



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

5th Session

Day 17

12th Assembly

HANSARD

TUESDAY, MARCH 1, 1994

Pages 429 - 460

Page numbers reflect printed Hansard

The Honourable Jeannie Marie-Jewell, Speaker

MEMBERS PRESENT

Mr. Allooloo, Hon. Silas Arngna'naaq, Mr. Arvaluk, Mr. Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Hon. Jeannie Marie-Jewell, Hon. Rebecca Mike, Hon. Don Morin, Mr. Ng, Mr. Ningark, Mr. Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Hon. John Todd, Mr. Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

MADAM SPEAKER:

Good afternoon. Item 2, Ministers' statements. The honourable Member for Keewatin Central, Mr. Todd.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 32-12(5): Development Of A Mortgage Investment Corporation

HON. JOHN TODD:

Thank you, Madam Speaker. Madam Speaker, it is common knowledge that residents in the smaller communities in the Northwest Territories face a difficult situation when attempting to arrange financing from financial institutions for commercial or residential mortgages.

The housing shortage precipitated by drastic federal cutbacks in funding for social housing which my colleague, the Minister responsible for the Northwest Territories Housing Corporation, has been working diligently to get reversed is made worse by the lack of mortgage financing available for people in small communities who can afford to build or buy their own homes.

I am pleased to inform the House that the Department of Economic Development and Tourism is developing a proposal to establish a mortgage investment corporation to help ease the shortage of commercial and residential...

---Applause

...mortgage financing in small communities.

A number of Members of this House have been briefed on this concept last fall and their positive response to the initial proposal was encouraging.

Madam Speaker, a mortgage investment corporation could provide home and commercial financing for residents in smaller communities in the Northwest Territories using equity capital from various sources.

For example, with initial investments totalling \$40 million the corporation, using this equity as leverage, could attract up to \$250 million additional investment dollars, five times the original investment.

Emphasis would be placed on small investors from a cross-section of the Northwest Territories population, but a mortgage investment corporation would be able to attract investments from other areas in Canada and attract possible future investment from southern Canada.

A mortgage investment corporation can raise funds at attractive rates from the public, and the investors can be protected through Canadian deposit insurance. Mortgages issued can be eligible for insurance by the Canada Mortgage and Housing Corporation provided they meet the requirements.

Madam Speaker, a corporation of this nature could play a significant role in helping alleviate the housing shortage in the Northwest Territories. Thank you.

---Applause

MADAM SPEAKER:

Thank you. Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for High Arctic, Mr. Pudluk.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Difficulties With Construction In High Arctic

MR. PUDLUK:

(Translation) Thank you, Madam Speaker. Today I would like to raise a concern of my constituents regarding the home ownership program, now called the access program. This is a program that enables people to own their own homes, and is an opportunity that my constituents greatly appreciate.

There is a problem with this program and it has to do with the amount of time that the people have to

complete their homes. They have two years to build their units, unfortunately it's not always possible to finish them in this time due to several factors. These factors include the northern climate. Early onset of winter and severe cold make it almost impossible to properly construct foundations and other structural components of their houses. As well, darkness limits the amount of time one has to work outside, and safety becomes a concern. The people in my constituency who are part of this program also have jobs to go to during the day which means that they have only evenings and weekends to work on their homes.

A concern that has been expressed to me has to do with the Housing Corporation's practice of going to communities to harass those people who are behind in the construction of their houses. They threaten people with taking their homes away and giving them to someone else. This causes much worry and undue stress on these people who are trying their best to complete their homes in the specified amount of time.

Page 430

Madam Speaker, the Housing Corporation needs to be more sensitive in its dealings with people involved in the home ownership program, and recognize the difficulties inherent to the High Arctic with respect to building homes. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Baffin South, Mr. Pudlat.

Member's Statement On Difficulties Faced By Arctic Winter Games Athletes From Nunavut

MR. PUDLAT:

(Translation) Thank you, Madam Speaker. I am very proud of the young people from my constituency who will be participating in the Arctic Winter Games.

In dealing with Sport North, I am concerned about their lack of sensitivity with the realities in Nunavut. We had problems getting an escort for a young athlete from Sanikiluaq who is the first ever participant from that community. I would like to encourage the government to pressure Sport North to be more understanding on how to deal with people and athletes from Nunavut, and their needs. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Yellowknife South, Mr. Whitford.

Member's Statement On Congratulating Arctic Winter Games Participants

MR. WHITFORD:

Thank you, Madam Speaker. Today I would like to use this opportunity to congratulate all of the participants who are entered into the Arctic Winter Games. And to use this time, as well, to wish them well as some of them are on their way already to Slave Lake, as I understand it, and will be gathering there at the end of this week to meet some pretty stiff competition from the Yukon and Alaska. The young people participating in these games come from every region in the territories, and almost every community. They represent all ages and they compete in all of the different challenges that will be at the Arctic Winter Games.

In spite of the differences of where they come from and the competitions they will be entered into, they all share one thing, Madam Speaker, and that's sportsmanship. They share the spirit of fair play that goes along with and makes the Arctic Winter Games what they are, truly northern. Regardless of the outcome in the numbers of medals they bring back for us, our hearts will be with them. Those of us who won't be able to be there as they compete against each other, will watch them on the television and hear them on the radio. And they will know that we are supporting them and that they'll be doing their very best.

On behalf of all the constituents of Yellowknife South, to those athletes who will be there, I wish them the best of luck.

---Applause

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Iqaluit, Mr. Patterson.

Member's Statements On Town Of Iqaluit Municipal Advisory Committee Meeting

MR. PATTERSON:

Thank you, Madam Speaker. Last week I attended, as an observer, a meeting of the municipal advisory committee of the town of Iqaluit. I was very

impressed with the businesslike manner with which a number of critical issues were dealt with on which decisive recommendations were made to Mr. Beaumont, the municipal administrator.

The first issue dealt with was the finances of the town. The committee reported to the public that, with the forgiveness of interest by the GNWT, the town can cover the costs of the land debenture. In fact, if the committee is able to proceed with its plans to make additional land available for construction this summer, given the high demand for land in Iqaluit, then even more revenues could be obtained to accelerate repayment of the debenture loan.

As far as the town's general financial situation is concerned, committee members reported their opinion, after studying the matter, that the town's financial situation was secure.

Other issues discussed on which recommendations were made to Mr. Beaumont were evaluation of management staff; reinstating a contract to develop a town general plan, which was inexplicably cancelled when the council was dissolved; the need to hire a lands officer with continued financial assistance to be sought from the Minister of MACA; the need to get a report from the GNWT lands division on available commercial and residential lots which would then lead to a ballot draw by March 31; recommended process to hire a new senior administrative officer; the appropriate composition of the town's collective bargaining committee; the satisfactory status of the coming year's social services funding agreement; and, the most effective uses for the funds allocated for capital improvements for recreational facilities for Iqaluit in the coming fiscal year.

The most important discussion concerned the need for an early election. Members of the advisory committee are doing their best but realize they are only an appointed body. They are as anxious as anyone to see an elected council in place. Important decisions are being made this year concerning the implementation of land claims and the planning for the new Nunavut government which will affect the community for many years to come. The Queen of England is making a return visit to Iqaluit this summer. The advisory committee would like to see an election held before the end of the school year. They have my full support in this request.

Later on, Madam Speaker, I will be beseeching the Minister of Municipal and Community Affairs to restore democracy in Iqaluit as soon as possible.

---Applause

Thank you. Qujannamiik.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Deh Cho, Mr. Gargan.

Page 431

Member's Statement On Federal Government Vs Elders' Interpretation Of Treaty 11

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, I rise today to thank the Deh Cho Tribal Council for the very informative presentation they gave to Members of the House on February 17, 1994. I think this presentation gave some Members, both from the east and west, a better understanding of some of the positions taken by Dene leaders in the Treaty 11 area. It is important, Madam Speaker, for everyone to remember that this was a peace treaty. There was no war. It was purely and simply a peace treaty.

We ask that people do not give up any of their rights to the land or their way of life. Madam Speaker, the major problem with this and other treaties that were negotiated between Canada and the aboriginal nations was the difference between what was promised verbally to the chiefs and what actually came to be put on paper. Madam Speaker, for years Pat Buggins of my constituency has been telling me that the documents that exist refute the context of Treaty 11. The former catholic bishop of the Mackenzie, Bishop Gabriel Breynet, wrote down the entire statement in 1937. The actual wording of Treaty 11 differs greatly from what Bishop Breynet translated and others took to be promised by the government in 1921.

These verbal agreements and promises were, and as far as we are concerned, part of the parcel of the written provision of Treaty 11. It must be interpreted as such. Madam Speaker, maybe this is why aboriginal people are getting much better with the paperwork. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Natilikmiot, Mr. Ningark.

Member's Statement On Appreciation Of Mrs. Celine Ningark

MR. NINGARK:

(Translation) Thank you, Madam Speaker. I would like to express my appreciation to a person who has helped me out. When I was running as a candidate, she provided me with money for airfares and when I got elected she used to try to get money for my airfares, as well. Maybe I would not have been able to be here if she hadn't helped me out with my campaign. I would like to thank my friend and my wife, Celine, who is arriving today. She helped me out quite a bit. She was going to arrive earlier but she couldn't make it because of our children. She is arriving today so I might not be able to attend the remainder of the meetings.

MADAM SPEAKER:

Thank you. Item 3, Members' statements. The honourable Member for Yellowknife North, Mr. Ballantyne.

Member's Statement On Home Owners' Property Tax Rebate

MR. BALLANTYNE:

Thank you, Madam Speaker. Today, Madam Speaker, I want to talk about taxation, specifically about the home owners' property tax rebate. In the early 1980s, the former Minister of MACA, James Wah-Shee, brought in the home owners' property tax rebate. It was the first time the Government of the Northwest Territories very vocally and very strongly supported home ownership. That was the beginning of a long-standing commitment of this government towards home ownership. In those days, municipal taxation in Yellowknife was somewhere between \$1,000 and \$2,000 for average taxation and so \$400 was a very considerable percentage of that.

Well, that amount has eroded over the years and the taxation level has doubled. The actual impact of that \$400 has halved over that period of time. I found it actually quite incredible last year that the government spent probably one third of their time in oral questions responding to questions about staff housing and supporting the concept of home ownership, yet last year they cut the rebate from \$400 to \$300.

SOME HON. MEMBERS:

Shame.

MR. BALLANTYNE:

I find it extremely inconsistent. They also cut the general taxation area from \$100 to \$75.

SOME HON. MEMBERS:

Shame.

MR. BALLANTYNE:

I hope that the new Minister of Municipal and Community Affairs will demonstrate his strength, his independence and his commitment to home owners in the Northwest Territories...

---Applause

...and will bring forward in the next session a supp that will re-establish the home owner grants to the previous level. Thank you, Madam Speaker.

---Applause

MADAM SPEAKER:

Item 3, Members' statements. Item 4, returns to oral questions. Item 5, oral questions. The honourable Member for Yellowknife South, Mr. Whitford.

ITEM 5: ORAL QUESTIONS

Question 227-12(5): Status Of Denturist Issue

MR. WHITFORD:

Thank you, Madam Speaker. Madam Speaker, I have a question I would like to direct to the Minister of Health. An issue that has come up in this House on a number of occasions by the Members as well as myself deals with the Dental Mechanics Act. The Minister is well aware of the concerns that have been expressed over the fact that there is a denturist, and Members are seeking some changes to legislation that would allow this type of service to be offered in the territories. There have been many meetings taking place. I would like to ask what the status is of that issue from the Department of Health's perspective?

MADAM SPEAKER:

Thank you. Minister of Health, Mr. Pollard.

Return To Question 227-12(5): Status Of Denturist Issue

HON. JOHN POLLARD:

Thank you, Madam Speaker. Good afternoon. Madam Speaker, the status is there is a legislative proposal being drafted by the Department of Health at the

Page 432

present time. That will come to Cabinet. I don't believe there is going to be a problem in getting it through Cabinet. Then we will draft the legislation and it will be brought to this House. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Natilikmiot, Mr. Ningark.

Question 228-12(5): Location Of Elders' Centre In Natilikmiot

MR. NINGARK:

(Translation) Thank you, Madam Speaker. My question is directed to the Minister of Social Services. As she knows, the elders in Gjoa Haven have been asking for a facility for an elders' centre. The elders have been supporting us. Without their help we would have never survived. We don't like to see them travelling to another community or city to be in an elders' centre. We would like to see them remain in the community.

Taloyoak is asking for an elders' centre also. If a facility is built, I wonder in which community it will be built, Madam Speaker. Thank you.

MADAM SPEAKER:

Thank you. Minister of Social Services, Ms. Mike.

Return To Question 228-12(5): Location Of Elders' Centre In Natilikmiot

HON. REBECCA MIKE:

(Translation) Thank you, Madam Speaker. As we have indicated before, we are undergoing a series of planning for the department, one of which is capital planning for all facilities such as group homes and elders' facilities. The plan should be in place by September 1994. The criteria for facilities such as these should allow the communities who request

these facilities to determine whether they are eligible. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

Question 229-12(5): Lead Time Required For Iqaluit Municipal Election

MR. PATTERSON:

Thank you, Madam Speaker. My question is for the Minister of Municipal and Community Affairs. Could the Minister tell the House how much lead time would be required in order to hold a municipal election in the town of Iqaluit? Thank you.

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Return To Question 229-12(5): Lead Time Required For Iqaluit Municipal Election

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I believe the amount of time required for a municipal election to be called would be upon the appointment of a returning officer, which is two months before the election. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 5, oral questions. Supplementary, Mr. Patterson.

Supplementary To Question 229-12(5): Lead Time Required For Iqaluit Municipal Election

MR. PATTERSON:

I take it, Madam Speaker, that even allowing up to one week to do the municipal evaluation that the Minister has indicated might be required before an election could be held, if a decision were made by the Minister some time this month, an election could be held in Iqaluit by May or June. Then there would be enough time for the legal requirements to be met. Is that correct, Madam Speaker? Thank you.

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Further Return To Question 229-12(5): Lead Time Required For Iqaluit Municipal Election

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. From the indications I have received, yes. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Yellowknife South, Mr. Whitford.

Question 230-12(5): Meeting For Reclassification Of Inukshuk Housing Cooperative

MR. WHITFORD:

Thank you, Madam Speaker. I have a question directed to the Minister of Municipal and Community Affairs. The issue I raised last week in a Member's statement concerns the error in the classification of the Inukshuk Housing Cooperative some years ago. The Minister assured me there would be a tripartite meeting taking place between the city, the co-op and officials from his department. Yesterday, the DM also reaffirmed that that meeting would take place. Could the Minister advise me as to when this meeting will take place?

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Return To Question 230-12(5): Meeting For Reclassification Of Inukshuk Housing Cooperative

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I had indicated to the Member last week that my staff would be in touch with the two parties involved and would arrange for meetings with them. I have not been informed as to when these meetings would take place. I know they will be taking place. Thank you, Madam Speaker.

MADAM SPEAKER:

Supplementary, Mr. Whitford.

Supplementary To Question 230-12(5): Meeting For Reclassification Of Inukshuk Housing Cooperative

MR. WHITFORD:

Thank you, Madam Speaker. This issue is of great concern to the cooperative and people on the executive want to have it dealt with. Members of the city want to deal with this as well. My fear is if it is dragged on and on, the meeting will not take place until after this House has adjourned and we don't reconvene until the fall. That would

Page 433

not be good, Madam Speaker. I would like to have the Minister's assurance that this meeting will take place in the very near future. Can I get that assurance?

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Further Return To Question 230-12(5): Meeting For Reclassification Of Inukshuk Housing Cooperative

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. Madam Speaker, the department had indicated to me yesterday that they have been in contact with the city and will be in contact with the Inukshuk Housing Cooperative. They should have their meeting together in a short while. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

Question 231-12(5): Progress On Audited Financial Statements For Iqaluit

MR. PATTERSON:

Thank you, Madam Speaker. Madam Speaker, again to the Minister of Municipal and Community Affairs. Madam Speaker, the Minister may know that I was assured by his predecessor that an audit statement of the financial affairs of the town of Iqaluit for 1993 would be undertaken as a priority following the dissolution of the town council. Could the Minister advise me what progress has been made toward obtaining audited financial statements for 1993 for the town of Iqaluit? Thank you.

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arnngna'naaq.

Return To Question 231-12(5): Progress On Audited Financial Statements For Iqaluit

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I understand that the commitment which was made by the previous Minister was that the financial audit would be completed, and I sympathize with the Member and the people in Iqaluit in the need for an elected body to be in place at the earliest possible time. The indications that I have received are that an audit would require approximately 120 days, and at this point, for the financial status of Iqaluit to the calendar year ending December 31, 1993, we are hopeful that those should be completed by the first part of April.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Natilikmiot, Mr. Ningark.

Question 232-12(5): Airline Service To Natilikmiot Region

MR. NINGARK:

Thank you, Madam Speaker. Madam Speaker, my question is directed to the honourable Minister of Transportation. Madam Speaker, First Air is the only air carrier that goes to my area -- Pelly Bay, Gjoa Haven and Taloyoak. People in that area are saying that a lot of the freight is being left behind in Cambridge Bay, for some reason I don't know. I am not able to speculate what reason they have for not being able to bring all the freight into my area. Even a medical patient who goes to Yellowknife for treatment is not, at times, able to get on the flight because of some other reason. I would like to know, Madam Speaker, if the honourable Minister of Transportation is aware of other airlines planning to have a regular sched into that area -- Pelly Bay, Gjoa Haven and Taloyoak -- some time soon. Thank you.

MADAM SPEAKER:

Thank you. Minister of Transportation, Mr. Todd.

Return To Question 232-12(5): Airline Service To Natilikmiot Region

HON. JOHN TODD:

Thank you, Madam Speaker. It is a never-ending problem right across the territories, the need for adequate transportation, particularly by air, and the airline companies, of course, require a certain volume to be able to increase the level of service they can provide. I am not aware, at this time, that there are any other applications or any other companies interested in actively seeking the routing in the honourable Member's riding, but I will look into it and get back to him. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Inuvik, Mr. Koe.

Question 233-12(5): Progress On Community Transfers To Inuvik

MR. KOE:

Mahsi, Madam Speaker. I have a question for the Minister of Intergovernmental Affairs. Over the past several years, there has been a lot of discussion and work on community transfer initiatives. Just recently, the community transfer working group from Inuvik was here in Yellowknife meeting with several officials. Can the Minister advise me of the progress made in his discussions on community transfers in Inuvik? Thank you.

MADAM SPEAKER:

Thank you. Minister responsible for Intergovernmental and Aboriginal Affairs, Mr. Kakfwi.

Return To Question 233-12(5): Progress On Community Transfers To Inuvik

HON. STEPHEN KAKFWI:

Thank you, Madam Speaker. The community of Inuvik has taken a tremendous step forward in overcoming obstacles of a rather diverse community by seeing the leaders of the Inuvialuit, the Gwich'in and the town of Inuvik agree to work together to look at community transfer initiatives. That alone is, in my view, an unprecedented move by a community as diverse as Inuvik.

Having said that, the group is on the verge of signing a transfer agreement that would cover, at least, the eventual transfer in three areas. One would be in the area of an economic development officer position which would be assigned to Inuvik, and they are waiting for final decisions to be made by Cabinet in

the next week or two, and that looks very favourable. The group had been prepared to sign a framework MOU had that been decided. However, because Cabinet has yet to make a decision on it, they have decided not to sign the agreement.

The agreement would also cover the area of lotteries, where the community would be given the responsibility for running

Page 434

lotteries, and I think they are just finalizing details on how the money will be used and for what purposes. They are finalizing details on that.

The other area is not as urgent. It is in the area of capital planning. We are agreeing to work with the community and the three groups to decide how to set up a process that would see capital projects being prioritized and how that would be handled, particularly, where they are of a local nature, but we would also venture into discussing with them how to handle projects that are considered to be of a regional nature. So, that will be finalized, probably in the next two months.

The one most immediate would be the EDO position, and the lottery issue and finally the one on capital planning. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 233-12(5): Progress On Community Transfers To Inuvik

MR. KOE:

Mahsi, Madam Speaker. I am glad to hear that significant progress is being made but they are still, I guess, waiting for the moment to sign the formal documents.

The concern that has been raised to me is that the Minister is very enthused, and I assume his other Cabinet colleagues are as enthused as him, on the whole community transfer initiative process. But, the concern is, when we deal with officers in the departments, they don't seem to be as enthused as the honourable Ministers. What is the Minister doing to ensure that that enthusiasm he has in making this thing work is transferred down to the staff and the officers who deal at the program level within the various departments?

MADAM SPEAKER:

Thank you. Minister responsible for Intergovernmental and Aboriginal Affairs, Mr. Kakfwi.

Further Return To Question 233-12(5): Progress On Community Transfers To Inuvik

HON. STEPHEN KAKFWI:

Madam Speaker, all decisions and issues that we deal with eventually make their way through the departments, and part of our job is to make sure that all staff within the government are aware of the intent of this government, this Cabinet, to do everything we can to expedite the transfer of those areas that the communities specifically request. But, also, we expect staff to alert us to areas where there are going to be implications for government, whether they are legal or financial. If there is going to be some impact, then we expect our staff to alert us to those. So, it is a dual expectation we have of staff, and I think sometimes we do find that some staff come across looking like they are not as supportive as they could be. It is my view that the political will is there, the political will is very strong, and we have to take a positive approach to dealing with staff and making sure that they come across in the same light. Thank you.

MADAM SPEAKER:

Item 5, oral questions. The honourable Member for Yellowknife Frame Lake, Mr. Dent.

Question 234-12(5): Charity Lease Request From Canadian Mental Health Association

MR. DENT:

Thank you, Madam Speaker. Madam Speaker, my question is for the Minister of Social Services. Madam Speaker, presently the Canadian Mental Health Association is the beneficiary of a charity lease, courtesy of this government. This form of grant has greatly assisted the Canadian Mental Health Association to perform their important voluntary services. Unfortunately, the CMHA has been advised that the charity lease will end at the end of this month so they have applied to Social Services for funding assistance to allow them to locate new leased quarters. I was wondering, Madam Speaker, if the Minister could advise us of the status of consideration of their request for lease funding?

MADAM SPEAKER:

Thank you. Minister of Social Services, Ms. Mike.

Return To Question 234-12(5): Charity Lease Request From Canadian Mental Health Association

HON. REBECCA MIKE:

Thank you, Madam Speaker. I am prepared to agree to provide the additional funding requested by the association to cover the costs for the office lease. Thank you.

---Applause

MADAM SPEAKER:

Item 5, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

Question 235-12(5): Models In "The Outer Edge" Catalogue

MR. PATTERSON:

Thank you, Madam Speaker. This is a question for the Minister responsible for the NWT Development Corporation. Madam Speaker, we have some lovely, glossy brochures on our desk today commemorating an event that was held to showcase the beautiful northern clothing which has been produced for the Arctic Winter Games. We're all very proud of that. However, I must say I was a little disappointed to note that none of the people from the communities of Baker Lake, Rankin Inlet and Pangnirtung were featured in any of this rather impressive looking advertising or in the fashion show. My question to the Minister is could he explain to me why some of the residents from Baker Lake, Rankin Inlet and Pangnirtung who also participated in the production of this clothing were not featured in the brochures or in the fashion show? Thank you.

MADAM SPEAKER:

Minister of Economic Development, Mr. Todd.

Return To Question 235-12(5): Models In "The Outer Edge" Catalogue

HON. JOHN TODD:

Thank you, Madam Speaker. I think it is also important to point out that some of the communities in the west weren't represented either, Rae and places like that. I don't know the reason for it, quite frankly, Madam Speaker. I'm equally as disappointed as the

honourable Member is but I'm certainly prepared to look into it. I think the presentation perhaps should have been more reflective of all the interests in the Northwest Territories. I'll look into it. Thank you.

Page 435

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Yellowknife North, Mr. Ballantyne.

Question 236-12(5): Home Owners' Property Tax Rebate

MR. BALLANTYNE:

Thank you, Madam Speaker. My question is for the Minister of Municipal and Community Affairs. My question has to do with the home owners' tax rebate. My first question to the Minister is, does the Minister and his department continue to consider the encouragement of home ownership as a primary goal of his department and of government?

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Return To Question 236-12(5): Home Owners' Property Tax Rebate

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. It is something that the Department of Municipal and Community Affairs is trying to do, to encourage home ownership in the communities, yes.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 236-12(5): Home Owners' Property Tax Rebate

MR. BALLANTYNE:

Thank you, Madam Speaker. Madam Speaker, long-needed initiatives have been undertaken by this government, such as the sale of staff housing and the rental rate review. Would the Minister agree that his department must support his Cabinet colleagues in achieving their goals by strongly encouraging home ownership in the Northwest Territories?

MADAM SPEAKER:

Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Further Return To Question 236-12(5): Home Owners' Property Tax Rebate

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I think that I should also point out before I respond to the question that there were two parts to the goals that were set by the department, the first of which the honourable Member has mentioned, which is to encourage home ownership. The second goal was to encourage home owners to pay for their taxes on time so that the tax-based municipalities would not run into cash flow problems. To the question, I would like to answer by saying that I do support the home ownership rebate program. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 236-12(5): Home Owners' Property Tax Rebate

MR. BALLANTYNE:

Thank you, Madam Speaker. The Minister is, I'm sure, aware that the sum of money involved here is probably only about \$350,000 which is a relatively small sum of money when you look at the impact that this sort of program has had on home ownership in the Northwest Territories. My question to the Minister is, can we expect the Minister to come forward with a supp in the fall session that restores the home ownership rebate to its previous level?

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Further Return To Question 236-12(5): Home Owners' Property Tax Rebate

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I wasn't a Member of the Cabinet at the time that the reduction was made by the government, but it was a reduction made in an effort to cut down costs of this government. I think it is regrettable that we had to come to that, to cut down

in an area that people of the Northwest Territories have to bear. But, I think that, due to the restraint that we are experiencing today, it would be difficult to try to justify such an appropriation. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Ballantyne.

Supplementary To Question 236-12(5): Home Owners' Property Tax Rebate

MR. BALLANTYNE:

If the Minister of Finance does his job, all Ministers are discouraged from coming forward with expenditures of funds. I think it is the responsibility of individual Members to prioritize in their departments and make a strong case. So, rather than have the Minister presuppose the decision of the FMB and the Finance Minister, I will ask again, will the Minister take forward to the Financial Management Board a proposal to restore the rates to their previous level? Thank you, Madam Speaker.

SOME HON. MEMBERS:

Hear, hear.

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Further Return To Question 236-12(5): Home Owners' Property Tax Rebate

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I would like to say that I sympathize with the Member pushing so strongly for such an appropriation to be made, but I would not support such a case. Thank you, Madam Speaker.

MADAM SPEAKER:

Item 5, oral questions. The honourable Member for Yellowknife Centre, Mr. Lewis.

Question 237-12(5): GNWT Accommodation For Those Involved In Mining Industry

MR. LEWIS:

Thank you, Madam Speaker. My question is also about housing, but not about home ownership. My

question to the Minister of Economic Development, is this. We have a number of people in the mining industry who are now appearing in larger numbers than ever in this city. There is, apparently, an accommodation shortage, surprisingly enough. I would like to ask the Minister, have the representatives of the

Page 436

mining industry been in touch with him with regard to maybe using government-owned accommodation in order to accommodate people who are involved in mining exploration in this area?

MADAM SPEAKER:

Thank you. Minister of Economic Development and Tourism, Mr. Todd.

Return To Question 237-12(5): GNWT Accommodation For Those Involved In Mining Industry

HON. JOHN TODD:

Thank you, Madam Speaker. That is a good question. There have been some discussions going on with respect to finding ways and means to encourage the mining industry and, in particular, this large diamond find out there, to relocate into the Northwest Territories and utilize our services, so it would not be a fly-in and fly-out type of operation.

One of the areas of concern with the mining industry is what they perceive as the high cost of housing. I have had some discussion, along with other Ministers, with the industry in respect to the potential and possible utilization of some government surplus apartments and housing, yes.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Lewis.

Supplementary To Question 237-12(5): GNWT Accommodation For Those Involved In Mining Industry

MR. LEWIS:

I realize he doesn't have responsibility for housing, but this is a major economic activity. Has the Minister been able to determine the number of units that could be made available in order to support this industry?

MADAM SPEAKER:

Thank you. Minister of Economic Development and Tourism, Mr. Todd.

Further Return To Question 237-12(5): GNWT Accommodation For Those Involved In Mining Industry

HON. JOHN TODD:

Thank you, Madam Speaker. We are currently working on that at the present time. There is an overall assessment being done anyway with respect to the selling off of government housing, whether it is here or in the east. I want to make it clear that I am sympathetic and supportive of this initiative. I hope that we will be able to identify some surplus housing and I hope we will be able to make a deal with the mining industry, given everything being equal. It will bring significant economic benefits not just to Yellowknife, but across the territories, in corporate spending, income tax, consumer purchasing, et cetera. The housing is one package of encouragement we are putting on the table, but there are a variety of others, as well. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Lewis.

Supplementary To Question 237-12(5): GNWT Accommodation For Those Involved In Mining Industry

MR. LEWIS:

Thank you, Madam Speaker. I am very pleased to hear the Minister is sympathetic and that there has been some contact. Since this would have to be a Cabinet decision and he would have to have support from his Cabinet colleagues, has this issue been raised at the Cabinet level so other Members can react to it?

MADAM SPEAKER:

Thank you. Minister of Economic Development and Tourism, Mr. Todd.

Further Return To Question 237-12(5): GNWT Accommodation For Those Involved In Mining Industry

HON. JOHN TODD:

No, there have only been preliminary discussions with some of the mining industry. I haven't prepared a paper to present to Cabinet and seek their counsel. I was merely stating my position as the Minister of Energy, Mines and Resources and Economic Development and Tourism.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Lewis.

Supplementary To Question 237-12(5): GNWT Accommodation For Those Involved In Mining Industry

MR. LEWIS:

Since this is something which he would have to have other Members of Cabinet onside, would he be prepared to undertake this initiative to present to his Cabinet colleagues a proposal to make government accommodations in this city available for this major initiative in the mining industry?

MADAM SPEAKER:

Thank you. Minister of Economic Development and Tourism, Mr. Todd.

Further Return To Question 237-12(5): GNWT Accommodation For Those Involved In Mining Industry

HON. JOHN TODD:

I think it is important to stress that housing is only one part of the package if we are going to make the assumption that some of this industry is going to move forward, particularly the diamond initiative. While we are looking at the potential of providing an incentive through housing, there is also the taxation question and a variety of other issues that have to be addressed. I am moving forward in trying to determine with the industry what kind of incentives they would require to relocate their offices and to move the people in and out from a community like Yellowknife, similar to what Colomac is currently doing out of Hay River. It is my belief that we will be able to demonstrate to the House and my colleagues that there are significant fiscal benefits to the Northwest Territories if we can encourage and provide the right incentives for industry to relocate into the north. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Yellowknife South, Mr. Whitford.

Question 238-12(5): Sale Of Laing Building

MR. WHITFORD:

Thank you, Madam Speaker. I have a question directed to the Minister of Public Works and Services. Lately we have been hearing a lot in the House about privatization of government services and the selling off of assets. We currently own the Laing Building. I would like to ask the Minister whether the Laing Building, which has been the home of this government for a good many years, is up for sale?

Page 437

MADAM SPEAKER:

Thank you. Minister of Public Works and Services, Mr. Morin.

Return To Question 238-12(5): Sale Of Laing Building

HON. DON MORIN:

Thank you, Madam Speaker. Right now we are doing an assessment of all assets owned by the GNWT in Yellowknife. We haven't done an assessment of the cost through the realtors yet because it is far too expensive. Once we decide on what buildings could be sold, then we would have an assessment done and offer them for sale. But, at the present time, as far as I know, the Laing Building is not for sale.

MADAM SPEAKER:

Thank you. Item 5, oral questions. Supplementary, Mr. Whitford.

Supplementary To Question 238-12(5): Sale Of Laing Building

MR. WHITFORD:

Thank you, Madam Speaker. Is the Minister's department contemplating selling it? I know they are doing an assessment on it. Is this assessment based on the fact that they are thinking about selling something that we own outright and use?

MADAM SPEAKER:

Thank you. Minister of Public Works and Services, Mr. Morin.

Further Return To Question 238-12(5): Sale Of Laing Building

HON. DON MORIN:

Thank you, Madam Speaker. I have been directed by Cabinet to make a list of all assets in Yellowknife that the Government of the NWT owns. Once Cabinet has an opportunity to take time to look at that list, they will make a decision on what assets could be sold, we will have an appraisal done on those assets, then they will be offered up for sale. At the present time, as the Minister of Public Works and Services, I do not know that the Laing Building is up for sale to anyone. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Whitford.

Supplementary To Question 238-12(5): Sale Of Laing Building

MR. WHITFORD:

Thank you, Madam Speaker. Why are we reviewing all of these assets in the city of Yellowknife in order that we can divest ourselves from them? What is happening that is so important to inventory and put these things up on the auction block?

MADAM SPEAKER:

Thank you. Minister of Public Works and Services, Mr. Morin.

Further Return To Question 238-12(5): Sale Of Laing Building

HON. DON MORIN:

Thank you, Madam Speaker. In case the Member is not aware, the government is going through financial difficulty and we have to look at our assets to find out how much they are worth. So if we did sell anything, we would know how much we would get. Thank you.

SOME HON. MEMBERS:

(Microphone turned off)

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Yellowknife North, Mr. Ballantyne.

Question 239-12(5): Reinstatement Of Home Owners' Property Tax Rebate

MR. BALLANTYNE:

Thank you, Madam Speaker. I have a question for the Minister of MACA. The Minister has stated his opinion unequivocally that prior to reviewing all of the possibilities in the departmental budget, he will not put forward support to reinstate the rebate to its previous levels. Because the Minister opened up this line of questioning, I have a question for the Minister. We are talking about \$350,000. Could the Minister please tell me how he is convinced, without reviewing his budget, that there is no place in a \$100 million budget with 155 PYs that he can find something less important than a program that puts money into every community in the Northwest Territories?

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Return To Question 239-12(5): Reinstatement Of Home Owners' Property Tax Rebate

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I would like to indicate, first of all, I am in support of the home ownership program. I think most Members in this House believe that is the route to take at these times. However, I also believe that in a time of restraint, if there is going to be \$350,000, or some such amount, which becomes available to the government, it should be used where it is needed most. I think that this Legislative Assembly has indicated that the housing situation we have in the Northwest Territories at the present time is our first priority.

I, as a Member of this Assembly, had agreed that was the first priority of this Assembly. If there is something that I am able to contribute to, if it would not be housing, then it would be education. I believe education should be the first priority of this government. I believe that is where funds should go if funds were to become available. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Ballantyne.

Supplementary To Question 239-12(5):
Reinstatement Of Home Owners' Property Tax
Rebate

MR. BALLANTYNE:

Thank you, Madam Speaker. I've never seen funds just suddenly become available, somebody has to make them available. I'm happy to hear that the Minister is offering up great gobs of his department to the Department of Education and to the Housing Corporation, and I'm sure the Ministers will thank him very much for that sacrifice. But with what he has left after his generosity, I still maintain that he could find \$350,000 from what's left over after he's given away whatever he generously will give to the Housing Corporation and the Department of Education. Will the Minister evaluate his programs to see if he can find some lower priorities that he could replace with the rebate program? Thank you, Madam Speaker.

Page 438

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Further Return To Question 239-12(5):
Reinstatement Of Home Owners' Property Tax
Rebate

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I think the Member has misunderstood what I was trying to indicate. I did not say that there will be \$350,000 that will just come from the department. I agree that \$350,000 would have to be fought for on my part. I think that any funds that would be disbursed by the department for \$350,000, again, should be used toward something better. I think the benefits that would be received by such an increase would be from communities which are have-communities, and not necessarily a benefit to the have-not communities which I represent. Thank you, Madam Speaker.

MADAM SPEAKER:

Supplementary, Mr. Ballantyne.

Supplementary To Question 239-12(5):
Reinstatement Of Home Owners' Property Tax
Rebate

MR. BALLANTYNE:

Thank you, Madam Speaker. I remind the Minister that he represents all communities as Minister of MACA. I'm speaking to him as Minister of MACA and he should wear that hat when he's answering oral questions. Madam Speaker, the Minister is being quite evasive. I will ask the Minister then something more specific. If the Minister can't think of an alternative, perhaps I could help him out with an alternative. Rather than not putting this program to its original level, he could look at cutting three PYs by attrition. The choice will be three PYs or giving a rebate to hundreds of home owners throughout the territories from coast to coast to coast.

---Laughter

MADAM SPEAKER:

Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Further Return To Question 239-12(5):
Reinstatement Of Home Owners' Property Tax
Rebate

HON. SILAS ARNGNA'NAAQ:

Thank you, Madam Speaker. I think I understand where the Minister is coming from.

---Laughter

But if I'm not correct, he could correct me, I'm sure. If we were to cut three positions and save \$350,000, I would like to see the three positions transferred to a smaller community which would require them, where communities have high unemployment, if that were to be the case. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Final supplementary, Mr. Ballantyne.

Supplementary To Question 239-12(5):
Reinstatement Of Home Owners' Property Tax
Rebate

MR. BALLANTYNE:

Thank you, Madam Speaker. Now, I can see the Minister is going to do a number of things. He is going to give half his budget to Education and Housing. He wants to give another part of his budget to smaller communities. He has a very ambitious task ahead of him. What I'll ask is -- and I'll ask one more time -- will the Minister, as he's reviewing his budget

in the coming year, listen to the advice of the Standing Committee on Finance this year and the Standing Committee on Finance last year and review whether or not this program does indeed have the beneficial impact that I claim it does and give it due and fair consideration? Thank you, Madam Speaker.

---Applause

MADAM SPEAKER:

Thank you. Minister of Municipal and Community Affairs, Mr. Arngna'naaq.

Further Return To Question 239-12(5):
Reinstatement Of Home Owners' Property Tax
Rebate

HON. SILAS ARNGNA'NAAQ:

Madam Speaker, I have indicated my position. In answer to the questions that the honourable Member has raised, I will give it consideration. But, with the information I have before me, I don't know whether such a decision would be positive. Thank you, Madam Speaker.

MADAM SPEAKER:

Thank you. Item 5, oral questions. The honourable Member for Iqaluit, Mr. Patterson.

Question 240-12(5): GNWT Participation In National
Strategies On Tax Reform And Deficit Reduction

MR. PATTERSON:

Madam Speaker, I would like to ask the Minister of Finance about a meeting he attended, I believe, with the Premier, of the First Ministers just before Christmas. I understand at that meeting, according to the Prime Minister, there were agreements reached on two critical areas, a national strategy on tax reform and a national strategy on deficit reduction. I would like to ask the Minister of Finance, will the Northwest Territories be part of these national strategies that the Prime Minister described following the meeting? Thank you.

MADAM SPEAKER:

Thank you. Minister of Finance, Mr. Pollard.

Return To Question 240-12(5): GNWT Participation
In National Strategies On Tax Reform And Deficit
Reduction

HON. JOHN POLLARD:

Thank you, Madam Speaker. Madam Speaker, I wasn't at the First Ministers' Conference. It may have been perceived that I was there, but I wasn't there. I should say, though, that because the Premier sits at the table with the rest of the provincial Premiers, the Prime Minister and the government leader of the Yukon, when they make agreements around that table, they do it as equals. Because of that reason, we will be participating in the two initiatives that Mr. Patterson has raised, Madam Speaker. Thank you.

MADAM SPEAKER:

Thank you. Supplementary, Mr. Patterson.

Page 439

Supplementary To Question 240-12(5): GNWT
Participation In National Strategies On Tax Reform
And Deficit Reduction

MR. PATTERSON:

Madam Speaker, I wonder if the Minister of Finance, since these both are finance matters, could give this House some indication what will be emerging as a result of what I understand, was an agreement in principle reached at the First Ministers conference. What can we expect might change as these initiatives are pursued?

MADAM SPEAKER:

Thank you. Minister of Finance, Mr. Pollard.

Further Return To Question 240-12(5): GNWT
Participation In National Strategies On Tax Reform
And Deficit Reduction

HON. JOHN POLLARD:

Madam Speaker, with regard to the national deficit reduction program, I think what the federal government is looking for, through Paul Martin, is closer ties with provinces and territories, a greater understanding of the difficulties in the different parts of Canada, and I think, through consultation, through cooperating with each other, there is a hope that we can deal with the whole of the national debt which includes not only the federal government's debt but also the provincial debt, as well. So, I think we are already working towards that through Finance Ministers' meetings where we discuss, back and forth,

different aspects of financing across the country, the economy, et cetera.

With regard to the national tax reform initiative, the same sort of thing will apply, although I can see that this is going to be a much more detailed issue simply because we almost get into the area of overlap and duplication which the Honourable Minister Mass? is handling at the present time. So, I think the national tax reform initiative is probably going to be more difficult to overcome than agreeing on the fact that we are in debt and we need to do something about it.

As these two initiatives move along, Madam Speaker, I will be glad to update the House. Thank you.

MADAM SPEAKER:

Thank you. Item 5, oral questions. Item 6, written questions. The honourable Member for Iqaluit, Mr. Patterson.

ITEM 6: WRITTEN QUESTIONS

Written Question 16-12(5): Public Service Positions Vacant In The Baffin Region

MR. PATTERSON:

Thank you, Madam Speaker. I have a written question to the Minister of Personnel. Would the Minister responsible for the Department of Personnel please provide the following information to this House:

1. A list of public service positions which are presently vacant in the Baffin region and which have been vacant for more than three months; and,
2. A list of those positions now vacant for more than three months which have been unfilled primarily due to the unavailability of staff housing.

Thank you.

MADAM SPEAKER:

Thank you. Item 6, written questions. Item 7, returns to written questions. Item 8, replies to opening address. Item 9, petitions. Item 10, reports of standing and special committees. Item 11, reports of committees on the review of bills. The honourable Member for Deh Cho, Mr. Gargan.

ITEM 11: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS

MR. GARGAN:

Thank you, Madam Speaker. Yesterday, under this item on the order paper, I reported to the House that certain bills had been reviewed by the Standing Committee on Legislation and were ready for committee of the whole. Our rules, Madam Speaker, require that there be two sitting days pass before the bills reported can be considered in committee of the whole. Madam Speaker, I seek unanimous consent to dispense with rule 70(5) and have Bill 2, An Act to Amend the Charter Communities Act; Bill 5, An Act to Amend the Partnership Act; Bill 6, An Act to Amend the Workers' Compensation Act; and Bill 7, Personal Property Security Act, moved into committee of the whole for today.

MADAM SPEAKER:

Thank you. The honourable Member for Deh Cho, Mr. Gargan, is requesting unanimous consent to waive rule 70-5 to permit Bills 2, 5, 6 and 7 moved into committee of the whole for today. Are there any nays? There are no nays. Unanimous consent has been given, therefore, Bills 2, 5, 6 and 7 are ordered into committee of the whole for today. Item 11, reports of committees on the review of bills. Item 12, tabling of documents. Item 13, notices of motion. The honourable Member for Yellowknife Centre, Mr. Lewis.

ITEM 13: NOTICES OF MOTIONS

Motion 17-12(5): Amendment To The Terms Of Reference And Appointments To The Special Joint Committee On Division

MR. LEWIS:

Thank you, Madam Speaker. I give notice that, on Thursday, March 3, 1994, I will move the following motion:

I move, seconded by the honourable Member for Natilikmiot, that the terms of reference for the special joint committee be amended to allow for ten alternate Members, comprised of four ordinary Members and six Ministers;

And further that, notwithstanding rule 88(2), that the following Members be appointed to the Special Joint Committee on Division:

as permanent Members: Mr. Allooloo, Member for Amittuq; Mr. Patterson, Member for Iqaluit; Mr. Ng, Member for Kitikmeot; Mr. Antoine, Member for

Nahendeh; Mr. Ballantyne, Member for Yellowknife North; Mr. Koe, Member for Inuvik; Hon. John Pollard, Member for Hay River; Hon. John Todd, Member for Keewatin Central; and,

as alternate Members: Mr. Arvaluk, Member for Aivilik; Mr. Pudluk, Member for High Arctic; Mr. Gargan, Member for Deh Cho; Mr. Zoe, Member for North Slave; Hon. Silas Arngna'naaq, Member for Kivallivik; Hon. Nellie Cournoyea, Member for Nunakput; Hon. Stephen Kakfwi, Member for Sahtu; Hon. Rebecca Mike, Member for Baffin

Page 440

Central; Hon. Don Morin, Member for Tu Nedhe; and, Hon. Richard Nerysoo, Member for Mackenzie Delta.

MADAM SPEAKER:

Thank you. Item 13, notices of motions. The honourable Member for Inuvik, Mr. Koe.

Motion 18-12(5): Extended Adjournment

MR. KOE:

Mahsi, Madam Speaker. Madam Speaker, I give notice that, on Thursday, March 3, 1994, I will move the following motion:

I move, seconded by the honourable Member for Hay River, that when this House adjourns on Friday, March 4, 1994, it shall be adjourned until Monday, March 14, 1994;

And further, that any time prior to March 14, 1994, if the Speaker is satisfied, after consultation with the Executive Council and Members of the Legislative Assembly, that the public interest requires that the House should meet at an earlier time during the adjournment, the Speaker may give notice and thereupon the House shall meet at the time stated in such notice and shall transact its business as it has been duly adjourned to that time.

Mahsi.

MADAM SPEAKER:

Thank you. Item 13, notices of motions. The honourable Member for Deh Cho, Mr. Gargan.

Motion 19-12(5): Suspension Of European Fur Import Regulation

MR. GARGAN:

Thank you, Madam Speaker. Madam Speaker, I give notice that, on Thursday, March 3, 1994, I will move the following motion:

I move, seconded by the honourable Member for High Arctic, that this Legislative Assembly requests the Government of Canada to take immediate action to prevent an embargo of Canadian wild furs in Europe in 1994;

And further, that the Minister of Renewable Resources request the federal Minister of the Environment to place this issue on the agenda of the G7 Environment Ministers Meeting to be held in Italy in March 1994;

And furthermore, that the Minister of Renewable Resources also request the federal Minister of the Environment to meet with European Environment Ministers on the European Fur Import Regulation;

And furthermore, that a delegation comprised of the Minister of Renewable Resources, representative Members of the Legislative Assembly and the Members of Parliament for Nunatsiak and the Western Arctic accompany the federal Minister of the Environment;

And furthermore, that this motion be conveyed to the Prime Minister of Canada, all Members of the Canadian Parliament, all Members of the European Parliament and the Ministers of the Environment for the European Union.

MADAM SPEAKER:

Thank you. Item 13, notices of motion. Item 14, notices of motions for first reading of bills. Item 15, motions. The honourable Member for Yellowknife Centre, Mr. Lewis.

MR. LEWIS:

Madam Speaker, I seek unanimous consent to deal with my motion of appointment of a Member to the Advisory Committee on Social Housing.

ITEM 15: MOTIONS

MADAM SPEAKER:

The honourable Member for Yellowknife Centre, Mr. Lewis, is seeking unanimous consent to address Motion 16-12(5), Appointment of Member on the

Advisory Committee on Social Housing. Are there any nays? There are no nays. Proceed, Mr. Lewis.

Motion 16-12(5): Appointment Of Member To The Advisory Committee On Social Housing, Carried

MR. LEWIS:

Thank you very much, Madam Speaker, and thank you, colleagues:

WHEREAS, there is a vacancy on the Advisory Committee on Social Housing;

AND WHEREAS, the vacancy should be filled;

NOW THEREFORE I MOVE, seconded by the honourable Member for High Arctic, that Mr. Fred Koe, the honourable Member for Inuvik, be appointed as a Member of the Advisory Committee on Social Housing.

MADAM SPEAKER:

Thank you. Your motion is in order. To the motion.

SOME HON. MEMBERS:

Question.

MADAM SPEAKER:

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

---Carried

---Applause

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: Bill 1, Appropriation Act, No. 2, 1994-95; Bill 13, Supplementary Appropriation Act, No. 3, 1993-94; Committee Report 2-12(5), Review of the 1994-95 Main Estimates; Minister's Statement 5-12(5), Session Business; Tabled Document 1-12(5), Towards an NWT Mineral Strategy; Tabled Document 2-12(5), Building and Learning Strategy; Tabled Document 11-12(5), First Annual Report of the Languages Commissioner of the NWT for the Year 1992-93; Bill 2, An Act to Amend the Charter Communities Act; Bill 5, An Act to Amend the Partnership Act; Bill 6, An Act to Amend the

Workers' Compensation Act; and, Bill 7, Personal Property Security Act, with Mr. Whitford in the chair.

Page 441

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

CHAIRMAN (Mr. Whitford):

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

MR. DENT:

Mr. Chairman, I recommend that the committee continue on with consideration of Bill 1 and Committee Report 2-12(5) and its consideration of the budget of Municipal and Community Affairs. Following the conclusion of that item, I recommend moving into bills 2, 5, 6 and 7.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Dent. Does the committee agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 1: Appropriation Act, No. 2, 1994-95

Committee Report 2-12(5): Review of the 1994-95 Main Estimates

CHAIRMAN (Mr. Whitford):

Mr. Pollard.

HON. JOHN POLLARD:

Thank you, Mr. Chairman. Mr. Chairman, I think the Clerk is going to circulate some red binders. It is the definitive objectives, 1993-94, the report on progress for each of the departments in a compendium as opposed to Ministers bringing it in prior to their budgets. Sorry it has taken so long to put together, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Pollard. Prior to calling the Minister and his witnesses in to continue with the budget, we will take a short break so the witnesses can be collected.

---SHORT RECESS

CHAIRMAN (Mr. Whitford):

The committee will reconvene after a short break. Is the Minister ready to bring in his witnesses?

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, yes, I'm ready to bring in my witnesses.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Arngna'naaq, I shall ask the Sergeant-at-Arms to escort the witnesses into the chamber. Is the committee agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Sergeant-at-Arms, will you escort the witnesses please. Thank you. Minister Arngna'naaq, will you introduce your witnesses to the committee?

Department Of Municipal And Community Affairs

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. To my right is Mr. Al Menard, the deputy minister of MACA and to

my right is Jim France, the director of finance and administration.

Lands

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. For the committee's information, we are on page 13-16. When we left off yesterday, I think there were some comments on the topic of lands. Any general comments? Is the committee prepared to review this line by line?

SOME HON. MEMBERS:

Agreed.

---Agreed

Line By Line

CHAIRMAN (Mr. Whitford):

Okay. Lands, total O and M, \$1.255 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Detail of grants and contributions. Grants on page 13-18, \$5.124 million. Mr. Ballantyne.

MR. BALLANTYNE:

Thank you, Mr. Chairman. I was quite prepared to conclude the home owners' property tax rebate debate had the Minister committed to look at it. The Minister said he would look at it but ended up saying that with the facts at hand, he would probably not support it. That intrigues me. What I would like to get from the Minister is exactly what he is basing his decision on? What facts is he aware of that perhaps I'm not that would make him decide in advance that he is not looking favourably at this particular program?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Mr. Arngna'naaq.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. I believe that the two specific objectives that were laid out for this particular program have been met. I would like to indicate that I will make every effort to maintain the level at which the program is being run. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arngna'naaq. Mr. Ballantyne.

MR. BALLANTYNE:

Well, I have a few comments and I would like to hear what the Minister has to say. This government has strongly supported home ownership now for many years and of late we've heard a lot about home ownership. We hear a lot about home ownership when we are talking about staff housing, the Housing Corporation rental review, building the economy of the Northwest Territories, encouraging less dependency in the Northwest Territories, and the whole taxation issue. I think the Minister is committed to looking at taxation in the general taxation area which is a real

problem. This particular program could help encourage people in the general taxation area to perhaps accept some increases to bring that tax level up to some sort of norm.

Page 442

From everything the government has said, I see this as an important initiative. At the time when this program was cut, the financial prognosis of the accumulated surplus was very bad. Although the long-term prognosis right now shows that we're quite vulnerable, the reality is the situation is not a situation that I think \$350,000 is going to make a big difference to, either way. If you look at all the other good things that MACA does, this program provided some balance to all those other things and it really demonstrated to home owners that the department is behind them.

I would like to again ask, and I would like an unqualified answer, that the Minister look at the programs that MACA has to offer. And, that they look fairly and objectively at this program to see if, for \$350,000, the objectives that are contained within this program might be objectives that aren't only good for the department but good for the government as a whole, to demonstrate some real commitment to the oft-stated government policy of encouraging home ownership.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Mr. Arngha'naaq.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. One of the indications I see has been the sale of staff houses in the NWT. What I see is that the larger municipalities which have many civil servants are able to buy their staff housing units. But, I don't believe they are basing their decisions on buying these staff units on a \$300 home ownership tax rebate. I don't think any person that is going to buy a house here in Yellowknife for \$150,000 to \$300,000 is going to base their decision to buy that particular house on a tax rebate of \$300 to \$400.

I have indicated to the Member that I will give this due consideration, as has been recommended by the Standing Committee on Finance. I have been asked to look at it and I will give it serious consideration. However, I still believe that a person who is going to buy a home will not be doing so based on a tax rebate. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arngha'naaq. The honourable Member for Yellowknife North.

MR. BALLANTYNE:

Well, the two facts that the Minister put forward are interesting. I agree the sale of staff housing probably depends a lot on the fact that they were fairly reasonably priced. Now there is another important element that we have to talk about here. In many municipalities, including Yellowknife, people feel that they've reached the highest threshold of taxation. When we're talking about attracting, for instance, the mining industry into setting up shop and people to buy houses in our communities, often times you hear about what sort of incentive package we can offer to bring in those industries that create jobs. To me, what this program does -- though \$300 or \$400 may not seem like a lot -- if you have a \$2,500 tax bill, \$400 can cut it down by 20 per cent. If you are deciding on whether you want to live here or in Edmonton, the fact that the government is showing that kind of consideration will make you say here is a government that actually cares somewhat about whether I build a house. I appreciate that the Minister says he is going to look at it, but I really hope that the Minister looks at it with an open mind. There are many good arguments as to why this was one of the most successful programs the department has ever had. My point is the arguments the Minister is making would be a lot more valid if we were talking about \$10 million, but we are talking about \$350,000.

The symbolic value as well as the monetary value is an important element. For a Minister of MACA, this is a very popular program. It is a program that shows the Minister does care about the width and breadth of the Northwest Territories. I ask the Minister to look at this objectively and make a decision based on a rational, objective analysis of the facts. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Minister Arngha'naaq.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. I agree with the honourable Member. If there is information the Member is able to give to me to make my view more objective, I would very much appreciate that. I

believe that he has given some of that information to me at this point.

I would also like to point out that the popularity of the program has not reduced, even though it's been reduced by \$100. As the Member has indicated, the home ownership rebate was a very popular program and it still is, even the \$300 rebate. I think, Mr. Chairman, that at this point I think I'm looking at it objectively, but if the Member feels otherwise then I would like further advice from the Member. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Arngna'naaq. The honourable Member for Yellowknife North.

MR. BALLANTYNE:

Thank you. Well, I feel quite strongly about this particular program and I would be more than pleased to cooperate with the Minister to give whatever ideas I have to help support my position that the program should be restored. I mean I feel it could even be increased, I think it's that good a program. What I hear from the Minister is that the Minister will look at this objectively, with an open mind, consult with MLAs who have an interest and will make a decision based on the facts and that consultation. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Minister Arngna'naaq.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. Yes, I will.

CHAIRMAN (Mr. Whitford):

Thank you. Details of grants and contributions, page 13-18. Grants, \$5.124 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Details of grants and contributions, municipal operations and assessment contributions, Mr. Ballantyne.

MR. BALLANTYNE:

I asked the Minister a question during oral question period and it was to do with the block funding transfer agreement. First of all, I want to state for the record

Page 443

that the city of Yellowknife is very pleased with the agreement and very pleased with the cooperation they've received from the department. That cooperation is ongoing and I feel that there is a very good relationship between the city and MACA. I would like to commend the department for that cooperation.

The question I had asked the Minister was to do with some outstanding issues that were really outside of this particular block funding transfer agreement. As the Minister is probably aware, Yellowknife has an old deteriorating sewer and water system. There have been very, very serious problems over the years and the government has been very generous over the years, paying 80 per cent of the costs of replacing the sewer and water system.

That actual job is not yet complete and my understanding is there are ongoing discussions between the city and the government for coming up with a formula and a process to complete that job. The question I had asked the Minister during oral question period is whether he could give me an update as to exactly what is happening with those negotiations because they are very important to the city of Yellowknife. The deputy minister knows that the sewer and water system in Yellowknife, at least parts of it, are in pretty bad shape.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Minister Arngna'naaq.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. I indicated at the time the Member asked me this question that I did not know the details of the particular issue. I would like to ask Mr. Menard to answer to the question.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Arngna'naaq. Mr. Ballantyne.

MR. BALLANTYNE:

I am quite interested in getting that response when the Minister can give it to me because it is quite important for the city. I have a question about...

AN HON. MEMBER:

(Microphone turned off)

MR. BALLANTYNE:

Did I miss something? Perhaps could I ask if the Minister could repeat what he said? I thought I was going to have to wait for the answer.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Minister Arngna'naaq.

HON. SILAS ARNGNA'NAAQ:

I apologize Mr. Chairman, I may not have made myself clear. I indicated that I did not know the details and I would have to ask Mr. Menard to respond to the question.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arngna'naaq. Perhaps that was my fault. I thought you indicated that you would like Mr. Ballantyne's response. Mr. Menard.

MR. MENARD:

Thank you, Mr. Chairman. We have been discussing with the city of Yellowknife for the last six or eight months, a new deal for a couple of extraordinary projects in the city. One of which is the city CBD area and one is the school draw area and I think there's another area as well. There are three projects on the table. We're slowly reaching agreement. However, in waiting to reach agreement we're already starting to reflect some of the needs of the city in the capital plan for 1995-96 and we'll be bringing forward the results of our negotiations to FMB I would think within a couple of months and maybe before that. We're on the last minute details on the school draw project.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Menard. The honourable Member for Yellowknife North.

MR. BALLANTYNE:

I appreciate that response. I have said that the support from the department has been very good during this. The taxpayers in the city wouldn't be able

to handle this without the assistance of the GNWT. On behalf of the city, I would like to thank the Minister and the department for their assistance in this particular area.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Detail of grants and contributions. Page 13-20. Mr. Ballantyne.

MR. BALLANTYNE:

Mr. Menard knows this particular area because we've talked about it in the past. It has to do with water delivery subsidies to tax-based municipalities. As you know, in my constituency, there is really a community within a community, in old town, Dettah, and Ndilo which are based on water delivery. Now, what's happened is, in the last three years, the city has really changed their system so now I think the way it works is we pay a dollar a gallon up to 3,800 gallons a month and then \$6 a gallon after that. The average consumption in Yellowknife is around 5,500. If you live in Old Town and use 5,500, you pay \$200 a month for water. Now, my question is, how does the subsidy fit in to the equation?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. Minister Arngna'naaq.

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, I would have to ask Mr. Menard to respond.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arngna'naaq. Mr. Menard.

MR. MENARD:

Thank you, Mr. Chairman. As part of negotiating the block funding for the city of Yellowknife, the funding that used to be given to the city for subsidy was blended into the block funding, so I am not sure how it fits in now with the subsidy or whether they even pay a subsidy. But, it is the decision of the city now to decide how much subsidy they would give and how it would work in the city. As far as Dettah, I would have to check on the Dettah part of it.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Menard. Mr. Ballantyne.

MR. BALLANTYNE:

Well, because Old Town is such a unique area, at some point we may be coming to the government and seeking hamlet status. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Ballantyne. I gather you just want to leave it at that. Contributions, \$44.620 million.

SOME HON. MEMBERS:

Agreed.

Page 444

---Agreed

CHAIRMAN (Mr. Whitford):

Grants and contributions, \$49.744 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Detail of work performed on behalf of third parties, total department, \$318,000.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Back to page 13-9, program summary, total O & M, \$64.553 million. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. Just so that I am not caught off guard or put in a position of surprise, I would like to ask the Minister where the next Arctic Winter Games are going to be held.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Minister Arngna'naaq.

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, I am not sure, but I believe that they may be in Alaska. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Arngna'naaq. Program summary, total department, total O & M, \$64.553 million.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Thank you. Mr. Gargan.

MR. GARGAN:

Again, just with regard to recreational facilities, the Minister has indicated that, over the years, the historical cost summary, the criteria has changed and varied, and it has come now to a point where, at one time, the original standards criteria saw communities contributing ten per cent of the construction cost for gyms and 40 per cent for arenas. The percentage has been revised from zero to ten, respectively, so, if that is the case, then we are looking at a situation in which communities that have recreation facilities pay 30 per cent less than what other communities had to contribute, and I find that totally unfair. I would like to ask the Minister why he has decided to change this policy. The old 1985 policy has been changed to reduce the contribution costs.

CHAIRMAN (Mr. Whitford):

Mr. Gargan, it appears that the questions you are alluding to may better be dealt with under the capital budget rather than O & M. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, I don't know whether or not the policy of government is under capital or if it is under O and M. If it is a policy that governs the way expenditures are made on capital projects, I would presume that it is under operations and maintenance as opposed to capital. Can I get that clarification?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Would the Minister be prepared to assist us in answering that question, or perhaps the deputy minister or the director of finance?

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, I believe the question the Member is asking is under the standards and criteria of the department which is a capital policy. Now, to be able to answer the question, I would have to get a clarification from the Member, if he wants to pursue this.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arngna'naaq. We are concluding the O and M budget, if the Member would like to ask any other questions. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, is my question out of order?

CHAIRMAN (Mr. Whitford):

I have conferred on the matter. It is not out of order. It is just that I think the uncertainty lies in whether the question relates to capital or O and M. We were dealing with O and M, and perhaps I will put the ball back in the Minister's court and ask if the Minister is able to answer the question that the Member is asking.

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, we don't have the information that the honourable Member is requesting, but I could take the question and respond to him at a later time.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Gargan.

MR. GARGAN:

I will accept that, then, but the problem is that the Minister did sign a letter dated February 14, 1994, which clearly states that there has been a change in the policy.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. In light of the comments that Mr. Gargan has made, Minister Arngna'naaq, perhaps the reference to the letter of February 14, 1994, would help to clarify.

HON. SILAS ARNGNA'NAAQ:

I recall the particular letter that the Member is referring to but I don't recall the details of the letter, so

I would have to freshen my memory to be able to respond. If he could clarify his question, I might be able to respond.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Gargan, would you wish to ask a further question? A suggestion is that the Minister concur that he meet with you or you meet with him and clarify these matters after this item is dealt with. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, I don't have a difficulty with the direction the government is going. The only difficulty I find is that half-way through the game, suddenly the policy is changed. The government pays more and the communities pay less. I find it is unfair for the communities. Before Fort Providence even had the approval to have the arena and the community hall built, they had to give \$251,000 up front to the government, which they did. Now, it is ten years later, from

1983, the programs are going on, but all of a sudden, the rules have changed. I just wanted to know why the sudden change.

Page 445

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. It is very clear now that it is a capital item that we are being questioned on. If the Minister would like to respond, you have that opportunity, or else, as indicated earlier, you can deal with it a little later in a different forum. Mr. Minister.

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, again, I may not be able to respond correctly as I don't have the information with me. I could go by memory and indicate that it is unfortunate that the community was put in this situation, but I believe the request to change the criteria under which the particular facilities fall was a request made by communities. Now, this was also before my time as a Minister. The request was made by the community to change the criteria of the particular facility that the Member is referring to from an additional facility for a community, which it was under, where the communities were not able to contribute the amounts that were required under that particular criteria. When it was changed at the request of the community to basic facilities, the position was made that the

communities would be able to contribute the amounts that are required under that particular criteria. Again, I would have to say that it is unfortunate that the community of Fort Providence was put under that situation, but that is the way I understand the situation to have occurred. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Gargan.

MR. GARGAN:

The Minister was elected in November of last year. The policy was revised at that time. It was in 1993 that the policy was revised to reduce the formula. I don't know why the Minister was not aware of it. I am sure his department must have made him aware of it. For him to write a letter on February 14 would indicate that the Minister was informed of the decision. Again, the Minister also provided me with a listing of all the communities that had arenas built and some of them have contributed quite a substantial amount. It is not as if there is a difficulty for the communities not to pay their own way. It seems to me that they have done pretty good. I don't know why the sudden change to change the policy in 1993, but I am suspicious of why they would decide to do that. If the Minister doesn't mind -- he did provide me with a copy of all the capital recreation projects that happened and the amount that the communities have contributed -- could you also provide me with a copy of what the forecast is for capital allocations and to which communities in the next year or two?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Mr. Minister.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. I would have no difficulty with the request made by the Member. In fact, the information should be in his hands already under the Five Year Capital Plan. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Page 13-9, program summary, total O & M, \$64.553 million. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, again, I would like to ask the Minister, before we conclude this department, what is the forecast for recreation in the north right now? Since

there is a financial situation that we should continue the Arctic Winter Games, has there been a review done on this at all? I understand that the next one is in Alaska. Again, it still means that we have to sponsor many athletes to fly there. Just as they would to Lesser Slave Lake. Does the Minister have any kind of figures with regard to how much it is costing us to have the Arctic Winter Games held in Lesser Slave Lake? What are the directions that the department is going with regard to the Arctic Winter Games in general? Should we be continuing this program if...

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Mr. Minister.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. I don't know if we have the information that the Member is asking for, but in today's time, there is a change with creation of Nunavut coming on. The cost associated with the creation of Nunavut is something that will have to be dealt with. To answer the particular question with regard to how much the government is spending or will be spending on such activities as the Arctic Winter Games, I am not able to respond to because they change with different locations that the Arctic Winter Games are in. I will also indicate, if my memory serves me correctly, that the funds that are used for the participation of our athletes in these particular Arctic Winter Games is around \$450,000, which constitutes approximately 30 per cent of the costs associated with the Arctic Winter Games. That is, again, from memory. I believe 30 per cent is the amount that the government contributes. The rest is raised by Sport North Federation. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Total O & M, \$64 million. Mr. Gargan.

MR. GARGAN:

You don't anticipate eliminating that sport event, then.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Mr. Minister.

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, at the present time, I believe this is a very popular program. That has not been considered at this point. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Are there any further questions? Total O & M, \$64.553 million. Agreed?

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Whitford):

This item concludes the Department of Municipal and Community Affairs. Does the committee agree that this matter is concluded?

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Whitford):

With that, I would like to thank the Minister for his appearance before the committee and thank the witnesses on behalf of the committee for their assistance to us. Does the committee agree that we move to Bill 2?

Page 446

SOME HON. MEMBERS:

Agreed.

--Agreed

Bill 2: An Act To Amend The Charter Communities Act

CHAIRMAN (Mr. Whitford):

We have agreement. Bill 2, An Act to Amend the Charter Communities Act. The bill will be found in your green legislation binders. Is the Minister prepared to give us opening remarks? Mr. Minister.

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, I don't have my notes here with me. I would request a five minute break, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Mr. Minister, the committee will take a short break and the bells will sound in approximately five minutes.

--SHORT RECESS

CHAIRMAN (Mr. Whitford):

The committee will now come back to order. When we recessed briefly, the Minister was about to make his introductory remarks. Minister Arngna'naaq.

Introductory Remarks

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. I am pleased to address your committee today on these proposed amendments to legislation for municipal governments. Amendments will advance the government's priority of community self-government and prepare municipal governments for the administration of a most valuable community economic resource, which, in this case, is municipal land.

At present, the Government of Canada and the Government of the Northwest Territories own and administer the great bulk of community lands in the communities of the Northwest Territories. This situation is especially true in the eastern Arctic and in the predominantly Dene hamlets, charter communities and settlements in the western Arctic, and yet the Government of the Northwest Territories, for a long time, has had the goal of transferring community lands to community governments.

Change is on the way, Mr. Chairman. As you know, legislation to implement the Nunavut Final Agreement received its Royal Assent on July 9, 1993. Within three years of the passage of this settlement legislation, the vast majority of the Crown and Commissioner's lands not required for government facilities and operations within the built-up areas of the Nunavut communities will be transferred to the ownership and control of the 25 municipalities of the Nunavut settlement area. We also anticipate that, with the implementation of the Gwich'in land claim, the finalization of the Sahtu claim and the preparations for other claims in the western Arctic, community governments there will be taking on new land management responsibilities.

All of these changes mean that most NWT municipalities will be undertaking major new land administration authorities and responsibilities that

they have not exercised before. In the Nunavut Agreement, this been recognized in the Nunavut political accord.

Pursuant to the bilateral funding agreement, \$200,000 is being made available for the development of lands administration training materials for municipal administrations. Additional funding will be made available for salary costs for municipal lands administrators in Nunavut municipalities. Community land, or municipal land, is a valuable and scarce resource which must be managed well for present and future community residents.

It is in preparation for these changes that we are proposing amendments to the Charter Communities Act to provide that municipal corporations planning to dispose -- that is, sell or lease -- municipal lands to the public shall each adopt a land administration by-law. The land administration by-law for each municipal corporation would set out, for the information and benefit of the public, the procedures the council will use when it sells or leases land. Primarily, the Government of the Northwest Territories, as represented by the Minister of Municipal and Community Affairs, will be interested in seeing that the municipal land administration by-laws have open and fair policies and procedures concerning land sales or leases to members of the public, especially persons wishing to become home owners or small northern businesses wishing to acquire land to start up or expand.

Under the proposed amendments, the Minister would have the authority to review the land administration by-laws, prior to third reading by council, to ensure, in consultation with the municipal council, that these interests are addressed in the by-law. The Minister's authority to exercise approval of by-laws before third reading already exists for community plans and zoning by-laws which are related to land use. As in the case of these by-laws, the department will be prepared to assist municipal governments in drafting model land administration by-laws.

Mr. Chairman, the amendments also include clearer authority for municipal corporations to acquire, hold and dispose of real and personal property. The definitions of "personal property" and "real property" have been expanded to allow municipalities to acquire, hold or dispose of interests in real or personal property as well as the property itself. The proposed amendments would also make it easier for a municipal corporation to carry on a business which

provides a service that is not expressly allowed by municipal legislation.

The Minister would need to consider the business to be in the public interest. Under the current legislation, the proposed business has to be for a municipal purpose, defined in the acts and be deemed by the Minister to be in the public interest. Mr. Chairman, I will now be prepared to answer any detailed questions you or Members may have on the proposed amendments. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Minister of Municipal and Community Affairs, Mr. Arngna'naaq for that introduction. I would like to now call upon the Standing Committee on Legislation to make the committee comments. Mr. Gargan.

Standing Committee On Legislation Comments

MR. GARGAN:

Thank you, Mr. Chairman. The Standing Committee on Legislation has had a long history with this bill. The committee reviewed this bill as a tabled document in May

Page 447

1993 and also as a bill in December of the same year. This is the third occasion the committee has had to review this bill. The committee held public hearings in both Fort Providence and Fort Simpson and also invited the surrounding communities of Kakisa, the Hay River reserve, Fort Liard, Wrigley and Yellowknife, on the principle of this bill. The committee would like to thank the Minister and his officials in the Department of Municipal and Community Affairs for presenting this bill in the communities and responding to the questions of the Members.

Bill 2 will amend the Charter Communities Act to clarify the municipal corporation's power to lease and subdivide lands and to set out land administration terms for the disposal of land by municipalities. Before being entitled to sell or lease their lands to others, charter communities would be required to pass a land administration by-law to provide guidelines for the disposition of the land. This by-law must be given public notice and must receive the approval of the Minister.

This bill also specifies when charter communities may dispose of personal property and clarifies that they may lease that personal property. As well, charter communities will be allowed to carry out a business to provide a service that may not necessarily be connected to the traditional municipal purposes if the Minister agrees it is in the public interest.

Members of the standing committee have reviewed this bill and are satisfied that the bill provides an appropriate structure within which charter communities may manage and administer lands.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. Mr. Minister, do you wish to bring in any witnesses to assist you in this matter?

HON. SILAS ARNGNA'NAAQ:

Mr. Chairman, yes, I would.

CHAIRMAN (Mr. Whitford):

Thank you. Does the committee agree that the Minister be allowed to bring in witnesses to assist him?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

We have agreement. Mr. Sergeant-at-Arms, please escort the witnesses. Thank you. Mr. Minister, would you introduce your witnesses for the benefit of the committee.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. To my right is Mr. Shawn Flynn, the legal council for the legislative division of the Department of Justice and to my left is Mr. Richard Ashton, director of research and special projects for the Department of Municipal and Community Affairs.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. General comments on Bill 2, An Act to Amend the Charter Communities Act. Mr. Zoe.

General Comments

MR. ZOE:

Thank you, Mr. Chairman. I would like to ask a question pertaining to land, not only municipal land referred to in this particular bill but a more general question to the Minister. It was my understanding that the territorial government, as a whole, had a policy in place with regard to Commissioner's land where they would not sell any land within the block land transfer. I realize that the government at that time made a commitment not to sell Commissioner's land and the municipalities were also following the same philosophy, although there were provisions within various municipal legislation. Could I ask the Minister if that is still the policy of the government pertaining to Commissioner's land and also Commissioner's land within municipalities?

I know this has to do strictly with charter communities, but it is in relation to that. And, while I have the floor, Mr. Chairman, I wonder if the Minister could tell us how many charter communities we have in the territories? I recall only two, if I'm correct, Fort Good Hope and Fort Resolution. Am I correct? Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Member for North Slave. Minister Arngna'naaq.

HON. SILAS ARNGNA'NAAQ:

Thank you, Mr. Chairman. To the first question, the honourable Member is correct that on Commissioner's land the land lease only policy still applies and will continue to apply in areas where land claims are not yet settled. To the second question, the Member is correct, there are two charter communities. They are the communities of Deline and what used to be referred to as Arctic Red River. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Arngna'naaq. General comments. Does the committee agree we proceed clause by clause?

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Whitford):

Clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 4.

Page 448

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

The bill as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Does the committee agree that Bill 2 is ready for third reading?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Bill 2 is now ready for third reading. I thank the Minister and the witnesses for their participation before this committee. You're free to go. What is the wish of this committee? Does the committee agree that we proceed with Bill 5, An Act to Amend the Partnership Act?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 5: An Act To Amend The Partnership Act

CHAIRMAN (Mr. Whitford):

Is the Minister responsible for the bill, Mr. Kakfwi, prepared to begin his opening remarks?

Introductory Remarks

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. The proposed bill to amend the Partnership Act has three purposes.

Firstly, this bill would amend the act to allow limited partnerships that come from other jurisdictions to carry on business in the Northwest Territories. Our current legislation does not address this question. By recognizing these partnerships, we can ensure that business investments are not discouraged because of the uncertainty. At the same time, people dealing with these partnerships would be suitably protected.

Secondly, it is proposed that documents for partnerships would be registered at the companies registry instead of at the document registry. This change makes sense since all other registrations in the document registry, except for partnerships, involve interests in property. All other business registrations are dealt with at the companies registry. This change also fits in with the plans of the department to replace the document registry with a personal property security registry which would deal only with property interests.

Finally, some minor problems with the act would be cleared up. For example, the period of six months

now allowed for the registration of ordinary partnerships will be shortened to 60 days and the requirements for registration when a partnership or other business dissolves or is no longer using a particular name will be clearer.

An early draft of the bill was circulated to those dealing most often with business enterprises and suggestions from those who responded were included in the draft bill which was tabled last spring. The Standing Committee on Legislation considered the tabled bill and their report was favourable. The only changes between the bill which was introduced and the tabled bill are technical drafting changes, most of which are changes to the French version of various sections of the act to make the language more consistent throughout this act and with other acts.

I would be pleased to respond to any questions or comments from Members and look forward to receiving the Members' support for this proposed bill. Thank you, Mr. Chairman. If there are any questions, I would ask to have my witnesses come and join me.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister, for your introduction to the bill. I will now call upon the representative from the Standing Committee on Legislation to make comments on the bill. Mr. Lewis.

Standing Committee On Legislation Comments

MR. LEWIS:

Thank you, Mr. Chairman. The Standing Committee on Legislation met to review Bill 5 on February 26, 1994. Many thanks to the Minister of Justice and his officials from the Department of Justice for presenting this bill and responding to the questions of the Members. This bill amends the Partnership Act to change the venue for registering a partnership. Anticipating the dissolution of the document registry, this bill amends the legislation to change the venue for registering documents under the act from the document registry to the registrar of companies under the Companies Act. Further, the bill amends the legislation to change the time required to register partnership declarations from six months to 60 days. Finally, the bill amends the legislation that will recognize limited partnerships registered outside of the Northwest Territories. Including this section in the legislation should clear up any confusion that businesses involving extra-territorial limited

partnerships have had when wishing to do business in the Northwest Territories.

The Standing Committee on Legislation supports the proposed bill and is satisfied that the amendment will assist in encouraging business investment in the North. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Lewis. Would the Minister be prepared at this time to bring in his witnesses to assist him? Does the committee agree that we allow witnesses?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Mr. Minister, would you be so kind as to introduce your witnesses to the committee?

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. I have with me on my right, Diane Buckland, legislative counsel, Department of Justice, and next to her is Richard Denis, who is also a legislative counsel assigned to working on the French

Page 449

text. On my left, Mr. Gary MacDougall, who is the director of legal registries.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Kakfwi. General comments. Clauses. Does the committee agree we proceed clause by clause?

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Whitford):

Clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 4. Mr. Zoe.

MR. ZOE:

Mr. Chairman, with regard to clause 3, I have noticed that we are amending the French interpretation. I am not French, so I don't know the legal language that is used here. How am I assured that the written French version is correct versus the English version? What assurance am I given to make sure that it is correct?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Minister Kakfwi.

MR. DENIS:

Clause 2, in its French version, of course, represents and corresponds exactly in terms of legal meaning to the English text. The only changes that have been brought here this time were correction of language use of clear terminology. There is no difference from a legal point of view between the French and English version of this clause.

CHAIRMAN (Mr. Whitford):

Merci, Monsieur Denis. Monsieur Zoe.

MR. ZOE:

Legally, Mr. Chairman, I wonder if they had an independent review of the interpretation that has been drafted by our legal division in our government. Did we do a legal opinion to see if it is the correct and legal wording? Perhaps I can pose my question to the Law Clerk and not particularly to the government. Can the Law Clerk assure me that the written French version is correct as the English version?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. I shall direct that question to the Law Clerk. However, I believe it is still the

Minister's responsibility to ensure that this is correct in every way. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. No, we did not conduct an independent review of the French provisions of the act to determine whether they achieved what the English version achieved. It is not customary for us to review the French portions of the acts. Customarily, we rely on the government to ensure the accuracy of their translation. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. MacPherson. Mr. Zoe.

MR. ZOE:

Mr. Chairman, although it has been the customary practice to rely on the government, the Law Clerk of our Assembly should have had an independent review of the implications of these provisions. It is a legal document. I wouldn't want to go through amending this bill at a later date because of inaccuracies. That is why I am asking if the Law Clerk has checked this out to see if it is properly written.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the Department of Justice drafts legislation for the government. It is our job to draft legislation as instructed by the Executive. There is a system within the department where we have a special division that is devoted strictly to drafting of legislation and we check with other jurisdictions to make sure our language is consistent with what is

used in the courts and that the English and French text is consistent and clear. There is not just one lawyer doing all of this. There is a team. There are people checking each other's work. We don't need a second independent opinion to check on the work. When it comes out, it is from the best efforts and if it is ever challenged as to the wording and interpretation of the clauses, the courts will decide that. An independent opinion is an incredibly expensive suggestion to make on the work the Department of Justice makes. I don't understand what the Member is getting at, at all.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. In response to Mr. Zoe, it is not the responsibility of the chair or the Minister to interpret the language of the bill. If the Member has an issue with it, I think we can discuss that. But it is not the responsibility of the chair to ensure that the French language is accurate. Mr. Zoe.

MR. ZOE:

I asked the Law Clerk since she is the legal expert in the Assembly on legal matters such as the bill in front of us. There are legal implications that may arise out of this. I am not asking for a legal opinion. I am just asking if the Law Clerk has reviewed the bill and the accuracy of the French. I am asking for the service of our Law Clerk.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. My recollection is the question was answered in two fashions, both from the Law Clerk and the Minister. I am not sure if we can go any further with that. Clause by clause. Clause 4.

SOME HON. MEMBERS:

Agreed

---Agreed

Page 450

CHAIRMAN (Mr. Whitford):

Clause 5.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 6. Mr. Zoe.

MR. ZOE:

Mr. Chairman, I am having difficulty with this. I don't know if I should be voting on this. I don't know if it is right or wrong. I know the government is saying trust me. I have asked the Assembly to assure me that it is correct. I want to know if our legal people have looked at it. If they assure me they have looked at it and it seems to be correct, I wouldn't have a problem with it. But because I cannot read French, I don't know if it coincides with the English version. I cannot vote on a legal bill when I don't understand it. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. I am not sure where we can go from here. The information contained in the French version is said to be interpreted and a legal version. Unless the Member is fluent in French, there is no requirement for the Member to understand the French version. If the English version is correct, in his opinion, then that should suffice. The French is not necessary, unless the person is a speaker of that language. Mr. Zoe.

MR. ZOE:

Mr. Chairman, pick any clause in this bill. I am asking for the interpretation of section 2. There is an English version and I have asked the Law Clerk if that version is the same as the French version. The Law Clerk couldn't respond to me. Legally, is the French version the same as the English version? If you can assure me it is, then I don't have a problem with it. That is all I am asking.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. I think we have a situation where the Member is looking for guarantees that the French version exactly replicates the English version. Unfortunately, I'm not fluent in French nor in the subtleties and nuances of the drafting language. Perhaps the Member might want to direct his question to the Minister and get a guarantee from the Minister or Mr. Denis as to what the clause means.

Alternatively, although I think cost is going to be a major factor here, the Member may wish to get somebody outside of the Minister's staff but that may well be a substantial cost and a time delay. I can't provide a guarantee that the French version replicates the English version but I would suggest that the Minister's legislative drafts people, particularly Mr. Denis, would be in a position to explain to this House exactly why all the changes are being made to the French version. Hopefully, that will alleviate the Member's concern.

CHAIRMAN (Mr. Whitford):

Thank you, Ms. MacPherson. I hope that will assuage any concern you might have. I have Mr. Arvaluk next on my list and then Mr. Lewis.

MR. ARVALUK:

Thank you, Mr. Chairman. I think the problem is not with just clause 2, the title has now changed in the French version. It has probably not changed in the meaning but maybe the grammar. Probably the spirit of the law is still there. However, I do have a problem not so much with this particular clause but as a non-legal person, you have given me a bill that I would never be able to understand as long as I don't go to school and learn the legal language. However, what I usually expect for most amendments to acts, including Bill 5, are clear, explanatory notes.

It seems that the actual bill explains better than the explanatory notes. For example, in those notes what the French version change in the title really means and how it was read is explained. As it now reads, it doesn't indicate if there is any change in the meaning or in the spirit or in grammar. I think that is what Mr. Zoe's concern is. I know we are legislators, but in the spirit and principle of what our people want and for the purposes of protection and service, I think we should have better explanatory notes. Maybe in the next session when we are dealing with these bills. Qujannamiik.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Mr. Lewis.

MR. LEWIS:

I can read French quite well, Mr. Chairman, but I'm not a lawyer or a legal drafts person. I've looked through these documents here and have tried to figure out the problems Members have. I think you can boil it down to this, whenever you have some

ideas and you want to put them down in a language, then the language you choose is going to be the best way in which to represent those ideas you have. Even when you put it down in your language, how close you get to those ideas depends on how good you are with that language. The legal profession has spent many hundreds of years getting as precise as you can a definition of the thoughts that you want to put into legal language.

Sometimes Members are worried because we have tremendous experience with language in the Northwest Territories and people wonder, if you have an idea that you put into one language and the thoughts from your background in that language, whether you can have a perfect match then if you move from one language to another. We know, from our own experience, that it is difficult to get translation precise. It seems to me what we have here is always open to question because whenever you put complex ideas into a language, you always have to worry about the problems and degrees of precision.

The answer I would have expected from the Minister is that we have legal people here who recognize that the original thoughts were put into English and now we have to take those same thoughts and put those into French. And that we have communicated across the country with people in the same business as us, using the same body of ideas, and we have now come up with the best effort possible to ensure that those ideas are now well-expressed in both languages. I'm satisfied, even though I'm not a lawyer, that what we have here is probably the best effort you can have to get this piece of legislation well-expressed in the two languages.

I think if we are going to get into an argument about languages and linguistics and so on, we are going away from what the intent of this bill is. It is to make sure that the best effort is being made to ensure that the bill is well-expressed in these two languages. I'm quite satisfied with what has been done

Page 451

here. Maybe to help Members, though, I wonder if we can get just one translation back into English. What is exactly meant by "bien la societe?" What does that mean in English?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Lewis. Mr. Denis.

MR. DENIS:

Thank you, Mr. Chairman. "Bien la societe" translated into English simply means the partnership property.

CHAIRMAN (Mr. Whitford):

Merci, M. Denis. Mr. Zoe.

MR. ZOE:

Could I ask Mr. Denis if the word under section 3(2) has changed from "primitivement" in the French version to "initialement." Is there a difference there? Why was that word switched? It seems like two totally new words. That's why I'm questioning whether there is the same intent. Does this make the new version even better? I don't know, that's why I'm asking. That is why I'm raising all these questions. Thank you.

CHAIRMAN (Mr. Whitford):

Merci, Mr. Zoe. Mr. Denis, s'il vous plait.

MR. DENIS:

Thank you, Mr. Chairman. Generally, I would like to point out that what has happened to the French version of this act was an attempt to improve the language. We had a chance, since modifications were made to the English side, to look over the French version and improve it. So, technically, there is nothing new, except as mentioned before, there is always room for improvement.

Specifically here in this clause. We are referring to the definition of partnership property in French. Before we had the word "primitivement" which simply means primitively in English. That was not the proper use of the term. We replaced it with initially. Just to put it in context, we are talking about the property that was initially part of the partnership. So, instead of saying the property that was primitively in the partnership, we are now saying the property that was initially in the partnership. Those are the kinds of changes that were made to the act, to improve the language in a general sense, to make it more consistent. That was the idea we had in mind. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Merci, M. Denis. Clause 6.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 7.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 8.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 9.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 10.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 11.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 12.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 13.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 14.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 15.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 16.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 17.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 18.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 19.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 20.

Page 452

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 21.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 22.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 23.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 24.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 25.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 26.

SOME HON. MEMBERS:

Agreed.

---Agreed

Schedule

CHAIRMAN (Mr. Whitford):

Schedule, Clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 4.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 5.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 6.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 7.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 8.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 9.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 10.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 11.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 12.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 13.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 14.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Bill as a whole. Mr. Zoe.

Page 453

MR. ZOE:

Mr. Chairman, just before we conclude, on this issue that I raised earlier, I wonder if these interpretations, when you are trying to improve on your French...The

one example that I used, you moved from primitive to initial. I wonder if the Minister could consider, under his explanatory notes, the actual wording in English so that we know what you are changing from what to what, like that example I used at the beginning. If you can put it under this section so that Members wouldn't be questioning so we can read it in English, the interpretation of it, I guess. I wonder if that could be considered by the government, sponsor of the bill.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Zoe. Mr. Minister.

HON. STEPHEN KAKFWI:

Yes, Mr. Chairman, I think to demonstrate that when we are making improvements, they are actual improvements, we could explain in English how the changes in the French text are actual improvements.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Schedule as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Mr. Lewis.

MR. LEWIS:

Perhaps the Minister could get his legal drafts person there to explain. This use of that word, "primitivement," does that really mean that was a bad word, that it really didn't say what you wanted it to mean, it was just bad drafting, is that what you are saying?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Lewis. Monsieur Denis.

MR. DENIS:

Thank you, Mr. Chairman. Certainly not. It doesn't mean that at all. It just means that it is a term that said something, but when we looked at it, we realized that we could use a better and more standard word used in legal drafting in the legal language that would more exactly reflect what the idea was in this case. That is simply why we changed it. Of course, the

original version was good all along, but we can always improve. That is what we tried to do here. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Monsieur Denis. Schedule as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Bill as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Does the committee agree that Bill 5, An Act to Amend the Partnership Act, is ready for third reading?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Bill 5 is now ready for third reading. Mr. Minister, I would like to thank you on behalf of the committee for your presentation to us and appearing before us and thank your witnesses on our behalf. Do you wish to comment? Mr. Minister, my apologies. We are going to proceed to Bill 7. Bill 6. Does the committee agree that we proceed with Bill 6, An Act to Amend the Workers' Compensation Act?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 6: An Act To Amend The Workers' Compensation Act

CHAIRMAN (Mr. Whitford):

Thank you. Is the Minister responsible prepared to introduce Bill 6? Minister Todd.

HON. JOHN TODD:

I am, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Mr. Minister, your opening remarks, please.

Introductory Remarks

HON. JOHN TODD:

Thank you, Mr. Chairman. I am pleased to introduce this bill, which amends the Workers' Compensation Act. Its purpose is to make two important changes to the act, both of which reflect a cooperative spirit between WCB and government departments.

The first change deals with coverage for renewable resource harvesters, and the second with information sharing between the WCB and GNWT departments.

Both WCB and Renewable Resources sponsored the legislative proposal leading to this amendment of subsection 10(3), which will change how the WCB handles claims from renewable resource harvesters. The WCB has also worked closely with the Department of Renewable Resources to develop a memorandum of understanding to address the issue of harvesters' coverage.

Members have raised concerns about the WCB's coverage of renewable resource harvesters. The honourable Member for Deh Cho, in particular, has expressed dissatisfaction over the definition of "principally engaged," which is established in WCB policy. The board will apply more liberal criteria once this amendment is made, thus extending protection to more harvesters, increasing equity between individuals and allowing for more claims to be accepted.

The MOU that will govern the administration of the renewable resource harvesters' compensation program sets out that the board will not arbitrarily change the definition in the future. Rather, the WCB is committed to working jointly with the department if the program needs adjustment. This jointly developed MOU is the key to the program, but a legislative change is also required before it can be implemented.

Once a renewable resource harvester's claim is accepted by the board, the WCB must establish a level of income on which

Page 454

to base the level of benefits. The current legislation uses the year's maximum insurable remuneration or "YMIR," which is not \$47,000 -- a figure not always representative of a harvester's true income. The amendment establishes a "deemed" income of \$24,000. The Department of Renewable Resources recommends this amount as a more accurate reflection of earnings from renewable resource harvesting activity.

Only a few claims from harvesters are now being accepted because the definition of "principally engaged" refers to harvesting income of \$10,000 or more. This \$10,000 threshold has been difficult for most renewable resource harvesters to meet. The MOU will require that 25 per cent or more of the harvesters' annual income be from harvesting and it credits the harvester with \$7,000 for the value of country food. The combination of this legislative amendment and the WCB policy change should result in more eligible claims.

Under current legislation, the WCB can exchange information with the Government of Canada, the provinces and the Yukon, but not with our own government.

While this is only a minor wording change, it is important. This House recently adopted the recommendations of the Special Committee on Health and Social Services to ensure government departments work more closely together and consult with each other.

Some people are also concerned about the protection of privacy. The amendment does not promote the release of information to just anyone. Information will be released under controls and guidelines. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Does the chairman of the Standing Committee on Legislation care to make comments on the bill? Mr. Koe.

MR. KOE:

Can we get copies of the statement the Minister made?

CHAIRMAN (Mr. Whitford):

Prior to making your comments or after?

MR. KOE:

I would like the copy now because he's made some points that some of us had questions on in committee.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Would the Minister arrange for copies to be given to the Members. We'll take a short break while he gets them. Mr. Gargan.

Standing Committee On Legislation Comments

MR. GARGAN:

Thank you, Mr. Chairman. Mr. Chairman, the Standing Committee on Legislation met to review Bill 6, An Act to Amend the Workers' Compensation Act, on February 26, 1993 -- is this 1993 or 1994, is it a typo, this is 1994, I'm sure, thanks to our researcher. The committee thanks the Minister and his officials from the Workers' Compensation Board and the legislative council for presenting this bill and responding to the questions of the Members.

Mr. Chairman, I would also like to thank the committee Members since this was a public forum that we held on the weekend. It was on a Saturday and I appreciated the Members spending some of their time to deal with these bills. The bill amends the definition of the workers for the purpose of the act to include those individuals who are beneficiaries under the land claims agreement. It also sets the annual payment for traditional harvesters covered by the act to be \$24,000. Finally, the bill amends the act to allow the Workers' Compensation Board to share information with the Government of the Northwest Territories.

During the public meetings on this bill, the Minister assured the committee that the board would apply a more liberal criteria in dealing with the "principally engaged" definition if this amendment is made. This would enable more harvesters to have more coverage and an increase in the number of claims accepted. The Minister also informed the committee that a memorandum of understanding has been developed between the Department of Renewable Resources and the Workers' Compensation Board which addresses the issue of harvesters coverage. The Minister advised the committee that the MOU is key to the harvesters program and that it governs the

administration of the programs and sets out that the board will not arbitrarily change the definition of "principally engaged" in the future.

The committee feels that it is very important for the traditional harvesters to be recognized within the compensation terms. Based on the assurance of the Minister and the MOU between the Department of Renewable Resources and the Workers' Compensation Board, the committee feels that the approach by the Workers' Compensation Board to deal with this pragmatic area is very progressive in that it recognizes the importance of traditional lifestyles to the people of the north and recognizes the need to return to a definition of principally engaged that reflects the spirit of the act.

Further, the committee feels it is important that the improved communication between the board and the government be supported. This bill will amend the legislation to allow the board to share information with the Government of the Northwest Territories as well as with the Government of Canada, the provinces and the Yukon. The amendment promotes effective information sharing and removes barriers to effective team work. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gargan. General comments by Members. Mr. Arvaluk.

General Comments

MR. ARVALUK:

Thank you, Mr. Chairman. I have several questions. I welcome this completely, but I have some questions. When you say that you can earn \$24,000, how do you determine that country food harvesting worth \$7,000 represents an overall similar price per pound of other food? How much is it for walrus, Arctic char, or caribou? Or, would it be priced differently? How do you determine the dollar amount?

Page 455

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Minister Todd, do you wish to respond to that from there or would you prefer to call witnesses in to assist you?

HON. JOHN TODD:

My preference would be to call in my witnesses just in case there are questions I'm unable to answer.

CHAIRMAN (Mr. Whitford):

Does the committee agree that witnesses be allowed to be present?

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Whitford):

The committee agrees, then, Mr. Todd. Sergeant-at-Arms. Minister Todd, would you be so kind as to introduce your witnesses for the benefit of the committee?

HON. JOHN TODD:

Thank you, Mr. Chairman. On my immediate far left is Ms. Margaret Halifax who is with the WCB. Sorry, on the far left is Mr. Gilmour, chairman of the WCB, and to help out on technical questions with respect to renewable resources we have Mr. Joe Handley who is the deputy minister of Renewable Resources.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Prior to your witnesses coming in, there was a question by Mr. Arvaluk dealing with the method used to determine the amount of value for country food. Does the question have to be repeated by Mr. Arvaluk?

HON. JOHN TODD:

No, thank you very much, Mr. Chairman. I will ask Mr. Handley to explain how we defined the \$7,000 and the flexibility we have in the definition of that.

CHAIRMAN (Mr. Whitford):

Mr. Handley.

MR. HANDLEY:

Thank you, Mr. Chairman. The \$7,000 that was arrived at simply as an average of what we considered a typical family would use in meat and fish and, in some cases, firewood, if we were to use wild meat as a substitute for other beef or imported meat they would be using. There is also provision for a harvester to sign an affidavit if he or she feels that

they are actually using more than the \$7,000. They would simply sign an affidavit that their value is more and we would consider that. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Handley. Mr. Arvaluk.

MR. ARVALUK:

Thank you, Mr. Chairman. It still doesn't answer me, because, if I get seven caribou, does that represent \$7,000 or does ten caribou represent \$10,000, or a two ton walrus represents how much? How do you determine that?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Mr. Minister.

HON. JOHN TODD:

Everybody that was deemed to be a harvester under the criteria set would get the \$7,000. We would make adjustments accordingly for anybody who utilized

over and above that and was able to demonstrate it and send an affidavit in.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Todd. Mr. Arvaluk.

MR. ARVALUK:

Would there then be a regulation, or not necessarily a regulation, but guidelines as to what items may be normally collected by harvest to determine some of those things?

CHAIRMAN (Mr. Whitford):

The point was, rather than being arbitrary. Mr. Todd.

HON. JOHN TODD:

There are no guidelines, as such. What we have done, based on some of the experiences that the Department of Renewable Resources has got, is define what they think is a fair cash value for the gathering of renewable resources, whether it is a rabbit, a walrus, ptarmigan, a seal or caribou on the hoof. What we are suggesting is that there is a mechanism, should a harvester be more involved and require more. There is a clear mechanism there to add to this \$7,000 through an affidavit. We have just taken a cash value that we think is reasonably fair.

We have discussed it with the Standing Committee on Legislation, and, to date, they have supported that position. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. Mr. Arvaluk.

MR. ARVALUK:

Thank you, Mr. Chairman. The annual remuneration shall be deemed to be \$24,000. Does that include those who are non-trappers, strictly harvesters, who may be on welfare or on the hunter income support program?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Minister Todd.

HON. JOHN TODD:

That is correct. It doesn't necessarily have to be a trapper. It could be a hunter.

CHAIRMAN (Mr. Whitford):

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

MR. KOE:

Thank you, Mr. Chairman. I agree with a lot of the changes that are happening, and they are timely, I guess, if two years is timely, but at least it is happening.

I have some concerns and some questions as to what the overall impact of this bill will be on an actual harvester or hunter and trapper. The issue on the definition in the act of principally engaged is still there. It hasn't changed, but I note in the notes the Minister made that the change there will be in the interpretation and will be in the policy. I guess that is the interpretation, but whenever there is an interpretation, there is still an individual who has to make an interpretation, and I assume these are the adjudicators or the officers who deal with claims. So I was a little intrigued by the Minister's comments that there will be a more liberal interpretation of the principally engaged concept. So can the Minister again elaborate a bit on what that means. For a harvester, what does that mean?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Minister.

HON. JOHN TODD:

In terms of the coverage, the \$24,000 will be policy, so nobody will be interpreting that. That will be policy. That is what we have negotiated, if you want, with the Standing Committee on Legislation.

In terms of the definition of "principally engaged," if I may, I would like to ask Mr. Handley, who is more familiar with the hunters and trappers than I am, as to how we defined "principally engaged" and got the Standing Committee on Legislation support for it. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Minister. Mr. Handley, please.

MR. HANDLEY:

Yes, Mr. Chairman, basically, the concept of "principally engaged" is defined as including individuals who earn at least 25 per cent of their income from harvesting, and that 25 per cent includes the \$7,000 that they are credited with for consumption of goods that they have harvested. For example, if a person earns \$3,000 trapping, he will get that \$3,000, plus he would get the \$7,000 that is the value of country food and so on, giving him a total of \$10,000 from trapping, and if his other income was \$20,000, then his total income would be the \$20,000 plus the \$10,000, or \$30,000. About \$10,000 would be from harvesting, and that is, basically, 33 per cent of his income, therefore, he will qualify. If someone's income from other sources is much higher, then, of course, they may not qualify.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Handley. Mr. Koe.

MR. KOE:

If an individual is injured, files a claim, qualifies and is awarded a benefit through the Workers' Compensation Board, is the claim based on the level of income the individual earns or is it based on the type of injury or combination of both?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Minister Todd.

HON. JOHN TODD:

The cap is \$24,000, which would be in the act.

CHAIRMAN (Mr. Whitford):

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

MR. KOE:

That's not what I'm getting at. What is the value of the WCB benefit based on? Is it based on income or based on a type of injury?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Minister Todd.

HON. JOHN TODD:

In this particular case, I am told, if you are deemed to qualify, it is \$24,000, no higher, no lower. Your compensation will be based on \$24,000. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Todd. Mr. Koe.

MR. KOE:

So, the current act or policy is based on a level of \$47,500, current "YMIR." The act, then, will change. The deemed income, now, of \$24,000, is about a 55 per cent decrease. Therefore, if that is the case and what you have said is the case, then a benefit to an individual trapper could be reduced by 55 per cent, based on the facts.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Minister Todd.

HON. JOHN TODD:

This change will more clearly reflect the earning capacity of harvesters and will give more harvesters the opportunity, when they are injured, to claim for workers' compensation.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. Mr. Koe.

MR. KOE:

I am not arguing that fact. I am not arguing that maybe more will be qualified. What I am saying is, by changing the level of the "YMIR" from \$47,500 to \$24,000, the amount of benefit an individual harvester

can receive is going to be reduced. If you were 100 per cent eligible at \$47,500 and now 100 per cent eligible at \$24,000, the amount of benefit under the act will change accordingly. Is that true?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Minister Todd.

HON. JOHN TODD:

That is correct, theoretically, but there is one missing link that we should tell Mr. Koe. There was a minimum requirement to generate \$10,000 under the current act. That is now precluded and harvesters will now be given, if they are injured, the cap of \$24,000. There won't be less or more. And there will be 25 per cent of income based upon the criteria we have set and based upon giving people \$7,000 credit or the cash value of Renewable Resources. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. Mr. Koe.

MR. KOE:

So, the current income a harvester has to make is \$10,000. I understand, of that current \$10,000, \$5,000 was deemed invalid for country food. So, actually a harvester only had to make \$5,000. That is my understanding. That \$5,000 is now changed to \$7,000, but the big change is the definition of the income. It is 25 per cent now or more of the harvesting annual income will be from harvesting. How do you define annual income in this context?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Minister Todd.

HON. JOHN TODD:

Perhaps I should ask Mr. Gilmour to explain that. If somebody makes more than \$24,000, they can apply for WCB coverage and get some additional coverage. Mr. Gilmour.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Todd. You have explained it quite eloquently there, but Mr. Gilmour, perhaps you can elaborate on that.

MR. GILMOUR:

Thank you, Mr. Chairman. Just to expand, if there is anyone who does and can show that they have had receipts that exceed the \$24,000, they can apply under the act as an independent operator and they can obtain additional coverage in the realm of \$4.25 per \$100 of wages. Anyone can exceed that amount if, in fact, they show to the Department of

Page 457

Renewable Resources, they have income exceeding the \$24,000 cap.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Gilmour. Minister Todd.

HON. JOHN TODD:

It is also important to point out, for everybody's benefit, that there is no cost to the trapper for this coverage. None.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. Mr. Koe.

MR. KOE:

I guess that was what I was trying to get at, is if an individual earned more and wanted more coverage, they were entitled to more coverage. They weren't limited to what is being said. Currently, a harvester, under the current policy, rules or interpretations, can get coverage now for \$100. Is that changed, as an independent operator?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Mr. Gilmour.

MR. GILMOUR:

Thank you, Mr. Chairman. It went up slightly. I think it was \$3.90. It has gone up to \$4.25 per \$100 of wages.

CHAIRMAN (Mr. Whitford):

Thank you, deputy minister Gilmour. Mr. Koe.

MR. KOE:

In terms of the annual income of \$10,000, and 25 per cent or more of harvesters' annual income, according to Renewable Resources, \$7,000 is automatically added on. They should go into the bush once a year

to get that \$7,000. If you were a hunter and trapper, it is hard to qualify for the \$7,000. They go out at least twice. How is it worked again? He gave an explanation before and things didn't jibe when I was scribbling my numbers down. Explain how the \$7,000 works again in terms of coming up to deemed income of \$24,000 if...(microphone turned off)... comes into the picture.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Minister Todd.

HON. JOHN TODD:

Let me try it again. If you went into the bush once, you wouldn't get the \$7,000 unless you generate 25 per cent of his income that one day he was in there. That is the point here. Mr. Handley explained it much better than I. There is a minimum. Twenty-five per cent of your income must be generated from harvesting. When you are defining that 25 per cent of your income, we are giving you a cash value of \$7,000 for utilization of country foods and wild meat. A guy, for example, could be in the bush doing his thing in the winter and may want to be a fisherman, labourer or carpenter in the summer provided his income is 25 per cent, et cetera. I think one of the key financial elements, which is important and that Mr. Handley said to me, is the most we believe that a hunter and trapper had made last year was \$16,000. We all know that there has been a rapid decline. We are confident that the coverage that we have negotiated with the Standing Committee on Legislation is adequate. As a matter of fact, I think it is quite commendable what we have come forward with. We think that the definition of \$7,000 is fair. As Mr. Arvaluk asked earlier, there is provision for one to come forward with an affidavit if they spent more.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. Mr. Koe.

MR. KOE:

An area of concern, and it is one for harvesters, especially pensioners, is they have other income such as old age pension or Canada pension plus old age security. The harvesters spend time in the bush. With this new definition, have you worked out the impact, how much an old age pensioner would have to earn from harvesting, Mr. Handley?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Minister Todd.

HON. JOHN TODD:

Pensioners do apply and he would have to earn 25 per cent of his income for that year from harvesting.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Todd. Mr. Koe.

MR. KOE:

The concern I had when this bill was introduced was that the bill proposes to cut deemed income earned by hunters and trappers by 55 per cent, from \$47,500 to \$24,000. But we don't change clause 10(1)(c), which says "independent operator principally engaged." That is not changed in the act. The only change, according to the Minister, is in the policy which says, "the board will then apply in more liberal criteria." I hope that the officers or adjudicators who deal with claims do apply more liberal interpretation of what is eligible and what is not eligible. I know the policy has been set out, but there have been a lot of cases where people didn't qualify because of the kind of day an adjudicator is having. There have been many appeals and issues raised by some of my colleagues and myself on claimants who felt they were eligible, but didn't get covered. So I hope the combination of these amendments and a policy change would provide the benefit more fairly and equitably to hunters and trappers across the north. I wouldn't mind seeing the amended policy so I can pass it out to some of my constituents who are concerned. Mahsi.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. Minister Todd.

HON. JOHN TODD:

I am totally confident that this amendment to the WCB, which is long in coming, is more clearly reflective of the needs and aspirations of harvesters and hunters. If it wasn't, the current chairman of the Standing Committee on Legislation would have made that abundantly clear to us.

Secondly, once the amendment is through and the act is changed, it is our intention, in conjunction with our partners in Renewable Resources to move forward in an aggressive campaign to explain to harvesters what this program is all about. We are confident that this amendment, which is two years in the making, clearly

will cover people more adequately than it has in the past. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. General comments. Mr. Arvaluk.

MR. ARVALUK:

Thank you, Mr. Chairman. I, too, welcome this very much. It is a good amendment to the present act. As

Page 458

far as its principles are concerned, I also have a few more questions. Let's say there is a full-time worker. Because of a lack of work as construction season is over, he is laid off and is no longer eligible under the Workers' Compensation Act because he was laid off two months ago. He does not earn 25 per cent of his income from the land because he has only been harvesting for two months. How would he qualify under this act?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Mr. Minister.

HON. JOHN TODD:

It is simple. He isn't covered. He has not deemed that he has 25 per cent of his income in harvesting. However, he could apply, buy coverage and spend some money to do it because he has already worked as a contractor so he obviously has some money. This plan is to affect people who are on the bottom end of the scale and need coverage when they are hurt. So if he didn't generate 25 per cent of his income, Mr. Chairman, he wouldn't be covered unless he bought that coverage on his own.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. Mr. Arvaluk.

MR. ARVALUK:

I am also leery about the appeal process for those who are rejected because an adjudicator got up on the wrong side of the bed. Will you ensure that a similar experience is not done to the harvesters who probably will not be very literate, as much as those people covered under the regular workers' compensation. Will there be a process that will not

give them so much red tape and discourage them from applying?

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Minister Todd.

HON. JOHN TODD:

Thank you, Mr. Chairman. It is fully recognized between the Department of Renewable Resources and the board administration that normally speaking, hunters, trappers and harvesters in a number of cases may be unilingual people who require a different approach. That's why I said earlier that we're going to put together a fairly effective campaign -- and it was raised in the Standing Committee on Legislation -- to explain to people how they can apply for this.

In a sense, this whole amendment is different than the way in which we do things under the normal WCB approach. We're hoping that, between Renewable Resources field officers who are familiar with the hunters and trappers and the associations, the message will come across loud and clear. We will encourage as many of them as possible, where they're injured, to apply. If there are problems, we'll have to deal with them. But certainly the intent and the inclination of both WCB and Renewable Resources, in particular, is to get as much coverage of how the program works into the field as quickly as possible.

Mr. Handley and the WCB have assured me that there are people up for that task. I believe we have a superintendents of Renewable Resources meeting planned for next month and that is the number one issue on their agenda. I'm reasonably confident they'll be able to do that. Thank you.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. Mr. Arvaluk.

MR. ARVALUK:

I have one last question, Mr. Chairman. I have an experience in many communities where I have friends who are on minimum wage as janitors and make less of an amount of take home income than those on welfare with families of ten. That person on social assistance would not be eligible under that program. Although he's a hunter, no matter what he does, he can not get 25 per cent of his income from traditional harvesting. With a family of ten, you can't match that

even if you have a fairly good job under the present government's assistance program.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Minister Todd.

HON. JOHN TODD:

I just wanted to get this clear, Mr. Chairman, through you. Are we asking in the case of the person who applies for social assistance and does some harvesting, does the social assistance money qualify under WCB? Is that what we're asking?

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. Mr. Arvaluk.

MR. ARVALUK:

If his income from harvesting is less than 25 per cent of his social assistance.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Arvaluk. Minister Todd.

HON. JOHN TODD:

Then UIC does not qualify, I think.

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. General comments. Does the committee agree that we proceed clause by clause?

SOME HON. MEMBERS:

Agreed.

---Agreed

Clause By Clause

CHAIRMAN (Mr. Whitford):

Page one, clause 1.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 2.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 3.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 4.

Page 459

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 5.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Clause 6.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

The bill as a whole.

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Does the committee agree that Bill 6 is ready for third reading?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Whitford):

Bill 6 is now ready for third reading. Does the committee agree that the witnesses can be excused? Minister Todd.

HON. JOHN TODD:

If I may, Mr. Chairman, I would like to just make one last comment. I think all hunters, trappers and harvesters in the Northwest Territories should commend Mr. Gargan for his diligence and his determination to make this amendment come to light. I know that, personally, I would like to extend my appreciation.

---Applause

Without him, this wouldn't have happened. Thank you.

---Applause

CHAIRMAN (Mr. Whitford):

Thank you, Minister Todd. On behalf of the committee, I would like to thank you and your witnesses for your presentation in front of us today. Now, what is the wish of the committee? Mr. Koe.

MR. KOE:

I move we report progress.

CHAIRMAN (Mr. Whitford):

Thank you, Mr. Koe. We have a motion to report progress. The motion is not debatable. All those in favour? All those opposed? I shall rise and report progress.

MADAM SPEAKER:

I will call this House back to order. Item 19, report of committee of the whole. The honourable Member for Yellowknife South, Mr. Whitford.

ITEM 19: REPORT OF COMMITTEE OF THE WHOLE

MR. WHITFORD:

Thank you, Madam Speaker. Madam Speaker, your committee has been considering Bills 1, 2, 5 and 6 and would like to report progress. Bills 2, 5 and 6 are ready for third reading, and, Madam Speaker, I move that the report of the committee of the whole be concurred with.

MADAM SPEAKER:

Thank you. Is there a seconder for the motion? The honourable Member for Aivilik, Mr. Arvaluk. To the motion.

AN HON. MEMBER:

Question.

MADAM SPEAKER:

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

---Carried

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

ITEM 21: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Madam Speaker, meetings for tomorrow, at 9:00 am of the Standing Committee on Finance and at 10:30 of the Ordinary Members' Caucus. Orders of the day for Wednesday, March 2, 1994.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions

- | | | |
|-----|---|--|
| 10. | Reports of Standing and Special Committees | - Bill 5, An Act to Amend the Partnership Act |
| 11. | Reports of Committees on the Review of Bills | - Bill 6, An Act to Amend the Workers' Compensation Act |
| 12. | Tabling of Documents | 21. Orders of the Day |
| 13. | Notices of Motion | MADAM SPEAKER: |
| 14. | Notices of Motions for First Reading of Bills | Thank you. This House stands adjourned until Wednesday, March 2, 1994, at 1:30 pm. |
| 15. | Motions | --ADJOURNMENT |
| 16. | First Reading of Bills | |
| 17. | Second Reading of Bills | |

Page 460

18. Consideration in Committee of the Whole of Bills and Other Matters

- Bill 1, Appropriation Act, No. 2, 1994-95
- Bill 3, An Act to Amend the Cities, Towns and Villages Act
- Bill 4, An Act to Amend the Hamlets Act
- Bill 7, An Act to Amend the Personal Property Security Act
- Bill 13, Supplementary Appropriation Act, No. 3, 1993-94
- Committee Report 2-12(5), Review of the 1994-95 Main Estimates
- Minister's Statement 5-12(5), Session Business
- Tabled Document 1-12(5), Towards an NWT Mineral Strategy
- Tabled Document 2-12(5), Building and Learning Strategy
- Tabled Document 11-12(5), First Annual Report of the Languages Commissioner of the NWT for the Year 1992-93

19. Report of Committee of the Whole
20. Third Reading of Bills
- Bill 2, An Act to Amend the Charter Communities Act