



**NORTHWEST TERRITORIES
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The Honourable **Samuel Gargan**, Speaker

MEMBERS PRESENT

Honourable Jim Antoine, Honourable Goo Arlooktoo, Mr. Barnabas, Honourable Charles Dent, Mr. Enuaraq, Mr. Erasmus, Honourable Sam Gargan, Mrs. Groenewegen, Mr. Henry, Honourable Stephen Kakfwi, Mr. Krutko, Mr. Miltenberger, Honourable Don Morin, Honourable Kelvin Ng, Mr. Ootes, Mr. Picco, Mr. Rabesca, Mr. Roland, Mr. Steen, Honourable Manikotk Thompson, Honourable John Todd.

ITEM 1: PRAYER

Oh, God, may your spirit and guidance be in us as we work for the benefit of all our people, for peace and justice in our land and for the constant recognition of the dignity and aspirations of those whom we serve. Amen.

SPEAKER (Hon. Samuel Gargan):

Thank you, Mr. Enuaraq. Good afternoon. Orders of the day. Item 2, Ministers' Statements. Mr. Dent.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 118-13(4): Action Plan for Transition to a New Western Territory

HON. CHARLES DENT:

Thank you, Mr. Speaker. Good afternoon. Mr. Speaker, April 1, 1999, will see a dramatic change to the political landscape of the Northwest Territories as one territory divides into two. As a result, the legislative, executive, judicial, administrative and intergovernmental processes and structures which have evolved over the years will be fundamentally and permanently altered.

Last week, the Honourable John Todd tabled the draft Transition Action Plan for the creation of two new territories. Although this document deals largely with the transition to a new government in Nunavut, it also for the first time quantifies some of the transition costs affecting the Western Territory. A supplementary report focusing specifically on western costs will be completed in November.

In the interim, there are many issues which need to be dealt with to coordinate the planning prior to April 1, 1999, to ensure that a strong and stable western government is maintained and that plans are in place

for the next western territorial election scheduled for the fall of 1999.

Later today, I will table an action plan for the transition to a new Western Territory. The plan, which has been prepared in consultation with the Members of the Western Caucus, outlines some of the steps necessary to successfully launch the new Western Territory. This documents deals with a number of specific issues with respect to the establishment of the new Western Territory.

1. Transition Period

One of the most important considerations for the people of the Western Territory leading to the territorial election in the fall of 1999 is a seamless transition period which will ensure that services continue uninterrupted, the fiscal resources of the government are managed in a prudent manner and that long-term planning necessary to ensure the high quality of services continues.

To accomplish this, the action plan lays out the schedules for business planning by departments, budget consideration by the western Members of the Legislative Assembly and a decrease in the number of Cabinet Ministers from eight to six for the period from April to November, 1999.

The action plan also calls on the federal government to pass an amendment to the Northwest Territories Act to reduce the minimum number of Members of the Legislative Assembly from 15 to 14.

2. Service Levels

The Nunavut Political Accord, signed by the Government of Canada, Tunngavik Federation of Nunavut and our government in 1993, clearly stated that the Government of Canada would ensure that levels of service would not decline as a result of the creation of Nunavut. It is the view of this government and the Western Caucus that this obligates the federal government to pay the reasonable incremental and transitional costs for division that affect both east and west.

As the Honourable John Todd stated in the House last week, this government does not have the mandate to pay for the transition costs related to division and, more importantly, it simply does not have the financial resources to do so without jeopardizing program service to all our residents. This we will not do.

With that in mind, Members of the Western Caucus are committed to supporting the Minister of Finance and the northern representatives in the negotiation of the new formula financing negotiations for the Western Territory and Nunavut. The Western Caucus is taking an active part in ensuring the concerns of the residents of the west are considered in these discussions through the continued good work of the western coalition.

Western Members are also committed to supporting this government's position with respect to the transitional costs for division as outlined by Minister Todd last week in this House.

The people of the Western Territory and Nunavut have a long shared history together and will continue to have many similar political and economic interests after division. Given that there will likely be a need for shared services between west and east after division, it is important to state that we are open and committed to working with the office of the Interim Commissioner on these issues.

3. Political Representation

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As the constitutional working group works on a made in the north solution to the future constitutional and political arrangements for the west, it is critical that we ensure that the level of political representation of western interests is not eroded in the meantime.

The action plan sets out timetables for the federal government to appoint a senator resident in the west, a commissioner resident in the west and Western Territory representatives to national boards and agencies. Furthermore, we will be initiating a strategy to ensure that the Western Territory continues to be represented at intergovernmental meetings, beginning with Premier Morin hosting the next Western Premiers' Conference in Yellowknife during the summer of 1998.

Perhaps the greatest challenge in dealing with an issue as complex as the creation of two new territories is ensuring that all stakeholders have the necessary information to make sound and timely decisions. As a result, we are committed to providing information, position papers and background research to all stakeholders and the public on a timely basis.

The time for action is now, and the Members of the Western Caucus are prepared to meet the challenges

before it. As such, the action plan that I will be tabling today should not be interpreted as a comprehensive blueprint but as the key actions required to ensure the establishment of a strong and stable Western Territory.

It is important to point out that this plan is not intended to replace ongoing ministerial accountability or the authority of the Legislative Assembly.

Together with the Transition Action Plan tabled by Minister Todd last week and the supplementary Transition Action Plan for the west that will be completed next month. This action plan sets out our commitment to ensure that both new territories are treated in a fair and equitable manner.

In the west, the plan is intended to complement the important work being done on structural and governance issues by the Constitutional Working Group, the western coalition and the Aboriginal Summit. We are working from a strong starting position. We have a government which has developed a unique northern character over several decades. We now have the opportunity to develop it further to better suit the residents of the new Western Territory as we move into the next millennium.

The creation of two new territories has been discussed for many years, but many complex issues need to be resolved to ensure a successful transition to two new territories. We hope that this document provides another important step towards this goal.

In conclusion, I would like to say that the future looks good for the western Northwest Territories. Clearly, division does present challenges. However, there are many strengths on which western residents can draw and opportunities on the horizon. The west is rich in natural resources, and there is great potential for jobs for current and future generations. We have infrastructure, programs and services for our people already in place. Western leaders are in a position to continue to develop that system further to carry us forward for generations to come.

Thank you, Mr. Speaker.

-- Applause

MR. SPEAKER:

Thank you, Mr. Dent. Ministers' statements. Item 3, Members' statements. Mr. Miltenberger.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement 471-13(4): Transition to a New Western Territory

MR. MILTENBERGER:

Thank you, Mr. Speaker. Mr. Speaker, western MLAs clearly have an obligation and responsibility to make sure pieces are in place for the western public government after division. The Minister for western transition has outlined the process western Members have agreed to. On the request of the public, the constitutional process is moving along at a slower pace to allow for greater community consultation. In the meantime, we will be taking all the steps necessary to make sure services and programs for the public are unaffected on April 1, 1999, and beyond.

Mr. Speaker, the western government is in good shape. Our government structures already exist and are functioning. Our programs and services are already highly decentralized. In the west, we are also active at the financial tables dealing with formula financing and the division of assets and liabilities. Even in Yellowknife, there is an opportunity of shared services which will help mitigate the impact of division upon the capital.

Division is an opportunity. Good things are ahead for the west. We just have to make sure we are ready to take advantage of them. The document that will be tabled later today is only an update in the efforts to let people of the west know what work is currently under way. It is part of the many steps that we will have to take in the coming months and part of the ongoing communication that is going to be essential for the people of the west.

The bottom line, Mr. Speaker, is that most people in the west should not notice the impact of division on their daily lives. Levels of programs and services should not be effected. It is critical that the federal government needs to fulfil its obligation in the creation of two new territories, and it is up to us to get the pieces in place for division. The nuts and bolts issues are critical for success. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Miltenberger. Members' statements. Mr. Arlooktoo.

Member's Statement 472-13(4): Cape Dorset State of Emergency

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I rise today to inform the House of the state of emergency that has been declared by Mayor John Curley for the hamlet of Cape Dorset. Mr. Curley also chaired the Local Emergency Response Committee. As of 1300 hours, a hurricane warning has been issued for the Cape Dorset area. Strong winds, very high sea swells and freezing rain are affecting the community as we speak and are expected to worsen. Residents awoke

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this morning to very strong winds and freezing rain, and all but emergency services were shut down. Mr. Timoon Toonoo, the senior administrative officer, informed me that five boats have been lost, and unfortunately, more are likely to be lost before the end of the storm. Fortunately, Mr. Speaker, there has been no loss of life. These boats represent years of investment by the owners and by no means a minor loss in dollars and the ability to hunt and quarry soapstone. The Emergency Response Committee informed residents that at 10:45 a.m. of a state of emergency alert and outpost camps were alerted via high frequency radio also. Mr. Toonoo told me about some ice build up on power lines and is keeping a close eye on the situation. Because of glare ice and high winds on the roads, for that matter on everything, it is impossible to travel by foot in the community. He watched people falling down and being thrown around by the winds while trying to crawl to their destination. It is for this reason that residents are being indoors until further notice.

The SAO wanted me to pass on the hamlet's appreciation for the assistance of Mr. Mike Ferris from the Department of Municipal Affairs in Iqaluit and for their assistance. Also, in my home community, Kimmirut which is 220 miles to the east of Cape Dorset, I am also informed of very high winds and seas the loss of two boats plus five more that are anchored in fear of danger of overturning, as well as, heavy ice build-up on building walls, windows and roads. That community has also been literally shut down and is taking precautions. I would ask that Members of this House join me in wishing these two communities the best as they ride out this very fierce storm. Thank you.

MR. SPEAKER:

Thank you, Mr. Arlooktoo. Members' statements. Mr. Enuaraq.

Member's Statement 473-13(4): High Cost of Healthy Foods

MR. ENUARAQ:

Thank you, Mr. Speaker. The cost of living is very expensive in the Arctic. The government is promoting healthy lifestyles which involves a balanced diet. For people living in remote communities like Clyde River, the cost of fresh fruits, vegetables and dairy products are very high. For people living on income support and low paying jobs, it is very difficult to buy healthy foods for themselves and their families. In communities where there are two stores, you can shop around for better buys. However, in communities where there is just one store, there is no choice of where to buy food. With more than one store to choose from, there might be cheaper prices too. Mr. Speaker, I want the government to know that I am concerned about the high cost of healthy food in remote communities such as those in my region. As a government, we have to practice what we preach. If we say buy healthy food, we should make sure people can afford to buy it. Thank you.

MR. SPEAKER:

Thank you, Mr. Enuaraq. Members' statements. Mr. Barnabas.

Member's Statement 474-13(4): GNWT Division Transition Action Plan

MR. BARNABAS:

Thank you, Mr. Speaker. Good afternoon. Mr. Speaker, I rise today to advise the Members of the House of my support of the Draft Transition Action Plan tabled in this House last Wednesday by the Minister responsible for Division. Mr. Speaker, I, for one, am glad to see the kind of detailed planning finally being done with less than 18 months until division. It is time for action. This plan was prepared as advice to the Interim Commissioner, which I hope he will give some thoughtful consideration to. This was also developed as an action plan for steps that the Government of the Northwest Territories can take to help make Nunavut a reality. Finally, this plan also outlines the funding that will be needed to put basic government structure in place in Nunavut.

Mr. Speaker, like many of my colleagues, I wish that we could be further down the road to implementation and that this plan can continue to follow the actions that are necessary to have a fully functioning Nunavut

government in place by April 1, 1999. But if we at least can get the basics in place, then the new MLAs of the Nunavut government will have the tools and the framework they need to move forward to put the final model in the way that the Inuit people want their government to be.

The people of Nunavut have very high expectations of the benefits that the new government will bring, and I know that the people of Resolute, Arctic Bay and Grise Fiord who I represent are anxious to see the government offices to be built in the communities outside of the capital of Iqaluit. I am very pleased to see, Mr. Speaker, that this plan recognizes that decentralization must take place if the vision for the Nunavut government outlined in Footprints 2 is to become a reality. I want to wish success to all the parties as they begin discussions on the plan and the funding that is needed to turn this into action. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Barnabas. Members' statements. Mr. Rabesca.

Member's Statement 475-13(4): Jean Marie River Highway Access Road

MR. RABESCA:

Thank you, Mr. Speaker. Yesterday, as everyone knows was Thanksgiving. In my household, we along with most families across the great country celebrated this holiday in the traditional manner, cooking themselves a turkey and all the trimmings. For me it was a nice relaxing day to be with family and friends. I would like to thank my family and friends for making this the special day that it is. I would like to also wish everyone a belated Happy Thanksgiving.

As some of you heard on the radio this morning, Jean Marie River has now become the latest community to have a full-year-round highway access. Myself, along with my colleague, Levi Barnabas, were fortunate to be able to travel with my colleague the Honourable James Antoine to partake in the grand opening of this new access road. The community has been lobbying the government for many years, and Saturday they were able to realize this dream. I would like to thank the community of Jean Marie River for their hospitality, and the Minister for inviting me to witness this very important event. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Rabesca. Members' statements. Mr. Ootes.

Member's Statement 476-13(4): Legislation to Govern the Architecture Profession

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MR. OOTES:

Thank you, Mr. Speaker. I rise today to once again address the subject of the need for legislation to cover the profession of architecture in the Northwest Territories. About \$150 million is spent in the north every year on the design and construction of buildings. Yet the Government of the Northwest Territories does not have any act in place to legislate the practice of architecture. Legislation would ensure that those individuals undertaking the design of buildings covered under the act are qualified to do so. Right now any person can provide building design services with no assurance to the public that he/she has the experience, training or skills in this highly technical area. A year and a half ago in this House, I asked the Minister of Justice about drafting legislation that would govern the practice of architects in the north. I was told at the time, there were no plans to draft such an act. Based on that response, the Northwest Territories Architectural Society has drafted an act and has circulated it to the allied professionals, the Northwest Territories Construction Association and the Committee of Canadian Architectural Councils for comments. The comments have been received and incorporated into the proposed act.

The Northwest Territories Society is now ready to submit the package to the Department of Public Works and Services, I believe, for final review and forwarding to the Department of Justice. Now it is up to this government to see that this act is introduced into this House for passage. Mr. Wayne Guy, the president of the Northwest Territories Architectural Society, has written to the MLAs to support this position. Northerners depend upon us to take this initiative. It has taken the Northwest Territories Architectural Society more than ten years and three governments to get to this stage of legislative development.

If the territories split prior to the passage of an architects act, both territories will be without legislation to regulate the practice of architecture. This will be detrimental to the north, especially in light

of the building boom that is expected in the new territory. Architects are the only profession in the Northwest Territories dealing with health and safety not governed by an act. A new building code is scheduled to be introduced in the year 2001, putting greater responsibility into the hands of architects. Mr. Speaker, I seek unanimous consent to conclude my statement.

MR. SPEAKER:

The Member for Yellowknife Centre is seeking unanimous consent to conclude his statement. Do I have any nays? There are no nays. Mr. Ootes, you have unanimous consent.

MR. OOTES:

Thank you, Mr. Speaker. Without an architects act, the Northwest Territories will not have any architects designated as design professionals qualified to make crucial decisions on the implementation of the national building code. In short, the Northwest Territories Architectural Society has done all it can. Having an act, Mr. Speaker, is a matter of interest to public safety. Every province in this country already has such legislation. The north requires an act. Without one the public is at risk of injury. It is incumbent upon this government to ensure the health and safety of the public is maintained. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Ootes. Members' statements. Mr. Roland.

Member's Statement 477-13(4): Positive Messages

MR. ROLAND:

Thank you, Mr. Speaker. I would like to start off by sending greetings to my wife and children and family back home in Inuvik. Mr. Speaker, I had an opportunity to return home for the weekend and spend Thanksgiving with my children and my family. I am thankful for that, and I recognize many Members from the east were not able to do that and wish they were able to do so, but not saying that they will be able to return home for their weekend coming up. Mr. Speaker, the opportunity I received going home for the weekend was to hold a meeting. At this meeting I was able to speak to a number of people from the community and the concerns raised during the Thanksgiving weekend was not many to be thankful for. There was a lot of concern about what is to come

up and what is happening in the communities. Government employees are just hanging onto their jobs. They are looking for other jobs even though we try to send a positive message. That is why we need to, as Members of this Assembly start to send a positive message of what we are going to do, what we can do and not what we cannot do. Mr. Speaker, I will be in the next number of days asking questions to this government on what we are doing on issues that can put people to work and take them off of income support. I am thankful for the opportunity to represent the people of Inuvik in this setting. I would be even more thankful when I can start telling them positive news that there are jobs coming down the road. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Roland. Members' statements. Mr. Henry.

Member's Statement 478-13(4): Misuse of Yellowknife Crime Rates Statistics

MR. HENRY:

Thank you, Mr. Speaker. I would like to spend a couple of minutes this fine Tuesday afternoon to talk about a non-inspiring topic, that of statistics usage. Mr. Speaker, with the arrival of the computer age, our society has at its fingertips the ability to compile and compose statistics as it so desires. We have statistics for this and statistics for that. For the most part, these tidbits of information seem harmless, but placed in the wrong hand can become grave and lethal weapons. Recently, Yellowknife has been in the local headlines as being an undesirable place to live or invest in because of the media's reporting of crime rates. While the increase in perceived crime rate is real or perceived, these articles have left residents, potential residents and investors with the impression that Yellowknife may be a less charming place to reside and invest in.

I have had the opportunity, Mr. Speaker, to study these detailed statistics for myself. It is my observation that the incidents of overall crime in Yellowknife has decreased by approximately 18 percent over last year. Statistics do say that the crime rate in Yellowknife has actually decreased 18 percent. I too, could have viewed these statistics with a sensational eye and arrived at some of the same conclusions. For example, I could have concluded that from the stats that the incidents of reported aggravated assault have raised 100 percent over the

previous year. I had one case of reported aggravated sexual assault this year. We had no reported cases last year. But that could have been a gross misuse of information.

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Mr. Speaker, quite frankly it would be a misrepresentation of the facts, it should also be noted that these statistics do not support a conclusion that the youths of Yellowknife are responsible for the majority of the reported cases of crime. According to RCMP officials, youth are not to be blamed for the seeming rash of assaults. Most of these charges in this area are 25 year old or older. Mr. Speaker, the statistics show that crime is not on the increase in Yellowknife. Crimes by youth in our city are not on the rise and that Yellowknife is not a haven for crime. These are the facts, Mr. Speaker, and I am happy to report this positive news. Thank you.

MR. SPEAKER:

Thank you, Mr. Henry. Members' statements. Mr. Picco.

Member's Statement 479-13(4): Resolution Island Abandoned DEW Line Site

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, earlier this summer I had travelled by boat to several sites in Frobisher Bay and then onto Resolution Island. Resolution Island is the site of an abandoned DEW Line site. It was abandoned around 1974 and, Mr. Speaker, was left in a very disturbing manner with PCBs and, yes, even an abandoned army jeep. My estimates put the cleanup at about \$40 million. Over the past two summers, the Qikiqtaaluk Corporation has been involved in preliminary work assessing the potential areas of concern and have several people at the site all this summer. All buildings, warehouses, barrows, woods, metal and various other left over equipment are still very obvious at the site. There is major concern with the amount of PCBs that have been detected in the soil and surrounding the buildings. This summer via sealift, the Qikiqtaaluk Corporation brought in heavy equipment necessary to facilitate their appraisal and the cleanup.

Mr. Speaker, last year I raised the issue of the DEW Line cleanups and the deal that was signed between the federal government and the United States' government providing \$100 million for the DEW Line

and other United States' military cleanups in Canada. The problem, Mr. Speaker, is that from all estimates, \$100 million is a shamefully small amount with a caveat. Mr. Speaker, the caveat, as I have said in this House before, is that the \$100 million is not an actual cash but an amount that will be used to draw down as a credit by our government in the purchase of military equipment.

Mr. Speaker, this past spring when I questioned this government about the deal, we learned that although we have the majority of the sites involved with the cleanup, we were never informed about it until it was announced in the media. That was not acceptable. Resolution Island is well known as a major denning site for polar bears. There is much concern about the concentration of PCBs and other chemicals at the site and its effect for the past 25 years on wildlife in the area. The concern last year, Mr. Speaker, that I had with the disposal of PCB lead in paint being buried in the north from the abandoned DEW Line buildings and exemption sought by the Department of National Defence to the federal department of the Environment is still a major concern.

Later today, Mr. Speaker, I will be raising some questions with the honourable Minister for Resources, Wildlife, and Economic Development to ask him about the situation. Also Mr. Speaker, the storm affecting Cape Dorset and Lake Harbour is also affecting Iqaluit. I would like to wish all the residents, my wife, children and mother well. Our thoughts are with you. God bless.

MR. SPEAKER:

Thank you. Just to remind the Members, I believe there were three Members so far that have made Members' statements that went off their main topic. I would like to remind you to stick to one item and do not switch from one to another. Members' statements. Mr. Antoine.

Member's Statement 480-13(4): Jean Marie River Highway Access Road

HON. JIM ANTOINE:

(Translation unavailable) (Translation) We had an opportunity to go to Jean Marie River, Levi Barnabas and James Rabesca. Because it was close to Thanksgiving, it was an opportune time for us to open the access road to Jean Marie River. There was an elder lady, Bella Norwegian, and Chief Yvonne Norwegian who assisted me in cutting the ribbon.

There were so many people there that were thankful for the event, and we had also had a feast. In the past, the community was only accessible by a winter road. Now, the Department of Transportation opened up the access road which was 27 kilometres long, and due to this stretch of road we trained many young people and everything turned out fine. I am the MLA and represent the people of Jean Marie River and with the assistance of the government, the community of Jean Marie River are able to travel outside of their little community and do their shopping. I want to thank you in the House for that opportunity. Thank you. (Translation ends)

MR. SPEAKER:

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

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Oral Question 608-13(4): Environmental Liability Inventory

HON. JOHN TODD:

Thank you Mr. Speaker. I have a return to oral question, asked by Mr. Picco on October 7, 1997.

Environmental Liability Inventory

The following is the information requested concerning the inventory of sites in the Northwest Territories with potential environmental liabilities.

The Standing Committee on Government Operations requested that an inventory of sites where potential environmental liabilities may exist be completed by the Financial Management Board Secretariat (FMBS). This task was undertaken by the FMBS and a report provided to both the Chairman and the Clerk of this Standing Committee on April 7, 1997.

The inventory identified 648 sites. At 624 an environmental liability exists or may exist. Based on an estimated average cost per site of \$10,000 to \$50,000 to conduct detailed environmental assessments to determine whether or not environmental damage exists, and the potential costs of remediation, the assessment could cost between \$6 to \$40 million. The actual cost of remediating or restoring these sites to their original condition is unknown and cannot be

determined until the detailed environmental assessments are done.

While the Government of the Northwest Territories cannot afford to conduct these detailed assessments at this time, having developed an inventory of potential sites is a positive step.

MR. SPEAKER:

Thank you. Returns to oral questions. Item 5, recognition of visitors in the gallery. Ms. Thompson.

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

HON. MANITOK THOMPSON:

Thank you, Mr. Speaker. Because the plane was cancelled today going to eastern Rankin, I am able to recognize my husband in the gallery with my little buddy, Randy, and also our other son, Trevor. Thank you.

MR. SPEAKER:

Thank you. Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Ootes.

MR. OOTES:

Mr. Speaker, I would like to take a great deal of pleasure in introducing a constituent of mine, Mr. Jim Fournier, and I would also like to introduce his son, James, who is the most capable and able page in this House. I want to welcome them both. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Henry.

MR. HENRY:

Thank you, Mr. Speaker. Mr. Speaker, I would like to take this opportunity to recognize Evan Walz. Evan used to work at the Legislative Assembly and has since refound a home at Renewable Resources, Wildlife and Economic Development. Thank you.

MR. SPEAKER:

Thank you. Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Krutko.

MR. KRUTKO:

Thank you, Mr. Speaker. I would like to recognize all the other people that have not been recognized. Thank you.

MR. SPEAKER:

Welcome to the Assembly. Recognition of visitors in the gallery. Item 6, oral questions. Mr. Enuaraq.

ITEM 6: ORAL QUESTIONS

Question 666-13(4): High Cost of Healthy Foods

MR. ENUARAQ:

Thank you, Mr. Speaker. I guess my question will be directed to Minister of Transportation, the Honourable Jim Antoine. As I mentioned in my Member's statement people who live on the highway system have the ability to go elsewhere to buy their food. Also on the highway system, food is less expensive, a little bit anyway. In remote communities, there is no choice where to buy their food. They must rely on expensive airlines and local stores. What are we as a government doing to assist low income families in remote communities to buy their healthy food. Thank you.

MR. SPEAKER:

The Minister of Transportation, Mr. Antoine.

Return To Question 666-13(4): High Cost of Healthy Foods

HON. JIM ANTOINE:

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

MR. SPEAKER:

The question is taken as notice. Oral questions, Mr. Miltenberger.

Question 667-13(4): Diamond Development Revenues

MR. MILTENBERGER:

Thank you, Mr. Speaker. My question is addressed to the Minister of Financial Management Board Secretariat who is also involved with the money side of the diamonds. The interest in the diamond business seems to be staying in the national eye. I am not sure if people have the sense of the magnitude that we are talking about in terms of the

amount of diamonds and the amount of money that is on the table in the north when we talk about the projects going ahead and potentially going ahead. Could the Minister indicate to the House, if he has that information, the size of the number of diamonds and carats? I am talking gem quality stones and the kind of money we are talking about is of such great interest to the people of the north. Thank you.

MR. SPEAKER:

The Minister responsible for the Financial Management Board, Mr. Todd.

Return To Question 667-13(4): Diamond Development Revenues

HON. JOHN TODD:

Yes, thank you, Mr. Speaker. I spoke on a number of occasions that diamonds are different than any other commodity and that we have to be very careful as to how we approach this industry and ensure that Canadian interests as well as northern ones are protected. There is no question, if you want. The value or the return on investment that this industry has historically in Africa, Australia and other countries is significant. I am advised that this current diamond activity going on in the Northwest Territories could bring somewhere in the range of two mines that are up and running of about 7.7 million carats a year and that a large percentage of those carats are of gem quality which would mean a significant return on investment for both companies.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 667-13(4): Diamond Development Revenues

MR. MILTENBERGER:

Thank you, Mr. Speaker. Could the Minister indicate over the long term the kind of millions or billions of dollars that are going to be leaving the north, and then if we do not get an agreement for some sort of tax, I suppose revenue or diamond sorting that will be gone unchecked out of the north?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 667-13(4): Diamond Development Revenues

HON. JOHN TODD:

Well, of course, there is a great deal of debate right now as to what the number is with respect to taxes and royalties. My numbers right now indicate that the federal government and ourselves would get somewhere in

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the range of about \$2.4 to \$2.5 billion over the life cycle of one mine. There is some discussion about some of the secondary taxes that may come that would bring this thing to somewhere around \$4 billion over the period of one mine. So, you know, I think, the numbers we are talking about are national in their context. They are large in terms of the balance sheet and, while the risk capital is significant and nobody denies that, some of the rewards, if these diamond operations are successful, are immense. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 667-13(4): Diamond Development Revenues

MR. MILTENBERGER:

Thank you, Mr. Speaker. Could the Minister also indicate where these new finds of diamonds in the north puts Canada on the list of diamond producers? Does it put us at the top, bottom, or middle? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 667-13(4): Diamond Development Revenues

HON. JOHN TODD:

I did have the opportunity to read the latest in the Globe and Mail, Mr. Speaker. It indicates here from a renowned capital investment firm called Deans Knight Capital Management. They have shares in the Aber Company and they also manage about 2.3 to 2.4 billion, so that gives them some credibility. They figure that the two Canadian diamond mines, once they are in production, would be one of the top world's

diamond producing nations. They also indicate the rewards for diamond miners can be enormous. A top notch diamond mine can be worth ten times as much as a comparative sized gold mine. I think that kind of illustrates that it is not only us that is saying it, it is national finance and investment firms that are saying the same thing that we are. The rules and engagement as it relates to diamond mines should be different than other industry or nonrenewable resources industries out there. We hope at the end of day that the federal government will see the need to protect Canadian interests, as well as the other ones at the same time. Thank you.

MR. SPEAKER:

Oral questions. Mr. Roland.

Question 668-13(4): Premier's Panel on the Economy

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, my question will be directed to the Premier. Mr. Speaker, it has been some time since we last had an update as to what the economic panel the Premier formed has been up to. I would like to know if there have been any results that focus on any economic activities, we as a government can take part in or help to bring forward? Thank you.

MR. SPEAKER:

Thank you. Mr. Premier.

Return To Question 668-13(4): Premier's Panel on the Economy

HON. DON MORIN:

Thank you, Mr. Speaker. We have had the opportunity to have the initial meeting as well as follow up meetings with the panel on the economy with the Premier's Business Panel. They have made recommendations to this government and I have presented that all to the committee when I presented my business plan. I would be pleased to give the Member a copy of that, and all Members a copy. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 668-13(4): Premier's Panel on the Economy

MR. ROLAND:

Thank you, Mr. Speaker. I would be very glad to receive a copy of the results of his meetings. I would like to know if the Premier can tell us if any of the discussions have led to some of the activities coming up that would have a positive impact on the economy of the north? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 668-13(4): Premier's Panel on the Economy

HON. DON MORIN:

Thank you, Mr. Speaker. The Premier's Panel made recommendations through that panel to this government on a few of the issues that we have moved forward on. One of the issues, for example, is this spring in the Legislative Assembly, the Minister of Finance announced a \$16 million initiative of this government to top up our economic development programs, our lending institutions as well as to top up the Minister of Education's budget as well as Resources, Wildlife and Developments' budget on investing in people's future as well as investing in business. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 668-13(4): Premier's Panel on the Economy

MR. ROLAND:

Thank you, Mr. Speaker. Has the panel set any vision for itself? Do we see ourselves in five years increasing jobs or aiming to increase jobs in the Northwest Territories? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 668-13(4): Premier's Panel on the Economy

HON. DON MORIN:

Thank you, Mr. Speaker. The future for the Northwest Territories in general, looks fairly well. What we have to make sure is, as things develop in the Northwest

Territories that we seize on the opportunities that will exist and that will come to the attention of this government, as well as the communities that are surrounding the development in the Northwest Territories. We have to ensure that we have properly trained people ready to go into the work force. One of the major issues that people addressed in the Premier's Panel, that we have to make sure that we are in sync with the private sector and working with private sector to make sure our people are trained, so they can take the jobs that are coming available. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Final supplementary, Mr. Roland.

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Supplementary To Question 668-13(4): Premier's Panel on the Economy

MR. ROLAND:

Thank you, Mr. Speaker. Can the Premier inform us if this panel will continue on and what the results will be from ongoing meetings? Will we be able to see a document, a plan or vision as to where we are heading as government and private sector in the Northwest Territories? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 668-13(4): Premier's Panel on the Economy

HON. DON MORIN:

Thank you, Mr. Speaker. I cannot foresee the recommendations or what the panel will recommend to us. I know that we do have a good working relationship with the business people of the Northwest Territories. We know that in order for the north to develop, and move ahead, those partnerships have to be strengthened. We have to work together as two partners. We also know, and we made it very clear, that the government no longer can be the engine of the economy. It has to be the private sector and we have to work in conjunction with them. So, that is the overlying issue we have to address with the private sector, as to how we can work better together to enhance what the private sector is doing on behalf of

all the people of the Northwest Territories. Thank you.

MR. SPEAKER:

Thank you. (Translation) Our MP, Ethel Blondin-Andrew is amongst us. (Translation ends) Oral questions. Mr. Krutko.

Question 669-13(4): All-Season Roads to Isolated Communities

MR. KRUTKO:

Thank you, Mr. Speaker. My question is for the Minister of Transportation. It is in regard to the possibility of an all-season road to isolated communities. I am talking in particular of Aklavik which has the highest cost of living and the isolation. There is no all weather road to that community. I would like to ask the Minister of Transportation, what does it take for a community such as Aklavik to get an all-weather road?

MR. SPEAKER:

The Minister of Transportation, Mr. Antoine.

Return To Question 669-13(4): All-Season Roads to Isolated Communities

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, in the case of Aklavik. I must say this is the first time I am hearing there was such a request for an all-weather road to Aklavik. The department will have to take a look at where Aklavik is, in conjunction to the existing highway system and look at the possibilities. What are the possibilities of connecting it into the existing system? Personally, I am not very familiar with that part of the country, so I cannot say how that is going to be done. The department will receive a request from the community, and what we could do is take a look at what the possibilities are. It is a starting point. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 669-13(4): All-Season Roads to Isolated Communities

MR. KRUTKO:

Thank you, Mr. Speaker. In regard to the process for consultation with a community, is it up to the community to ask the department or the Minister to come into the community and say they want an all weather road? Is that the straight forward process or are there other processes involved? Aklavik has been talking about an all weather road for years. It is not something that has been out there. I find it interesting that the Minister's riding, apparently, has an all- weather road opened there. What was the process for that community to allow them to have an all-weather road? What is the process for other communities that may be asking for the same process, so they will also have that opportunity?

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 669-13(4): All-Season Roads to Isolated Communities

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, in the case of the all-weather road that was just opened last Saturday to the community of Jean Marie for 27 km. That was a 30-year process to get it, from the time they first requested it until it was completed. It took that long to get it completed. It was not until about 1990/91/92 that the actual planning started and now it is 1997. It took that many years before it actually got done. The process for a place like Aklavik, it will have to go through a request from the community to the department and we could take a look at it. We are operating on very limited resources in the department and at this point in time, we would probably have to start off with a very long range plan, to see something of this nature come about. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Mr. Ootes.

Question 670-13(4): Support for Architects Act Proposal

MR. OOTES:

Thank you, Mr. Speaker. Earlier today I spoke about the need for an architectural act in the Northwest Territories. Earlier this summer the chair of the Canadian Architectural Society and Council wrote a letter of support to the Minister of Public Works and Services to support the proposed bill drafted by the NWT Society. That letter of support was signed by

the representatives of each provincial jurisdiction. My question is for the Minister of Public Works and Services, Mr. Arlooktoo, if he could tell me if the Minister or his staff have had an opportunity to discuss the Architectural Society is request? Thank you.

MR. SPEAKER:

The Minister of Public Works and Services, Mr. Arlooktoo.

Return To Question 670-13(4): Support for Architects Act Proposal

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. It is true the Department of Public Works and Services did receive requests from the NWT Architectural Society and in particular from Mr. Wayne Guy. We spent some time looking at the proposal and the merits of the proposal in areas where it

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needed some work. We did point out some areas that the proposal did need to be worked on. We did work together in that sense. However, as the Members can appreciate, we do have very limited time in the next year and half because of a very heavy Legislative agenda. We have informed Mr. Guy that the work that has been done up to-date is useful, and it could prove valuable if future Legislatures wanted to use it for an architectural act. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 670-13(4): Support for Architects Act Proposal

MR. OOTES:

Could the Minister advise if the Architectural Society could be of assistance to take care of other areas of concern that may be with the drafted bill as presented by the Architectural Society?

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 670-13(4): Support for Architects Act Proposal

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. The draft proposal, as I understand it, is one borrowed from Alberta, and it does include some comments made from groups in the Northwest Territories. It has some merit in that sense, but we cannot just take that proposal from a private group and rubber stamp it right through the Assembly and make it into law. The government through the Department of Justice has to go through a drafting process. It has to look at all the implications that it might have on other parts of the government, et cetera. I would also point out that the Government House Leader has given very clear direction to all Ministers that because of our full legislative agenda, there is only specific criteria of laws that we can work in, in the next year and half. This is not included in that criteria.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 670-13(4): Support for Architects Act Proposal

MR. OOTES:

Thank you, Mr. Speaker. I can appreciate that this has to be funnelled through the Department of Justice, but I think it is a commendable effort on the part of the architectural society to do a draft of this, Mr. Speaker. It certainly could, in the long run, save this government a lot of pain and effort when a society is prepared to assist. If the department and the Minister were to point out to the society the shortcomings of this bill, perhaps that society could assist. I am wondering if the Minister would be prepared to direct back to the society what further requirements may be needed in this? Thank you.

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 670-13(4): Support for Architects Act Proposal

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I think it would be a bit more clear if I put it this way. I have been informed by the Department of Justice and the Government House Leader that there is no room at all in our legislative agenda in the next year and a half to put through an architectural act. However, the work that has been

put together, so far, is valuable in that it could be used in future acts. We just do not have the time to do it at this point.

MR. SPEAKER:

Thank you. Oral questions. Final supplementary, Mr. Ootes.

Supplementary To Question 670-13(4): Support for Architects Act Proposal

MR. OOTES:

Thank you, Mr. Speaker. The Canada Building Code is due for changes in the year 2001 which will create difficulties for this territory if it does not have an architectural act. I wonder if the Minister could not work with the architectural society to move this process forward, so that both Territories will be able to proceed expeditiously, the moment the two Legislative Assemblies are back in here. I just see a tremendous need, Mr. Speaker, for this particular act because it does impact upon public safety and concerns about building standards. Thank you.

MR. SPEAKER:

Mr. Arlooktoo.

Further Return To Question 670-13(4): Support For Architects Act Proposal

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I understand there is still no consensus amongst the industry about the acceptability of the proposal. There are groups, like the landscape associations and the interior designers, which have some problems with the proposal. In that sense, there is still some work to be done. We have already told the architectural association that the work is valuable. We will take it and file it, and it will be used at the first opportunity. We will ensure that whatever changes are made in the committee regulations are followed.

MR. SPEAKER:

Thank you. Oral questions. Mr. Miltenberger.

Question 671-13(4): Aurora Fund Marketing Strategy

MR. MILTENBERGER:

Thank you, Mr. Speaker. My question is addressed to the Minister for FMBS responsible for the Aurora Fund. The Minister has an outstanding commitment to this House which I would like to clear out of this House, so we can go on to other issues, which is the Northern Marketing Strategy for the Aurora Fund, which the Minister committed to present to this House in a summary form today. Could the Minister do that please?

MR. SPEAKER:

The Minister responsible for the Financial Management Board, Mr. Todd.

Return To Question 671-13(4): Aurora Fund Marketing Strategy

HON. JOHN TODD:

Thank you, Mr. Speaker. I would be only too happy to address that frequently asked question by my honourable colleague and my other one, who is not in the House today, Mr. Picco. Mr. Speaker, we have agreed to a full briefing tomorrow at 9 or 10 o'clock tomorrow morning, for those Members that may show an interest in the Aurora Fund Marketing Strategy. I did have a meeting with Mr. Bailey who is our investment manager on this issue earlier this weekend

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while I was working. He indicated to me that there is actually a fair amount of work done with RWED, in fact they are our partners in this process. They market this fund the same as they market the department and BCC and try to advise as many people as possible as to what the fund does. Mr. Bailey met with some Chambers of Commerce in an effort to advise them what the fund is about. This House, of course, is a very public facility, and we have discussed that and that gives more people more of an interest in what we are doing. There are no large sums of money in terms of marketing dollars with respect to the fund. As I said, it is a private fund operated by private individuals. Mr. Speaker, what I am trying to say is that RWED assists us in advising people of the availability of this fund, as they do with other funds they take care of, like the BCC and the smaller grants, et cetera. But there is no conventional marketing strategy on this fund because of the limitation of dollars. Thank you.

MR. SPEAKER:

Just to remind the Member for Keewatin Central, for Members that are not in the House. Members are not allowed to mention that they are not in the House. Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 671-13(4): Aurora Fund Marketing Strategy

MR. MILTENBERGER:

Thank you, Mr. Speaker. Could the Minister clarify then, just so I have this clear, that there is not a separate stand alone marketing strategy for the Aurora Fund? It is similar to the BCC which means it is marketed basically through government employees, even though it is a private fund, out of government offices? If that is the case, do these government employees assist with putting together application forms that are then submitted to this private arms length fund? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 671-13(4): Aurora Fund Marketing Strategy

HON. JOHN TODD:

I think my honourable colleague is trying to trap me today, but I will not fall into that trap, Mr. Speaker. The reality is that I would hope the Department of Economic Development and the economic development officers would assist people, the same as they assist people in applying for CIBC money, the Royal Bank, the Bank of Montreal, trust companies and everything else. What I was saying earlier in the week was, the fund is an independent fund. The investment committee is an independent investment committee. The investment manager is an independent investment manager and there is no, it was implied, if I may, by some Members, that there is political interference. There is absolutely none. What I am saying is, there is a limitation to the fund's marketing dollars because it is run on a very lean and mean fiscal framework. What we are trying to make sure, is that the maximum dollars can get out to the private sector and minimum dollars administering it. That is the concept of the fund. Mr. Speaker, I hope I have answered my honourable colleague's questions.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 671-13(4): Aurora Fund Marketing Strategy

MR. MILTENBERGER:

Thank you, Mr. Speaker. Needless to say I am wounded to the quick that the Minister would think that I would try to trap him, sage and the wily coyote of the Assembly, untrappable. My question to the Minister is, I am not still clear how this works. I am not questioning that government employees for RWED would, in fact, work actively with local people to access whatever funds are available. Does in fact RWED staff, with the Aurora Fund, do the same kinds of things such as going to the Bank of Montreal? The Minister is not clear. I know there is going to be a briefing tomorrow, but I think the people are going to be confused who are listening to this, as well as exactly to how this is done. Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 671-13(4): Aurora Fund Marketing Strategy

HON. JOHN TODD:

Mr. Speaker, customer A is looking for x amount of dollars to expand or to create new business that is going to provide new job opportunities. He goes into RWED and he says to them, this is what I want to do. RWED says there are options out there. There is the BCC, there is the grant program, there is this Aurora Fund, et cetera. What I am saying to you is RWED does this, fortunately, on behalf of the fund at no cost because of its obligation to the private sector and its responsibilities to aid it in trying to find alternate sources of capital, besides GNWT or the conventional banks, et cetera. That is all I am trying to say. The fund is another Government of the Northwest Territories capital option that we can provide to the business community. It has some limitations, as we all know, and tomorrow in the briefing we will be able to give you a very precise description of how the fund operates and its successes and failures to date. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Final supplementary, Mr. Miltenberger.

Supplementary To Question 671-13(4): Aurora Fund Marketing Strategy

MR. MILTENBERGER:

Thank you, Mr. Speaker. I would like to thank the Minister for that clarification. Could he also indicate, given the newness of the Aurora Fund, whether the people doing the marketing on behalf of the Aurora Fund, are conversant with all the intricacies, procedures and restrictions that may be tied into the fund when they are dealing with people in the communities? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 671-13(4): Aurora Fund Marketing Strategy

HON. JOHN TODD:

If my memory serves me correctly, I believe that Mr. Bailey has spoken for example, to the superintendents. I could stand to be corrected, but if my memory serves me correctly, as we were having breakfast the other morning as we were discussing this fund and trying to get a handle on the marketing strategy. I believe that the superintendents of RWED, Mr. Kakfwi's department, have

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been brought up-to-date on the fund, if you want, the criteria and conditions attached to it. As I said, we are very pleased that they have been able to assist us at no cost in advising northerners right across the territories the availability of this fund and the criteria and conditions attached to making an application for the dollars. Thank you.

MR. SPEAKER:

Oral questions. Mr. Erasmus.

Question 672-13(4): Disclosure of Employee Renumeration

MR. ERASMUS:

Thank you, Mr. Speaker. My question is for the Premier. Mr. Speaker, last year about this time this House passed a motion for the government to publish the names and salaries of people making over \$90,000 a year. In the spring, in answer to a question, the Premier had indicated that the staff was still working on that list. I was wondering when the Premier intends to honour the commitment of

releasing the names and the salaries of people making over the amount of money that was indicated in the motion? Thank you.

MR. SPEAKER:

Mr. Premier.

Return To Question 672-13(4): Disclosure of Employee Renumeration

HON. DON MORIN:

Thank you, Mr. Speaker. It was a two part motion by Mr. Ootes. One was on contracts and to identify the sole-sourced or negotiated contracts, and the binder of contracts that every Member receives and members of the public can buy for \$9. Then it was also on salaries for government employees and we have been working on that issue and continue to work on that issue. Whether or not we are going to do it or not, I do not know as of yet, Mr. Speaker. It is something that we have to address as Cabinet. Whether or not we agree to do it or not, I do not know. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 672-13(4): Disclosure of Employee Renumeration

MR. ERASMUS:

Thank you, Mr. Speaker. What types of things have to be considered before the release of that information?

MR. SPEAKER:

Mr. Morin.

Further Return To Question 672-13(4): Disclosure of Employee Renumeration

HON. DON MORIN:

Thank you, Mr. Speaker. I know that the Member himself, as well as other Members, have raised the whole issue of our employees and the morale of our employees, how hard they have been working, and how little they have been paid, and issues as such. We have to look at how that will affect government morale of employees and whether or not we should even consider releasing it. Whether it should be at the \$100,000 mark, \$90,000 mark or \$50,000 mark, or

what. It is something that we have to work with. I think it is also something that we have to address with our legal people, as well as I think the unions would be fairly interested in this issue as well, because it would be involving their membership as well. It is not a decision to be made lightly. It is a decision that must be made one way or the other and I am sure will be made fairly shortly by say the winter session. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 672-13(4): Disclosure of Employee Renumeration

MR. ERASMUS:

Thank you, Mr. Speaker. I notice that Ontario has been doing this for quite some time. I believe they included just about every employee in their employ. I wonder what the Premier has to look at legally?

MR. SPEAKER:

Mr. Morin.

Further Return To Question 672-13(4): Disclosure of Employee Renumeration

HON. DON MORIN:

Thank you. Mr. Speaker, Ontario is Ontario. This is the Northwest Territories. One thing in the Northwest Territories is that most people know their neighbours. Most people know each other and the way we deal with things. We always say we are unique in the Northwest Territories. We are different. We do not necessarily have to do things just because other jurisdictions do it. It is an issue that has to be addressed. I do not know how high of a priority it is to the Members of this Legislative Assembly or to the public in general in the Northwest Territories. It will be addressed. It will be looked at. One way or the other, whether it is a yes or not, we will get that decision fairly soon. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Final supplementary, Mr. Erasmus.

Supplementary To Question 672-13(4): Disclosure of Employee Renumeration

MR. ERASMUS:

Thank you, Mr. Speaker. I appreciate that this is a smaller jurisdiction than Ontario and I also appreciate the fact that a lot of people know each other, but what does that have to do with the legal question of whether they should publish this information or not?

MR. SPEAKER:

Can I ask the Member for Yellowknife North if he could rephrase his question so that it is not requesting a legal opinion of the Minister? Mr. Erasmus.

MR. ERASMUS:

Mr. Speaker, I am sorry. I could not quite hear what you asked.

MR. SPEAKER:

The rules are that questions are directed to Ministers based on their knowledge of that department. When you go beyond that, to ask the Minister for a legal opinion, then that is unfair to the Ministers because they cannot express a legal opinion, unless they are lawyers too. Like yourself, Mr. Erasmus. Perhaps you can rephrase your question so that it is not requesting a legal opinion. Mr. Erasmus.

MR. ERASMUS:

Thank you, Mr. Speaker. As I had indicated earlier, Ontario has been publishing the names of people with

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their salaries for a while now and since that is the case, why do you have to ask for a legal opinion from the Department of Justice?

MR. SPEAKER:

Mr. Morin.

Further Return To Question 672-13(4): Disclosure of Employee Remuneration

HON. DON MORIN:

Thank you, Mr. Speaker. Once again, this is the Northwest Territories. This is not Ontario. As the Member is fully aware, when all 24 Members ran for election as MLAs to this Legislative Assembly, they knew whatever you would be reimbursed for your wages, whatever your pay, would be public knowledge. When we hire employees, that is not part

of the deal. We did not tell employees that when you are hired on with the Government of the Northwest Territories, what you get paid will be public knowledge. We need a legal opinion on that, so we will get it. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Mr. Krutko.

Question 673-13(4): Status of Northern Accord Negotiations

MR. KRUTKO:

Thank you, Mr. Speaker. My question is to the Premier. It is in regard to the whole Northern Accord process, exactly where it is at? We hear a lot of talk from the Minister of Finance that he is talking with his counterparts at the Department of Finance of the possibility of looking at royalties, taxation and other areas. I would like to ask the Premier, in light of the 1998 Northern Accord Agreement that was signed between the federal government and this government to transfer and devolve the authority for oil, gas and mineral authority to this government, what is the status of those talks to date? Thank you.

MR. SPEAKER:

Mr. Premier.

Return To Question 673-13(4): Status of Northern Accord Negotiations

HON. DON MORIN:

Thank you, Mr. Speaker. The Minister responsible for Resources, Wildlife and Economic Development is heading up the devolution file on behalf of the government dealing with DIAND on these issues. Right now we are talking with the Minister who is dealing with the federal government on the transfer of employees to the Northwest Territories government or to the Northwest Territories. The Minister of Finance is dealing with his counterpart in Ottawa on taxes and tax regimes. We have also talked to some extent with the Aboriginal Summit, and it seems to us that the Aboriginal Summit does not endorse or support devolution to the territorial government of oil, gas, minerals, land, water or whatever until their whole issue of claims is settled, as well as self-government agreements. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 673-13(4): Status of Northern Accord Negotiations

MR. KRUTKO:

Thank you, Mr. Speaker. The whole question of devolution of authority, there are obligations this government has under land claim agreements, especially in relation to the Northern Accord. What is being done by this government to fulfil or carry out those obligations in those land claim agreements that presently exist?

MR. SPEAKER:

Mr. Morin.

Further Return To Question 673-13(4): Status of Northern Accord Negotiations

HON. DON MORIN:

Thank you, Mr. Speaker. If the Member could be more specific, then I would be able to answer his question. Thank you.

MR. SPEAKER:

Mr. Krutko, your second supplementary.

Supplementary To Question 673-13(4): Status of Northern Accord Negotiations

MR. KRUTKO:

Thank you, Mr. Speaker. In regard to the Sahtu, the Gwich'in agreements, there is a section that deals with the Northern Accord which clearly defines the arrangement for the royalties that will be paid to those claims organizations and also the mechanism for oil, gas and mineral development that will take place on their lands and within their areas in order to arrive at benefit agreements. I am wondering if the Premier of this government is aware of these sections and also what is being done about them? Thank you.

MR. SPEAKER:

Thank you. Mr. Morin.

Further Return To Question 673-13(4): Status of Northern Accord Negotiations

HON. DON MORIN:

Thank you, Mr. Speaker. I thank the Member for clarifying his question. On all devolution issues with the federal government, the Minister of Aboriginal Affairs is fully involved, as well as the Department of Aboriginal Affairs on those issues, wherever it affects any claim or claimant group. Whatever is laid out in the claim, whether it means consultation or full involvement or whatever it is, it will be undertaken by this government and we will follow what is laid out in the land claims agreements. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 673-13(4): Status of Northern Accord Negotiations

MR. KRUTKO:

Thank you, Mr. Speaker. In the whole area of insuring that all the obligations are being carried out, could also the Department of Justice and this government ensure that those sections of the 1998 Northern Accord Transfer Agreement, the land claim agreements, and other agreements that relate to the Northern Accord be looked at to ensure that nothing is being done to infringe on those rights, obligations, that we do have in those agreements. Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 673-13(4): Status of Northern Accord Negotiations

HON. DON MORIN:

Thank you, Mr. Speaker. We would do that, for sure. Thank you.

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MR. SPEAKER:

Oral questions. Mr. Roland.

Question 674-13(4): GNWT Role in Economic Development

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, my question will be directed to the Premier. In response to my earlier questions, the Premier said, as we have heard in this House before, that the Government of the

Northwest Territories cannot be the engine of the economy. But through his work with the panel and hopefully with the department of Financial Management Board Secretariat, is there anything being done where this government is not, so to speak, the engine of the economy, but at least the fuel of the engine? Thank you.

MR. SPEAKER:

Mr. Premier.

Return To Question 674-13(4): GNWT Role in Economic Development

HON. DON MORIN:

Thank you, Mr. Speaker. One issue that has been addressed recently in this House is the Aurora Fund, but we put a little bit of fuel and it built and it created approximately \$30 million investment for our private sector. That will spill off and create jobs, and I believe there is already businesses in the Northwest Territories that have benefited from that and regions ultimately will benefit from that and hopefully that will go to greater places. That is by giving a little bit of fuel for those engines to run properly. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 674-13(4): GNWT Role in Economic Development

MR. ROLAND:

Thank you, Mr. Speaker. Can the Premier inform us if there is any other initiatives being undertaken by this government that would allow for more of this fuel to be generated? Thank you.

MR. SPEAKER:

Thank you. Mr. Morin.

Further Return To Question 674-13(4): GNWT Role in Economic Development

HON. DON MORIN:

Thank you, Mr. Speaker. We have come up this year with a \$16 million fund that the Members generously supported in this House and with the help of developing them, Members of this Legislative Assembly had all taken part in that. They should also

take credit of supplying fuel to our economy. We also look forward to doing a similar program next year, but at this time I would not be able to talk specifically on those issues because the budget is not before the House. But the budget will be before the House in January and I am sure the Members will be pleased with what they see since they all basically know what is coming because they had all been involved in preparing the budget with us, in partnership, so we can create some economic stability in the north. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 674-13(4): GNWT Role in Economic Development

MR. ROLAND:

Thank you, Mr. Speaker. I would like to know if there is anything new that would be coming our way through this economic panel or other groups this government can tie into? We have heard of other things the Premier spoke of, but that is stuff that is ongoing. Are there other new areas that the people of the Northwest Territories can take part in to help improve the economics of the Northwest Territories? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 674-13(4): GNWT Role in Economic Development

HON. DON MORIN:

Thank you, Mr. Speaker. Yes, every community in the Northwest Territories should be actively involved in working together as a community to look at the ideas they have as a community and try to push those ahead with the assistance of our staff that are in those communities whether it be economic development staff or development corporation staff or whatever, so that they can capitalize on the programs we supply as a government. We are also moving ahead with regulatory reform, Mr. Speaker, that will enhance and make business opportunities more readily available in our communities with less red tape. For example, the story Mr. Roland told in the House the other day about the fishermen in his community that was doing very well until the government became involved.

Hopefully that does not transfer into a real live life story, Mr. Speaker.

We are also encouraging all the claims groups that have not settled claims to get on with settling claims and we are also pushing the federal government to get claims settled in the western Arctic. That is one of the instabilities of those investors or those people that want to carry out business in the western Arctic. The whole issue of outstanding land claims, hopefully, with our encouragement, the claimant groups as well as Indian Affairs will move on and get claims settled. As well, there is increased activity in the Deh Cho, the Sahtu regions in oil and gas. There are major initiatives happening in those regions. I was talking to businesses recently that said they cannot find enough iron in the Sahtu Region alone this year, or the Deh Cho to do the work oil companies want done in those regions. So Inuvik has a lot of experience in that and business people who are experienced. They may have to move, but that opportunity is there. Also, Mr. Speaker, there may be tax incentives in the next budget as well for business. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Mr. Picco.

Question 675-13(4): DEW Line Site Cleanups

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, as I said in my Member's statement, there is a lot of DEW Line cleanups occurring right now. I wonder if the Minister for Resources, Wildlife and Economic Development could update this House on the number of DEW Line cleanups and the status and progress of those cleanups to date? Thank you, Mr. Speaker.

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MR. SPEAKER:

Thank you. The Minister responsible for Resources, Wildlife and Economic Development, Mr. Kakfwi.

Return To Question 675-13(4): DEW Line Site Cleanups

HON. STEPHEN KAKFWI:

Mr. Speaker, there is an offer by the federal government to federal officials who are in charge of cleanup of the abandoned DEW Line sites which are the responsibility of the Departments of National

Defence and Northern Affairs for these officials to come to the Legislature offering to brief in detail what the Member is requesting. Since it is their work and not mine, for the officials themselves to come personally to brief Members of the Legislature during this session, if the Member would request that; in his follow-up question that they would be more than willing to make that arrangement as soon as possible. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 675-13(4): DEW Line Site Cleanups

MR. PICCO:

Thank you. Earlier this past spring, in the past sessions when I have been talking about DEW Line cleanups, I brought up the exclusion requested by Department of National Defence and the burial of PCB lead paint to the Department of the Environment. I wonder if the Minister for Resources, Wildlife and Economic Development could update this House on the situation regarding the exclusion sought by the Department of National Defence? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 675-13(4): DEW Line Site Cleanups

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. The Government of Canada through the Department of Environment have taken a position, with a lot of political grand standing, that any materials that contain PCBs of a certain level should not be allowed to be land filled. The Government of Northwest Territories did raise a concern that did not seem to be based on scientific information. Our information is that the paint that contains the PCBs are in the materials that are slated for landfill. It would continue to be contained in a landfill and would not be able to break down. The idea of disposing these materials in the landfill seemed to be an environmentally acceptable option for us. However, shortly after this decree was enunciated by the Department of the Environment, the Department of National Defence, as the Member would recall then, asked the Department of the Environment for an

exemption to that requirement. Since then the Department of the Environment has rejected the request by the Department of National Defence. We are at a position where we do not have any economically viable way of disposing of these materials at the present time. We are waiting for some suggestions from the federal government as to how they are going to get out of this particular predicament, since it is their responsibility to dispose of these materials. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Picco.

Supplementary to Question 675-13(4): DEW Line Site Cleanups

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, that is a very serious concern. Because as you are aware, this House and the people in the Northwest Territories; these cleanups are continuing. If they are continuing, then we have no way of disposing this disposal of this PCB laden paint or PCB laden material or other chemical contaminants. I wonder then, what is happening with these cleanups? Are we just throwing them on the site? Are we not burying them in a hole? Basically what is happening? Does the Minister have Resources, Wildlife and Economic Development people underground at these sites? I wonder if the Minister could clarify again, there are cleanups continuing? There is no discretionary ability now for the Department of National Defence, not to bury this material? What is happening with this material that is being cleaned up? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 675-13(4): DEW Line Site Cleanups

HON. STEPHEN KAKFWI:

Mr. Speaker, of course, I was specifically speaking only about the materials that contained the PCBs, mostly materials that have PCBs in the paint. As far as hazardous waste that are on those sites, there is a cleanup being carried out in many of the sites. There has been environmental assessments completed and cleanup work is being done, such as in securing the PCB materials, the hazardous waste contaminated fuels and other materials on those sites that have

clear guidelines on how to dispose of it. I do have some information that has been shared by the federal government on each site. I do not have the detailed information. In general terms, if the Member wishes, I could use up the remainder of question period trying to speak to each specific site. Perhaps he has another short question he wants to ask? Thank you.

MR. SPEAKER:

Thank you. Oral questions. Mr. Henry.

Question 676-13(4): Diamond Mining Regulations

MR. HENRY:

Thank you, Mr. Speaker. My question is to Mr. Kakfwi to give him an opportunity to round this out. Does the Minister have a clearly written plan of what this government wants in the mining regulation from Minister Stewart and her department, as regards diamond mining benefits for the Northwest Territories? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister responsible for Resources, Wildlife, and Economic Development, Mr. Kakfwi.

Further Return To Question 676-13(4): Diamond Mining Regulations

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. In the Northwest Territories, it is the federal government that has responsibility for regulating mining and detailing the terms and conditions under which mining can happen. Canada has, in my view, a dual responsibility. It has a responsibility to outline exactly what is required in the interest of Canada and all Canadians. It also has a responsibility to outline, protect and promote the interest of people of the Northwest Territories

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since it is our land, it is our resources and it is in their jurisdiction, in the terms and conditions that are laid out. The Minister of Finance and myself have our intentions outlined clearly to the Minister of Finance and the Minister of Indian and Northern Affairs. Later this month the federal government should be prepared to put in those mining regulations in relation to the diamond industry to outline in detail what it is that the Government of Canada, on behalf of Canadians, but also on behalf of people in Northwest

Territories, exactly what it is that they have to do in order to get into the diamond production here in Canada. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Supplementary, Mr. Henry.

Supplementary To Question 676-13(4): Diamond Mining Regulations

MR. HENRY:

Thank you, Mr. Speaker. My question to the Minister was does he have a plan? After two minutes I would have to assume that he does not have a plan. I think it is unconscionable with the opportunity we have at our doorstep, probably the best opportunity we have had in the long time for the Northwest Territories, to have some semblance of self sufficiency. I think it is unfortunate the Minister does not have a plan. My question is, when will the Minister have some written plan as to what the Northwest Territories' residents should have in the diamond mining regulations being prepared by the Department of Indian Affairs and Northern Development? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I heard some criticism and a short speech. But I did not hear the question. Thank you.

MR. SPEAKER:

Thank you. I did hear the question. I will allow the Member to ask his question again.

MR. HENRY:

Thank you, Mr. Speaker. I am glad somebody heard the question. My question to the Minister is, when will our written plan be ready to protect interests of people in the north, so that DIAND can have those regulations prepared accordingly? When, Mr. Speaker? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 676-13(4): Diamond Mining Regulations

HON. STEPHEN KAKFWI:

Mr. Speaker, it is our plan to articulate as clearly as we can to the Minister of Finance and the Minister of Indian and Northern Affairs later this month what it is that we think should be requirements to the diamond industry as will be drafted by the federal government in the Canada Mining Regulations. That is our plan. The federal government is responsible for drafting and legislating the regulations. It is our duty on behalf of all northerners and this legislature.

MR. SPEAKER:

Thank you. Question period is over. Mr. Enuaraq.

MR. ENUARAQ:

Thank you, Mr. Speaker. I am seeking unanimous consent to go back to item 5, recognition of visitors in the gallery. Thank you.

MR. SPEAKER:

Thank you. The Member for Baffin Central is seeking unanimous consent to go back to item 5, recognition of visitors in the gallery. Do we have any nays? There are no nays. Mr. Enuaraq, you have the unanimous consent.

REVERT TO ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

MR. ENUARAQ:

Thank you, Mr. Speaker. Today, it is my pleasure to introduce members of the Youth Committee of Broughton Island. I will try to read their names as fast as I can. First of all, Lootie Toomasie, is the Mayor of Broughton Island. Then we have members of the youth committee, Daniel Audlakiak, Rosie J. Audlakiak, Monica Audlakiak, Marlvn Newqigak, Solomanie Poasie, Amie Nowyaquik and Titau Audlakiak. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Erasmus.

MR. ERASMUS:

Thank you, Mr. Speaker. I would like to recognize the Adult Basic Education class from the Yellowknives

Dene First Nation and they include Adeline Crapeau, Celine Charlo, Roseanna Charlo, Stella Johnson, Mary Adele Crapeau, Julia Lynn, Darcy Sangris and Nora Drygeese. Thank you.

--Applause

MR. SPEAKER:

Thank you. Recognition of visitors in the gallery. Mr. Picco.

MR. PICCO:

Thank you, Mr. Speaker. I would like to welcome Sarah Brown. Sarah is the senior administrative officer for the town of Iqaluit, in town for meetings. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Ootes.

MR. OOTES:

Mr. Speaker, I would also like to recognize another member of the Adult Basic Education class, David Drygeese. Thank you.

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--Applause

MR. SPEAKER:

Thank you. Recognition of visitors in the gallery. Item 7, written questions. Item 8, returns to written questions. Item 9, replies to opening address. Item 10, petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Mr. Dent.

ITEM 13: TABLING OF DOCUMENTS

Tabled Document 110-13(4): Action Plan for Transition to a New Western Territory

HON. CHARLES DENT:

Thank you, Mr. Speaker. I wish to table the following document entitled, Action Plan for Transition to a New Western Territory. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Tabling of documents. Mr. Arlooktoo.

Tabled Document 111-13(4): Government of the NWT Interim Financial Report, Year Ended March 31, 1997

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. Pursuant to Section 51.4 of the Financial Administration Act, I wish to table the following document, A Government of the Northwest Territories Interim Financial Report for Year Ended March 31, 1997. Thank you.

MR. SPEAKER:

Thank you. Tabling of documents. Mr. Ootes.

Tabled Document 112-13(4): Letters Regarding the Proposed Architects Act for the NWT

MR. OOTES:

Thank you, Mr. Speaker. I would like to table a letter from Mr. Wayne Guy, President of the Northwest Territories Architectural Society in request to support the development of an architectural act and a letter from Mr. David Simpson, President of the Committee of Canadian Architectural Councils in regard to the same matter. Thank you, Mr. Speaker.

Tabled Document 113-13(4): Government of the NWT Interim Financial Report, Year Ended March 31, 1997

MR. SPEAKER:

Tabling of documents. In accordance with Section 4(2) of the Deficit Elimination Act, I wish to table the Government of the Northwest Territories Interim Financial Report for the Year Ended March 31, 1997. Tabling of documents. Item 14, notices of motion. Mr. Miltenberger.

ITEM 14: NOTICES OF MOTION

MOTION 23-13(4): Referral of TD 110-13(4) Action Plan for Transition to a New Western Territory to Committee of the Whole.

MR. MILTENBERGER:

Thank you, Mr. Speaker. I give notice that on Thursday, October 16, 1997 I will move the following motion. I move, seconded by the honourable Member for the Yellowknife Frame Lake, that Tabled Document 110-13(4), Action Plan for Transition to a New Western Territory, be moved into committee of the whole for discussion. Mr. Speaker, at the appropriate time I will be seeking unanimous consent to deal with this motion.

MR. SPEAKER:

Notices of Motion. Item 15, notices of motion for first reading of bills. Item 16, motions. Mr. Miltenberger.

ITEM 16: MOTIONS

MR. MILTENBERGER:

Thank you, Mr. Speaker. I seek unanimous consent to proceed with the motion to move Tabled Document 110-13(4) to committee of the whole for discussion.

MR. SPEAKER:

The Member for Thebacha is seeking unanimous consent to deal with his motion on Tabled Document 110-13(4). Do we have any nays? There are no nays. Mr. Miltenberger, you have unanimous consent.

Motion 23-13(4): Referral of TD 110-13(4) Action Plan for Transition to a New Western Territory to Committee of the Whole

MR. MILTENBERGER:

Thank you, Mr. Speaker.

WHEREAS the Document Action Plan for Transition to a new Western Territory has been tabled in this House;

AND WHEREAS it is in the interest of the public for this document to be discussed by the Legislature.

NOW THEREFORE, I MOVE, seconded by the honourable Member for Yellowknife Frame Lake that Tabled Document 110-13(4) Action Plan for Transition to a New Western Territory be moved into committee of the whole for discussion.

MR. SPEAKER:

Thank you, Mr. Miltenberger. Your motion is in order. To the motion. Question has been called. All those in

favour? All those opposed? Motion is carried. Motions. Item 17, first reading of bills. Mr. Ng.

ITEM 17: FIRST READING OF BILLS

HON. KELVIN NG:

Mr. Speaker. I move, seconded by the honourable Member for Aivilik that Bill 23, An Act to Amend the Elections Act be read for the first time. Thank you.

MR. SPEAKER:

Thank you. Your motion is in order. Question has been called. All those in favour? All those opposed? Motion is carried. Bill 23 has had first reading. First Reading of Bills. Item 18, second reading of bills. Mr. Ng.

ITEM 18: SECOND READING OF BILLS

HON. KELVIN NG:

Mr. Speaker, I seek consent to proceed with the second reading of Bill 23, An Act to Amend the Elections Act. Thank you.

MR. SPEAKER:

The Member for Kitikmeot is seeking unanimous consent to deal with the second reading of Bill 23. Do we have any nays? There are no nays. Mr. Ng, you have consent.

Bill 23: An Act to Amend the Elections Act

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HON. KELVIN NG:

Mr. Speaker, I move, seconded by the honourable Member for Nahendeh that Bill 23, An Act to Amend the Elections Act be read for the second time.

The bill amends the Elections Act to permit voting in the office of the returning officer, to provide for mail-in voting, to clarify the circumstances under which proxy votes may be used, and to clarify the procedures for inquiring into and prosecuting violations of the Act. New provisions are added to restrict election related spending in the six month period proceeding the commencement of an election campaign. The bill also makes technical amendments standardizing provisions for the posting of notices under the Act, changing the day on which nominations close, providing that a tie vote resulting after a recount will

be resolved by the drawing of a lot, clarifying the offence of voting more than once at an election and providing for a number of other minor changes to the Act. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Your motion is in order. To the principle of the bill. Mr. Miltenberger.

MR. MILTENBERGER:

Thank you, Mr. Speaker. I overall support the principle of this bill, however, I do want to state it for the record that as I come from the riding of Thebacha where we practice full contact, hard ball politics and after two years we are still sorting out the fallout from the election which saw wholesale abuse of proxies. I will be scrutinizing very closely the amendments in the Act that intend to leave in proxies to ensure myself and the people of Thebacha there will be no chance whatsoever of any kind of repeat similar to the fiasco we went through during the last election. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. To the principle of the bill. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 23 has had second reading and accordingly, the bill stands referred to a committee. Item 18, second reading of bills. Item 19, consideration in committee of the whole of bills and other matters. Bill 3, Family Law Act, Bill 5, Adoption Act, Bill 15, An Act to Amend the Workers' Compensation Act, Bill 21, An Act to Amend the Companies Act, Bill 22, An Act to Amend the Corrections Act; Committee Report 08-13(4), Report on the Review of the Family Law Bill; Minister's Statement 110-13(4), Transition Action Plan; Tabled Document 108-13(4), Creation of Two New Territories - Transition Action Plan. With Mr. Steen in the Chair.

ITEM 19: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Steen):

We have for consideration Bill 3; Bill 5; Bill 15; Bill 21; Bill 22; Committee Report 8-13(4); Minister's Statement 110-13(4); Tabled Document 108-13(4). I will ask Mr. Barnabas for some direction here.

MR. BARNABAS:

Thank you, Mr. Chairman. The committee will consider Bill 3, Family Law Act; Bill 15, An Act to Amend the Workers' Compensation Act; Bill 22, An Act to Amend the Corrections Act; Bill 21, An Act to the Companies Act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Does the committee agree with the bill as recommended? Agreed. Thank you. We will proceed after a 15 minute break.

--BREAK

CHAIRMAN (Mr. Steen):

For the record and with the consent of the committee, I would like to go through the bills we are going to be discussing this afternoon. We had Bill 3, Bill 21, Bill 22 and Bill 15 and Committee Report 8-13(4) which is Report on the Review of the Family Law Bill. If the committee agrees, we should probably deal with Committee Report 8-13(4) as we are through with the family law bill as they apply at this time. Is that agreed? Mr. Ootes.

MR. OOTES:

Do we get to discuss this from the social committee?

CHAIRMAN (Mr. Steen):

After we finish with Bill 3, we will then be dealing with Committee Report 8-13(4), Report on the Review of the Family Law Bill, which would address then, these three bills that will have been concluded. That is assuming we conclude Bill 3. Agreed? Thank you. I will then ask the Minister if he would like to bring in his witnesses?

HON. KELVIN NG:

Yes, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Steen):

I will ask the Honourable Mr. Ng if he would kindly introduce his witnesses.

HON. KELVIN NG:

Thank you, Mr. Chairman. To my right, Janis Cooper, legal council; to my left Shawn Flynn, legislative council.

CHAIRMAN (Mr. Steen):

Welcome to the committee. We left off on Friday on clause 1. Clause 1. Agreed? Thank you. Clause two. Just a very brief summary of this particular clause, Mr. Ng.

HON. KELVIN NG:

Clause two sets out the definitions used out throughout part one, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Steen):

Agreed? Thank you. Clause 3. Mr. Ng.

HON. KELVIN NG:

Clause 3 allows persons who intend to marry or who are married to enter into a marriage contract dealing with property, support obligations, the right to direct the education and moral training of their children and other issues, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 4. Mr. Ng.

HON. KELVIN NG:

Clause 4 allows persons who intend to cohabit or are cohabiting to enter into a cohabitation agreement dealing with properties, support obligations and other issues. Thank you.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 5. Mr. Ng.

HON. KELVIN NG:

This clause allows persons who are no longer cohabiting to enter into separation agreements, Mr. Chairman. Thank you.

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CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 6 of Bill 3. Mr. Ng.

HON. KELVIN NG:

This clause allows persons who are not spouses but who have a child together to enter into parental agreements, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 7. Mr. Ng.

HON. KELVIN NG:

This clause requires that a domestic contract be in writing, signed and witnessed and allows a minor to enter into a domestic contract with the approval of the court.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 8. Mr. Ng.

HON. KELVIN NG:

This clause sets out the circumstances where a court may disregard the provisions of a domestic contract, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 9 on page 5. Mr. Ng.

HON. KELVIN NG:

This clause allows a court order to incorporate provisions of a domestic contract, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 10. Mr. Ng.

HON. KELVIN NG:

This clause provides that a provision of a domestic contract will prevail over provisions of the Act that deals with the same matter unless the Act states otherwise, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 11. Mr. Ng.

HON. KELVIN NG:

This clause provides that a donor of a gift is deemed to be party to a domestic contract if the domestic contract says the gift may not be disposed of or encumbered, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 12 of Bill 3. Mr. Ng.

HON. KELVIN NG:

This clause provides that the validity and form of a domestic contract is governed by the proper law of contract.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 13. Mr. Ng.

HON. KELVIN NG:

This clause sets out how the Act applies to agreements made before this Act comes into force.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 14 on page 6. Mr. Ng.

HON. KELVIN NG:

This clause sets out the different definitions used through part 2, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 15. Mr. Ng.

HON. KELVIN NG:

This clause imposes an obligation on each spouse to support him or herself and his or her spouse.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 16 on page 7, Mr. Ng.

HON. KELVIN NG:

This clause sets up who may apply for an order of support.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 17 on page 9, Mr. Ng.

HON. KELVIN NG:

This clause imposes an obligation on an adult child to support his or her parent under certain circumstances.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 18 on page 10, Mr. Ng.

HON. KELVIN NG:

This clause sets all the considerations the court must take into account in deciding whether support should be paid.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Agreed. Thank you. Clause 19, Mr. Ng.

HON. KELVIN NG:

This clause sets all the circumstances in which a court may set aside provisions of a domestic contract respecting support.

CHAIRMAN (Mr. Steen):

Agreed? Mr. Enuaraq.

Committee Motion 98-13(4): Motion to Amend Clause 19 of Bill 3

MR. ENUARAQ:

Thank you, Mr. Chairman. I move that paragraph 19(c) of Bill 3 be amended by striking out "six-month" and by substituting "three-month." Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Enuaraq. Your motion is in order. To the motion. Question has been called. All those in favour of the motion? Opposed? The motion is carried. Clause 19, as amended? Agreed. Thank you. Clause 20 on page 11, Mr. Ng.

HON. KELVIN NG:

This clause sets out who may be added as a third party to an application for support.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 21 of Bill 3 on page 11, Mr. Ng.

HON. KELVIN NG:

This clause sets all the court's powers when making an order for support.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 22 on page 12, Mr. Ng.

HON. KELVIN NG:

This clause describes what happens when a divorce proceeding is commenced after an application for support is made under this Act.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 23 on page 13, Mr. Ng.

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HON. KELVIN NG:

This clause sets out who may apply to a court to vary an order for support and the powers of the court on a variation application.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Enuaraq.

Committee Motion 99-13(4): Motion to Amend Clause 23 of Bill 3

MR. ENUARAQ:

Thank you, Mr. Chairman. I move that subclause 23(2) of Bill 3 be amended by striking out subsection 16(5) or (7) in paragraph (c) and by substituting subsection 16(5) or (8). Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Enuaraq. Your motion is in order. To the motion. Question has been called. All those in favour of the motion? Opposed? The motion is carried. Clause 23, as amended? Agreed. Thank you. Clause 24, page 14, Mr. Ng.

HON. KELVIN NG:

This clause gives the court the power to make an order requiring that the amount of support be increased annually where the initial order of support did not provide for this type of an increase.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 25 on page 15, Mr. Ng.

MR. NG:

This clause provides that sections 22 to 24 of this Act will apply to support orders made before the Act comes into a force.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 26 on page 15, Mr. Ng.

HON. KELVIN NG:

This clause requires parties to an application for support to provide financial statements.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 27 on page 15, Mr. Ng.

HON. KELVIN NG:

This clause allows a court to order an employer to provide information on the party's wages and to order any person to provide information on the employment, address or location of a party or proposed party in certain circumstances.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Mr. Enuaraq.

Committee Motion 100-13(4): Motion to Amend Clause 27 of Bill 3

MR. ENUARAQ:

Thank you, Mr. Chairman. I move that clause 27 of Bill 3 be amended by adding the following after subclause (3):

(3.01) subsection (3) does not apply in respect of

(a) personal correspondence between the proposed respondent and a parent, child, spouse, brother or sister of that person or

(b) information that is subject to solicitor/client privilege

(3.2) Where a court makes an order under subsection (3), it may make an order with respect to the confidentiality to be maintained in connection with the

information provided pursuant to that order that considers appropriate.

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Enuaraq. I am afraid we do not have a quorum. I will have to ring the bell. To the motion. Question has been called. All those in favour? All those opposed? Motion is carried. Clause 27, as amended. Agreed? Thank you. Clause 28 on page 16, Mr. Ng.

HON. KELVIN NG:

This clause allows a court to issue a warrant for the arrest of a person who is leaving the territories and intends to evade his or her support obligations.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 29, Mr. Ng.

HON. KELVIN NG:

This clause allows the supreme court to make an order to stop a party from depleting his or her property in a way that would impair or defeat a support claim.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 30, Mr. Ng.

HON. KELVIN NG:

This clause allows the supreme court to direct that property be sold where the property was being held as security for an order of support.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Clause 31, Mr. Ng.

HON. KELVIN NG:

This clause states that a spouse has authority to make him or herself and his or her spouse jointly liable to a third party for the necessities of life except where his or her spouse has withdrawn that authority.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 32, Mr. Ng.

HON. KELVIN NG:

This clause limits the period in which spouses may make an application for support.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 33 on page 17, Mr. Ng.

HON. KELVIN NG:

This clause sets out the definitions used throughout part 3, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 34 on page 18, Mr. Ng.

HON. KELVIN NG:

This clause determines if the Act applies, whether the parties became spouses before or after the Act comes into force and to property acquired before or after the Act comes into force.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 35 of Bill 3, Mr. Ng.

HON. KELVIN NG:

This clause sets out how the value of the family property of each spouse is to be determined.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 36 on page 19, Mr. Ng.

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HON. KELVIN NG:

This clause specifies the circumstances in which a spouse may be entitled to a certain amount from the other spouse because of the difference in value of the family property of each spouse.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 37 on page 21, Mr. Ng.

HON. KELVIN NG:

This clause sets out what happens in respect of family property division when one spouse dies.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Barnabas.

Committee Motion 101-13(4): Motion to Amend Clause 37 of Bill 3

MR. BARNABAS:

Thank you, Mr. Chairman. I move that clause 37 of Bill 3, be amended by adding the following after subclause (16):

(17) Where a deceased person had more than one spousal relationship and more than one former or surviving spouse of the deceased person has

(a) an entitlement under section 36,

(b) an entitlement under the will of the deceased person,

(c) an entitlement under the Intestate Succession Act in respect of the estate of the deceased person, or

(d) both entitlements referred to in paragraphs (b) and (c) in the case of partial intestacy,

the court may, on application of surviving spouse, former spouse or personal representative of a deceased spouse, make any order or give any direction in respect of election under section 37 that the court considers fair and equitable.

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Barnabas. Your motion is in order. To the motion. Mr. Picco.

MR. PICCO:

Thank you, Mr. Chairman. Can I have a clarification on the entitlement under section 36?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. Are there questions for the Minister or our legal advisor?

MR. PICCO:

Thank you, Mr. Chairman. The legal advisor.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. Section 36 deals with the entitlement to a division of property in the event that one of the spouses in a relationship dies. It basically provides the surviving spouse has an election they can take, under the deceased spouse's will or what they would get under the Intestate Succession Act. I apologize. I misled the Member. That is the intent of Section 37. Section 36 basically provides that either party can apply for a division of property acquired during the course of the marriage. Section 37 deals with what happens when one of the parties dies before that division occurs. The intent of the motion that was moved by Mr. Barnabas is to deal with the situation where one person dies leaving more than one surviving spouse. It allows the court to basically decide how the property is going to be divided between the remaining spouses. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. To the motion. Question has been called. All those in favour? All those opposed? Motion is carried. Clause 37, as amended, agreed? Thank you. Clause 38 on page 24, Mr. Ng.

HON. KELVIN NG:

This clause sets out who will make an application respecting an entitlement under the family property provisions and when that application must be made.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Miltenberger.

Committee Motion 102-13(4): Motion to Amend Clause 38 of Bill 3

MR. MILTENBERGER:

Thank you, Mr. Chairman. I move that subclause 38(1) of Bill 3 be amended by adding "surviving spouse", after spouse.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Miltenberger. The motion is in order. To the motion. Mr. Picco.

MR. PICCO:

Thank you, Mr. Chairman. Mr. Chairman, can the mover of the motion explain the definition of "surviving spouse", and the reason for the motion?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. If you do not mind, Mr. Picco, I will refer your question to the legal advisor. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. The intent of this motion is to implement the spirit of the former motion, to allow for division of property where one spouse dies leaving more than one spouse behind him or her or leaving more than one spouse alive. This just adds the word "surviving spouse" after spouse. I hope that is clear, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. To the motion. Question has been called. All those in favour? All those opposed? Motion is carried. Clause 38, as amended, agreed? Thank you. Clause 39 on page 25, Mr. Ng.

HON. KELVIN NG:

This clause requires the parties to an application to file statements respecting their properties and debts.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 40, Mr. Ng.

HON. KELVIN NG:

This clause sets out the types of order the supreme court may make on an application respecting family property.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Roland.

Committee Motion 103-13(4): Motion to Amend Clause 40 of Bill 3

MR. ROLAND:

Thank you, Mr. Chairman. I move that subclause 40(1) of Bill 3, be deleted and the following be substituted:

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40(1) in an application under section 38 the court

(a) may order

(i) that one spouse pay to the other spouse the amount to which the court finds that spouse to be entitled under this part;

(ii) that security, including a charge on property, be given for the performance of an obligation imposed by the order;

(iii) that if, necessary to avoid hardship, an amount referred to in subparagraph (i) be paid in instalments during a period not exceeding 10 years or that payment of all or part of the amount be delayed for a period not exceeding 10 years, and

(iv) that, if appropriate to satisfy an obligation imposed by the order,

(A) property be transferred to or in trust for or vested in a spouse whether absolutely, for life or for a term of years, or

(B) any property be partitioned or sold; and

(b) in the circumstances described in subsection 37(17) may make any other order or give any direction that the court considers fair and equitable.

Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Roland. Your motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Clause 40, as amended, agreed? Thank you. Clause 41 on page 26. Mr. Ng.

HON. KELVIN NG:

This clause allows for applications to the Supreme Court where spouses or former spouses cannot agree on who owns certain property.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 42 on page 27. Mr. Ng.

HON. KELVIN NG:

This clause determines that an order may not be made under section 40 or 41, if it would result in the sale of an ongoing business or would seriously impair its operations unless there is no reasonable alternative.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 43. Mr. Ng.

HON. KELVIN NG:

This clause allows the court to make an order restraining the depletion of a spouse's property and respecting the possession, delivery, safe-keeping and preservation of a spouse's property.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 44 on page 28. Mr. Ng.

HON. KELVIN NG:

This clause allows the court to make certain orders where a spouse has made a gift or transferred property with the intention of diminishing his or her spouse's entitlement under the Act and where the person receiving the property knew or ought to have known that the gift or transfer was made with that intention.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 45 on page 29. Mr. Ng.

HON. KELVIN NG:

This clause allows the court to vary or discharge an order respecting security or direct the sale of property that was used as security.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 46. Mr. Ng.

HON. KELVIN NG:

This clause sets out how the law of resulting trusts applies to the property of married spouses and sets out rules respecting joint ownership of property.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 47 of Bill 3 on page 30. Mr. Ng.

HON. KELVIN NG:

This clause sets out the rule for determining which jurisdiction's law applies.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 48. Mr. Ng.

HON. KELVIN NG:

This clause sets out the definitions used throughout part 4.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Enuaraq. Mr. Miltenberger.

Committee Motion 104-13(4): Motion to Amend Clause 48 of Bill 3

MR. MILTENBERGER:

Mr. Chairman, I move that clause 48 of Bill 3, be amended by

(a) striking out the period at the end of the definition registered and by substituting a semi-colon and

(b) adding the following definitions in alphabetical order

"rental premises" means a living accommodation or land for a mobile home used or intended for use as rental premises "tenancy agreement" means a tenancy agreement as defined under the Residential Tenancies Act.

Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Miltenberger. Your motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Clause 48, as amended, agreed? Thank you. Clause 49. Mr. Ng.

HON. KELVIN NG:

This clause sets out when the provisions respecting family homes apply, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Agreed? Mr. Roland.

Committee Motion 105-13(4): Motion to Amend Clause 49 of Bill 3

MR. ROLAND:

Thank you, Mr. Chairman. I move that clause 49 of Bill 3, be amended by adding the following after subclause 2(3) that this part binds

(a) the Government of the Northwest Territories, and its agents and

(b) a housing association and housing authority as defined in the Northwest Territories Housing Corporation Act.

Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Roland. Your motion is in order. Mr. Krutko.

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MR. KRUTKO:

Thank you, Mr. Chairman. In regard to the Housing Corporation Act, does it define, living in a common-law relationship but in the case of a separation, who will get the property or is it left to the court? Is this to clarify because there is an incident that is in my riding where an individual who has been living in the unit and has been separated from her spouse. But now her spouse has come back, asking for the unit. He signed the document when it was theirs. Is this what this clause is supposed to take care of and how is it going to take care of that?

CHAIRMAN (Mr. Steen):

Mr. Krutko, thank you. I will direct your question towards our legal advisory, Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. Mr. Chairman, the previous sections of this Act would assist a person who was in a common-law relationship where they owned a house and that house was, for example, a half-house. That house was in the name of only one of the parties. The previous sections of this Act dealing with division of property would help that person if they wanted to apply to have the court determine their ownership interest in the house. The entire Family Law Act will apply to common-law couples, and it will

give them a new right to apply for a division of property, regardless of in whose name the property is registered. The intent of this motion has to be read in conjunction with a number of motions that have yet to be moved, but the intent of this motion is to address the situation of exclusive possession orders where the parties reside in leased premises. Sometimes, when the parties reside in leased premises, housing associations and housing authorities will not abide by a court order granting one party exclusive possession if the party who was granted exclusive possession is not a party to the lease, or is not named in the lease.

This is to address the situation where, and it has to be read in conjunction with upcoming motions, somebody leases a property, their spouse is not on the lease and the court orders exclusive possession to the person who is not on the lease. That is the intent of this motion. The issue dealing with common-law couples and property where it is nonleased premises and owned premises is dealt with earlier on in this Family Law Act and would apply to assist a couple in the situation that Mr. Krutko described. I hope that is clear. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. To the motion. Mr. Krutko.

MR. KRUTKO:

Thank you, Mr. Chairman. In regard to this amendment regarding this Act, does that mean we have to amend the Northwest Territories Housing Corporation Act to be consistent between this change and also possibly change the Northwest Territories Housing Corporation Act?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Krutko. Ms. MacPherson.

LAW CLERK (Ms. MacPherson):

Thank you, Mr. Chairman. No, sir. No amendment is necessary to the Housing Corporation Act to effect an equal division of property or exclusive possession to one of the spouses for the family home. No amendment to any other legislation is necessary. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Ms. MacPherson. To the motion. Mr. Krutko.

MR. KRUTKO:

Thank you, Mr. Chairman. What is the timeframe that we are looking at in regard to these other amendments to be made to be consistent with this Act that is presently being looked at? What is the timeframe? How many years or months? If it is inconsistent with an act that is already in place and we are putting this Act into place, how do you consolidate those acts so that they are consistent with each other and the timeframe it is going to take to do that? We keep hearing that we have a lot of important issues, but there is not enough time to make amendments to all the acts we would like to. Has the department worked along with the other departments in relation to sections of this Act that refer to those other departments, to ensure that they are aware they have to amend their acts? And how long will that take?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Krutko. I will direct your question to the Minister, Mr. Ng.

HON. KELVIN NG:

Thank you, Mr. Chairman. Mr. Chairman, I understand that there will be some consequential amendments to other acts that will have to be brought in, the spring before this Act is put into place. It is anticipated it will be in the spring or in the winter session, in January/February of 1998, somewhere in that time, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Clause 49, as amended, agreed? Thank you. Clause 30 on page 30. Mr. Ng.

HON. KELVIN NG:

This clause sets out the rules for determining what is a family home.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Enuaraq.

Committee Motion 106-13(4): Motion to Amend Clause 50 of Bill 3

MR. ENUARAQ:

Thank you, Mr. Chairman. I move that subclause 50(1) of Bill 3, be deleted and the following be substituted:

50(1) (a) property in which a person has an interest or

(b) rental premises that a person has a right to occupy under a tenancy agreement that is or if the spouses have separated was at the time of separation ordinarily occupied by the person and his or her spouse as their family residence in their family home.

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Enuaraq. Your motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Clause 50, as amended? Agreed. Clause 51 on page 31. Mr. Ng.

HON. KELVIN NG:

This clause determines that both spouses have an equal right to possess a family home.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 52. Mr. Ng.

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HON. KELVIN NG:

This clause allows a spouse to register a document in the land titles registry claiming a right to possess the family home.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 53. Mr. Ng.

HON. KELVIN NG:

This clause prohibits the spouse from disposing of or encumbering a family home without the consent of the other spouse, except in certain circumstances.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Roland.

Committee Motion 107-13(4): Motion to Amend Clause 53 of Bill 3

MR. ROLAND:

Thank you, Mr. Chairman. I move that clause 53 of Bill 3, be amended by adding the following after subclause 5(6) this section does not apply in respect of any interest in a family home that is a right to occupy a rental premises under a tenancy agreement. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Roland. Your motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Clause 53, as amended, agreed? Thank you. I hope I still have the attention of all Members. Clause 54. Mr. Ng.

HON. KELVIN NG:

Thank you, Mr. Chairman. This clause allows a court to determine whether or not property is a family home to allow the disposition or encumbrance of the family home and to set aside a transaction.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. Agreed? Thank you. Clause 55 on page 33. Mr. Ng.

HON. KELVIN NG:

This clause allows the court to make orders respecting the delivery, safe keeping and preservation of a family home and its contents.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Enuaraq.

Committee Motion 108-13(4): Motion to Amend Clause 55 of Bill 3

MR. ENUARAQ:

Thank you, Mr. Chairman. I move that clause 55 of Bill 3 be amended by adding the following after subsection (1):

(1.1) Where only one of the spouses has an interest in the family home and that interest is a right to occupy rental premises under tenancy agreement, a direction may by the court under paragraph (1)(b) giving exclusive possession of the family home to the spouse who is not a party to the tenancy agreement may not be for a period exceeding 90 days without

the consent of the landlord and the hearing a period that the court directs. The spouse shall be deemed to be a tenant under the tenancy agreement and the landlord shall continue to have the rights granted under the Residential Tenancies Act. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Enuaraq. Your motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Clause 55, as amended? Agreed? Thank you. Clause 56 on page 35. Mr. Ng.

HON. KELVIN NG:

This clause allows the court to vary an order made under section 55.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 57. Mr. Ng.

HON. KELVIN NG:

This clause allows the spouse to retain possession of the family home for 60 days after the death of his or her spouse.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 58 of Bill 3, on page 36. Mr. Ng.

HON. KELVIN NG:

This clause allows a court to appoint a mediator when a matter dealt with in this Act is before the court.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Roland.

Committee Motion 109-13(4): Motion to Amend Clause 58 of Bill 3

MR. ROLAND:

Thank you, Mr. Chairman. I move that clause 58 of Bill 3, be amended by adding the following after subclause 5:

(5.1) on the filing of a report, the clerk of the court shall put it in a sealed packet or shall otherwise ensure that it is not available or made available to anyone other than the parties or the court for

inspection, review, or copying unless otherwise ordered by the court. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Roland. Your motion is in order. To the motion. Question has been called. All those in favour? I do not recognize a quorum at this point. I will ring the bell. All those in favour of the motion? All those opposed? The motion is carried. Clause 58, as amended, agreed? Thank you. Clause 59 on page 37. Mr. Ng.

HON. KELVIN NG:

This clause allows a spouse or a person with custody of children to apply to the court for a restraining order.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 60 on page 37. Mr. Ng.

HON. KELVIN NG:

This clause increases the territorial courts powers in respect of contempt of court orders.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 61 on page 38. Mr. Ng.

HON. KELVIN NG:

This clause allows the registration of orders involving property in the appropriate registries.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 62. Mr. Ng.

HON. KELVIN NG:

This clause indicates that the rules of the Supreme Court will apply to matters under this Act.

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CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 63. Mr. Ng.

HON. KELVIN NG:

This clause is another procedural provision on starting an application and then on the parties to a court application.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 64. Mr. Ng.

HON. KELVIN NG:

This clause deals with the germanes of court applications.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 65 on page 39. Mr. Ng.

HON. KELVIN NG:

This clause prevents court applications to more than one court in respect of the same matter.

CHAIRMAN (Mr. Steen):

Agreed? Thank you. Clause 66 of Bill 3. Mr. Ng.

HON. KELVIN NG:

This clause allows the court to extend time limits set out in the Act when three conditions are met.

CHAIRMAN (Mr. Steen):

Agreed? Thank you. Clause 67. Mr. Ng.

HON. KELVIN NG:

This clause allows a court to make interim orders where it considers it appropriate in applications to the court under this bill.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 68. Mr. Ng.

HON. KELVIN NG:

This clause requires that when a person applies to court to vary an order it should be done in the same court that made the original order.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 69 on page 40. Mr. Ng.

HON. KELVIN NG:

This outlines regulations making power in respect of forms and other matters under this bill.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 70. Mr. Ng.

HON. KELVIN NG:

This clause contains the transitional provisions.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 71. Mr. Ng.

HON. KELVIN NG:

This clause repeals the Matrimonial Property Act.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Thank you. Clause 72. Mr. Ng.

HON. KELVIN NG:

This clause deals with the coming into force of this Act.

CHAIRMAN (Mr. Steen):

Thank you. Agreed? Mr. Erasmus.

MR. ERASMUS:

Thank you. Mr. Chairman, I seek unanimous consent to proceed with a motion that if passed would add a preamble to Bill 3.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Erasmus. The Member is seeking unanimous consent to proceed with a motion to add a preamble. Are there any nays? There are no nays. Mr. Erasmus, you may proceed.

Committee Motion 110-13(4): Motion to Add a Preamble Bill 3

MR. ERASMUS:

Thank you, Mr. Chairman. I move that Bill 3, be amended by adding the following immediately after the title Family Law Act.

WHEREAS it is desirable to encourage and strengthen the role of the family;

AND WHEREAS it is necessary for that purpose to recognize the equal position of spouses as individuals within a family and to recognize the spousal relationship as a form of partnership;

AND WHEREAS in support of such recognition it is necessary to provide a law for the timely, orderly and equitable settlement of the affairs of the spouses on the breakdown of the spousal relationship and to provide for other mutual obligations of spouses including the equitable sharing by parents of responsibility for their children.

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Erasmus. Your motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 3, as amended? Agreed. Bill as a whole? Agreed. Does the committee agree that Bill 3, is ready for third reading, as amended? Agreed. Bill 3 is now ready for third reading, as amended. Does the committee agree that Committee Report 8 is concluded? Agreed. Committee Report 8 is concluded.

I would like to thank the Minister and his witnesses on behalf of the committee. Could I then ask the committee that we now proceed with Bill 21? Agreed. Bill 21, An Act to Amend the Companies Act. I will ask the Minister responsible, Mr. Ng, to introduce the bill.

HON. KELVIN NG:

Thank you, Mr. Chairman. Mr. Chairman, the purpose of this bill is to allow the Business Corporations Act to be brought into force before the Personal Property Security Act. Both acts have been passed. Implementation of the Personal Property Security Act involved the development of a new computer system. This system is not expected to be completed before the Business Corporations Act is ready to be proclaimed. The Personal Property Security Act will repeal the requirement to file a corporate debenture under corporate law. The Business Corporations Act was drafted in anticipation of this having already occurred. If the Business Corporations Act is proclaimed first, the debenture filing requirements of the Company Act would apply to companies still governed by that act. However, there would not be a corresponding requirement under the Business Corporations Act. The result may be uncertainty regarding the priority of debentures in certain cases. The Business Corporations Act

provides that existing companies must continue under the new Act by March 31, 1999. In order that this Act may be brought into force as soon as possible, the proposed bill provides that the debenture filing requirements of the Companies Act apply also to corporations governed by the Business Corporations Act. This will be the case until they are repealed entirely by the Personal Property Security Act. Additional amendments not related to the primary purpose of the bill are of a housekeeping nature. I would like to thank the standing committee for its review and support of this bill, and I will be pleased to respond to any questions or comments that Members may have. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Minister. I recognize Mr. Enuaraq from the Standing Committee on Social Programs for comments on the bill.

MR. ENUARAQ:

Thank you, Mr. Chairman. The Standing Committee on Social Programs has reviewed Bill 21, an Act to Amend the Companies Act. The committee supports the amendments proposed in this bill. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Enuaraq. I would like to take the opportunity to offer the Minister to bring in witnesses.

MR. ENUARAQ:

Not at this time, Mr. Chairman. Unless there are specific questions. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Enuaraq. General comments on the bill. No general comments on the bill. Are we prepared to go clause by clause? Thank you. We will now proceed clause by clause. Clause 1 on page 1. Agreed? Thank you. Clause 2. Agreed? Thank you. Clause 3. Agreed? Thank you. Clause 4. Agreed? Thank you. Clause 5 on page 2. Agreed? Thank you. Clause 6 of Bill 21. Agreed? Thank you. Clause 7 on page 3. Agreed? Thank you. Clause 8. Agreed? Thank you. Clause 9 of Bill 21. Agreed? Thank you. Bill as a whole? Agreed? Thank you.

Does the committee agree that Bill 21 is ready for third reading? Agreed? Thank you. Bill 21 is now ready for third reading. We will move on to the next item on the agenda which is Bill 22.

Bill 22, An Act to Amend the Corrections Act. I would ask Mr. Ng, Minister responsible for this particular Act to introduce the bill.

HON. KELVIN NG:

Thank you Mr. Chairman. The purpose of this amendment to the Corrections Act is to remove the requirement for mandatory participation of the warden in a disciplinary board established for each institution. It allows for the warden to appoint the members of the disciplinary board. Under section 20 (1) of the Corrections Act, the disciplinary board is established for each correctional centre consisting of the Warden and two other employees appointed by the Director of Correctional Services. The practice that has evolved is that the wardens appoint members to the disciplinary board.

Because of the considerable commitment of time required to participate in these hearings, wardens have delegated the responsibility to other staff at the correctional centre. However, the department has obtained a legal opinion which contradicts this established practice and concludes that a warden may not delegate his or her authority to sit on a disciplinary board.

The obvious person to identify the composition of a disciplinary board is the warden, rather than the director. While it may have made sense for appointments to be made by the director when YCC was the only institution in the territories, there are now institutions in Fort Smith, Hay River and Iqaluit. Decisions must be made quickly and must be based on the availability of staff. It is estimated that if the wardens are required to participate in hearings, it would involve a minimum of 20 percent of their time and up to as much as 40 percent for a larger correctional centre. If wardens are required to continue to be represented on disciplinary panels, it will compromise their capacity to manage the institutions effectively.

The amendments provide that disciplinary boards will be composed of either the warden and two employees appointed by the warden, or three employees appointed by the warden. This is consistent with the practice in other jurisdictions. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. I recognize Mr. Enuaraq, chairman of the Standing Committee on Social Programs for comment on the bill.

MR. ENUARAQ:

Thank you Mr. Chairman. The Standing Committee on Social Programs has completed its review of Bill 22, An Act to Amend the Corrections Act. The current Act provides that the warden and two corrections' employees comprise the main disciplinary board of the centre. The two employees are appointed to the board by the director of corrections.

The committee supports the amendments that would eliminate the requirement for the warden to sit on the disciplinary board, and further, would allow the warden to appoint the officers of the corrections facility to sit on the board.

The committee has also requested that the Minister examine further possibilities and options for inmate input into the appointments of the board. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Enuaraq. Would the Minister like to bring in witnesses?

HON. KELVIN NG:

Not at this time, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Ng. General comments on the bill by the Members. No general comments. Does the committee agree we then proceed clause by clause. Agreed? Thank you.

Clause 1 of Bill 22, on page 1. Agreed? Thank you. Clause 2 on page 1. Agreed? Thank you. Clause 3 on page 1. Agreed? Thank you. Bill as a whole. Agreed? Thank you. Does the committee agree that Bill 22, is ready for third reading? Agreed? Thank you. Bill 22 is now ready for third reading.

If I can direct the Members back to Bill 15, the next item on the agenda. Thank you, Mr. Minister.

Bill 15, An Act to Amend the Workers' Compensation Act. I would like to recognize the Premier, Mr. Morin.

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Bill 15: An Act to Amend the Workers' Compensation Act

HON. DON MORIN:

Thank you, Mr. Chairman. I am pleased to present Bill 15, An Act to Amend the Workers' Compensation Act. The bill proposes to increase the years maximum insurable remuneration known as the YMIR from \$49,000 to \$52,000 effective January 1, 1998. This amount would apply for both benefit and assumed purposes. This year's maximum insurable remuneration is a fundamental element of workers' compensation. It is used to determine benefits payable to an injured worker, as well as amount of payroll for which an employer will be assessed in a year. The YMIR is currently set at \$49,000.

When a worker becomes entitled to workers' compensation in the Northwest Territories, he or she is paid 90 percent of net earnings for as long as the disability continues. If a worker's net earnings exceed the YMIR, this calculation is based on the \$49,000. Employers, meanwhile, are assessed according to their payroll. When a worker receives a salary greater than YMIR, the employer is only assessed on the payroll up to \$49,000.

The YMIR was last amended by this House in 1996. With the proposed change, the Northwest Territories will have the fourth highest YMIR in Canada. Although Mr. Todd is proposing an increase to the YMIR, many employers will still pay less for compensation coverage in 1998. Effective January 1, 1998, the average assessment rate will drop by 12 percent from \$2.12 to \$1.87 per \$100 of assessable payroll. As a result of this decrease, the Northwest Territories' rate is projected to be the fourth lowest in Canada.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Morin. I recognize Mr. Erasmus, Chairman of the Government Operations Committee for comments of the committee on the bill.

MR. ERASMUS:

Thank you, Mr. Chairman. Mr. Henry will be doing a report on our behalf. Thank you.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Erasmus. Mr. Henry.

MR. HENRY:

Thank you, Mr. Chairman. Mr. Chairman, the comment on Bill 15, in the committee of the whole. Thank you, Mr. Chairman. I wish to report that the Standing Committee on Government Operations has completed its review of Bill 15, an Act to Amend the Workers' Compensation Act on June 4, 1997. The year's maximum insurable remuneration known as YMIR is used to determine benefits payable to an injured worker, as well as the amount of payroll for which an employer will be assessed in the year.

The YMIR is an important component of workers' compensation. The Workers' Compensation Act states that the board must review YMIR every year. The YMIR was last amended by the House in 1966. This bill proposed an increase that YMIR from its present level of \$49,000 to \$52,000 effective January 1, 1998. This amount would apply for both benefits and assessment purposes.

The Union of Northern Workers noted in their presentation to the committee that the proposed rate of \$52,000 is relatively low by national standards and that a figure of \$58,000 is more realistic as the cost of living in the Northwest Territories is higher than in most regions. The committee agreed with the proposed act to amend the Workers' Compensation Act to increase the YMIR to \$52,000. Members of the committee would like to mention that at this time, there should be better communication between the Workers' Compensation Board and the stakeholders. The committee received many concerns from stakeholders regarding the pre-amendment consultation process. Stakeholders were notified by letter. Unfortunately some stakeholders could not properly notify their members as they did not receive the letter until the day before their hearing.

The committee is also concerned with the effects of division on the Workers' Compensation Board especially the contact and consultation process between the board and the people it represents. Thank you Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Henry. I would now like to offer Mr. Morin, the opportunity to bring in witnesses.

HON. DON MORIN:

Thank you, Mr. Chairman. I would like to, but I do not know who they are yet.

CHAIRMAN (Mr. Steen):

Does the committee agree that the Minister may bring in the witnesses. Agreed? Thank you. I would like to ask the Sergeant-at-Arms to seat the witnesses. Mr. Morin, could you introduce your witness to the committee.

HON. DON MORIN:

Thank you, Mr. Chairman. Gerry Meier is the president of the WCB. Thank you.

CHAIRMAN (Mr. Steen):

Thank you. Welcome to the committee. General comments on the bill by Members. Mr. Picco.

MR. PICCO:

Thank you, Mr. Chairman. Mr. Chairman, just a general comment on the bill and the note of the increase in the YMIR from \$49,000 in 1996 to \$52,000 this year. An increase of \$3,000, however, in previous years the YMIR did not keep up with the inflationary factors. I have a concern with that and at the appropriate time I will be asking some questions to the Premier and his witness on the YMIR and the reflection in the CPI. Thank you, Mr. Chairman.

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CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. General comments. Are there any further general comments on the bill? Mr. Picco, you have questions for the Minister?

MR. PICCO:

Thank you. My question is for the Premier. I wonder if the Premier could explain if the YMIR reflects the CPI or other inflationary factors. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. Mr. Morin.

HON. DON MORIN:

Thank you, Mr. Chairman, I will have Mr. Meier answer that question.

CHAIRMAN (Mr. Steen):

Mr. Meier.

MR. MEIER:

Mr. Chairman, the CPI is only one of a number of factors that the Board of Director's considers in making its recommendation to the Minister. In fact, the first and foremost consideration is to position the YMIR in a range of 70 to 80 percent of the full income of the average wage earner in the Northwest Territories. There are other considerations, one of which is the employers ability to pay, as well as the cost of living, and the board has purposely not tied itself to indexation of any kind, including the CPI.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Meier. Mr. Picco.

MR. PICCO:

Thank you. That sounds good, but in reality what percent of the sum of the total increase is actually based on the CPI or other inflationary factors? It sounds good to be able to say that you base it on the ability of the employer to pay, but the ability of the employer to pay is not keeping up with the cost of living, then it is all for naught. I wonder what percentage of the increase, in this case a \$3,000 increase from 1996, is the actual increase based on the percentage of the CPI or the Consumer Price Index?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. Mr. Morin.

HON. DON MORIN:

Thank you. I will call up my other witness, Mr. Todd, to answer that question.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Morin. Could I ask the Premier to introduce his witness.

HON. JOHN TODD:

My apologies for being late, Mr. Chairman, I was busy attending to some deputy minister matters that required my urgent attention. Could my honourable, enlightened colleague from Iqaluit repeat the question please?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Todd. Mr. Picco, could you repeat your question please.

MR. PICCO:

Thank you, Mr. Chair. Mr. Chairman, I was trying to ascertain from the Minister, or the Premier, or whoever is sitting in that seat today, basically, how is the CPI or other factors, what part do they play in the actual YMIR increase. So we note that the increase from 1996 is \$49,000 to \$52,000 and the president of the WCB has indicated that indeed CPI does play a factor, but it also is one factor in many. I am asking what the Consumer Price Index, the inflationary factors, what part of that \$3,000 increase would he consider to be the amount?

CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. Mr. Todd.

HON. JOHN TODD:

I could not answer that. I do not even understand what he means. I mean, it is just like gobbledygook. I mean, the reality is that CPI, as well as a whole bunch of other factors are taken into consideration when the board of directors, who have the mandate and authority, approve an increase in the YMIR. My understanding is, from my discussions with Mr. Meier, that most of the stakeholder groups have been advised of this. There are no significant, none at all, objections to the proposal and I have, Mr. Picco is it? Mr. Picco wants to know what the percentage of CPI as it relates to a \$3,000 increase from 1996 to 1997 or 1998, I suppose we could sit down with our accountants and work that out, but it is only one small factor in determining the YMIR.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Todd. Mr. Picco, do you have further questions?

MR. PICCO:

Yes, thank you, Mr. Chairman. Mr. Chairman, I do not think we are spouting gobbledygook. What I am trying to ascertain in a very honourable way to the chairman of the WCB is, what percentage of the increase is based on the CPI? Now, what the Minister is telling me is that indeed it is on the ability of the employer to pay and so on and so forth. Yes, the stakeholders, which the major stakeholder in this case is the organized labour, they had been consulted and I think they asked for \$58,000. We have come in with

\$52,000, which is a \$3,000 increase from the \$49,000, \$9,000 less than what was required, or what was requested. I understand that the union request was based on the inflationary factors and the CPI as opposed to the YMIR amount that was arrived at by the WCB. I cannot make it any easier than that, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. Mr. Todd.

HON. JOHN TODD:

Mr. Chairman, I appreciate that my honourable colleague put the question to the president, but he should put them to the Minister who is responsible for the Workers' Compensation Board and takes full responsibility for it. I cannot answer his question. I just simply cannot. I am telling you that a number of factors are taken into consideration, the CPI is only one of them. If he wants the percentage of CPI, I will work that out. But right now I cannot answer that question, and sure, there is a difference of opinion on what YMIR should be, but there is a whole affordability issue out there that the employers, not this government pays, the employers pay, not this government.

In fact if we had, in my opinion, if I may be so bold, if we get some changes to the legislation I think this YMIR should not even come to the House. It should lie with the responsibility that the Workers' Compensation Board who have to manage the fiscal resources of the private sector and balance that out with the needs of the injured workers. So that is exactly what we do here, now I cannot explain it any further than the question has been explained to me three times. I am sorry, I cannot. Unless there is another question, I cannot explain it any further.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Todd. I recognize Mr. Picco.

MR. PICCO:

Thank you, Mr. Speaker. I would note for the record that the Minister is stumped. Well, I agree with the

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Minister that indeed the WCB is a worthwhile fund and is sponsored by the employer. I think that is obvious to everyone, and that is not the question I was asking. The Minister in his response stated that

indeed labour groups and so on had been consulted and had no problem, but they had requested \$58,000. My question was simply, how was that \$3,000 amount arrived at? That is all I asked. I do not think it was a hard question and the Minister tells me that indeed it is based partly on the CPI, it is based on inflationary factors and also the ability of the worker, the labourer, I should say the employer, to pay.

I will leave it at that for now and probably in some type of written form I will address the question to the Minister so that a proper clarification, not just for me or this House, for all the injured workers in the Northwest Territories so that they will also be able to understand how come the average wages in the Northwest Territories for injured workers which are in the mining field around \$78,000 and the maximum YMIR was \$52,000. If you look at the southern based rates, \$52,000 is quite an amount. But if you look at the cost of living in the north, for a lot of these workers \$52,000 is not very much. I never did agree with the amount when we said that most of these workers were living in the south, now, it does not matter. They were hurt, and they were working in the north, and with that, I would leave and not broach the question today in oral form. We will try to broach it in a written question later. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Picco. I wonder if I could ask the Members to keep the questions short. Preambles have been made during general comments. Keep the questions short and to the point and possibly we will get through this work agenda that we have today. Mr. Todd.

HON. JOHN TODD:

I guess my honourable colleague is right, I am stumped, because I have done the best I can to answer the question. It is interesting that he is sitting there pontificating about the injured workers. We are just as concerned about injured workers, but we are also concerned about affordability. In the private sector, and I hope his constituency is listening because they are the ones at the end of the day have got to pay for it, and if you ask me the question, in question period, I will find the answer for it.

CHAIRMAN (Mr. Steen):

Thank you, Mr. Todd. Reference to question period by both Members has nothing to do with this particular bill. So, are there any further questions to the

Minister? No. Are the Members prepared to go clause by clause?

UNKNOWN SPEAKERS:

Agreed.

CHAIRMAN (Mr. Steen):

Agreed, thank you. Bill 15, An Act to Amend the Workers' Compensation Act. Clause 1. Agreed? Thank you. Clause 2, on page 1. Agreed? Thank you. Clause 3, on page 1. Agreed? Thank you. Bill as a whole. Agreed? Thank you. Does the committee agree that Bill 15 is ready for third reading? Agreed. Bill 15 is now ready for third reading. I would like to thank the witnesses, Mr. Meier, Mr. Todd. I need now some directions from the Members, the committee as to what other work you would like to proceed with tonight. Mr. Ootes.

MR. OOTES:

Mr. Chairman, I would move that we report progress.

CHAIRMAN (Mr. Steen):

We have a motion on the floor to report progress. The motion is not debatable. All those in favour of the motion? All those opposed? Motion is carried. Motion is defeated. Motion is defeated, there were only two opposed, nobody was in favour. Could the committee give me some direction, where to go? Mr. Ootes.

MR. OOTES:

I move that we consider the Minister's statement, Transaction Plan and Tabled Document 108-13(4). Thank you.

CHAIRMAN (Mr. Steen):

Does the committee agree? Agreed? Thank you. We will proceed with Tabled Document 110-13(4) and 108-13(4). Are there any general comments on the document? No further general comments on the document? Does the committee agree that we are finished with this. Agreed? We have both Minister's Statement 110-13(4) and 108-13(4) tied together, Tabled Document 108 tied together. I will now ask for general comments on Tabled Document 108-13(4). Mr. Krutko.

MR. KRUTKO:

I would like to make a motion to report progress.

CHAIRMAN (Mr. Steen):

A motion is on the floor to report progress. The motion is not debatable. All those in favour of the motion? All those opposed? Could I have the attention of the Members. Asked again, all those in favour of the motion to report progress? All those opposed? Motion is carried. I will now rise and report progress.

MR. SPEAKER:

The House will come back to order. We are on item 20, report of committee of the whole. Mr. Steen.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

MR. STEEN:

Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 3, Family Law Act; Bill 21, An Act to Amend the Companies Act; Bill 22, An Act to Amend the Corrections Act; Bill 15, An Act to Amend the Workers' Compensation Act; Committee Report 08-13(4); Minister's Statement 110-13(4) and Tabled Document 108-13(4) and would like to report progress with 13 motions being adopted and that Committee Report 08-13(4) and Minister's Statement 110-13(4) are concluded. Bills 21, 22 and 15 are ready for third reading. That Bill 3 is ready for third reading as amended. Mr. Speaker, I move that the report of the committee of the whole be concurred with.

MR. SPEAKER:

Thank you. Seconded by Mr. Arlooktoo. Your motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Item 21, third reading of bills. Mr. Clerk, item 22, orders of the day.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, meeting of the Standing Committee

on Government Operations immediately after adjournment. Meetings for tomorrow at 9:00 a.m. of the Standing Committee on Infrastructure and also at 9:00 a.m. of the Standing Committee

on Resource Management.; at 11:00 a.m. of the Ordinary Members' Caucus.

Orders of the day for Wednesday, October 15th:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motion for First Reading of Bills
16. Motions
17. First Reading of Bills
 - Bill 25, Supplementary Appropriation Act, No. 2,1997/98
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
 - Bill 5, Adoption Act
 - Tabled Document 108-13(4), Creation of Two New Territories - Transition Action Plan
 - Tabled Document 110-13(4), Transition Action Plan

20. Report of Committee of the Whole
21. Third Reading of Bills
 - Bill 3, Family Law Act
 - Bill 15, An Act to Amend the Workers' Compensation Act
 - Bill 21, An Act to Amend the Companies Act
 - Bill 22, An Act to Amend the Corrections Act
22. Orders of the Day

MR. SPEAKER:

Thank you, Mr. Clerk. This House stands adjourned until Wednesday, October 15th, at 1:30 p.m.

-- ADJOURNMENT