin construction as soon as we can, but the climate has to permit the work to be undertaken. Thank you.

MR. SPEAKER:

Supplementary, Mr. Arnagna'naaq.

Supplementary To Question O569-12(2): Progress Of Water Line In Arviat

MR. ARNGNA'NAAQ:

Supplementary, Mr. Speaker, to the same Minister. I would like to know if he knows whether this water line will be built this summer. Thank you.

MR. SPEAKER:

Mr. Patterson.

Further Return To Question O569-12(2): Progress Of Water Line In Arviat

HON. DENNIS PATTERSON:

Mr. Speaker, as I say, there are some steps to be taken before we begin construction. One of the issues that I am informed is a preliminary requirement is that the department be satisfied that the water quality in Dion Lake and Wolf Creek and the reservoir satisfies the Canadian drinking water quality guidelines, since there does appear to be some concern about concentrations of iron in Dion Lake and Wolf Creek. We are still awaiting more information, particularly test results from samples that were collected in May from under the ice of Dion Lake and the reservoir.

I can tell the Member that, assuming the water quality is found acceptable, I have requested \$275,000 through the capital outlook process in order to order the pipe for purchase this summer. My department tells me that the water pump and other material would likely have to be purchased the following year, with a view to start-up in the fall of 1993, but work will commence this summer, assuming the water quality is satisfactory, on the pipeline portion of the project. Thank you.

MR. SPEAKER:

Supplementary, Mr. Arnagna'naaq.

Supplementary To Question O569-12(2): Progress Of Water Line In Arviat

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. My second question should have been a yes or no answer. This water pipeline

has been requested for the past 10 years or so from the community of Arviat. I do not understand why all these studies could not have been done in that time. I still did not quite understand whether this will be operational this summer for the fall, or whether it will be operational next summer. Thank you.

MR. SPEAKER:

Mr. Patterson.

Further Return To Question O569-12(2): Progress Of Water Line In Arviat

HON. DENNIS PATTERSON:

Mr. Speaker, I will try to be succinct. If water quality is found to be satisfactory, the pipe work will take place this summer, but the start-up is not anticipated until the following year, the fall of 1993. At the moment, it will be proceeding in two stages over two years.

MR. SPEAKER:

Mr. Todd.

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Question O570-12(2): NWT Power Corporation Franchise Agreements

MR. TODD:

Thank you, Mr. Speaker. My question is for the Minister responsible for the NWT Power Corporation. In reviewing the franchise agreement between the NWT Power Corporation and municipalities, they are working toward a 10-year franchise agreement as opposed to a five or three-year franchise agreement. Could the Minister advise the House why we are looking at a 10-year franchise agreement?

MR. SPEAKER:

Ms. Cournoyea.

Return To Question O570-12(2): NWT Power Corporation Franchise Agreements

the Power Corporation in the event that it gains access to alternate energy systems over the next 10 years?

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question O570-12(2): NWT Power Corporation Franchise Agreements

HON. NELLIE COURNOYEA:

Mr. Speaker, I believe the Power Corporation in conducting its business is conducting its business whether it is two corporations, or one corporation. The business plan is to encourage the procurement of power which the Power Corporation would then distribute. So certainly in the development of alternative power, the corporation is quite prepared to buy that power and redistribute it

HON. NELLIE COURNOYEA:

Mr. Speaker, I am pleased to be answering this question to a businessman who generally knows that it is necessary to plan investments in the long term

--- Laughter

The Power Corporation sees that many of the power projects that we have and are committed to installing require a certain amount of resources and revenues to be attained. It was felt that a 10-year commitment from communities would allow an overall planning cycle which would guarantee adequate power to the consumers in those different communities.

MR. SPEAKER:

Supplementary, Mr. Todd.

Supplementary To Question O570-12(2): NWT Power Corporation Franchise Agreements

MR. TODD:

As long as the government is paying for it, I guess there is no problem. Anyway, recognizing that in the next decade there will be an unprecedented change in the political and constitutional status in northern municipalities, including the new relationship with Eastern Arctic communities which will be forged under a Nunavut government and possibly the emergence of some sort of district governments in the new western territory, why is the corporation sitting now with a 10-year franchise framework for power delivery which could encumber and obstruct the emergence of the new political structures at the community level?

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question O570-12(2): NWT Power Corporation Franchise Agreements

HON. NELLIE COURNOYEA:

Mr. Speaker, when we attained the Power Corporation transfer from the federal government and formed our own corporation, it was important that we knew what the assets were and where the activities were likely to occur and the expenses. I would assume that if the Power Corporation were split, these 10-year franchises would be equally important as a favourable asset to a new corporation.

MR. SPEAKER:

Mr. Todd, supplementary.

Supplementary To Question O570-12(2): NWT Power Corporation Franchise Agreements

MR. TODD:

In response to my December 17, 1991, question to the Minister, the Minister told the House that communities entering into these franchise agreements with the NWT Power Corporation would not be precluded from considering alternate power sources such as hydro and wind-generated power. Would she be prepared to outline the process through which community government, Nunavut government, district government, will be able to vary this franchise agreement with

Question O571-12(2): Aboriginal Residents Registering For Business Incentive Policy

MR. GARGAN:

Thank you, Mr. Speaker. I would like to direct my question to the Minister of Transportation. This spring there were several bids submitted for spraying of water on the Mackenzie Highway. One of the bids was from an aboriginal person from a community. His bid was low enough that he could have qualified; however, he did not qualify because he did not register for the northern preference policy. Are permanent aboriginal residents who have businesses or start businesses required to register in order to qualify them for those points necessary to be awarded those contracts?

MR. SPEAKER:

Mr. Minister.

Return To Question O571-12(2): Aboriginal Residents Registering For Business Incentive Policy

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. Under the business incentive policy, I am told that everyone in the NWT, including aboriginal people, is required to submit their business incentive policy application in order to qualify for business incentive in the NWT.

MR. SPEAKER:

Mr. Gargan, supplementary.

Supplementary To Question O571-12(2): Aboriginal Residents Registering For Business Incentive Policy

MR. GARGAN:

Mr. Speaker, why is it that aboriginal people should register? Those are the people who are here, and we know they are going to stay here and whatever business they have is going to be developed and stay in the North. I do not know why they should register themselves in order to qualify for government contracts.

MR. SPEAKER:

Mr. Allooloo.

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I do not know all the background on the business incentive policy with respect to aboriginal people. I would like to take the question as notice and give a proper answer to the Member.

MR. SPEAKER:

The question has been taken as notice. Mr. Antoine,

Question O572-12(2): Facilities Review Of Community Health

MR. ANTOINE:

Mahsi, Mr. Speaker. Yesterday the Minister of Health told this House that the department had completed the review of community health facilities. This government has stated many times that it is committed to the principle of open

government. I assume the Minister is prepared to table this report to ensure that all citizens have access to this important information. Is the Minister prepared to table the review and recommendations of the community health facilities during the current session?

MR. SPEAKER:

Ms. Cournoyea.

Return To Question O572-12(2): Review Of Community Health Facilities

HON. NELLIE COURNOYEA:

Mr. Speaker, I am quite prepared to table the report, and the only caveat I would put on it is to see if we had made a commitment to make sure that Fort Simpson got that report first. So as soon as I check that, I am quite prepared to table it.

MR. SPEAKER:

Ms. Mike.

Question O573-12(2): Evaluating Implications Of Division On Government Infrastructure

MS. MIKE:

Thank you, Mr. Speaker. The process through which the NWT divides to form a new political entity will require careful planning and strong leadership. My question will be to the Minister of Finance. Can the Minister advise the House whether he has given any direction to his department to develop a process for evaluating the implications of division on the government infrastructure of the new territory?

MR. SPEAKER:

Mr. Pollard.

Return To Question O573-12(2): Evaluating Implications Of Division On Government Infrastructure

HON. JOHN POLLARD:

No, I have not, Mr. Speaker.

MR. SPEAKER:

Ms. Mike, supplementary.

Supplementary To Question O573-12(2): Evaluating Implications Of Division On Government Infrastructure

MS. MIKE:

Thank you, Mr. Speaker. Supplementary to the Minister of Finance. Would he consider issuing a directive which requires each deputy minister to ensure that all GNWT departments establish a formal plan for long-range organizational shifts necessary for the delivery of programs and services within Nunavut government?

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O573-12(2): Evaluating Implications Of Division On Government Infrastructure

HON. JOHN POLLARD:

Mr. Speaker, there has been some discussion with regard to the division of the NWT. It becomes a very complex procedure, and I think we realize that it is going to have to be done, You saw in the decentralization package that was put forward that there were allowances there for division. I think what needs to be done is for the commission to be formed and for there to be a work plan and list of tasks given to different Ministers or departments. That is what I am waiting for, Mr. Speaker, and I expect those instructions to come through the Premier when that work plan is done.

MR. SPEAKER:

Oral questions, Mr. Gargan.

Question O574-12(2): Number Of Abortions Performed In NWT

MR. GARGAN:

Thank you, Mr. Speaker. On March 30, 1 asked a question to the Minister of Social Services with regard

MR. SPEAKER:

That would be the Minister of Health, Ms. Cournoyea.

Return To Question O574-12(2): Number Of Abortions Performed In NWT

HON. NELLIE COURNOYEA:

Mr. Speaker, I will look into that question, but I am fairly positive that that question has been answered. I will seek and find the correspondence and make sure that it gets to the honourable Member.

MR. SPEAKER:

Oral questions. Item 6, written questions. Mr. Nerysoo.

ITEM 6: WRITTEN QUESTIONS

Question W35-12(2): Provision Of Legal Counsel To Municipal Councils

MR. NERYSOO:

This is a written question to the Minister of Municipal and Community Affairs.

1) Would the Minister indicate if any legal opinions have been provided to municipal councils, or the extent of their authority to: a) approve or reject business licences; b) approve or reject permits for access to gravel or granular sources; c) approve or reject permits for land application?

2) Would the Minister provide me with any additional information that is provided by the department or the legal limitations or parameters that might be used in making decisions on these matters?

Question W36-12(2): Department Of Transportation Guidelines For Use Of Construction Equipment

I have another written question to the Minister of Transportation.

1) Would the Minister indicate the reasons why "packers" are not being used for maintenance or reconstruction on the Dempster Highway?

2) Would the Minister provide the department's policy or guidelines for the use of such equipment?

3) Would the Minister indicate the differences of policy between the Yukon government and the Government of the NWT on the use of this type of equipment?

MR. SPEAKER:

Thank you, Mr. Nerysoo. Written questions. Mrs. Marie-Jewell.

Question W37-12(2): Status Of The Board Of Management For Alcohol And Drug Services

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have a written question for the Minister of Social Services. Would the Minister please provide to this House the following information

regarding the board of management for alcohol and drug services:

a) When was the last date of the board of management meeting;

b) a list of current membership and their communities of residence;

c) all dates of expiry or appointments to the board of management;

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d) the next date when the board of management is scheduled to meet; and

e) the cost of board travel and meetings for each fiscal year it has operated?

MR. SPEAKER:

Thank you. Written questions.

Item 7, returns to written questions. Returns to written questions.

Item 8, replies to Opening Address. Replies to Opening Address.

Item 9, petitions. Petitions. Item 10, reports of standing and special committees. Mr. Koe.

ITEM 10: REPORTS OF STANDING AND SPECIAL COMMITTEES

Committee Report 11-12(2): Interim Report Of The Standing Committee On Agencies, Boards And Commissions On The Review Of The Workers' Compensation Board

MR. KOE:

Mahsi, Mr. Speaker. The standing committee on agencies, boards and commissions, under the authority given to it by this House, has been reviewing matters related to the NWT Workers' Compensation Board. The standing committee has met on several occasions during the second session of the 12th Legislative Assembly, and public hearings were held in Yellowknife from May 11 to 13, 1992. Verbal, written and telephone submissions were received from organizations and individuals involved in the workers' compensation system.

While the primary focus of this comprehensive review has been to consider the structure, accountability and statutory authority of the board, the standing committee has also examined a range of policy and legislative matters pertaining to, or arising from, board operations.

A full report on the findings of the comprehensive review will be tabled during the current June, 1992, sifting of the Legislative Assembly. However, the standing committee on agencies, boards and commissions has taken the position that certain matters related to the Workers' Compensation Act require immediate attention. To this end, an interim report has been prepared with recommendations for action at the earliest possible opportunity.

Some general observations and recommendations. Workers in the NWT must know that there is an adequate system in place to provide them with financial assistance in the event that they become injured or ill as a result of their workplace duties. In the NWT, as in other Canadian jurisdictions, this system is administered by the Workers' Compensation Board. The standing committee on agencies, boards and commissions is aware of the critical role that is played by the Workers' Compensation Board. It is also mindful of longstanding principles which have required the administration of Workers' Compensation claims to take place at an arm's length from government. However, the standing committee takes the position that responsibility for ensuring that the activities of the Workers' Compensation Board adequately meets the needs of all workers in the NWT is vested with the Legislative Assembly. Responsibilities for selecting and vetting appointments to the board and for ensuring that Workers' Compensation operates within a sound legislative framework are shared by the Executive Council and the Legislative Assembly.

In partial fulfilment of these responsibilities, the standing committee on agencies, boards and commissions, on December 16, 1991, tabled Committee Report 3-12(1) to

outline its work plan for the 1992-93 fiscal year. At that time, the standing committee stated its intention to carry out a comprehensive review of organizational and operational aspects of the Workers' Compensation Board. During the course of the review, the standing committee has had an opportunity to review a wealth of information available as documentation and through the receipt of public submissions.

The standing committee on agencies, boards and commissions has been concerned by much of the information it has received. Certain deficiencies in legislation or policy, and some administrative practices within the Workers' Compensation Board have drawn the particular attention of the standing committee Members. These will be identified, and in several cases recommendations for revisions will be forthcoming, with the comprehensive report to follow.

However, the standing committee on agencies, boards and commissions was critically concerned by suggestions that the Workers' Compensation Board has fallen into a pattern where the interests of injured workers have been treated with insensitivity and disregard. This, if true, cannot be tolerated.

During public hearings the standing committee heard from a number of injured workers who had been, to greater and lesser extents, dissatisfied and frustrated in their dealings with the Workers' Compensation Board. Members of the committee were fully aware that this sampling of opinion may not be reflective of the experience of all claimants, perhaps not even the majority. Yet the very apparent pain in which some of these workers have found themselves following workplace injury cannot be denied. There are aspects to the operation of the Workers' Compensation Board that are leading some injured workers to believe that they have not been treated in a sensitive and fair manner.

Problems Of WCB Insensitivity Not With Staff

As the standing committee on agencies, boards and commissions looked further into this question of sensitivity, it became increasingly apparent that the problem does not lie with the staff who deliver front line service to the injured workers. In fact, the committee has found that quite the opposite is true.

AN HON. MEMBER:

Hear, hear!

MR. KOE:

Upon reviewing the testimony from public hearings and the documents provided, the standing committee found many examples of situations in which adjudicators, rehabilitation counsellors and other staff within the Workers' Compensation Board have treated claimants professionally and have been willing to go that extra mile on their behalf. Clearly, the problem lies not with the individuals who work within the board

infrastructure but rather with the legislative policy and decision-making framework in which they must operate,

The standing committee became aware early on in the process that the Workers' Compensation Act has remained substantially unchanged since 1977. This is despite significant changes that have taken place within the Northwest Territories. New concepts of occupational injury and disease, new principles surrounding workplace health and safety, and an evolving form of ministerial government within our northern political system have all emerged since that time. The legislation has not kept pace and presently does not reflect any of those elements.

Clearly, where insensitivity exists with a workers' compensation system, this can be attributed to insensitive and outdated legislation, inadequate organizational structure, and improperly focused policies. This is not the result of the hard-working

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staff at the Workers' Compensation Board.

--- Applause

This situation cannot be allowed to continue. Members of the standing committee could empathize with the feelings of injured workers who believe they are being mistreated by board practices and with the staff who are in the position of having to work within an insensitive statutory and policy environment.

Several recommendations will be forthcoming in the standing committee's comprehensive report. However, the standing committee was aware that certain deficiencies within the Workers' Compensation Board require immediate attention and to that end has brought forward this interim report to deal with two matters of urgent concern.

Year's Maximum Insurable Remuneration

The first matter is the year's maximum insurable remuneration. In the opinion of the standing committee on agencies, boards and commissions, the most pressing example of insensitivity to workers' needs had to do with the level established in the Workers' Compensation Act for the year's maximum insurable remuneration, or what we call YMIR. In the act, the YMIR is defined as follows:

"The year's maximum insurable remuneration means the maximum remuneration for any year for the

purposes of determining the benefits payable in respect of an accident that occurs in the year and for determining the amount of the assessable payroll of an employer for the year and is equal to \$40,000."

This definition is critical to the administration of the Workers' Compensation Act as it provides the basis for the board's system of remunerating injured workers and of assessing employers.

The standing committee on agencies, boards and commissions was concerned to learn that the level of the YMIR has not been adjusted since 1988. This has definite implications for injured workers who receive WCB pensions in the Northwest Territories. Persons who are earning more than \$40,000 per annum at the time of their injury must immediately face a drastic lifestyle adjustment when their yearly remuneration drops to the YMIR level. Given that these individuals and their families have often faced personal spending limits on pre-injury salary levels, they are often confronted with mortgage, vehicle, and personal loan payments that suddenly become impossible to make. The cost of living in the Northwest Territories cannot often be borne by persons on disability pensions, and our communities see the loss of the skills and talents of hard-working people who are then forced to move to southern Canada.

Our first recommendation, Mr. Speaker: Clearly, immediate action is in order to raise the YMIR and provide relief to workers who are injured in the Northwest Territories. Accordingly, the standing committee on agencies, boards and commissions recommends that the Workers' Compensation Act be amended prior to the conclusion of the June sitting of this House to increase the year's maximum insurable remuneration; and further, that the Minister responsible for the Workers' Compensation Board consider the concept of indexing the YMIR so that yearly increments can be made without the passage of amendments to the Workers' Compensation Act.

Legislative Review Process

Recommendation number two is related to legislative review process. Without a doubt, there is an urgent need for a comprehensive review of the Workers' Compensation Act. Although independent panels were established for the review

of the act, both in 1986 and 1989, the recommendations which came forth were not followed through as legislative initiatives. The review process which takes place must be a fully public exercise.

Opportunities should be available for input and guidance not only from the larger industry associations and organized labour but also from workers and employers throughout the Northwest Territories who are less formally affiliated with public interest groups.

--Applause

The review should be driven by the need to make needed revisions to the act, and responsibility for operationalizing the review should rest with the Legislative Assembly. There must be a recognition that, just as it is important for the Workers' Compensation Board to exercise its jurisdiction over the administration of the act, it is vital that the Legislative Assembly maintain responsibility for the legislative process.

During the first session of the 12th Legislative Assembly, a new legislative process was introduced which vastly increases the level and type of public participation included in reviewing proposed legislation. One aspect of that process involves the preparation of a legislative action paper to outline principles and substance for inclusion in a proposed bill. There is an opportunity for the Assembly to then use its system of standing committees to receive public input on matters included in the legislative action paper before a bill is even drafted. When the bill comes forward, it reflects the input received from this preliminary review and is again subject to a more technical public and committee scrutiny following second reading.

Mr. Speaker, recommendation number two: This is the process favoured for review of the existing Workers' Compensation Act. Therefore, the standing committee on agencies, boards and commissions recommends that the Minister responsible for the Workers' Compensation Board prepare a legislative action paper outlining proposed areas for amending the Workers' Compensation Act, for tabling prior to December 31, 1992.

--- Applause

Mr. Speaker, this concludes the standing committee on agencies, boards and commissions' interim report on the Workers' Compensation Board.

Motion To Move Committee Report 11-12(2) To Committee Of The Whole, Carried

To permit further discussion on the report and its recommendations, I move, seconded by the honourable Member for Yellowknife Centre, that the interim report on the Workers' Compensation Board be moved into committee of the whole for consideration.

MR. SPEAKER:

The motion is in order, Mr. Koe. All those in favour of the motion? Opposed? The motion is carried.

--- Carried

The interim report on the Workers' Compensation Board will be put into committee of the whole. We will take a short break.

--- SHORT RECESS

The House will come back to order. We are on Item 11, reports of committees on the review of bills. Item 11, reports of committees on the review of bills.

Item 12, tabling of documents.

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Item 13, notices of motions.

Item 14, notices of motions for first reading of bills. Item 15, motions. Motion 18-12(2).

ITEM 15: MOTIONS

Motion 18-12(2): Government Leader's Authority Regarding Ministers

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker.

WHEREAS the Legislative Assembly has chosen a Government Leader to lead the Government of the Northwest Territories;

AND WHEREAS the Government Leader has the overall responsibility for the management and direction of the cabinet of the Northwest Territories;

AND WHEREAS the Government Leader has been given the responsibility to assign Ministers authority over departments, boards and agencies of the Government of the Northwest Territories;

AND WHEREAS the Government Leader has also been granted the responsibility to reassign, discipline

or accept a resignation of a Minister or Ministers who have been assigned responsibilities by her;

AND WHEREAS the Government Leader has received undated letters of resignation from her Ministers to enable her to carry out this responsibility;

AND WHEREAS Members of this Legislative Assembly have expressed concerns with the performance of some Ministers of the cabinet:

AND WHEREAS a lack of confidence has been expressed in Members of the cabinet;

AND WHEREAS the Government Leader has taken no visible action to correct the concerns expressed by the Members of the Legislative Assembly;

NOW THEREFORE, I move, seconded by the honourable Member for Baffin Central, that this Legislative Assembly requests the Government Leader to immediately address the concerns of Members regarding a lack of confidence in her Ministers;

AND FURTHER, that the Government Leader exercise the responsibilities given her regarding reassigning, disciplining or acceptance of resignations of Ministers;

AND FURTHER, that the Government Leader report to the House by June 24, 1992, on what measures and actions she intends to take regarding the expressed concerns and discontentment toward her Ministers by Members of the Legislative Assembly.

MR. SPEAKER:

The motion is in order. To the motion, Mrs.

Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. Yesterday

I allowed the motion of non-confidence in the Hon. Tony Whitford to be stood down on the order paper because many Members felt it is the responsibility of the Government Leader to address the concerns Members have in the lack of

confidence in her Ministers. It is not my intention, Mr. Speaker, to play games, as alleged yesterday, toward the Members. Many Members felt that not only is there a lack of confidence but also a disappointment

in how some Ministers fulfill their duties and responsibilities.

Mr. Speaker, Members have previously met with the Government Leader and indicated their concerns, particularly with the Minister of Social Services. However, the response was that the Government Leader felt it meant if Members are concerned and if her Ministers do not believe her in relaying the ordinary Members' concerns, then it is the responsibility of the ordinary Members to express these concerns directly to the appropriate Minister. All the ordinary Members believe that her request is wrong. The Government Leader placed her name forward to lead this government and to act on concerns.

When the Government Leader met with the ordinary Members, many Members expressed discontentment with the Minister of Social Services, but nothing was done. There are Members that still have concerns with the inability of the Minister of Social Services, that the only method to address that concern is to take the Minister out of this House, which ordinary Members feel is not the appropriate procedure. They strongly feel that it is the Government Leader's job to address this particular concern.

The Government Leader agrees, to some degree I believe, that her Minister is somewhat weak, and we wonder why something is not being done about it.

My main concern, Mr. Speaker, as a Member, is that the current Minister of Social Services is not being fair to cabinet by being allowed to have only one portfolio. I agree with many other Northerners that Mr. Whitford is a very nice man with an academic degree.

However, in my opinion, he is not politically astute to fulfill his responsibility. He does not appear to have the ability to make decisions. When I spoke to the Government Leader on this inability to address issues and the unfairness of cabinet responsibilities in how they are distributed, she stated to me that Social Services was a department which could take up one Minister's time, which I fully agree. It could be a department that could be allowed for one Minister to fulfill his responsibility in a pro-active manner. But the fact of the matter is that nothing is being done in Social Services. There is no money to address anything pro-active in Social Services; and further, Mr. Speaker, when did our government ever allow for one Minister to take on only one department and a minor agency, while at the same time other Ministers take on four or five departments? I believe that is unfair.

Taking into consideration the current Minister of Social Services has only one department, and it is not that he should have more, it is a question of, can he handle more? He has already resigned as Minister of Health. A significant portion of his Department of Social Services, corrections, is going to move to Justice. Corrections has 237 PYs and a budget allotment of \$19,577,000. In total, Social Services will be going from 430 PYs to 193 PYs, and from the current \$90 million to an approximate reduction of \$70 million, which no doubt will be a significantly smaller department to manage. I wonder if this is going to be allowed to continue.

Unfortunately, I have to state publicly, Mr. Speaker, I have no confidence in the Minister of Social Services as a Member. As I previously stated, it is unfair to allow one Minister to let other Ministers carry more responsibilities. It is unfortunate that many of my colleagues on this side of the House strongly feel it should be the Government Leader who addresses this general lack of confidence in the Ministers, and it should be she who addresses this issue. Mr. Speaker, I do not share the same point of view. I believe we, as Members, place

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Ministers in the cabinet. The Government Leader was deprived of being allowed to choose her cabinet, so I believe it is the responsibility of Members to address concerns we have toward Ministers of the cabinet.

MR. SPEAKER:

Point of order, Ms. Cournoyea.

Point Of Order

HON. NELLIE COURNOYEA:

Mr. Speaker, not to be disrespectful, and not to take away the right of a person to put a motion, but as a point of order there are several references or comments that were made outside this House, and they were not quite accurate, Mr. Speaker.

MR. SPEAKER:

If I could caution Members in a debate of this nature, which is a very difficult type of debate, if Members could be very cautious in making references to discussions or meetings they had outside of this House, where all Members of this House do not have knowledge of that meeting, because it allows for some interpretations which different Members might

find a little difficult; so could I ask Members to be quite cautious and respectful of each other as we carry on this debate. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. The Government Leader may feel that some of the comments are not true, but I believe they are. I have made a concerted effort with the ordinary Members to agree to a compromise position of not only stating publicly that I do not have confidence in the Minister of Social Services, but would further state as ordinary Members that there is a concern about other Ministers.

There is a general malaise by some ordinary Members that there is nothing being done in Economic Development. There is a general feeling that the Minister of Education is not fulfilling his responsibilities, and the same Minister appears to be in conflict with the Department of Culture and Communications by his recent conduct. There is a disappointment with the way Mr. Patterson conducts himself, specifically that he has difficulty in treating all Northerners fairly. The reason for the motion being developed...

MR. SPEAKER:

Excuse me. Mrs. Marie-Jewell, if I could please emphasize again, if Members would be very cautious about what could be perceived as allegations of motives imputed to other Members. This House only works when we show respect to each other, so I would ask Mrs. Marie-Jewell and all Members if they could please respect that as we go through what is always a difficult type of debate. Thank you.

MRS. MARIE-JEWELL:

Mr. Speaker, I am trying to speak within the motion, and it is unfortunate that I have to speak the truth. I want to indicate to the public that there was a motion of censure already placed on Mr. Patterson on the cabinet. The reason for the motion being developed was due to a compromise position among the ordinary MLAs to bring forth the concerns publicly. Mr. Speaker, I have also stated that the goal of the Ordinary Members is to address the lack of confidence of Members towards the Ministers, but because of our system, which gives the Government Leader authority to address this concern, I agreed to place forth this motion in lieu of my previous motion.

Mr. Speaker, I realize the Government Leader stated she could not, or would not accept the Minister of Social Service's resignation because he did not do anything wrong. But I wonder, when a person does not do anything, how can one do anything wrong?

With these comments, Mr. Speaker, it is unfortunate if I have offended some. However, I will allow my other colleagues to speak to the motion. Thank you.

MR. SPEAKER:

Secunder to the motion, Ms. Mike.

MS. MIKE:

(Translation) Thank you, Mr. Speaker. In the comments to the motion, Mrs. Marie-Jewell mentioned everything. I agree with her that the Minister of Social Services has one department to look after, and the other Ministers have three or four departments. Also, I was concerned as well that the Government Leader has difficult work to do. I wonder if one department should be taken from her so that she can do her job better. We were discussing this issue in committee of the whole.

We are not saying that Mr. Whitford is a bad person. He is my friend. but we are not working properly together. When he is not carrying out his job properly when he is looking after Social Services, I do not really have confidence in him any more. Thank you, Mr. Speaker.

MR. SPEAKER:

To the motion. Mr. Lewis.

MR. LEWIS:

Thank you, Mr. Speaker. The motion is a very broad motion. It covers an awful lot of territory. I would like, however, Mr. Speaker, to point out that we did in a democratic fashion have a choice between two what I thought to be exceptionally good candidates for the leadership of this government. I spent a lot of time thinking about it. I spent so much time that eventually, even on the last day, I wondered which way I was going to go. I make no secret that I decided in the long run that I would choose Mr. Kakfwi to be the leader of our government. However, I was equally delighted when this group of people decided that we wanted to have Madam Cournoyea be our leader. I was quite happy. I respected the democratic process, and I had confidence that she listens, that she watches what is going on; she is a very experienced

person. She has been in politics now for a long, long time. I remember, in fact, 20 years ago when she was with COPE. So I respect the kind of background, the knowledge, and the deep understanding that she has of the Northwest Territories.

In responding to this motion, Mr. Speaker, all I am doing is to support it knowing full well that this leader will do what she has to do to make this an effective, functioning government. She was given a chance to think through what she was going to do with the assignments that she had given to people. She meets with people on a regular basis, every day. We do not do that. Every day she sees what every individual does, and she is aware of the weaknesses and the strengths of individuals because every one of us has strengths and weakness, and we all have to recognize that.

So in supporting the motion I am supporting it because I have every confidence that our leader will do what she thinks is right for the best functioning of this government. Thank you.

MR. SPEAKER:

To the motion. To the motion. Mr. Gargan.

MR. GARGAN:

Mr. Speaker, I have read the motion, and basically the direction that has been given is that the motion is directing the Government Leader to take some course of action with regard to disciplining some of the Ministers because some Members on this side no longer have confidence in the performance of some of the cabinet Members.

Originally, Mr. Speaker, when we selected the Government Leader, we selected the Government Leader on the basis that she was going to perform the duties that are being asked in this motion. I did not vote for Ms. Cournoyea as the Government Leader, but at the same time, I am also of the same opinion as Mr. Lewis is, and that is to say that once the

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selection was done, I accepted it, and I have accepted Ms. Cournoyea for that task.

The difficulty I have with the motion is that we are telling her the same thing again that we told her when we first selected her as the Government Leader. But

in particular, one of the things that I also have difficulty with is with regard to the non-confidence in some of the Ministers. Naturally, I have that notion, too, that when the Ministers were chosen, I was not confident that some of the Ministers chosen would do their jobs. But after the selection was done, I naturally agreed with the rest of the Members here that they were confident in every Minister that they selected to be sitting on the other side, and I continue to maintain that confidence in the eight Members. One of the difficulties I find, Mr. Speaker, is that I have not seen any indication by the performance of the Ministers that they are incompetent. I have not seen it to date. I do not know what the reasons for, or the intent of, the motion are.

I am not too sure whether or not we are making this motion for any wrong reasons or for any right reasons. For that reason, Mr. Speaker, I still feel confident that the Government Leader has a role to play and that I believe she will act accordingly. But as far as non-confidence, it really would be up to the Government Leader to decide whether or not there is. For that reason -- I am sure other Members will be speaking after me -- I cannot support the motion. Thank you.

MR. SPEAKER:

To the motion. Ms. Cournoyea.

Point of Order

HON. NELLIE COURNOYEA:

Mr. Speaker, I think as a point of order I would like to get a clarification from you. I know that the Members tried very hard to put a motion forward that would be not damning to one individual person, but with the preamble I am a bit concerned. If this motion is supported, is the preamble indicating non-confidence in the people that are being mentioned here? Thank you.

MR. SPEAKER:

In response to the point of order raised by the Government Leader, the "whereases" do not form an official part of the motion, and it is not for the Chair to interpret exactly the thinking that goes into each "whereas." We have in this House hundreds of motions and probably thousands of "whereases." The Chair will concern itself with the motion itself, and as I have already ruled, the motion is in order. To the motion. Mr. Koe.

MR. KOE:

Thank you, Mr. Speaker. I will be supporting the motion. I have been concerned and have expressed this publicly in certain forums about the lack of action by certain Members of cabinet, and I know these Members in cabinet and ourselves, this whole government, have been hampered by budget restraints and other issues that have taken up their time and energies. However, all of the Members on cabinet are not new; they have been here before, and I think a lot of the happenings and actions are as a result of prior administrations, and I am not going to take responsibility for that.

However, as for the motion, I feel the Government Leader must act and take on the responsibility empowered her by this Assembly. Members have spoken with her in private on a lot of concerns and issues, and I think it is time now to be visible, be responsible, be accountable. Mahsi.

MR. SPEAKER:

To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER:

Question has been called. I would ask the mover of the motion if she would care to conclude debate.

MRS. MARIE-JEWELL:

Mr. Speaker, I do not have any further comments; I have said them all, but I would like to ask for a recorded vote.

Motion 18-12(2), Carried

MR. SPEAKER:

A recorded vote has been requested. All those in favour, please rise.

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Arvaluk, Mr. Pudlat, Mr. Dent, Ms. Mike, Mr. Nerysoo, Mrs. Marie-Jewell, Mr. Zoe, Mr. Koe, Mr. Antoine, Mr. Todd, Mr. Lewis.

MR. SPEAKER:

All those opposed, please rise.

CLERK OF THE HOUSE:

Mr. Gargan.

MR. SPEAKER:

All those abstaining, please rise.

CLERK OF THE HOUSE:

Mr. Allooloo, Mr. Pollard, Ms. Cournoyea, Mr. Kakfwi, Mr. Whitford, Mr. Patterson.

MR. SPEAKER:

Eleven votes in favour, one vote opposed, six abstentions. The motion is carried.

--- Carried

Item 16, first reading of bills.

Item 17, second reading of bills. Item 18, consideration in committee of the whole of bills and other matters: Tabled Document 9-12(2), Strength at Two Levels; Tabled Document 10-12(2), Reshaping Northern Government; Motion 6-12(2), Discussion on Sobriety Clause in Contribution Agreements; Committee Report 10-12(2), Special Committee on Constitutional Reform Report on the Multilateral Conferences on the Constitution; Committee Report 11-12(2), Interim Report on the Workers' Compensation Board, with Mr. Arvaluk in the chair.

ITEM 18: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Arvaluk):

The committee will come to order. What is the wish of the committee? Mr. Koe.

MR. KOE:

Thank you, Mr. Chairman. I would like to deal with Committee Report 11-12(2), Interim Report on the Workers' Compensation Board.

CHAIRMAN (Mr. Arvaluk):

Is the committee agreed?

SOME HON. MEMBERS:

Agreed.

--- Agreed

Committee Report 11-12(2), Interim Report Of The Standing Committee On Agencies, Boards And Commissions On The Review Of The Workers' Compensation Board

CHAIRMAN (Mr. Arvaluk):

Thank you. The chairman of the agencies, boards and commissions committee would like to make some comments.

MR. KOE:

Thank you, Mr. Chairman. The standing committee on agencies, boards and commissions deliberated long and hard on the review of the Workers' Compensation Board, and I believe the report which I read into the record this afternoon, very clearly expresses the feeling of Members while reviewing this report. I also indicated that this is an interim report, and that a more comprehensive report on the Workers' Compensation Board will be reported on further on

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in this sitting.

However, I think the two recommendations that were made are very crucial and important and should be giving direction to the government to act on very, very quickly. These are two areas that are very important and deal with two issues that are of major concern to all people working and dealing with the Workers' Compensation Board.

I would also like to reiterate the statements made about the employees of the Workers' Compensation Board. The expressions of insensitivity were not directed at them as employees, but they were directed basically at the poor or outdated legislation which forces employees to create policies within which to work and to deal with this type of legislation. Because of this, I think the injured workers, other people who apply for compensation and deal with the board, feel it is employees. But we as Members very strongly feel that it is not the staff and that we have to deal with the major issue; that being the issue of poor legislation. One of the recommendations we will be making is to look at addressing and reviewing some form of new legislation.

I have a couple of motions to make, and I will make those after general comments. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Arvaluk):

Thank you. General comments. Mr. Nerysoo.

MR. NERYSOO:

Thank you, Mr. Chairman. Members will know that I am an alternate with regard to the committee. I was involved in working with my colleagues in developing the report. I want to make a couple of observations about the interim report.

One, I want to express my personal appreciation to the standing committee on agencies, boards and commissions and all the Members that went beyond some of the personal criticisms that were, at times, directed toward the staff. I think the thoughtfulness of the interim report and the remarks that have been made about the staff that work at the Workers' Compensation Board are extremely helpful to the morale of those people. I think the noted concerns that you have expressed and the recommendations that you have made will go a long way to address the concerns of those injured workers that have raised concerns. I think that once we get into reviewing the overall legislation, you will find that we will be better able to address many of the concerns that the workers have expressed, I think it is significant, and I thank the Members and the chairperson, Mr. Koe, for being thoughtful and considerate in the remarks that he made in his report.

CHAIRMAN (Mr. Arvaluk):

Mr. Patterson.

HON. DENNIS PATTERSON:

Thank you, Mr. Chairman. The government will respond to this report in the usual fashion. I am not proposing to respond to the recommendations here today, although they are thoughtful and helpful to myself as Minister responsible for the Workers' Compensation Board. I look forward to working with the committee to respond to these recommendations and to respond to the other comprehensive recommendations which I know will follow with their next report,

But at the risk of overstating it, I would also like to make the point that Mr. Koe and Mr. Nerysoo have made. I am pleased that the committee has been fair to the hard-working employees in the Workers' Compensation Board in noting that where there are frustrations and pain experienced on the part of workers, the problem is with the insensitive, outdated policy and legislation and not insensitive employees.

The problem does not lie with the staff, and that is appreciated. It is

appreciated that the statement has been made so clearly in this report, because I know that some comments made in conjunction with the review and some press reports have caused some of the hard-working employees at the WCB to have a downturn in their morale and their sense of personal worth. I think this report today has clearly addressed that issue up front, and I would like to thank the Member for the fairness that has been shown to workers who are operating in a very difficult environment with outdated legislation and with people whose expectations cannot always be met through no fault of their own. So I want to thank the committee for that, and I will respond to the report as expeditiously as possible. I am confident we will have the co-operation of the Assembly in dealing with recommendations, should the government choose to act quickly. Thank you.

CHAIRMAN (Mr. Arvaluk):

Thank you, Mr. Patterson. General comments. Mr. Koe.

MR. KOE:

If it does not look like there are any other general comments, I would like to deal with the recommendations, if I may, Mr. Chairman. The first recommendation is regarding increasing the YMIR, the year's maximum insurable remuneration, and I would like to make a motion.

Motion To Increase And Index Year's Maximum Insurable Remuneration, Carried

I move that the Workers' Compensation Act be amended prior to the conclusion of the June sitting of this House to increase the year's maximum insurable remuneration; and further, that the Minister responsible for the Workers' Compensation Board consider the concept of indexing the YMIR so that yearly increments can be made without the passage of amendments to the Workers' Compensation Act.

CHAIRMAN (Mr. Arvaluk):

Thank you, Mr. Koe. To the motion. Mr. Koe.

MR. KOE:

Thank you, Mr. Chairman. Again, committee Members felt that an increase in the YMIR is long overdue, and the committee also felt that we cannot

wait until this session prorogues or the next session is sifting, so that is why the recommendation has been made to deal with it during this session, and deal with it very quickly. Thank you.

CHAIRMAN (Mr. Arvaluk):

To the motion. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. I know from sifting through all the sessions that we had, that if this issue were addressed, it would certainly reduce the number of complaints that are fielded by the Workers' Compensation Board. There seems to be a general feeling among people who made submissions to us that this level of YMIR is clearly inappropriate for the Northwest Territories, so I hope we will see strong support for this and that we can hope to see the government move quickly at this session to enact the changes that are needed.

CHAIRMAN (Mr. Arvaluk):

Thank you. To the motion. The question is being called. Those in favour of the motion? Opposed? The motion is carried.

--- Carried

MR. KOE:

Thank you, Mr. Chairman. I would like to deal with the second recommendation. I have a motion.

Motion That Minister Prepare Legislative Action Paper For Amending Workers' Compensation Act

I move that this committee recommend that the Minister responsible for the Workers' Compensation Board prepare a

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legislative action paper outlining proposed areas for amending the Workers' Compensation Act for tabling prior to December 31, 1992.

CHAIRMAN (Mr. Arvaluk):

Thank you, Mr. Koe. Would you like to speak to the motion?

MR. KOE:

Thank you, Mr. Chairman. Again, throughout the review and the hearings, many, many areas and

concerns relate to the Workers' Compensation Act. The act was developed in 1977, and as per my statements in my report, a lot of events have happened that change how business is done and how work is done -- the Safety Act and these types of things -- if the act is not kept up and has not been amended. The committee and members of the public who made presentations felt that there is an urgent need for a comprehensive review of the act. The process that we are recommending in the motion, a legislative action paper, is one method of getting the maximum public input that I think will be required in developing new legislation. There will be ample opportunity for the standing committees and the public to have input into the process. This is why we are making the motion and why the motion reads "a legislative action paper." Thank you, Mr. Chairman.

CHAIRMAN (Mr. Arvaluk):

Thank you, Mr. Koe. To the motion. Mr. Patterson.

HON. DENNIS PATTERSON:

Mr. Chairman, I would like to comment that I certainly feel this is an appropriate recommendation, but I would like a bit of clarification from the chairman, if I might, about some comments in the report on When page six, which I cannot quite understand. The report makes reference to a review process and, as I understand it, that review would follow on the legislative action paper that is recommended and developed by the Minister and the government. My question, Mr. Chairman, is, what does the phrase, "responsibility for operationalizing the review should rest with the Legislative Assembly," mean? It is on the middle of page six. I guess what I am curious about, Mr. Chairman, is whether the chairman and the committee believe there is an appropriate role for the Workers' Compensation Board in undertaking such a review. I am asking this question because there has been a comprehensive review of legislation undertaken in Yukon in which the staff and the Minister responsible for the WCB took quite an active part. I do not think they in any way elbowed out the public or the Legislature, but there was a significant contribution made by the board and its staff. I am wondering if the committee envisions some role for the board, and in particular I guess one question I would like to ask is, is it appropriate that the WCB cover costs of such a review? I think I indicated to the committee when I met with them in the course of their review that I had some discussions with the Workers' Compensation Board and there had been some indication of willingness to fund a legislative review.

When the committee says that "responsibility for operationalizing the review should rest with the Legislative Assembly," does that mean that the committee would be unwilling to take up the board's offer to pay some or all of the costs associated with the review? That is just a question of clarification I have. I want to make it clear I am not being critical of the recommendation. I would just like some clarification as to what it means, particularly that sentence.

CHAIRMAN (Mr. Arvaluk):

Thank you, Mr. Patterson. Mr. Koe, chairman of the agencies, boards and commissions committee, would you like to answer the question?

MR. KOE:

Thank you, Mr. Chairman. There was a series of questions in there. but I will try to clarify the committee's statement. The committee, during its hearings, heard numerous recommendations, but the committee also was very clear in where direction on this review should come from, and who should be responsible. Earlier in the report, it was made clear that this Assembly should be responsible, with the Minister as the designated person. The committee also was very clear that we did not want to work in isolation of what the board was doing or what the Minister was doing and that it should be a co-operative effort. Basically, we felt it should be the responsibility of the Legislative Assembly. One of the recommendations was that there be a tripartite panel of industry, business and someone else, an independent person, to deal with the review. We felt it should be done through the board with the Minister and with the various standing committees because we have roles to play in reviewing legislation.

We are also of the opinion that, since the Minister had stated the board would be able to cover costs of preparing the action paper, this was the understanding that these motions are based on. Thank you.

CHAIRMAN (Mr. Arvaluk):

Thank you. To the motion. Mr. Todd.

MR. TODD:

Thank you, Mr. Chairman. Surely the ultimate responsibility for legislation lies with the Legislative Assembly. Therefore, the overall umbrella organization in this review process has to lie with the

Assembly through the Minister. So I concur with Mr. Koe that that has to be a priority.

We talk about costs and we talk about reviews, a number of people think that this is another free ride or a means for people to generate some honorariums, I guess. I think it is important to point out that there is a great deal to learn from the 1986 and 1989 reviews in which, if you read both of them, you will find that there are some parallels in their recommendations. So there is a great deal of work that has been done in the past. I personally do not see this as being a large process. There are two very valuable documents, the 1986 and 1989 reviews. Actually, you have got to bring it up to today's current, political climate, but I do not see the costs as being that significant, and I do see the costs as being the responsibility of the Workers' Compensation Board.

We have to ensure that whatever new legislation comes forward is reflective of political opinion as well as reflective of the needs of the Workers' Compensation Board. Therefore, it is important, as Mr. Koe said, that the standing committee on legislation be involved in this process.

What we are trying to accomplish here is what was not accomplished in 1986 and 1989; that is, to move forward with a process that will ensure there is legislative change. In 1986 and 1989, there were recommendations for change; however, as Mr. Koe has said in the report, these recommendations were not followed through as legislative initiatives. The process we are suggesting, Mr. Chairman, will ensure that that takes place and will ensure that the political entity, the Legislative Assembly, has direct input into the legislative changes that they feel are required, as well as other interest groups across the Territories. Clearly, as the Territories gets larger and there is new political and constitutional change, institutions like the Workers' Compensation Board have to respond accordingly. The times are changing, and we have to change accordingly. There is a need to ensure that legislation and institutions like the WCB respond to the new changes.

This process, again, that has been brought forward by the chairperson of ABC will ensure that that takes place. Action is what is necessary. Words are cheap. We have to move forward so that the legislation more clearly reflects the needs

of the workers -- the injured workers -- and also meets the needs of the groups that finance and support this corporation. Therefore, I agree with what Mr. Koe said. Thank you.

CHAIRMAN (Mr. Arvaluk):

Thank you, Mr. Todd. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, with regard to the process itself, I realize that the standing committee on agencies, boards and commissions has done a review with regard to the Workers' Compensation Board; but with regard to the Workers' Compensation Act, would that, then, be the responsibility of the standing committee on legislation that is going to be taking the lead role in the review itself? Or are we looking at a whole new creation of this Assembly to specifically address the Workers' Compensation Act?

CHAIRMAN (Mr. Arvaluk):

Thank you. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. Just to clear up this point, I think that what the committee means here is a process very similar to the one already undertaken by the Minister with his legislative action paper on access to information. Basically, during the preparation of the legislative action paper, the Minister could receive input from the board or public interest groups, and I suspect that there would not be any problem with getting the board to fund that part of the operation. But once the paper is prepared, the standing committee on legislation would conduct the review of the paper. I think that is what we mean by saying that the Legislative Assembly will operationalize the preparation of legislation. At that point, then, it is the Minister's responsibility to draft the legislation, which will then come back to the House and the standing committee on legislation for another round of public involvement. So in this process, we could actually wind up with the public or interest groups being involved at three different times.

CHAIRMAN (Mr. Arvaluk):

Thank you. To the motion.

SOME HON. MEMBERS:

Question.

Motion That Minister Prepare Legislative Action Paper For Amending Workers' Compensation Act, Carried

CHAIRMAN (Mr. Arvaluk):

Question has been called. Those in favour of the motion? Opposed? The motion is carried.

--- Carried

Thank you. Does that conclude your report, Mr. Koe?

MR. KOE:

Affirmative, Mr. Chairman.

CHAIRMAN (Mr. Arvaluk):

What is the wish of the committee? Mr. Nerysoo.

MR. NERYSOO:

Mr. Chairman, I move we report progress.

CHAIRMAN (Mr. Arvaluk):

The motion is in order and is not debatable. All those in favour? Opposed, if any? The motion is carried.

--- Carried

I will now rise and report progress.

ITEM 19: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER:

Item 19, report of committee of the whole. Mr. Chairman.

MR. ARVALUK:

Mr. Speaker, your committee has been considering Committee Report 11-12(2) and wishes to report that Committee Report 11-12(2) is concluded. with two motions being adopted. Mr. Speaker, I move that the report of the chairman of committee of the whole be concurred with.

MR. SPEAKER:

Seconded by Mr. Nerysoo. The motion is in order. All those in favour? All those opposed? The motion is carried.

--- Carried

Item 20, third reading of bills. Item 21, Mr. Clerk, orders of the day.

CLERK OF THE HOUSE:

There will be a meeting of the Nunavut caucus at 6:00 o'clock this evening; a meeting of the ordinary Members at 9:00 a.m. tomorrow morning.

ITEM 21: ORDERS OF THE DAY

Orders of the day for Friday, June 19, 1992.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Returns to Written Questions
6. Oral Questions
7. Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Reports of Committees on the Review of Bills
12. Tabling of Documents
13. Notices of Motions
14. Notices of Motions for First Reading of Bills
15. Motions
16. First Reading of Bills:
 - Bill 28
 - Bill 29
17. Second Reading of Bills
18. Consideration in Committee of the Whole of Bills and

Other Matters:

- Tabled Document 9-12(2), Tabled Document 10-12(2); Motion 6-12(2); Committee Report 10

12(2); Bills 2, 3, 6, 18, 19 and 20

19. Report of Committee of the Whole
20. Third Reading of Bills
21. Orders of the Day

MR. SPEAKER:

Thank you, Mr. Clerk. This House stands adjourned until 10:00 a.m., Friday, June 19, 1992.

--- ADJOURNMENT