



**NORTHWEST TERRITORIES
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The Honourable Michael A. Ballantyne, Speaker

MEMBERS PRESENT

Hon. Titus Alloo, Mr. Antoine, Mr. Arngna'naaq, Mr. James Arvaluk, Hon. Michael Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, Hon. Rebecca Mike, Hon. Don Morin, Hon. Richard Nerysoo, Mr. Ningark, Mr. Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Hon. John Todd, Mr. Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Michael Ballantyne):

Good afternoon. Orders of the day. Item 2, Ministers' statements. Mr. Kakfwi.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 34-12(3): Long-Term Staff Housing Strategy

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. At the request of ordinary Members, I deferred a statement on staff housing yesterday in order to allow the Member for Thebacha to speak about the concerns of the Ordinary Members' Caucus.

It is good that ordinary Members agree that the government is headed in the right direction with its long-term staff housing strategy. Members are also seeking answers to a number of issues which must be addressed in this Assembly.

As a result, a document containing detailed technical responses to the questions will be circulated to all Members on Friday or tabled in the House if translation is completed. The document will help in our discussion of this important initiative.

As you know, I announced the other day that implementation of the strategy will begin July 1, rather than April 1 of this year. This decision was made for a number of reasons. Some of them are technical and concern the serving of rental increase notices. Other reasons deal with concerns by employees that they do not have enough information or they do not understand the level of subsidies which will still be available.

That is understandable. We have been trying to clean up an incredible administrative mess in staff housing which took 25 years to create. The extra time will be used to make sure the 1,800 staff members affected by the changes develop a better understanding of the strategy and will know exactly what the next rates will mean to their personal budgets.

Most Members of this House know that our strategy is long overdue. We have been moving towards this day for at least 12 years now and Members of the Legislative Assembly have been persistent in their direction that the government get out of providing staff housing.

In 1979 a task force on housing made up of union and government representatives came to basically the same conclusions about the solutions needed in the housing sector. In 1985, the Assembly's Special Committee on Housing included a staff housing component in its review. However, the recommendations of the reviews were not fully implemented and, over three years ago, a committee was established and mandated by the former Government Leader to develop the long-term staff housing strategy.

More recently, market rents and user-pay utilities were implemented in Fort Smith, Hay River and Yellowknife. Implementation of these elements of the strategy was described as an interim step pending the completion of the long term strategy that was finalized and announced last December.

Mr. Speaker, it is important to remind ourselves that the housing strategy was designed to meet a number of objectives:

-We want to end the dramatic differences that presently exist in the amount of money paid by employees renting similar sized units, sometimes even within the same community;

-We are determined to narrow the gap between what our staff is paying for accommodation compared to what an employee in the private sector faces each and every month; and

-We want to encourage home ownership and stimulate the growth of private sector housing markets in as many locations as possible. By April of next year, the government will no longer be providing housing units to employees, including Ministers and MLAs, in Yellowknife, Hay River, Fort Smith and Inuvik.

---Applause

Where home ownership is not practical, the strategy will encourage the private sector to develop accommodation. Heavily subsidized rents and utilities in the majority of our communities presently discourage tenants from seeking alternative accommodation, even when it is available. As a result, private developers are putting their money elsewhere. Use of occupancy guarantee provisions of the strategy will provide the type of certainty these developers need in order to get a return on their investment.

The Cabinet is convinced the new strategy, with its provisions for increased rents, user-pay utilities, protection for low income earners and options for home ownership, is the right way to go. We have listened to the concerns of the Members of the

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Legislative Assembly and have taken the time to listen and consider issues which have been raised by employees. Recent adjustments to the long-term staff housing strategy reflect that commitment.

For instance, user-pay for heating and water/sewage will be implemented July 1, 1994, a little over 16 months from now, rather than September of this year. The delay will give everyone ample time to adjust their expenditures to ensure their shelter costs can be met.

In addition, nurses in the Northwest Territories face some rather unique situations in respect to accommodation. Many of them live in nothing more than a small sitting room attached to a nursing clinic and do not enjoy reasonable levels of privacy, security and comfort.

As a result, the government is adjusting rents for nurses based on the type of accommodation and whether or not they share common facilities such as kitchens and washrooms.

The rents, which include utility charges, will vary from \$750 to \$1,000 a month. When the standard accommodation allowance is applied to these figures, the actual monthly rate will range from \$300 to \$550 per month.

Where nurses have reasonable levels of privacy and security, they will be charged a market rate and a flat charge of \$150 per month for utilities. Nursing living in detached housing units will be considered in the

same manner as all other employees of the government.

In many other cases, tenants are concerned about the condition of their accommodation and disagree with the assigned sizes of their units, which are used to calculate monthly rental rates. We appreciate there are some legitimate concerns. We want to address them in a fair and reasonable manner.

The government knows that some of its units are in poor condition and that this could mean higher than normal heating charges. Because of this, DPW, Personnel and the Housing Corporation staff will travel to all communities to conduct energy efficiency audits and to take new measurements if required. This process will identify units that are not up to standard. Based on this information, the government will lower rents accordingly until the units are repaired. If it is not practical to repair the unit, the lower rental rate will continue. Because employees and off-highway communities are interested in purchasing their government occupied unit, the strategy has been changed to let them do so, rather than limiting the sale to surplus housing only. All units in non-market communities will be appraised by a private sector appraiser with tenant involvement. The selling price will be based on the cost of replacement, depreciated by the age, and condition of the accommodation.

As well, employees in communities where there are no active real estate agencies, will be able to purchase their units for a cost that is 90 per cent of the depreciated value. This final adjustment recognizes the government will not be paying normal real estate agency fees, legal costs and transactions of this type.

The government believes these changes are positive and that they recognize many of the concerns expressed by employees over the last few months.

We are also confident the strategy will eliminate the conflicting policies currently in place in the public and staff housing programs and that the changes will generate more housing starts by developers and improve the overall housing inventory in the territories.

Combined with the home ownership incentives announced by the Housing Corporation, the new approach to staff housing will provide a package of attractive options for all residents in all areas of the Northwest Territories.

It will also ensure that employees living in government provided accommodation get the kind of protection they need, should they not be able to pay for the cost of their shelter.

There has been a great deal of concern over the implementation of the hardship allowance. Many employees see it as a form of social assistance and are insulted that a wage earner should have to apply for it. As a result, we have revised our thinking on this matter. So, instead of a hardship allowance, tenants will receive shelter assistance provided in the form of a rental reduction. It will make sure that total shelter costs will not exceed 30 per cent of gross household income. Gross household income means the combined total incomes earned by every person living in each household including salaries, commissions, investment interests, pensions and the standard accommodation allowance. Settlement allowances, however, will be excluded. Income from such sources as child tax credit payments, boarding allowances for students, retraining allowances, income of full-time students, treaty payments, and social assistance payments will also be excluded. Exclusion of settlement allowances from gross household income will ensure that tenants in small communities will not have their eligibility for shelter assistance calculated against a higher base income than their Yellowknife counterparts, who enjoy a lower cost of living.

In conclusion, Mr. Speaker, the long-term housing strategy, and the changes I have noted today, should provide greater certainty to occupants of government provided housing and start us towards equity and housing opportunities among all territorial residents. Finally, we welcome the Assembly's review of the strategy and want Members to know that our staff is prepared to sit down with each Member of this Legislature to review the concerns of individual constituents, house by house, or case by case. Thank you.

---Applause

MR. SPEAKER:

Item 2, Ministers' statements. Mr. Kakfwi.

Minister's Statement 35-12(3): Pay Equity

HON. STEPHEN KAKFWI:

Mr. Speaker, at the last sitting of the House, I was asked a question about our pay equity liability. At that time the matter was under negotiations and I asked

that I not be forced to answer it, and compromise those negotiations.

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Mr. Speaker, the government is committed to the principle of pay equity and wishes to ensure that its employees are treated fairly and equitably. We had hoped for a negotiated settlement to avoid the need for expensive legal proceedings. These negotiations concluded last week. Unfortunately, it was not possible to come to an agreement as the parties were too far apart. Out of respect for the confidentiality of the negotiation process, I will not give you details of our offer or the union's demands. However, I can say that our positions are over \$50 million apart. I am informing Members of the status of these negotiations so that they are aware of a substantial potential pay equity liability. Mr. Speaker, I will keep this House informed of any new developments on this issue. Thank you.

MR. SPEAKER:

Mrs. Marie-Jewell.

Motion To Move Minister's Statement 34-12(3): To Committee Of The Whole

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I would like to move the long-term staff housing strategy Minister's statement into committee of the whole. Thank you.

MR. SPEAKER:

Is there a seconder to the motion? Mr. Patterson. The motion is in order. All those in favour? All those opposed? Minister's Statement 34-12(3) will be placed on the order paper for committee of the whole.

---Carried

Item 2, Ministers' Statements. Ms. Mike.

Minister's Statement 36-12(3): HIV Infection And AIDS In The NWT

HON. REBECCA MIKE:

Qujannamiik. (Translation) Thank you, Mr. Speaker. I will be speaking in Inuktitut. Mr. Speaker, the AIDS virus, known as HIV, has been recognized as a serious concern for the future health of residents of the Northwest Territories since 1986. Since then, a

major effort has been made to ensure that all NWT residents were made aware of the risk of infection and how to protect themselves. In spite of knowing about the risks, there is evidence that many people are not taking action. Within communities and regions, the understanding of AIDS/HIV infection is good and improving, but there is evidence that many people are not accepting the information. They are not practising "safer sex."

The patterns of infection in the NWT are unlike that of southern Canada, where the disease is found mainly among homosexual males and in drug users. In the NWT, the pattern is more like that found in most other parts of the world, where the disease is spread mainly by sexual contact between men and women.

Mr. Speaker, in the NWT, HIV infections have been reported in the young and in the old, among men and women, among aboriginal and non-aboriginal, in the "gay" and in the "straight" community, and among the rich and the poor. AIDS can be everyone's disease, and it is everyone's problem. We all must take it seriously if the epidemic now upon us is to be stopped.

It has become clear that public education activities to date have not been successful in changing sexual behaviour, which places people at risk of HIV infection. An effort to find out more about the attitude and beliefs that affect sexual behaviour is under way. Public educational materials will be redesigned to take advantage of information regarding their relative effectiveness.

Mr. Speaker, in 1991 this Assembly took some comfort from the seemingly slow spread of HIV infection among us. This year, there is little comfort from the rapid increase in reported cases and great peril in the evidence that even those who are aware of the risk of HIV infection are failing to protect themselves. We must convince everyone that they are at increasing risk of infection from unprotected sex. Stopping AIDS is up to all of us, the future existence of NWT society is at stake. Thank you, Mr. Speaker.

MR. SPEAKER:

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

ITEM 3: MEMBERS' STATEMENTS

Member's Statement Regarding Accusations Made By Media

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I rise today to clarify some accusations that have been made about me recently in the media. I am referring to the Focus North

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program, which was aired on CBC February 1 and then on TVNC on February 3, 1993.

Mr. Speaker, it concerns me greatly that the media feels free to make allegations which are completely unfounded with no attempt on their part to verify their story with the person they are accusing. I was fortunate to see this program, but how many others have not been aware that their names have been thrown around with such disregard for the truth. I have learned to be sceptical of what the media chooses to tell the public. I certainly hope others do the same.

In this case, Mr. Speaker, the media insinuated that I had acted improperly while I was a Member of Cabinet. The program said that I awarded "choice government jobs" to family members. This is far from the truth. No evidence was offered to support this allegation and I was not even granted the courtesy of being contacted to see if this was the case. I would like to know what has happened to the journalistic principles of collecting and presenting the facts? I guess, in the eyes of Focus North, these ethics are outdated. They manufacture allegations to suit their story and to cause sensation. They pretend that they are the judge and jury.

After Focus North aired this program, I contacted their office to correct them and gave them the information that they could have obtained from me before airing the story. An apology was aired on the February 8 and 10 programs. Focus North admitted that they were not aware of any instances where I had acted as they suggested. I appreciate that this step was taken. However, I do wonder why the apology did not receive the same air time as the original allegation and why Focus North aired my picture during the original story, but chose not to do so for the apology.

---Applause

Mr. Speaker, I seek unanimous consent to continue my Member's statement.

MR. SPEAKER:

The Member is seeking unanimous consent. Are there any nays? There are no nays. Please proceed, Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Mr. Speaker, by choosing not to air my picture during the apology, as they did for the original story, it would not have left the same impression with the public. Rather than making a simple and clear admission that they were wrong, Focus North chose to proceed their retraction with comments that made the apology superficial, at best. It appeared that Focus North was trying to leave room for doubt. I would have hoped that journalistic integrity, if not the wisdom that comes with maturity to admit sincerely when one is wrong, would have required a more convincing apology. Perhaps, apologies are too embarrassing in the television business. In any event, Mr. Speaker, my comments today are intended to correct any false impression that may have been left as a result of Focus North's shoddy reporting. As well, not everyone watches every episode of that program. I want to make it clear that the allegations and the insinuations made were not justified and not true.

While I was a Member of Cabinet, and in all my dealings with the House, I placed a priority on conducting myself with honesty and candidness, which caused much criticism to be directed my way. I wish all members of the northern media would make a concerted effort to be conscientious of determining the facts before spreading rumours to the public. Thank you.

---Applause

MR. SPEAKER:

Item 3, Members' statements. Mr. Pudluk.

Member's Statement On Dumping Of Contaminants Into The Sea

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. We have to protect the northern environment, specifically, we have to protect the environment surrounding our communities, from all pollutants. PanArctic Oil commenced oil exploration by drilling in the 1960s on the islands of the high Arctic, and are now in the last year of operation. Last year they were given a permit from the federal government to get rid of their metal

waste and dump it into the sea. Because they have been given a permit to allow them to do this, they are now asking to do additional dumping this year. This year PanArctic plans to dump 400 tons of metal waste into the sea. Four hundred tons is about the size of Grise Fiord. The waste the company is planning to dump will not make much difference right now, but as Inuit people know, this will affect the wildlife we have depended on for years and will continue to depend on for years to come.

People living in the high Arctic are very concerned about the dumping of metal waste in the sea by PanArctic, and do not want any more of this, because they know that salt water is so strong it will eventually erode metal and waste contaminants. Waters of the high Arctic are not a dumping ground. PanArctic Oil was not worried about the cost to freight their equipment when they went to the high Arctic, but now that they have completed their explorations they are worried that it will be too expensive to bring their metal waste back down south. This is not acceptable to us. In 1953 when the federal government relocated the Inuit from northern Quebec to Resolute Bay and Grise Fiord they were not told they were being relocated to a dumping ground.

MR. SPEAKER:

You have exceeded the allotted time, Mr. Pudluk.

MR. PUDLUK:

I would like to ask for unanimous consent to continue.

MR. SPEAKER:

The Member is seeking unanimous consent. Are there any nays? There are no nays. Please proceed, Mr. Pudluk.

MR. PUDLUK:

(Translation) Thank you, colleagues. They were not told they were being relocated to a dumping ground. Instead they were told they were being relocated to a land that was clean with an abundance of wildlife and a better future. We do not accept the proposal of PanArctic to, once again, dump more metal waste into our sea because this will affect us in the future. I also think there should be a study done on wildlife in the sea and the food chain of wildlife in the high Arctic. Thank you.

MR. SPEAKER:

Item 3, members' statements. Mr. Lewis.

Member's Statement On Details Of Staff Housing Strategy

MR. LEWIS:

Thank you, Mr. Speaker. Our government has not done well in the handling of its staff housing policy. Mr. Speaker, we expect leadership and a sense of clear policy direction. In this case, I believe most of us agree with the policy objective, however, there has been a lack of clarity in placing those objectives in front of us. Much of this difficulty could have been avoided if the government had announced its policy in less detail. Many of the details could then have been worked out with various employers and associations through joint consultation. Instead changes are being made as a result of a bewildering variety of assaults on the policy from many quarters. It has made the government look very bad in my opinion. I believe it is now too late to commence a process of joint consultation, since the policy has been announced in considerable and ever-changing detail.

Agreeing to joint consultation, Mr. Speaker, should not be seen as a mechanism for subverting the will of the policy-makers. It should not be seen as a sign of weakness. It should be viewed as the very best way of ironing out the details with the people most affected by the policy. This is not a major public policy issue, Mr. Speaker. It is really a matter of a relationship between our government and the staff it employs to carry out its issues and its will.

The degree to which this issue is now dominating the political agenda of this Assembly is an affront when there are so many major issues affecting the future of our territories to be considered. If we find this issue dominates our time and effort to the exclusion of other pressing matters, Mr. Speaker, the fault clearly lies with this government in the way this issue has been handled.

I shall not be pursuing it publicly in this House because I believe it is a matter between our government and its staff. It should not be dominating an Assembly which is supposed to deal with all the major issues that are affecting the people of the Northwest Territories. Thank you.

---Applause

MR. SPEAKER:

Item 3, members' statements. Mr. Gargan.

Member's Statement On Alcohol And Drug Workers' Abstinence From Intoxicants

MR. GARGAN:

Thank you, Mr. Speaker. I rise today to comment on the Social Service's policy which requires people who work at community-based alcohol and drug counselling facilities to make a commitment to abstain from the use of intoxicants.

Mr. Speaker, I support this policy. I have supported it right from the outset. I was pleased when my honourable colleague for Thebacha introduced a policy near the end of her term as the Minister of Social Services. I was pleased when both Mr. Whitford and Mr. Patterson continued to recognize the importance of this initiative.

Mr. Speaker, I feel it is more important than ever before to ensure that the dollars we are spending on alcohol drug prevention programs are having a maximum impact. I believe one of the factors in maximizing these effects are the positive role models which are presented to community residents by a healthy outlook and a personal commitment shown by alcohol and drug workers to embrace a substance-free life-style.

Contrary to earlier concerns, I believe this policy has proved to be enforceable and it has not lowered the morale or hindered the recruitment of workers as some opponents previously suggested. I would urge our new Minister of Social Services, the Honourable Rebecca Mike, to ensure this sobriety initiative remains as a basic cornerstone of the Government of the Northwest Territories funding agreements with the alcohol and drug agencies throughout the Northwest Territories. In doing so, she will be supporting the progress that has been realized to date and continuing the trend that has made the Northwest Territories alcohol and drug programs a leader amongst provincial and territorial administrators. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 3, members' statements. Mr. Patterson.

Member's Statement On Long-Term Staff Housing Strategy

MR. PATTERSON:

Thank you, Mr. Speaker. Mr. Speaker, I am very pleased to see that the government is open to making changes and modifications with the new staff housing strategy, and that the desire of ordinary Members to review the policy is welcomed. I am pleased to learn of the four month delay in implementation. The policy has been rushed and many questions are still unanswered. I am glad to see the government is proposing to replace the invidious hardship allowance. I look forward to the details of the shelter assistance policy. I hope it will consider the number of dependents in a household as well as household income.

Mr. Speaker, Mr. Kakfwi and his deputy minister, Mr. Lovely, have been characterizing the anger and opposition over this rent increase as mostly coming from employees who are in it for the money. People, to quote Mr. Lovely, they will be happy to say "goodbye" to. They would have us believe the loudest complaints are coming from two-income, white transient families with a cottage in the south. In fact, this increase is hitting long-term dedicated employees with families who are committed to staying in the north because of their dedication to being teachers, government administrators, people we do not want to lose. It is also hitting lower level employees with families especially hard. These are often Inuit, most of them are women, these are the core of our clerks, secretaries, classroom assistants and junior teachers who happily constitute between 40 and 50 per cent of the present public service in my region. I will have some specific questions about one such employee later today.

I would like to close this statement by quoting from a very well-respected constituent and a long-term northern resident, in a recent letter to the Minister, Mr. Mike Gardener, writing in his personal capacity and I think some of his advice has been heeded. "I felt I should write you as someone more neutral and detached than some others, being a non-government employee. I do not think anyone can really say they can be detached from the effects of this proposed new policy of yours

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if it goes ahead as planned. The effect would upset the whole territories for many years to come. Already I hear so many people talk about leaving the north and they mean it. Its effect would be disastrous for years to come unless a drastic revision of your policy is publicized as soon as possible."

MR. SPEAKER:

Mr. Patterson, your allotted time has expired.

MR. PATTERSON:

Mr. Speaker, I wish to seek unanimous consent to conclude my statement, Mr. Speaker.

MR. SPEAKER:

The Member is seeking unanimous consent to proceed. Are there any nays? There are no nays. Please proceed, Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Speaker. "I hear of so many people, especially in the smaller more isolated communities, whose rent would be far more than they earn. It is true there is this hardship allowance you mention, but that reeks of welfare and will turn many people off and make them leave the north. If your policy goes ahead, it will leave our hospital here truly understaffed. It is hard enough now to get staff, let alone if their take-home pay were to be severely cut. We have heard about teachers in Igloodik and we can be sure the same would be true of most other communities. Then there would be a tidal wave effect on the rest of the northern economy, failures of local construction companies, hotels, stores and even hardship for churches."

Mr. Speaker, I hope we can proceed and look at this objectively and cooperatively in order to avoid these dire consequences. I look forward to working with the Minister to that end. Thank you.

---Applause

MR. SPEAKER:

Item 3, Members' statements. Mr. Ningark.

Member's Statement On Long-Term Housing Strategy

MR. NINGARK:

(Translation) Thank you, Mr. Speaker. I, too, along with my honourable colleague, Dennis Patterson, have concerns with the long-term staff housing strategy, as a representative of the Kitikmeot. The civil servants in my region have expressed concerns of a similar nature. The Kitikmeot Teachers' Association held a general meeting which I attended in Kugluktuk. At the time, the Kitikmeot board of

education and the chairperson discussed the housing strategy. They expressed their concern regarding the increases. The NWT Teachers' Association chairman was also in attendance. She made a presentation, and she felt this was being processed too rapidly. They are not overly concerned with the increases but they feel the implementation process is being done too quickly, particularly for the smaller, isolated communities. These communities have not received adequate information, and have not been consulted with by the Minister or his department. The cost of living and transportation costs are very expensive. These things need to be taken into consideration.

Our children are being taught by teachers and we should be concerned about their future. Personally I do not have a problem with the increases. However, I think the policy is being processed too quickly. (Translation ends)

The teachers and the government employees within the Kitikmeot region are willing to comply with the strategy, with the rental increases, but they want fairness in the assessment of the strategy.

MR. SPEAKER:

Mr. Ningark, your allotted time has expired.

MR. NINGARK:

Mr. Speaker, I seek unanimous consent to conclude my statement.

MR. SPEAKER:

Thank you, Mr. Ningark. The honourable Member is seeking unanimous consent. Are there any nays? There are no nays. Please proceed, Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Speaker and my colleagues. Mr. Speaker, the teachers and the government employees of the Kitikmeot region are willing to comply with the strategy, but they want fairness in the assessment. The assessment, by comparing Yellowknife to an isolated community, is not fair. Transportation costs, the availability of housing, the conditions of housing, and the climatic and geographic location of the smaller communities should be considered. As I have stated, Mr. Speaker, the chairman of the Kitikmeot board of education is opposed to the strategy as it is in the context which Mr. Minister has stated in his Minister's statement. During the appropriate time, I will be asking for action

on some of the concerns which came from the Kitikmeot region government employees. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Ningark. Item 3, Members' statements. Mr. Pudlat.

Member's Statement On Long-Term Staff Housing Strategy

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. I would also like to speak about the staff housing increases in the north. Mr. Speaker, I represent some of the smaller communities in the Baffin region and they are the northern communities. This proposed policy to raise the rent for staff housing is a concern of my constituents also. If this proposal goes ahead perhaps, Mr. Speaker, it should have some amendments to it before it comes into effect. The people are concerned this will be harmful for the teachers and some of the communities if it is implemented at all once. It should be

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implemented gradually. I know this proposal will go ahead, but it should be done gradually rather than doing it all of a sudden. Perhaps the Minister should give more information to those people who are in government staff housing. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Pudlat. Item 3, members' statements. Mr. Antoine.

Member's Statement On Affects Of Alcohol And Drug Abuse

MR. ANTOINE:

Thank you, Mr. Speaker. We have heard, in this House many times about the impact of alcohol and drug abuse in our northern communities. Mr. Speaker, nothing goes against traditional values that aboriginal women and men have held for centuries the way alcohol and drug abuse does. Nothing violates our homes, threatens the safety of women, children, elders and reduces community productivity the way alcohol and drug abuse does. Nothing harms the spiritual well-being of the individual the way alcohol and drug abuse does.

Mr. Speaker, I am concerned about what is happening with certain aspects of this government's administration of addictions treatment. Nothing is more unacceptable than administrative inefficiency in this area. Mr. Speaker, addictions are a family disease, I believe. It is important, especially within the holistic healing framework that Dene and Inuit have embraced for centuries, that the family should be held as a unit.

I understand that some community alcohol and drug workers have been advised by the Department of Social Services they will not fund out-of-territories referrals for families. I also understand that resources for treating the family unit in the Northwest Territories are limited or non-existent. I have even heard there is not enough money to send clients to specialize treatment programs in southern Canada until April 1993. That is not right, Mr. Speaker. The Minister needs to take a hard look at the decisions her Yellowknife officials have been making in this area. Chief Steve Kotchea of Fort Liard put it very well when we commented, and I quote "the circle can be broken, but mended with proper treatment." If we are going to keep the circle strong, Mr. Speaker, we must ensure that troubled families are offered opportunities to receive the very best treatment, otherwise we as elected officials will be contributing to the problem rather than the solution. I have faith in the Minister's abilities to correct this problem and I urge her to start working on it immediately. Mahsi cho.

MR. SPEAKER:

Item 3, members' statements. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Speaker. Honourable Members will know for a long time I have been advocating changing the benefits that we provide to government employees to better reflect the economic times...

MR. SPEAKER:

Sorry, Mr. Gargan, I am told this is your second statement today. That is against the rules.

---Laughter

---Applause

Time had gone so quickly I thought it was only yesterday that you had spoken. Item 3, members' statements. Item 4, returns to oral questions. Mr. Kakfwi.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question 143-12(3): Use of Federal/Territorial Correctional Service Agreement

HON. STEPHEN KAKFWI:

Mr. Speaker, I have two returns. One is in response to a question asked by Mrs. Marie-Jewell on December 1 with regard to use of federal/territorial correctional services agreement. Mr. Speaker, in response to the question concerning the federal/territorial correctional exchange of services agreement, its preamble sets out reasons for the agreement. Inmates serving sentences of more than two years come under federal authority and would, without the agreement, have to serve time in federal institutions. Some reasons listed in the preamble why the inmate would be kept in the Northwest Territories, under the agreement, include access to available programs, no security concerns, the particular needs of the offender including access to one's home community or culture and space which is available in our facility.

The decision to allow an inmate in question to remain in the Northwest Territories was a joint decision that included the full support of the Correctional Service of Canada Parole. Inmates considered for retention by the GNWT under the agreement, are those who qualify under the general provisions but specifically we would look at those who are first-time offenders who do not present a risk to the public, who have limited experience in prisons, who are unilingual in an aboriginal language and who are residents in the Northwest Territories or who have lived here for a number of years. Thank you.

Return To Question 205-12(3): Allowing All Government Employees To Buy GNWT Houses

I have another return. On December 9, 1992 the Member for Thebacha asked if I would consider a change in the sale process for staff housing. It was suggested that rather than providing first preference only to government employees who are living in the units, all government employees of the community should be given equal preference.

Mr. Speaker, the sale process has already started in Hay River, Yellowknife and Fort Smith and the current tenants have been given the opportunity to buy the units they occupy. I do not believe it would be fair to withdraw this option from them now that it has been given. However, if the existing tenants do not

exercise their right to buy within the specified time frame, the units that are made available will be turned over to the real estate agents in those communities for sale to the general public at market value. At that point, all employees in the communities as well as everyone else will have the ability to submit a bid. This process appears to be working quite well in Yellowknife as some units have already been sold through real estate agents. Mahsi.

MR. SPEAKER:

Item 4, returns to oral questions. Mr. Allooloo.

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Return To Question 165-12(3): Reason For Stating Community Not United On Aircraft Maintenance Facility

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I have a return to oral question asked by Mrs. Marie-Jewell on December 2, 1992. The final plans for the aircraft maintenance facility in Fort Smith will be completed after the department receives and accesses the recommendations from the review of the forest fire management program. The recommendations will include a requirement for the use of large air tankers as the most appropriate method for managing forest fires. This information is required to complete the final design of the aircraft maintenance facility. No proposals for constructing the aircraft maintenance facility will be considered until the review of the forest fire management program is completed and assessed. Thank you.

MR. SPEAKER:

Item 4, returns to oral questions. Item 5, oral questions. Mr. Patterson.

ITEM 5: ORAL QUESTIONS

Question 258-12(3): Delay Implementation Of Constituent's Rent Increase

MR. PATTERSON:

Mr. Speaker, I believe the Minister of Personnel is aware of the case of Shovinai Mike. This lady made plans to move to a new unit before the new staff housing policy was announced, because with a family of six and a husband who is a student, she needed a cheaper unit with lower rent. I think the Minister's

staff knew that when she requested the move. The problem, Mr. Speaker, is that she got caught in the new strategy. It was announced as coming into effect April 1, and it will now come into affect July 1, 1993. She has been hit with the new rent right away. This seems very unfair and she is feeling betrayed. Would the Minister consider ensuring that the implementation of the new rent increase on this employee, who moved in good faith and was told to expect lower rent, will now be delayed until the strategy is finalized?

MR. SPEAKER:

Mr. Kakfwi.

Return To Question 258-12(3): Delay Implementation Of Constituent's Rent Increase

HON. STEPHEN KAKFWI:

Mr. Speaker, the Member raised this particular case and brought it to my attention yesterday. I naively thought it was very straightforward and simple, and was quite optimistic I could resolve it right away. However, the Member should be aware that the information which I have received from government officials, who have spoken and met with Ms. Mike in Iqaluit earlier this year, have a different version of what was transmitted to her. Because of the conflict and the difference about what was understood and what had been agreed to, it is not going to be a simple matter of me giving the Member assurance it will be dealt with promptly. I have assured the Member, however, I will do what I can to give some comfort to his constituent. I have extended to all Members that we will look at all of these particular and specific cases one by one. I hope we are not going to discuss them all in this Legislature. I want to assure the Member we are looking into it and would hope we can resolve it in the next day or so. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Antoine.

Question 259-12(3): Support For Alcohol And Drug Workers

MR. ANTOINE:

Mahsi, Mr. Speaker. I have a question for the Minister of Social Services. The Minister may be aware her officials appeared to be telling some community-based alcohol and drug workers that there

are no funds to refer clients for specialized addiction treatment outside of the Northwest Territories until April, 1993. Can the Minister assure the House her headquarters staff will stop doing this and give the hard working alcohol and drug counsellors the sort of support which they need to deal with this difficult clientele? Mahsi.

MR. SPEAKER:

Ms. Mike.

Return To Question 259-12(3): Support For Alcohol And Drug Workers

HON. REBECCA MIKE:

(Translation) Thank you, Mr. Speaker. Yes.

MR. SPEAKER:

Supplementary, Mr. Antoine.

Supplementary To Question 259-12(3): Support For Alcohol And Drug Workers

MR. ANTOINE:

Thank you, Mr. Speaker. Alcoholism is a disease which strikes at families, not just individuals. Recognizing, in alcoholic households, all members of the family can often benefit from the chance to attend counselling together, how can the Minister explain her headquarters officials refusal to fund family referrals for treatment? Mahsi.

MR. SPEAKER:

Ms. Mike.

HON. REBECCA MIKE:

(Translation) Thank you, Mr. Speaker. I will take the question as notice. Thank you.

MR. SPEAKER:

The question has been taken as notice. Item 5, oral questions. Item 6, written questions. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Mr. Speaker, I seek unanimous consent to return to oral questions.

MR. SPEAKER:

The honourable Member is seeking unanimous consent to return to item 5, oral questions. Are there any nays? There are no nays. Please proceed, Mrs. Marie-Jewell.

REVERT BACK TO ITEM 5: ORAL QUESTIONS

Question 260-12(3): Completion Of Fire Management Review

MRS. MARIE-JEWELL:

Mr. Speaker, I have a question for the Minister of Renewable Resources. When does he anticipate his fire management review to be completed?

MR. SPEAKER:

Mr. Allooloo.

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Return To Question 260-12(3): Completion Of Fire Management Review

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. The Member has asked me this question on December 2 and I replied that we were targeting for the end of May, 1993. This target date remains the same. Thank you.

MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 260-12(3): Completion Of Fire Management Review

MRS. MARIE-JEWELL:

Mr. Speaker, at the same time I asked the question on December 2, I did ask the Minister if he would make a concerted effort to try to complete his review prior to the end of May, and he indicated he would. What steps has the Minister taken to try to complete his review prior to the end of May? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question 260-12(3): Completion Of Fire Management Review

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I have asked my department to see if we can complete the review. I have been told we will not be able to at the present time. Thank you.

MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 260-12(3): Completion Of Fire Management Review

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. Can the Minister indicate to this House the reasons the review could not be completed prior to the end of May?

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question 260-12(3): Completion Of Fire Management Review

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. The people who are involved in fire management, and also interested in fire management in the Northwest Territories, must have input into the review. The company that is doing the review will have to hear from individuals and companies throughout the Northwest Territories, such as bands, corporations and other interested parties. The earliest they feel they can finish the review is the end of May.

MR. SPEAKER:

This is your last supplementary, Mrs. Marie-Jewell.

Supplementary To Question 260-12(3): Completion Of Fire Management Review

MRS. MARIE-JEWELL:

Mr. Speaker, besides hearing he may have a problem in consultation process, he has not really given any specific answer as to why he can not try to complete, or make a concerted effort to complete, this review prior to the end of May. Can the Minister explain, in detail, the impediments which provide him the inability to be able to complete this management review prior to the end of May? Can you give this House any specific reason? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question 260-12(3): Completion Of Fire Management Review

HON. TITUS ALLOOLOO:

I will be happy to give this House the detailed plan of the company doing the review. The Members will then be able to see the work plan, dates, et cetera. This will enable the Members to have full information regarding how much time it will take to do certain things. Thank you.

MR. SPEAKER:

That was your last supplementary, Mrs. Marie-Jewell. Item 5, oral questions. Mr. Gargan.

Question 261-12(3): Exchange Of Service Agreement With Province Of Ontario

MR. GARGAN:

Thank you, Mr. Speaker. Mr. Speaker, I have a question for the Minister of Justice. The Minister made a response with regard to correctional services and the federal government coming into an agreement regarding inmates staying here based on their residency and whether they have committed a crime. During Mrs. Diane Doyle's hearing, the lawyer persistently requested that Mrs. Doyle be allowed to see a therapist in Toronto. I would like to ask the Minister whether or not there has been an exchange of service agreement completed with the Province of Ontario, so that Mrs. Doyle can take advantage of the lawyer's suggestion?

MR. SPEAKER:

Mr. Kakfwi.

Return To Question 261-12(3): Exchange Of Service Agreement With Province Of Ontario

HON. STEPHEN KAKFWI:

Mr. Speaker, in the exchange agreement we have with the federal government, it is discussed between our officials and the Parole Board of Canada which deals with federal inmates. It is discussed as to who the federal government may request be retained here in our northern institutions. As far as I know, the person they questioned was one that was requested by the federal government to be detained here. We had, simply, complied with it. I am not certain about

the specifics of the sentencing and the requirements that should be met. I cannot tell them, specifically, what happened in that instance.

MR. SPEAKER:

Supplementary, Mr. Gargan.

Supplementary To Question 261-12(3): Exchange Of Service Agreement With Province Of Ontario

MR. GARGAN:

Thank you, Mr. Speaker. One of the principles taken into account by the Supreme Court Justice when sentencing Ms. Doyle for this serious breach of trust, was that there must be a general deterrence for others in similar positions. Justice Irving was very aware of the fact that Ms. Doyle would serve a sentence of more than two years in a federal institution. I am very concerned about the message that is being sent to others by the privileged treatment that

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Diane Doyle is receiving. I would like to ask the Minister why the justice process, and the fundamental principles of which Justice Irving based his decision on, is not being adhered to?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 261-12(3): Exchange Of Service Agreement With Province Of Ontario

HON. STEPHEN KAKFWI:

Mr. Speaker, it is my view that, aside from our own particular impressions being some distance from the people who are charged with dealing with these issues, there is a fair and objective way in which federal inmates are dealt with in the process. We have, at times, been keeping people in our institutions who have committed crimes that have resulted in serious harm to people, such as sexual assaults, bodily assaults and people who have committed these offenses sometimes more than once. I think we have to keep that in perspective. I believe we are not doing the public any service by continuing to debate a particular individual sentence. The courts dealt with the individual in question. Corrections Canada, in cooperation with us, has taken on their responsibility under legislation and are dealing with it. I recognize

the Member's interest in asking questions about it, but I am not comfortable with continuing this in the Legislature. Thank you.

MR. SPEAKER:

Supplementary, Mr. Gargan.

Supplementary To Question 261-12(3): Exchange Of Service Agreement With Province Of Ontario

MR. GARGAN:

Mr. Speaker, I thought the women's secure facility in Fort Smith I thought would be for women who have committed very minor offenses or light crimes. I just question why Ms. Doyle, who committed a serious offence and is sentenced for three years, is allowed to be left to serve her term here. I have a question, Mr. Speaker, to the Minister with regard to the process. After her sentence was Ms. Doyle shipped south to a penitentiary or was she intervened before the shipment could occur?

MR. SPEAKER:

A question such as this would not normally be within the knowledge of the Minister. Would the Minister like to answer in a general sense? Mr. Kakfwi.

Further Return To Question 261-12(3): Exchange Of Service Agreement With Province Of Ontario

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. I have no idea of the travel and movements that particular individual went through before finally being...

MRS. MARIE-JEWELL:

Mr. Speaker, I do not want to challenge your comments. However, my previous questions to the Minister, respecting this specific inmate, should have allowed him to gain the knowledge that he needed to be able to answer our questions in this House. Thank you.

MR. SPEAKER:

Thank you for your comments, Mrs. Marie-Jewell, but it is not a point of order. Item 5, oral questions. Mrs. Marie-Jewell. I am sorry, you did not conclude, Mr. Kakfwi. Would you like to conclude your response?

HON. STEPHEN KAKFWI:

Mr. Speaker, if I understand the question properly, the Member is inquiring as to whether, because the particular individual was sentenced to more than two years, the federal institution in the south first received her to begin her sentencing before the individual came back north to serve out the length of her term, or did the individual go straight from the time of sentencing to an institution in Fort Smith? I do not know the answer to that question. I will get back to the Member. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Zoe.

Question 262-12(3): Review Of Fire Management Program

MR. ZOE:

Thank you, Mr. Speaker. My question is to the Minister of Renewable Resources. This is to follow-up on my colleague's questions. The Minister indicated the review of fire management would be concluded by the end of May. The Minister also knows that the fire season in 1993 starts in May. The findings or recommendations of this review would also require approval from Cabinet as to what they want to implement from those recommendations. Is the government anticipating that whatever decisions are made would not affect this particular fire season? Thank you.

MR. SPEAKER:

Mr. Allooloo.

Return To Question 262-12(3): Review Of Fire Management Program

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. It is more than likely that will be the case for this year. Thank you.

MR. SPEAKER:

Supplementary, Mr. Zoe.

Supplementary To Question 262-12(3): Review Of Fire Management Program

MR. ZOE:

Mr. Speaker, I did not quite understand the Minister's answer. He said that it would most likely be

completed. I realize it will be completed by the end of May, but obviously the recommendation from that particular person who is doing the report would have to be brought to the attention of Cabinet and approval would have to be made of some sort to implement those recommendations. Because our fire season starts in May is it going to have an impact on the 1993 fire season, or are they going to wait until the following year to implement their recommendation? That was my question, Mr. Speaker.

MR. SPEAKER:

Mr. Allooloo.

Further Return To Question 262-12(3): Review Of The Fire Management Program

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. As I stated earlier, more than likely, nothing will change this year and for the 1993 fire season. Probably during 1993 the policy will be in place and the changes will take place in the 1994 fire season. Thank you.

MR. SPEAKER:

Supplementary, Mr. Zoe.

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Supplementary To Question 262-12(3): Review Of Fire Management Program

MR. ZOE:

This is with regard to fire management, Mr. Speaker. Could I ask the Minister what our cost is pertaining to this review?

MR. SPEAKER:

Mr. Allooloo.

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I will have to take the question as notice.

MR. SPEAKER:

The question has been taken as notice. Item 5, oral questions. Mrs. Marie-Jewell.

Question 263-12(3): Responsibility Of Education Fees For Inmates

MRS. MARIE-JEWELL:

Mr. Speaker, my question is for the Minister of Justice. Following up on my honourable colleague from Deh Cho, the public is quite astounded that Diane Doyle, who was convicted of stealing over \$270,000 from the territorial government, is now being allowed by our government to serve her three year sentence in the Fort Smith women's facility, instead of a federal penitentiary. However, to further this absurdity, I now have knowledge Ms. Doyle is also enrolled in the management studies program at Arctic College.

---Laughter

This no doubt raises credibility of our correction system, let alone our justice system which the Minister is responsible for. Can the Minister advise this House as to who bears the responsibility of the cost of tuition fees, books and supplies for federal inmates of the Fort Smith correctional facility when they enrol in the Arctic College courses? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Return To Question 263-12(3): Responsibility For Education Fees For Inmates

HON. STEPHEN KAKFWI:

Mr. Speaker, the agreement says that, amongst other things, we should make certain programs available to inmates. The federal government gives us a certain amount of dollars every year. We make room in institutions on behalf of the federal government. Inmates have access, even in high security federal penitentiaries, to educational programs. Not all inmates require upgrading. Some have higher educational achievements and if they aspire to be lawyers or financial managers and the courses are available, then it is provided for.

The institution in Fort Smith is a minimum security institution and it is the practice to provide programs off the grounds of the facility. It is seen quite positively by the federal government and ourselves as a way to work towards re-integrating inmates into the community. Thank you.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 263-12(3):
Responsibility For Education Fees For Inmates

MRS. MARIE-JEWELL:

I recognize, Mr. Speaker, that inmates are allowed to take different programs, even federal inmates, however the majority of the times those programs are available within the institution. This education institution is certainly not within the women's correctional centre. I want to indicate to the Minister, given that the employment opportunities in the management field for someone who has been convicted of major theft and fraud from her employers, certainly is limited. Can the Minister explain the rationale used by his officials to support the enrolment of Ms. Doyle in a management studies program, rather than one that might offer her real employment prospects? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 263-12(3): Responsibility For Education Fees For Inmates

HON. STEPHEN KAKFWI:

Mr. Speaker, in the proceedings in this Legislature, I have always been reluctant to discuss individual people and cases. I am becoming increasingly uncomfortable with this questioning. If the questioning is more general without naming a particular individual, then I think the questions would be more acceptable to me. I say, again, that if the Members look closely, there are many people who are serving time within our institutions here who have committed very serious offenses against their communities and sometimes against their immediate family and who have caused serious injury to persons to the point of causing fatalities.

I do not know that to discuss a particular individual at great length without looking at the overall system and the way we deal with people, serves any clear public interest. If the Members feel there are problems with the arrangement we have with the federal government with regard to this particular agreement, I would be prepared to discuss and entertain some suggestions to review this agreement. Whether it be too restrictive or lenient could be debated. As I say, I am increasingly uncomfortable. All the people who go through the courts are dealt with by the courts. They are sentenced by the courts and the courts give

instructions as to how they are to serve out their sentences. The boards and the respective jurisdictions that are set up to serve the courts take on these responsibilities. I do not feel comfortable with the

MR. SPEAKER:

Point of Privilege, Mrs. Marie-Jewell.

Point Of Privilege

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I would like to raise a point of privilege. One of the fundamental privileges Members have in this House is freedom of speech. Ministers have the responsibility to fulfil government programs, the court processes accordingly. The Minister feels, to some degree, that we are uttering deliberate motives towards a certain individual. I would like you to make a ruling in respect to my freedom of speech in this House, as to whether or not I am allowed to express the concerns of my constituents or of the people of the north in this House. I do not appreciate the comments made by the Minister. He has not answered my question, therefore, I raise on a point of privilege on my

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inability to express freedom of speech as a Member. Thank you.

MR. SPEAKER:

Thank you. The chair actually welcomes an opportunity to deal with this issue because this issue has come up a number of different times. I would allow any other Member who would like to comment or debate on the particular point of privilege brought up by Mrs. Marie-Jewell. I will reserve judgement until tomorrow. I would be very interested in hearing Members' feelings about this particular issue before I make a judgement. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I want to make it clear, I am not interested in restricting the right of Members to say whatever they want to say. There are rules in the Legislature for this. There is also an attachment in front of our names which compels us to act honourably. My point is simply that this is a question of policy, a question of some matters which the courts, independent bodies from legislatures and

government, deal with. My point is that if there is a problem with the perception of the system, as we have it in place, such as the courts and correctional facilities, and such as the agreement we have with the federal government to keep certain inmates who normally would serve time in a federal penitentiary, that is where the line of questioning and concerns should be. What I was stating while trying to answer the question, is if it evolves around the way in which a particular person is perceived to be treated, then I have difficulty with it because it is discussing a particular individual who has no recourse to defend themselves or make a case. I do not like the perception that this is the only way to go. I think there is a different way to approach the issues, but we have to identify the issue. If there are problems with this agreement we have with the federal government, I would like to know what they are so that we can address them. If there are problems with the way in which we run the institution in Fort Smith, I would like to hear what they are. This is simply the point I was trying to make, I was not asking that Members be restricted in their right to speak. Thank you.

MR. SPEAKER:

Are there any other comments? Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Speaker. Mr. Speaker, I do not know how much opportunity we should give this individual to defend herself. One of the recommendations was that the individual be allowed to attend a therapist in Toronto. One of the reasons her sentence was three years was for a deterrent from such a thing to happen again. Yet, here we are allowing this individual to stay here and to go to Arctic College. In my opinion we have 9,000 civil servants...

MR. SPEAKER:

Excuse me, Mr. Gargan, right now I am permitting debate on the pros and cons of the point of privilege brought forward by Mrs. Marie-Jewell as opposed to the actual issue itself. Please limit the discussion to the pros and cons of that particular question of privilege. Mr. Gargan. Mr. Koe.

MR. KOE:

I have had problems with some of the other questions I have asked in this House dealing with issues and speaking about individuals who have raised issues. We as Members are asked many times, by

constituents, to raise specific concerns or are asked by other residents in other communities to raise issues on their behalf. In the north, we have a small population base and many of our communities are small, so when we speak about a certain professional, a certain position or a certain individual almost everyone knows who we are talking about. I had great concern when the Minister said that we should not be referring to individuals by name. I believe that when we deal with some of the issues we have to deal with, or are asked to deal with, we should be allowed to mention the individual's name. Thank you.

MR. SPEAKER:

Mr. Nerysoo.

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. Mr. Speaker, on this matter which is before us, I do not think anyone would argue about the matter of the right and freedom of speech which every Member has. However, I would like to raise a particular concern as it applies to matters which have been raised. Perhaps I might mention Beauchesne's Parliamentary Rules and Forms, citation 511, "the freedom of speech accorded to Members of Parliament is a fundamental right without which they would be hampered in the performance of their duties. The Speaker should interfere with the freedom of speech only in exceptional cases where it is clear that to do otherwise could be harmful to specific individuals." I think the questions which are before you may in fact cause those particular situations to occur. However, that is not to suggest, Mr. Speaker, that any Member should not have an opportunity or the right and the freedom of speech to raise any particular issues that they so feel and wish to raise in this House.

I would also note, Mr. Speaker, that citation 493 of Beauchesne's also suggests that the Speaker has cautioned Members 493(4) with regard to protected persons. "The Speaker has cautioned Members to exercise great care in making statements about persons who are outside the House and unable to reply."

SOME HON. MEMBERS:

Hear, hear.

HON. RICHARD NERYSOO:

I believe this is absolutely crucial for us all, no matter what circumstances we are in, to ensure the credibility and the respect which is accorded to Members of this House and to the Assembly. I think it is crucial that I, for instance, be able to ensure that I am accountable for policies of this government as is every Member of this House and as such should in fact allow every Member an opportunity to challenge or to change those policies based on their advice and their input. I ask all Members, Mr. Speaker, to review this particular matter carefully and cautiously, not with the intention of in any way reducing freedoms in this House, but to take care, ensure and uphold the respect and the responsibilities given to Members of this Assembly. Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Patterson.

MR. PATTERSON:

Mr. Speaker, you do not have an easy job and in this case you are being asked to balance the noble right of freedom of speech with, as Mr. Nerysoo pointed out, the rights of individuals. I believe that even the convicted criminal has some rights. As was pointed out, we should be mindful, in this House, that an individual about whom questions are asked, has no right of reply. I must say, Mr. Speaker, that I have been quite appalled at some of the personal attacks on individuals, in this House, by name, where the individual has no right of reply. I am not going to pontificate about what your

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ruling should be on this matter, but I suggest that the dignity of this House requires that, wherever possible, these issues should be pursued as questions of policy, without exposing people who have no right of reply, to the potential for being victimized. Thank you.

MR. SPEAKER:

Are there other comments on this issue? Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. This is in respect to following up on some of my concerns. Even though it does appall some Members, it is a concern to my constituents. I want to indicate, Mr. Speaker, that the Minister has a statutory responsibility to exercise certain duties related to individuals in the correctional

system and I, as a Member, hold him accountable. Members should be able to ask questions that allow the performance of that duty to be exercised. The only way to do that is to ask about these individuals. The manner the Minister had replied to me appeared to impute motives of placing a barrier before my ability to ask questions, which he has a statutory obligation to fulfil. Therefore, I ask that you make a ruling on our freedom of speech, which allows us as Members, to decide how we can govern ourselves within the ruling of freedom of speech. Thank you.

MR. SPEAKER:

Are there any other comments? Mr. Gargan.

MR. GARGAN:

Mr. Speaker, I do not have the rules in front of me, nor do I have the Beauchesne's book in front of me, but one of the things that Mrs. Marie-Jewell has said is with regard to the reaction of her constituency and to certain individuals being treated in a certain way. I think it is a matter of whether or not she is aboriginal or non-native, or whether or not the aboriginal people have been treated much more differently than a non-native aboriginal. In this case, I question whether or not the justice system has suggested a deterrence and we, as a government, are not doing anything to deter that. It is very wrong for us to try and serve the public and give them answers, and at the same time, we are not doing anything about certain individuals, in the opinion of the public, who are given special treatment.

MR. SPEAKER:

Members, please, I will ask again, if they could try to contain their comments within the parameters of giving me advice about the actual matter of privilege before us. Are there any other comments? Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, in my view, the questioning should stay focused, without naming particular individuals, on the policy of this government and the federal government, and how people, who are sentenced to incarceration, are dealt with. It is a raging debate, it has been for many years, as to whether or not the intent is for punitive measures or for a measure more toward rehabilitation. The federal legislation contains a line such as saying "the least restrictive measures of incarceration" should be used as much as possible.

Even federal legislation points in that direction. The debate, in my opinion, is not so much about whether or not Members should be restricting their questioning. I do not think that is the case. Even the freedom of speech, in any definition, has restrictions on it, but the points can be raised and the focus can be clear. It could be done without naming particular individuals. By questioning the legislation and the way in which we carry out our respective mandates and the kind of policies that the federal government and this government follows in regard to incarceration and institutionalizing inmates. Thank you.

MR. SPEAKER:

All right. I think the issue is quite clear. I want to thank both sides for their contribution. I think it is a very important question. I am going to take some time to reflect on the response. Obviously, the rules will play a precedent. The lesson for all of us is that it is very difficult, at times, to define our various roles in a modern Legislative Assembly and that common sense and a sense of fair play in all these matters must really prevail. I will try to get back to honourable Members as soon as I can with a judgement. Thank you.

Item 5, oral questions. Mrs. Marie-Jewell.

Question 264-12(3): Honorariums To WCB Members

MRS. MARIE-JEWELL:

Mr. Speaker, I have a question for the Minister responsible for the Workers' Compensation Board. Yesterday, the Minister had announced appointments on the Workers' Compensation Board. I would like to ask the Minister if he could indicate to this House what the honorarium is paid to members of the Workers' Compensation Board?

MR. SPEAKER:

Mr. Wray.

---Laughter

---Applause

MR. SPEAKER:

Some scotsmen look a lot alike. Mr. Todd.

Return To Question 264-12(3): Honorariums To WCB Members

HON. JOHN TODD:

Thank you, Mr. Speaker. The honorariums for the Workers' Compensation Board are \$375 a day while we are in session. I have a detailed list, if you would like, of what each member did get last year. At the present time, it is \$375 a day, plus for out of town people, \$150 a day for expenses.

MR. SPEAKER:

Thank you, Mr. Todd. I apologize for the freudian slip. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 264-12(3): Honorariums To WCB Members

MRS. MARIE-JEWELL:

Mr. Speaker, would the Minister be able to give us the total cost of honorariums for members, I think he said \$375 a day plus \$150 for out of town expenses. What is the cost per member for the honorariums paid out by the Workers' Compensation Board?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 264-12(3): Honorariums To WCB Members

HON. JOHN TODD:

Yes, Mr. Speaker, I can table the document or I can read it out, whatever way you want. The

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total cost last year in honorariums for the board of directors, the appeal tribunal and the claims of safety and education was \$286,218. Those were the honorariums. I do have it broken down by individual, and I would be prepared to table that document should you so wish.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mrs. Marie-Jewell.

Supplementary To Question 264-12(3): Honorariums To WCB Members

MRS. MARIE-JEWELL:

Mr. Speaker, may I ask the Minister if he will make a commitment to Members in this House to table that particular document? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 264-12(3): Honorariums To WCB Members

HON. JOHN TODD:

I would be delighted.

MR. SPEAKER:

Item 5, oral questions. Mr. Gargan.

Question 265-12(3): Policy On Inmate Exchange

MR. GARGAN:

Thank you, Mr. Speaker. I would like to direct my question to the Minister of Justice. I would like to ask the Minister to state the present policy with regard to the exchange of inmates between territorial, provincial and the federal government.

MR. SPEAKER:

Mr. Kakfwi.

Return To Question 265-12(3): Policy On Inmate Exchange

HON. STEPHEN KAKFWI:

Mr. Speaker, there is an agreement, as I indicated earlier, that we have signed with the federal government. The federal legislation says, in so many words, that as much as possible the people who are to serve time in a federal institution should serve time as close to their home community as possible. We have difficulty with that in the Northwest Territories. We have limited bed space for inmates who require a certain level of security. In the case of inmates who are unilingual, for instance, inmates who are not considered to be a threat to the community or other inmates, in the opinion of the federal government, are best served by being placed in the Northwest Territories. We have agreed to a maximum of 30 units per year to take those inmates on behalf of the federal government and have them serve their time up here. There are many inmates here who serve almost double of what we have agreed to. We have

gone beyond what we have agreed to take from the federal government, so there is some discussion on updating this agreement. We had discussions with the Solicitor General about one month ago in Ottawa regarding that particular agreement. That is what the policy of this government is.

My intent, as a Minister, is to come to some agreement with the federal government to take all federal inmates from the north, who are spending time in the south, who we can handle. We would be very interested in pursuing this and I have indicated this to the federal government. We would be interested in negotiating some arrangement with the federal government so that all federal inmates, except for the exceptional cases, should be brought home to serve their sentences in the Northwest Territories. We should, as a government, look towards making the type of facilities they require available as soon as possible. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Ningark.

Question 266-12(3): Social Assistance Vouchers

MR. NINGARK:

(Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Social Services. In my constituency, in the Kitikmeot, the people who receive social assistance have a concern because sometimes they cannot receive cash, only vouchers. I would like to ask the Minister if she could look into this matter and have people receive cash rather than vouchers? Thank you.

MR. SPEAKER:

Ms. Mike.

Return To Question 266-12(3): Social Assistance Vouchers

HON. REBECCA MIKE:

(Translation) Thank you, Mr. Speaker. The vouchers given to social assistance recipients were proposed by the Kitikmeot Regional Council, and that is why we give social assistance in the form of a voucher rather than cash. Thank you.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Ningark.

Supplementary To Question 266-12(3): Social Assistance Vouchers

MR. NINGARK:

Thank you, Mr. Speaker. I would think the government's overall policy would override the Kitikmeot Regional Council's ability to change that role. Therefore, I wonder if the Minister would use the government's overall policy and give the social worker the ability to give cash to social assistance recipients rather than of vouchers? Thank you.

MR. SPEAKER:

Ms. Mike.

Further Return To Question 266-12(3): Social Assistance Vouchers

HON. REBECCA MIKE:

(Translation) Thank you, Mr. Speaker. When the Kitikmeot Regional Council meets next time I will relay that message to them. The people of Spence Bay and the other communities have asked to keep the social assistance payment in the form of a voucher. We will try to do what the communities want. Thank you, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Ningark.

Supplementary To Question 266-12(3): Social Assistance Vouchers

MR. NINGARK:

(Translation) Thank you, Mr. Speaker. I understood the Minister to say that when the Kitikmeot Regional Council next meets, the Minister will talk to them about my request. Thank you.

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MR. SPEAKER:

Ms. Mike.

Further Return To Question 266-12(3): Social Assistance Vouchers

HON. REBECCA MIKE:

Thank you, Mr. Speaker. At the next meeting of the Kitikmeot Regional Council this will be discussed and

probably the changes will be made at that meeting. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Dent.

Question 267-12(3): Payment To NWT Power Corporation President And Board Members

MR. DENT:

Thank you, Mr. Speaker. It was a refreshing bit of openness to hear the Minister responsible for the Workers' Compensation Board promise to table the information on stipends paid to members of the board. The Minister of Energy, Mines and Petroleum Resources will know that Members on this side have been requesting information on the amounts paid to the president and board members for the NWT Power Corporation. I would like to ask the Minister if that information will also be tabled in the near future?

MR. SPEAKER:

Ms. Cournoyea.

Return To Question 267-12(3): Payment To NWT Power Corporation President And Board Members

HON. NELLIE COURNOYEA:

Mr. Speaker, I believe if the record can be checked it has already been provided, however if it has not been I will check that out. I know there was a question and I did sign off the information.

MR. SPEAKER:

Item 5, oral questions. Mr. Arvaluk.

Question 268-12(3): Airline Services In The Keewatin

MR. ARVALUK:

Thank you, Mr. Speaker. My question is to the Minister of Transportation. The Minister knows I met with Calm Air in Arviat shortly after Christmas and we discussed the matter of poor scheduling and services in the Keewatin region. The Minister knows that Calm Air has agreed to review the scheduling services and make recommendations to reflect the passenger connecting requirements, especially those who are in the hospital in Churchill and Winnipeg and other flight connections coming from Yellowknife and Iqaluit. However, looking through the new scheduling, it

seems they amended the scheduling but it has worsened. The gap has widened between other connecting airlines. Can the Minister tell me has he been advised of the new changes that have widened the potential connecting flights?

MR. SPEAKER:

Mr. Todd.

Return To Question 268-12(3): Airline Services In The Keewatin

HON. JOHN TODD:

Mr. Speaker, this issue is a long-standing one in the Keewatin region. We have a bit of a difficult situation. We have two competing airlines and as they say "never the two shall meet." I am not aware of the new changes within the current schedule, but I have in my previous life attempted to bring together both principles of NWT Air and Calm Air. All I can do is assure the honourable Member that I will attempt to do that again and try to have both companies reach some reasonable compromise so their scheds meet going east and west, and north and south. I do recognize the frustration that we all work under in the Keewatin. Thank you.

MR. SPEAKER:

Supplementary, Mr. Arvaluk.

Supplementary To Question 268-12(3): Airline Services In The Keewatin

MR. ARVALUK:

Thank you, Mr. Speaker. I think we know very well that these are not two different airlines serving the same area, they have a monopoly on each of those routes, except they happen to meet in Rankin Inlet, but not anywhere else. Other airports, such as Yellowknife, seem to make an attempt to meet arrival and departure times with different airlines. Will he be talking to the airlines again for the Keewatin and get them to try to follow a similar procedure for the convenience of the passengers, especially those who are unilingual and are coming in or out of the hospitals? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 268-12(3): Airline Services In The Keewatin

HON. JOHN TODD:

We have no direct jurisdiction in terms of airlines determining what their schedules are. However, I do concur with Mr. Arvaluk's concerns and the difficulty is you have a jet going east and west, north and south, and you have a smaller aircraft doing the region. I will endeavour to speak with the CEOs of both airlines and attempt to try and get a coordinated approach to the airline services within the Keewatin.

MR. SPEAKER:

Supplementary, Mr. Arvaluk.

Supplementary To Question 268-12(3): Airline Services In The Keewatin

MR. ARVALUK:

Thank you, Mr. Speaker. Will the Minister then be informing the Keewatin Members of the Legislative Assembly in written form the results of their meetings?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 268-12(3): Airline Services In The Keewatin

HON. JOHN TODD:

Thank you, Mr. Speaker. What I would like to suggest to the honourable Member is that I organize a meeting and ensure that both Mr. Arvaluk and Mr. Arngna'naaq attend so they can state first-hand, to both operators of the airlines in the region, what the concerns of the constituents are.

MR. SPEAKER:

Oral question period has elapsed. Item 6, written questions. We will take a short break.

---SHORT RECESS

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MR. SPEAKER:

I would like to call the Assembly back to order. Item 7, returns to written questions, Mr. Clerk.

ITEM 7: RETURNS TO WRITTEN QUESTIONS

Return To Written Question 14-12(3): Details Surrounding The WCB Funding For The Federation Of Labour Survey Of Trade Unionists

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, I have Return to Written Question 14-12(3) asked by Mrs. Marie-Jewell to the Minister responsible for the Workers' Compensation Board concerning details surrounding the WCB funding for the federation of labour survey of trade unionists.

1. The Minister responsible for the Workers' Compensation Board requested that a committee be established to review and report on the workers' advisor function. The committee consisted of Ron Williams, the then deputy chairman of WCB and Jim Evoy, director of WCB, who were the members of the original hiring committee for the workers' advisor position. The committee report was completed on March 30, 1992 and provided to the Minister. A recommendation of the report was that a grant of \$15,000 be given to organized labour to develop an NWT workers' education program on WCB matters, this program to be comparable to that of the Ontario WCB and the Ontario Federation of Labours' nationally recognized initiative.

On July 13, 1992 a letter was written to the Minister outlining the rationale for the \$15,000 grant, and subsequently on July 17, 1992 the Minister advised that he agreed with the grant.

The board, by motion at its August 1992 meeting, authorized payment of the grant and a cheque for \$15,000 was issued to the NWT Federation of Labour. Mr. Evoy removed himself from the boardroom and did not participate in the discussion or in the decision.

2. No such instruments exist. The WCB has not made grants of this nature in the past. The need to develop such policies and directives is recognized and will be addressed.

3. No such instruments exist.

4. A copy of a letter to the NWT Federation of Labour dated August 24, 1992, to which there has been no written response, is the only correspondence between the two parties.

5. The only contact person involved at the NWT Federation of Labour appears to be the president, Mr.

Jim Evoy. There is no correspondence with the Minister.

Return To Question 16-12(3): Business Travel Done By The Previous Minister Of Culture And Communications

CLERK OF THE HOUSE (Mr. Hamilton):

Return to Written Question 16-12(3) asked by Mrs. Marie-Jewell to the Government Leader concerning business travel done by the previous Minister of Culture and Communications.

The following is a list of the duty travel of the previous Minister of Culture and Communications, Minister of Education and the current Minister of Renewable Resources and Municipal and Community Affairs from December 1991 to December 1992: December 2, 3, 4, Iqaluit, NT, Baffin Regional Council; January 20 and 21, Iqaluit, NWT, visiting schools and TVNC opening; February, no travel; March 14 and 15, Whitehorse, Yukon, meet with Minister of Education; April 16 to 17, Edmonton, Alberta, meet with Minister of Education; May 8 to 15, Japan, representative of the GNWT; May 20 to 24, Whitehorse, Yukon, circumpolar language conference; May 25 to 30, Iqaluit, NWT, Baffin board of education; June, no travel; July 6 and 7, Edmonton, Alberta, meet with Minister of Education; July 9 to 12, Edmonton, Alberta, meet with Minister of Transportation; July 13, Trout Lake, NWT, meeting regarding community Assembly building; July 20 to 27, Inuvik, NWT, Inuit circumpolar conference; August 10, Winnipeg, Manitoba, Ministers meeting for Municipal and Community Affairs and Renewable Resources; August 17, Pangnirtung, NWT, Atlantic fisheries Ministers meeting; August 23, Fort Rae, NWT, opening of friendship centre; September, no travel; October 19 and 20, Toronto, Ontario, Renewable Resources; October 21, Iqaluit, NWT, meet with regional superintendent of Renewable Resources; October 29, Iqaluit, NWT, signing of Nunavut Accord; November 11 to 13, Iqaluit and Rankin, NWT, announcement of land claim vote and meet with Keewatin regional council; November 21, Norman Wells, NWT, meet with mayor; November 25 to 28, Ottawa, Ontario and Fredericton, NB, Canadian Council of Ministers of Environment; December, no travel.

MR. SPEAKER:

Item 8, replies to opening address. Item 9, petitions. Mr. Pudluk.

ITEM 9: PETITIONS

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. I would like to table Petition 8-12(3), a document from Resolute Bay with regard to the housing rental increase for the government employees in Grise Fiord and Resolute Bay. The other document I would like to table is Petition 9-12(3), from Arctic Bay signed by 15 people with regard to rental increases for housing. Thank you.

MR. SPEAKER:

Item 10, reports of standing and special committees. Mr. Antoine.

ITEM 10 : REPORTS OF STANDING AND SPECIAL COMMITTEES

Committee Report 10-12(3): Standing Committee On Finance Report On Tabled Document 21-12(3): Payroll Tax Act

MR. ANTOINE:

Thank you, Mr. Speaker. The Standing Committee on Finance is pleased to submit its report on the review of Tabled Document 21-12(3), Payroll Tax Act. Mr. Speaker, the Standing Committee on Finance has completed this critical review of Tabled Document 21-12(3), Payroll Tax Act. The committee cannot support this draft bill in its present form. The Standing Committee on Finance met in Yellowknife

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on five occasions to consider the proposed payroll tax. The committee consulted with the Minister of Finance and reviewed written submissions from the public, who were invited to provide input. The committee also employed the services of a taxation specialist, Mr. William P. Daye, C.A., to undertake a detailed review of the draft legislation with the Department of Finance. Mr. Daye's report, which we generally endorse, is attached as appendix one.

The purpose of reviewing the proposed payroll tax was to determine and assess the policy objective of the department, to ascertain whether the proposed tax would meet policy objectives and to determine whether in the context of the total revenue and expenditures the proposal presented was realistic and allowed the government to fulfil their mandate. The objective of the payroll tax was to have two

interrelated objectives. One is to raise revenues to help reduce the deficit and provide funding for government programs. The second one is to obtain tax revenues from individuals who work in the Northwest Territories and who do not pay income tax in the territories, taxing temporary and non-resident workers. The Minister indicated that after years of study the payroll tax system was determined to be the only feasible method to meet objectives of taxing temporary and non-resident workers. All other approaches, which the department investigated, would run a foul of the mobility provisions in the Canadian Charter of Rights and Freedoms, in that we would be deemed to discriminate among persons primarily on the basis of place of residence. The committee and the majority of the public submissions received support the underlying principle. However, the committee has a number of concerns regarding the means of implementing this tax. These concerns have been conveyed to the Minister.

The tax would impact more than just the targeted population. For example, many northerners would be required to pay the tax and would not be eligible to receive the tax credit. Taxpayers in similar situations would have dissimilar tax positions. For example, a bank inspector travelling to Yellowknife would have a tax imposed upon him/her that his/her colleague travelling to Whitehorse would not. Certain individual residents in the Northwest Territories are not subject to income tax but will be subject to the payroll tax. An example would be priests and nuns who have taken a vow of perpetual poverty. A tax credit would provide some relief but this relief would not be as visible as an initial tax levy. There are many technical issues that may prove to be problematic for the employer, employee and government, such as the mismatching of the payroll tax and the cost of living tax credit. For example, a self-employed individual would be entitled to the tax credit even though he would not have paid the payroll tax. The calculation of employee remuneration subject to the payroll tax may be difficult, particularly in the case of fly-in fly-out employees.

There has been, and will continue to be, a very negative reaction amongst northerners because the method proposed for implementing this tax is flawed.

Another major source of revenue, by the time the proposed tax changes are fully implemented in 1995-96, it is projected that annual net revenues of approximately \$1.6 million will be generated. Approximately 14 per cent of the net revenue will be absorbed by the administration costs. These

administration costs do not include the costs which will be borne by employers to collect, remit and, comply with the proposed Payroll Tax Act. The employers' costs are hidden costs but it has the potential to be quite significant.

The taxing statute with a very narrow focus such as the payroll tax must be relatively simple and straightforward to administer. This is particularly true for one which is expected to generate such a small amount of revenue. The administrative complexity will likely result in an erosion of taxpayer' respect and compliance. It is anticipated that the administration, enforcement and collection difficulties will increase at a rate disproportionate to the revenues being generated. As a means of raising revenue the payroll tax is too complex in relation to its revenue potential.

The Minister of Finance warned the committee that withdrawal of the proposal currently before the committee would necessitate compensating increases in other taxes such as corporate or personal income tax. However, it is this committee's view that there are alternatives. For example, the loss of projected revenue resulting from withdrawal of this proposal could be offset by expenditure reductions of \$1.6 million, an amount which represents a small fraction of the total territorial budget.

The committee wishes to point out that the Minister of Finance is relying on the projected revenue of \$8 million from the payroll tax to balance the 1993-94 budget. It is misleading to use this projected revenue to balance the 1993-94 budget without showing the off-setting tax credit expenditures which would occur in the following fiscal year. While the introduction of the payroll tax will have a significant impact on the cash flow in the first fiscal year, the real net effects are far less significant. If the government is unable to introduce the payroll tax on July 1, 1993, as originally intended, the budget may suffer an apparent \$8 million reduction in revenue. However, the real net effect will be a reduction of only approximately \$1.2 million.

Alternative methods identified, while the committee has the duty to critically review money bills we also have a duty to offer constructive suggestions and recommendations. In this regard, the committee provided the Minister of Finance with the many

concerns raised and some suggestions of resolution. Specifically, it was suggested that the Minister consider replacing the employee based payroll tax with an employer based tax which could be levied in

respect to all permanent establishments located in the Northwest Territories. All remuneration paid from or to a permanent establishment, including construction sites, of the employer in the Northwest Territories could be taxed.

In addition, we suggest a notched provision which would eliminate many small employers from tax-based and thus minimize some of the complexities involved in the administration of the tax. We also suggested financial incentives be offered to those companies who hire locally. However, the Minister does not appear to see the merit in our suggestions nor seems as concerned as the committee about the potential difficulties identified by our research.

In conclusion, the Standing Committee on Finance has conducted a critical review of the proposed Payroll Tax Act. The committee supports the principle and objective of this

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policy initiative, however, our review has raised a number of concerns many of which are related to the means of implementing this tax. We have developed a number of suggestions for resolving our concerns, however, the Minister of Finance does not appear to see the merit in our suggestions nor be too concerned about the potential difficulties we have identified in our review.

As a result, the Standing Committee on Finance cannot recommend passage of this Payroll Tax Act in its present form. We would like to take this opportunity to thank the individuals and organizations who took the time to submit their comments to us. The committee heard what you had to say and felt that, under the circumstances, a public hearing was not necessary at this time. We feel that public consultation on such an important issue as this is critical and recommend it to the government in the future.

Mr. Speaker, this concludes the Standing Committee on Finance report on Tabled Document 21-12(3), Payroll Tax Act.

Motion To Move Committee Report 10-12(3) Into Committee Of The Whole

I move, seconded by the honourable Member for Yellowknife Frame Lake, that Committee Report 10-12(3) be received and moved to committee of the whole for consideration. Mahsi Cho.

MR. SPEAKER:

The motion is in order. To the motion.

AN HON. MEMBER:

Question.

MR. SPEAKER:

Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Committee Report 10-12(3) is moved into committee of the whole for tomorrow. Item 10, reports of standing and special committees. Item 11, reports of committees on the review of bills. Mr. Arngna'naaq.

ITEM 11: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS

Report On Bill 12

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. I wish to report to the Legislative Assembly that the Standing Committee on Legislation has reviewed Bill 12, an Act to Amend the Mental Health Act and wishes to report that Bill 12 is now ready for committee of the whole. Thank you.

MR. SPEAKER:

Thank you, Mr. Arngna'naaq. Pursuant to rule 66(5) Bill 12 is ordered into committee of the whole two days from now. Item 11, reports of committees on the review of bills. Item 12, tabling of documents. Mr. Ningark.

ITEM 12: TABLING OF DOCUMENTS

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, I wish to table Tabled Document 41-12(3), 30 letters from Gjoa Haven concerning and opposing the GNWT housing strategy. Thank you.

MR. SPEAKER:

Item 12, tabling of documents. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I wish to table Tabled Document 42-12(3), an article which appeared in the Inuvik Drum dated February 11, 1993 titled "Beaufort Delta Leaders Support Housing Strategy", and Tabled Document 43-12(3), a letter from the mayor of Norman Wells, Mr. Diebold, which is addressed to the chairperson of the Standing Committee on Finance, regarding the Norman Wells town council's unanimous support of the payroll tax. Thank you.

MR. SPEAKER:

Item 12, tabling of documents. Mr. Pudluk.

MR. PUDLUK:

Thank you, Mr. Speaker. Mr. Speaker, I wish to table Tabled Document 44-12(3), five letters from the government staff at the Allurut School in Nanisivik concerning the new government housing policy, Tabled Document 45-12(3), a letter from an Arctic Bay adult educator concerning the new government housing policy, and Tabled Document 46-12(3), a letter sent to the superintendent of MACA in Iqaluit from Resolute Bay regarding the operations and maintenance of the pipeline system. Thank you.

MR. SPEAKER:

Item 12, tabling of documents. Mr. Antoine.

MR. ANTOINE:

Thank you, Mr. Speaker. I wish to table Tabled Document 47-12(3), correspondence addressed to myself and dated February 4, 1993, from Chief Steve Kotchea of the Fort Liard Dene band regarding the importance of ensuring appropriate referrals for families struggling with alcohol and drug abuse. Mahsi.

MR. SPEAKER:

Item 12, tabling of documents. Mr. Clerk, replies to petitions.

MR. HAMILTON:

Mr. Speaker, pursuant to rule 57(10) I wish to table Tabled Document 48-12(3), Response to Petition 1-12(3) presented by Mr. Ningark and responded to by the Minister of Education, Culture and Employment Programs.

MR. SPEAKER:

Item 12, tabling of documents. Item 13, notices of motion. Item 14, notices of motions for first reading of bills. Item 15, motions. 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 2-12(3), "The Justice House" Report of the Special Advisor on Gender Equality; Bill 5, an Act to Amend the Social Assistance Act; Bill 6, an Act to Amend the Commercial Tenancies Act; and, Bill 11, an Act to Amend the Legislative Assembly and Executive Council Act, with Mr. Whitford in the chair.

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

CHAIRMAN (Mr. Whitford):

I would like to call the committee to order. The committee has a number of bills and other matters before it. What is the wish of the committee? Mr. Ningark.

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MR. NINGARK:

Thank you, Mr. Chairman. Under item 18, consideration in committee of the whole of bills and other matters we have Bill 5, Bill 6 and Bill 11 which we would like to deal with. Thank you.

CHAIRMAN (Mr. Whitford):

Is the committee agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 5: An Act To Amend The Social Assistance Act

CHAIRMAN (Mr. Whitford):

Thank you. Is the Minister prepared to make opening remarks with regard to Bill 5, an Act to Amend the Social Assistance Act? Ms. Mike.

Introductory Remarks

HON. REBECCA MIKE:

Thank you, Mr. Chairman. Thank you for the opportunity to present information on amendments to the Social Assistance Act. The changes to the Social

Assistance Act will make provision for the confidentiality of information between the client and any department official involved in casework. The need to protect the client confidentiality in social assistance transactions is essential to the integrity of the social assistance program. Many jurisdictions in Canada have this aspect of the program covered in their legislation. It allows for the appointment of eight members to the social assistance appeal committee and social assistance appeal board. The chairperson of the committee or the board will be able to choose a panel of three to five persons from among the members of the committee or the board to hear an appeal.

Permanent regulations allow increases in social assistance payments to be made retroactively. With this change, increases, for example food rates, can be made earlier than the day on which the regulations were registered.

I am prepared to answer any questions Members may have. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Does the chairman of the Standing Committee on Legislation wish to make any opening remarks?

Comments By Standing Committee on Legislation

MR. ARNGNA'NAAQ:

Thank you, Mr. Chairman. The Standing Committee on Legislation also reviewed Bill 5, an Act to Amend the Social Assistance Act at its public meeting on December 7, 1992. The committee would like to thank the Honourable Nellie Cournoyea and officials from the Departments of Social Services and Justice for presenting the bill. The bill would amend the Social Assistance Act to revise the structure for social assistance appeals. Under the act people who have applied for social assistance or who receive social assistance may appeal a decision about their eligibility for social assistance or about the amount of money they may receive.

The first appeal is to the social assistance appeal committee. Decisions of appeal committees may be appealed further to the social assistance appeal board. Right now the act provides that the appeal committees must be composed of between three and five members each. This bill would provide that committees would be composed of up to eight

members each. A panel of between three and five could then be designed by the chairperson to hear an appeal. This amendment would provide more flexibility in allocating members to hear appeals. Currently there is difficulty finding three to five committee members available at the same time to hear an appeal, particularly during the summer when many people are on the land.

The bill would also allow the chairperson of the appeal board to designate a panel of between three and five members to hear the appeal. This bill would also add sections to the act to protect the confidentiality of information acquired in the administration of the act. The bill would provide that any such information may not be disclosed except in the course of the person's duties. Specific exceptions would allow information to be disclosed with the consent of the person to whom the information relates, to the Financial Management Board and to other governments for the purpose of exchange of information about benefits. Similar provisions exist in other territorial legislation such as the Medical Care Act.

This bill also proposes amendments regarding regulations that are made under the act. The bill would validate certain social allowance payments that were made according to a food allowance rate table before the table was incorporated in a regulation, and would allow social assistance regulations to have retroactive effect back to the beginning of the fiscal year. This would enable the department to make payments according to new rates as soon as they are authorized without being required to wait for the registration of the regulation.

During the standing committee's review and discussions on Bill 5 it was noted that this bill would transfer the responsibility for making regulations, prescribing the amount of social assistance that may be given to persons in need, from the Minister to the Financial Management Board. This may be an issue that Members wish to pursue during committee of the whole.

Generally, the committee Members were in support of this bill and a motion was carried December 7, 1992, to report Bill 5 to the Assembly as ready for committee of the whole. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arngna'naaq. Would the Minister like to call some witnesses to the witness table?

HON. REBECCA MIKE:

Yes, Mr. Chairman, I would like to call Diane Buckland as a witness. I do not know if my deputy minister is here or not.

CHAIRMAN (Mr. Whitford):

Thank you. Would the Sergeant-at-Arms assist the witnesses to the witness table?

Thank you, Madam Minister. Would you be so kind as to introduce your witness please?

HON. REBECCA MIKE:

Thank you, Mr. Chairman. Diane Buckland is legislative counsel from the legislative division of Justice.

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CHAIRMAN (Mr. Whitford):

Thank you. General Comments. Mrs. Marie-Jewell.

General Comments

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. In respect to this particular bill, it appears the Minister wants to amend the act to expand the appeal committees in the communities. The Minister wishes to expand the committee by three extra members. However, the quorum still stays the same being a quorum of three members. Taking out of an eight member board, why would she not allow the quorum to increase to five members? Why would she allow it to remain as three members? If I could get clarification on that particular item, Mr. Chairman, I would appreciate it. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Marie-Jewell. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. With the five member committee there was difficulty during the summer months when many of the families were out on the land to constitute a quorum on appeals. That was the reason it was increased was that when it was difficult to get a quorum it would allow the appeal process in the community to be easier.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Supplementary question, Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. The purpose of expanding the committee is probably to address the issue of a quorum, however I cannot understand why the quorum only constitutes three members. Generally a quorum is a majority of the composition of a board and the majority should be four, if not four plus one so you do not get a tie vote. I am wondering as to why the quorum is not increased. The members are increased according to the old act, yet the quorum is not increased. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Marie-Jewell. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. By increasing the membership of the appeal committee it was difficult at five members to constitute a quorum. If we increased the number and have three members constitute a quorum, this will allow the process to go through.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Mr. Chairman, my concern is not being addressed. I recognize the fact that the members are expanding and I recognize the community or the appeal committee may have in retrieving members, particularly during certain times of the year. However, I am concerned that you want to expand your board, but at the same time not consistently expand your quorum requirements and it may pose a problem. In any general democratic process the quorum is the majority of the board or half of the majority plus one. This is below what you usually need for a quorum. I take, for example, a quorum in this House is 12 plus one. You are really not changing the quorum on this, you are adhering to the old quorum and I do not find it being consistent with quorum requirements. Therefore, I would like to ask the Minister if consideration will be given to increasing the amount

for a quorum since she has taken the time to increase the amount for membership requirement? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Marie-Jewell. Madam Minister, the question is, will you consider it?

HON. REBECCA MIKE:

Mr. Chairman, I will let Diane Buckland respond to the Member's concern.

MS. BUCKLAND:

Thank you. I understand the primary difficulty was, as the Minister indicated, drawing enough people from the number five. Once the number is increased to eight it will be easier, from those eight, to find three who are available. The principle of the quorum is often a majority. These will be set up very much like the court system is set up. The court of appeal can sit with only three members even though the number of members constituting the court of appeal is much greater than that, it may be ten or 11. It is an administrative mechanism to allow the appeal process to go on smoothly even when everyone may not be available. As I say it is just an administrative mechanism to make it work more smoothly. If the quorum were to be increased I do not know that the problem would be solved, they would still have difficulty getting enough people on the committee to be available for each appeal. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

I am very concerned, Mr. Chairman, that the principle, as Ms. Buckland has stated, of the quorum is not being adhered to. I am concerned once you put a bill like this in and the chairman knows that only three members make a quorum there is nothing preventing that chairman from only calling possibly four members to hear an appeal as opposed to calling all eight, knowing they can get a quorum. That sometimes causes problems. If you are bringing this bill in for administrative purposes only, I do not think it is addressing the concerns of the community. The appeal committee is looked upon in the community as the last resort for concerns regarding the Social Assistance Act. I would like to move under clause three, Mr. Chairman, that it be amended from three members constitute a quorum to five members constitute a quorum. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Marie-Jewell. When we get to that clause you can make that motion. We will need to take a break to have it translated into French and Inuktitut. Mr. Koe.

MR. KOE:

Thank you, Mr. Chairman. Bill 5, as my colleague mentioned, is to increase the committee members on an appeal committee. How many committees presently exist in the Northwest Territories? Mr. Chairman, when we are speaking of quorums, I do not see a quorum here.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. The chair does not recognize a quorum. We will ask the clerk to sound the bell.

Thank you, the committee will resume now that we have a quorum. Mr. Koe.

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MR. KOE:

Thank you, Mr. Chairman. How many social appeal committees exist in the territories?

CHAIRMAN (Mr. Whitford):

Ms. Mike.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. There are 43 appeal committees in the Northwest Territories.

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Koe.

MR. KOE:

I would like to get an idea of their work load. How many appeals are being dealt with, not by each committee but collectively? Are they doing a great deal of work?

CHAIRMAN (Mr. Whitford):

Ms. Mike.

HON. REBECCA MIKE:

Mr. Chairman, I would like to call Mr. Blair Dunbar to the witness table.

CHAIRMAN (Mr. Whitford):

Yes, Madam Minister. Would the Sergeant-at-Arms escort the witness. Does the committee agree that an additional witness be allowed into the committee?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Madam Minister would you introduce the witness?

HON. REBECCA MIKE:

Thank you, Mr. Chairman. This is Mr. Blair Dunbar, deputy minister.

CHAIRMAN (Mr. Whitford):

Welcome to the committee, Mr. Dunbar. We have a question on the floor posed by Mr. Koe concerning the number of committees and the amount of work they are undertaking. Would the witness be prepared to answer this question? Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. I will let Mr. Dunbar respond.

MR. DUNBAR:

Thank you, Mr. Chairman. The work load for the committees vary. I do not have statistics available for the work load of each committee. We could endeavour to put this together. It would take a bit of time as we would have to go back and collect the data. It is not data which we normally collect. It varies for two reasons. Some of the committees also serve in expanded functions, they also serve in an advisory capacity to the department in many respects. Some committee work loads are heavier than others because they have taken on additional responsibilities to assist the staff in discharging their duties. The other area is dependent upon the number of individuals who are receiving assistance who do not feel they have received the proper amounts. I do not have that information at the moment.

CHAIRMAN (Mr. Whitford):

Mr. Koe.

MR. KOE:

I did not want the exact amount. Is it one appeal per year or does it average ten, 20, or 200? I am trying to establish the need for these committees. Is there a need?

CHAIRMAN (Mr. Whitford):

Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. Yes, there is a definite need for these appeal committees in the communities.

CHAIRMAN (Mr. Whitford):

Mr. Koe.

MR. KOE:

I am still not getting an answer in terms of numbers. How many, ten, 20, 30? I know it varies by communities because of the population. Before I get into my next series of issues, I am trying to establish the amount of work these committees do.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister, the question is perhaps a ball park figure of the amounts of cases dealt with by the 43 committees.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. I thought my deputy minister had responded to your question. We do not have the figure. From my own experience, as a hamlet councillor in Pangnirtung, there was a great demand because there were a number of people who were not happy with the amount of social assistance they received. Once the committee was dissolved we were being pushed to get the committee going again. I cannot give you any number. As my deputy minister has said we do not collect work load data. We can make an attempt to get the information for you at a later date.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Koe.

MR. KOE:

Thank you. I would like to receive that information sometime. The Minister has made a statement that in

one particular community the people are not happy with the amounts they receive. Are we changing a committee structure so that we can meet the demand of making people happy? Why are they not happy? I believe it is because of the rules, regulations and amounts which are being issued and the limited dollars which are being allowed in many cases. The other issue is the local social workers and how they interpret rules. You have had questions today on the use of vouchers. Many communities do not give cash. During our visits of the Special Committee on Health and Social Services we found that people are concerned with these things because they affect their daily lives. I know this is another debate but I am just trying to make a point. This is a bigger issue than changing our abilities to deal with complaints.

The issue I wanted to get to with regard to the amount of work load, and I know this is not a money bill, however, many of these committee members get an honorarium, and in some cases where they do not, they wish they did. This is one of the complaints we heard from the communities. Some of them get paid, some of them do not get paid. Some of them get paid through the hamlet and some have their own administration, it varies across the territories. What impact would changing this particular bill have on the cost of administering the committees. Are there going to be additional costs incurred by the department if we pass this bill?

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CHAIRMAN (Mr. Whitford): Thank you, Mr. Koe. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. As long as the quorum is three, no.

CHAIRMAN (Mr. Whitford):

The chair recognizes Mr. Koe.

MR. KOE:

It does not make sense because the committee is now from five to eight so if you have eight members there are still three additional members per meeting. Forty three times three is 929 more people who could, theoretically, attend meetings. If they are getting honorariums or some kind of fee I wonder where this will be budgeted for if that is the case?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. What was that figure? It should probably be 129. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. When they have to deal with appeals they would not call all eight members to be present. It is an appeal committee.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Koe, do you have another question?

MR. KOE:

I am getting confused. The bill says, "The appeal committee shall be composed of not fewer than three and not more than eight." If a meeting of an appeal committee is called there could be eight members. I do not read anywhere that only three members are going to attend the meeting. I know that three members constitute a quorum but I would believe that eight members can attend a meeting. If that is the case, I am wondering if appropriate measures have been taken to compensate these additional people.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister, the question.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. It is up to the chairperson of these appeal committees to call in the members. If that chairperson wishes to have all eight members to be present he can do so, or he can settle with just three.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Koe.

MR. KOE:

I will get back to the issue I raised, it is a financial issue. Are there going to be additional costs incurred if we pass this bill?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. Yes.

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Koe.

MR. KOE:

If that is the case then I assume appropriate increases have been made in the budgets. Are the appropriate increases made in the new budget?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe, that was the question. Madam Minister, the question.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. Yes.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. General comments. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. I, too, like my colleague for Thebacha am having difficulty. I would have difficulty giving passage to a bill where the majority, 50 plus one, is not adhered to in a system whereby the majority rules and we seem to be saying here the minority rules. We are not doing justice to the country when we pass a bill which says that only three out of eight members constitutes a quorum, Mr. Chairman. We are a duly elected Legislature in the country and thereby we should abide by the Constitution of the country in the democracy. Majority rules. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ningark. Madam Minister, would you want to respond to that?

HON. REBECCA MIKE:

Thank you, Mr. Chairman. I can appreciate the Member's concern. This appeal committee is similar to a court appeal committee. This committee is not representing interest groups like an organization, that is where it is different.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. I think we should be setting an example within the country, as I stated earlier, that the majority, 50 plus one, should be the quorum of any body within the system. That is where we are coming from, but I will speak to that when the motions come about. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ningark. General comments on Bill 5.

AN HON. MEMBER:

Clause by clause.

CHAIRMAN (Mr. Whitford):

Clause by clause. Just one moment. Thank you. Are there no additional general comments? I am sorry, I did not recognize the government side.

---Laughter

It is a fault of mine. The chair recognizes Mr. Pollard.

HON. JOHN POLLARD:

Mr. Chairman, I wish to ask the indulgence of the committee to take a ten minute break to discuss this with the Minister, if you would not mind. Thank you.

CHAIRMAN (Mr. Whitford):

If it is the committee's wish, we will recognize a ten minute break.

---SHORT RECESS

CHAIRMAN (Mr. Whitford):

The committee will come to order. We took a ten minute recess in order to clarify a misunderstanding of a question or series of questions. That recess was called at the request of Mr. Pollard. We were going

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to go clause by clause, but are there any other comments Members may wish to make on Bill 5 before we continue with clause by clause? General comments. Thank you. I knew I would get more. Mr. Koe.

MR. KOE:

My question, which I really did not get an answer on, is whether the volume of work they were doing

warranted this increase and whether the increased manpower which has been requested on these committees has been appropriately budgeted for. The answer I received was yes. If that is the case then there are financial implications here that are not in this bill. If there are financial implications then why did this bill not go forward to the Standing Committee on Finance?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. It reads, "An appeal committee shall be composed of not few than three and not more than five members, including a chairperson appointed by the commissioner." This increase up to eight is only to get the selection during the summer months when many of these members are out on the land so they can get a quorum of three, which is more than 50 per cent of five.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Koe.

MR. KOE:

What about the financial issue?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister, please answer the second part of the question.

HON. REBECCA MIKE:

On the financial part, if the committee can constitute a quorum of three, not all eight are required to be there. It is only for the purpose of selection in the community when they need a quorum of three that these extra people are needed. They are there to be called upon if they are needed. They are not required at every meeting.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Koe, did you want to continue?

MR. KOE:

I know that, but can all eight attend the meeting?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. It says here "composed of not fewer than three and not more than five."

CHAIRMAN (Mr. Whitford):

That is clause two section three. Mr. Koe.

MR. KOE:

I can read that and I can see the clause on page two. When you had five members, could all five attend? Now you are going to increase them to eight. My question is can all eight attend?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister, I believe you answered the question before, but I will allow you to answer the question again if you wish.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. No.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. General comments. Mr. Koe.

MR. KOE:

Are there additional financial implications on this bill?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. No.

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Koe.

MR. KOE:

I will go back to my previous question. Do appeal committee members get an honorarium when they meet? That is one question. The other question is do they get an honorarium or fee when they do not meet? Is there a retainer?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister, do members receive an honorarium other than only for attendance?

HON. REBECCA MIKE:

Mr. Chairman, they get an honorarium but they do not get a retainer.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Koe.

MR. KOE:

Are there additional financial implications if we pass this bill?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. If the appeals increase by a great number, yes there might be, but if the flow will be the way it has been there is no implication.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Koe, is that the end of your line of questioning? I will then recognize Mrs. Marie-Jewell, Mr. Zoe and then Mr. Gargan.

MRS. MARIE-JEWELL:

Mr. Chairman, I think the problem is the fact that the Minister is trying to set up a system similar to committees. Take for example, with the House, the Standing Committee on Finance. You have seven members and you have two or three alternate members. I believe what she is trying to set up is a system where she can count on five members to compose her committee and three additional members as alternate members or that she can tap into to use. This bill does not reflect that. This bill says that she will set up eight members and the committee will only consist of five sitting members where three must make a quorum.

With this system she is putting in place, the chairperson is in a difficult position because a chairperson doing his/her duty would send a notice to all eight members to indicate there is an appeal to find out who can attend to make a quorum. If it so happens you get all eight members wanting to attend

then what does the chairperson do? The chairperson will have to decide what five members will attend. I do not believe that is

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proper. The chairperson will have to determine which five members will attend first and then decide whether or not they

can get a quorum and whether they have to tap into these other three additional members.

The bill is not drafted to reflect the intention of what the Minister wants to do. I would suggest we defer this bill until it can reflect three additional members as alternate members to this committee. That way it would address the Members' concerns. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Marie-Jewell. Madam Minister, do you wish to respond?

HON. REBECCA MIKE:

Thank you, Mr. Chairman. This way is the more efficient way to do it. It says, "shall be composed of not fewer than three, and not more than five."

CHAIRMAN (Mr. Whitford):

Just a moment, I think the Minister still has the floor. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. The chairperson selects from three to five out of eight members.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Mr. Chairman, the concern of the Members is under subsection 2.2 in general comments, that the appeal committee shall be composed of not fewer than three and not more than eight members. It is up to the chairperson to look for five members for the appeal, which three constitute a quorum. We are concerned about the fact that, out of your eight members, you are only going to look for five. Out of those five, at least three of them will make a quorum. How does the chairperson determine what five he wants to attend the appeal committee?

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Marie-Jewell. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. It is up to the chairperson.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Perhaps I will reword my question. What criteria does the chairperson use to determine which members they will invite to attend this appeal committee?

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Marie-Jewell. Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. The chairperson has the discretion. In this case, many times during summer months especially when people are out on the land, he has not even half the choice of who he is going to get, except those people who are in town.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. General comments, Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Mr. Chairman, I do not believe my question has been answered. However, I believe that committee Members have a legitimate concern. I would like to ask the Minister if she would reconsider looking at her bill once again before presenting it to the House, to take into consideration the concern of Members by finding a method of how she wants to address her composition of a quorum and, at the same time, try to find out how it can be reflected in this bill. It is causing much concern among Members, such as, how does the chairperson determine who to contact to take part in the appeal committee process? What constitutes a quorum? How can you have three members as a quorum out of a membership of eight? I am sure there are many other questions posed by the Members. I would like to ask the Minister if she would reconsider or review her bill to address some of the legitimate concerns presented by the Members? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mrs. Marie-Jewell. Madam Minister, would you take the bill back and reconsider it to answer the questions? However, there was a second part of the question, which asked, do you send out a general notice to the eight members that there is going to be an appeal committee struck and then pick no more than five of those respondents, but no fewer than three? That may have been the second part of the question. However, I will let you respond to the main part of the question which was whether you would reconsider this for clarification.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. I have no problem in reconsidering it. I would like to say that an appeal committee is different from a finance committee. That is where things are getting a little bit confused.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. General comments, Mr. Zoe.

MR. ZOE:

Mr. Chairman, I understand what the Minister is trying to do, particularly in the summer months, when you cannot find everyone in the community. The way the bill reads does not accomplish that because of the composition of the appeal committee. The minimum is three and the maximum is eight, within a particular community. Out of the maximum of eight people you appoint, which also includes the chairman, what you are saying is that if there is an appeal during the summer months, you want to have a minimum of three and a maximum of five to sit on the panel to hear the appeal. I know why you are suggesting that. It is because in smaller communities many people go out on the land and some are on holidays. If there is a case that has to be heard you want to make the quorum smaller.

The problem I see is that if you are appointing up to eight people, what happens if they are all available? The discretion is going to be left to the chairman, but that is not fair because they are already sitting on an appeal board. If they are all available they should all be able to attend. That is why you are appointing them. That is the problem I see.

I do not have a problem with the quorum part. If you want to make it three, so be it, to accomplish the summer scenario. You cannot limit the panel for only

five when are you going to appoint up to a maximum of eight. If you raise it from five to eight then you can accomplish what you are trying to do. The

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panel is the problem because the discretion will be left to the chairman.

For instance, if I am appointed to sit on an appeal committee in a community where there are seven other people with me, if I am called upon and I am available, I want to go. I do not want to leave it up to someone else. That is why you as a Minister appointed me. Why would the chairman have that discretion? The panel business is the problem, Mr. Chairman. Mahsi.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Madam Minister, do you wish to respond to that?

HON. REBECCA MIKE:

Thank you, Mr. Chairman. I realize the concerns the Members have. This committee is not to the members' interests but it is to be fair to the person who has appealed.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. Mr. Zoe.

MR. ZOE:

Mr. Chairman, this is not the point I am trying to make. I am not making reference to the client who is making the appeal. I am suggesting the appeal appointee, the appeal committee member, who the Minister appoints, this is the concern which I have. It is the panel. If you appoint eight and the panel says only a maximum of five then the other three, if they are available, will not be able to participate. The purpose of appointing them is so they can sit on the appeal board. If the appeal panel is increased from five to eight, it says, "the chairperson of the appeal committee shall for an appeal designate not fewer than three and not more than five members of the appeal committee." If you increase the number from five to eight I think the Minister will accomplish what she wants to do. This would be reflected in number two where it says, "The Minister cannot appoint more than eight members." If this section is changed I am sure the committee would make this go through. It is awkward when you appoint a maximum of eight and

then you eliminate the panel when they are hearing appeals to only five members. This is where the problem is. Can the Minister respond to my comments, Mr. Chairman?

CHAIRMAN (Mr. Whitford):

Madam Minister.

HON. REBECCA MIKE:

Thank you, Mr. Chairman. I have already indicated I will reconsider.

CHAIRMAN (Mr. Whitford):

Thank you, Madam Minister. The chair recognizes Mr. Zoe, Mr. Arvaluk and then Mr. Pollard. Mr. Zoe.

Motion To Defer Bill 5

MR. ZOE:

Mr. Chairman, I move that we defer Bill 5.

CHAIRMAN (Mr. Whitford):

There is a motion on the floor. The motion is in order. To the motion.

AN HON. MEMBER:

Question.

CHAIRMAN (Mr. Whitford):

Question has been called. All those in favour? All those opposed? Motion is carried.

---Carried

We shall defer Bill 5. I would like to thank the Minister and her witness for appearing before the committee.

Is it the wish of the committee we move on to Bill 6? Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Thank you, Mr. Chairman. I move that we report progress.

CHAIRMAN (Mr. Whitford):

There is a motion to report progress. The motion is not debateable. All those in favour? All those opposed? The motion is carried.

---Carried

We shall report progress.

MR. SPEAKER:

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

ITEM 19: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Speaker. Your committee has been considering Bill 5 and wishes to report progress. Mr. Speaker, I recommend that you accept...

MR. SPEAKER:

Concur.

CHAIRMAN (Mr. Whitford):

I am sorry. Concur. I am going by memory. I lost the note.

MR. SPEAKER:

Mr. Whitford, you will see just in front you there is a motion that you can read and make.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Speaker. I put it in this pile of mail I have here and it was covered over. Mr. Speaker, being my first day as chair of the committee of the whole I am a bit excited

---Laughter

about my new responsibilities. I was going by memory. I had most of it right. I lost the paper, not my memory, Mr. Speaker.

---Laughter

Mr. Speaker, your committee has been considering Bill 5 and would like to report progress. Mr. Speaker, I move that the report of the committee of the whole be concurred with. Thank you.

MR. SPEAKER:

We are all excited, Mr. Whitford.

---Laughter

Is there a seconder to the motion? Mr. Koe. Motion is in order. All those in favour? All those opposed? Motion is carried.

---Carried

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

ITEM 21: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, there will be a meeting of the Striking Committee immediately after adjournment; and at 7:00 pm this evening a meeting of the western caucus; at 9:00 am a meeting of the ordinary Members' caucus tomorrow morning. Orders of the day for Friday, February 19, 1993.

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

19. Second Reading of Bills
20. Consideration in Committee of the Whole of Bills and Other Matters
 - Tabled Document 2-12(3), The Justice House - Report of the Special Advisor on Gender Equality
 - Bill 5, An Act to Amend the Social Assistance Act
 - Bill 6, An Act to Amend the Commercial Tenancies Act
 - Bill 11, An Act to Amend the Legislative Assembly and Executive Council Act
 - Bill 16, Norman Wells Natural Gas Distribution System Act
 - Minister's Statement 34-12(3), Long-Term Staff Housing Strategy
 - Committee Report 10-12(3), Standing Committee on Finance, Report on Tabled Document 21- 12(3): Payroll Tax Act
22. Report of Committee of the Whole
23. Third Reading of Bills
24. Orders of the Day

MR. SPEAKER:

Thank you, Mr. Clerk. This House stands adjourned until 10:00 am Friday, February 19, 1993.

---ADJOURNMENT