



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

MEMBERS PRESENT

Honourable Jim Antoine, Mr. Barnabas, Honourable Charles Dent, Mr. Erasmus, Mr. Evaloarjuk, Honourable Sam Gargan, Mrs. Groenewegen, Mr. Henry, Mr. Krutko, Mr. Miltenberger, Honourable Don Morin, Mr. Ningark, Mr. O'Brien, Mr. Ootes, Mr. Picco, Mr. Rabesca, Mr. Roland, Mr. Steen, Honourable Manikot Thompson, Honourable John Todd.

-O Canada

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. Ningark. Good afternoon to all Members and welcome back to the continuation of the 6th Session of the 13th Legislative Assembly. I would like to thank the Member for Hay River, in arranging for the Reverend Craig Pitts and Mrs. Dorothy Pitts to be with us today to perform our National Anthem as a piano duet. Even though we have not met since June, I expect Members had a very busy summer with their constituents, family and friends. I hope you are all well rested and ready for the many challenges and decisions that must be made in the coming months leading to the dissolution of the 13th Legislative Assembly late next year. Of course, in six months time we will be saying good-bye to ten of our colleagues from Nunavut.

Members have much to do in a very short time frame and we have a number of legislative initiatives that must be dealt within that time. This may mean standing down some of the normal processes for review. The stress created by the pressure of time constraints can lead to frustration, but it is my hope that we will continue to address issues in a respectful and honourable way.

Keeping in mind our tight schedule, when it comes to the operation of the House, I intend to be strict with the rules. For example, during question period I ask that both questions and answers be to the point. I will interject if this is not the case with either a Member or Minister. I know both sides of the House will

understand the need for this as it will make for more productive use of the question period.

We have entered the last year of this Assembly. I know that we, as leaders, will put aside any personal issues to take up our responsibility to create a legacy for the future that the people of the north will be proud of. This is the challenge we accepted when we were elected to the 13th Assembly and it is a challenge we will meet in the days to come.

On the lighter side, I must offer my thanks to the Member for Yellowknife North, who has invited all members to lunch at the SmokeHouse in N'Dilo.

--Applause

Perhaps there will be more such invites to come. I want to thank the staff of the Legislative Assembly for all their hard work. I am hoping that over the next few sittings, with the help of the staff, some social and recreational events can be organized, so that staff and members can meet in a non-work environment. Perhaps if the media is not too afraid, one day we will continue the MLA-Media hockey challenge. I would also like to congratulate the Clerk of the Assembly, who celebrated his half-century birthday yesterday.

--Applause

Although, I would remind the Clerk, Mr. Hamilton, that I am still eight months his elder. Once again, welcome to the continuance of the 6th Session of the 13th Assembly. Orders of the day. Item 2, Ministers' statements. Mr. Morin.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 14-13(6): Minister's Absent From the House

HON. DON MORIN:

Thank you, Mr. Speaker. Mr. Speaker, I wish to advise Members that the Honourable Kelvin Ng will be absent from the House for the remainder of the week to attend the Federal/Provincial/Territorial Ministers of Health meeting in Regina, Saskatchewan.

Mr. Speaker, I also wish to advise Members that the Honourable Goo Arlooktoo will be absent from the House for the remainder of the week to attend the Arctic Council Ministers meeting in Iqaluit.

Mr. Speaker, I also wish to advise Members that the Honourable Stephen Kakfwi will be absent from the House today due to illness. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Morin. Ministers' statements.

Minister's Statement 15-13(6): Prospects North

HON. DON MORIN:

Thank you, Mr. Speaker. Mr. Speaker, the business and investment conference and trade show, Prospects North, is taking place September 21st to September 23rd. There are 113 delegates registered, including 20 international representatives and over 80 exhibitors. On behalf of the Department of Resources, Wildlife and Economic Development, I would like to welcome these visitors to the conference and to the Northwest Territories. The conference theme this year is "Partners in Developing Canada's North."

Page 36

Through speakers and working sessions, delegates will be exposed to information on the various economic sectors in the NWT and the business opportunities they offer. Interested investors can receive more information at the trade show.

The North enjoys many successful joint ventures. Partnerships between the private sector and government are one of the new ways we are doing business. We must continue to be resourceful and creative in our business endeavours. The NWT offers a vast array of resources. With the ongoing settlement of land claims and growth of aboriginal development corporations, increased certainty and business opportunities are available. Investors looking for a new opportunity have come to the right place -- the NWT. As a final note, Mr. Speaker, I would like to thank all the individuals who have worked to promote and support Prospects North '98. Thank you.

--Applause

MR. SPEAKER:

Thank you, Mr. Morin. Ministers' statements. Mr. Todd.

Minister's Statement 16-13(6): Collective Bargaining

HON. JOHN TODD:

Thank you, Mr. Speaker. Welcome back colleagues and Mr. Speaker. Mr. Speaker, nearly a year ago, on October 15, 1997, I provided written notice to the Union of Northern Workers to begin collective bargaining. Mr. Speaker, at that time, I set out two very important items that the government wanted to resolve. These two items were the rates of pay for the implementation of the new job evaluation system and a settlement of the equal pay complaint. Mr. Speaker, the government backed up its sincere desire for a negotiated agreement with the UNW by budgeting \$40 million. Mr. Speaker, this is a significant amount of money, especially in light of the many other competing demands such as health, education and housing. Mr. Speaker, at collective bargaining we listened carefully to all the issues that the UNW brought to the table. Through negotiations, many of these issues were resolved and signed off. When it came time to discuss the government's two important items, the UNW refused to even talk. At one point, the UNW did show some willingness to participate in a joint review of the Job Evaluation System and went as far as to sign an agreement to that effect. However, the UNW did not show up for that review. Instead, when the UNW returned to the bargaining table, its PSAC spokesperson said he had specific instructions to not talk about the government's bargaining items. He said that he had no mandate to negotiate on these items.

Mr. Speaker, since the UNW had no mandate to negotiate rates of pay for the implementation of the new job evaluation system and a settlement of the equal pay complaint, a final settlement offer was tabled with the UNW. It was our sincere hope, Mr. Speaker, that the UNW would take the offer out to employees and seek the necessary mandate to conclude a collective agreement and a settlement of the equal pay complaint. Mr. Speaker, the final settlement offer that was put on the table is clear evidence of the GNWT's sincere effort to negotiate with the UNW. The offer would have enabled the government to implement a new job evaluation system and resolve the long outstanding equal pay complain. This would have been achieved with absolutely no down-side risk for any employee or the UNW. The offer represents more money in the pockets of every employee. Wages would have increased from between two percent to 31 percent in the first year and by another two percent in the second year. Affected employees would have received equal pay payments ranging from \$790 to

\$33,199. Northern allowance increases ranged from \$421 to \$4,096 with an annual lump sum amount of \$500 for everyone.

Mr. Speaker, instead of using the offer to seek a mandate from its members, the UNW adopted a strategy of trying to influence Members of this Assembly to bring a halt to efforts to negotiate wage rates based on the new job evaluation system and settle the equal pay complaint. Mr. Speaker, while this government ignored the UNW's rhetoric and personal insults, we did listen carefully to every issue and objection raised. We also listened carefully to comments by employees and the general public.

The general consensus, Mr. Speaker, is that the government's original offer is a good one and that employees would have accepted it if they had been given a democratic opportunity to vote on it. However, there were also concerns expressed about the fairness of the equal pay payments for former employees and with a job evaluation review process that did not have a fully independent chairperson.

Mr. Speaker, these concerns with the government's offer could have been addressed at the bargaining table, had the UNW raised its issues in that forum. Nevertheless, after hearing these concerns, we offered to make revisions to the government's offer at the bargaining table.

We also decided to negotiate revisions to our offer to provide simple interest on the equal pay payments. As well, we decided to consider appropriate revisions to reflect changes in point ratings resulting from the informal employee job evaluation review process.

Unfortunately, Mr. Speaker, our offers to return to the bargaining table with the assistance of a mediator were met with allegations of bargaining in bad faith. Our proposal to return to the bargaining table, with or without the assistance of a mediator, was met with the precondition that the government, in effect, withdraws from the table the two very important items that we want to discuss. The UNW still insisted on its preconditions and its bad faith bargaining allegation even after the GNWT let it be known that it was prepared to take the settlement of the equal pay complaint off the table if that was the only outstanding issue.

Mr. Speaker, the stalling of serious negotiations has gone on for too long. It is time to bring the parties to the table to resolve outstanding matters in ways that will ensure serious efforts are made. Accordingly, it is

this government's intention to follow the process as set out in the Public Service Act for doing so. We have, therefore, applied to the Supreme Court of the Northwest Territories for the appointment of a mediator. With the assistance of a mediator, we wish to table a revised offer for consideration by the UNW. We will approach these

Page 37

negotiations with an open mind and a willingness to consider all options. It remains our objective, Mr. Speaker, to conclude an agreement with the UNW on a package that includes rates of pay based on the new job evaluation system and a settlement of the equal pay dispute. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you, Mr. Todd. Ministers' statements. Item 3, Members' statements. Mr. Picco.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement 15-13(6): Reallocation of Surplus Funds to Education Programs

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, welcome back. It is my understanding that because of increased revenues pursuant to our formula financing arrangements with the federal government as of March 31, 1998, we had experienced above annual surplus that was forecasted. I realize that with the contingency for the fire fighting this past summer and other unforeseen circumstances, some of these revenues above and beyond what was forecasted will have to be used elsewhere. Mr. Speaker, is it possible to follow up on the motion passed in this House at the conclusion of our last sitting in June to use some of the extra surplus funds to re-base the Department of Education as per our motion in this House.

Mr. Speaker, with school having started in all areas of the Northwest Territories, reports of increased enrollments above what the funding grants were based on last October are coming in. The Premier has repeatedly said in this House that if the Assembly identified a priority, then the government would look at it as a serious concern. Mr. Speaker, the fiscal health of the Northwest Territories has dramatically improved over the past three years. Will the government look at

the window of opportunity present and try and address the social concerns with education and health issues? Mr. Speaker, later today I will ask the Premier about these matters. Thank you, Mr. Speaker.

MR. SPEAKER:

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

Member's Statement 16-13(6): Passing of Johnny Charlie

MR. KRUTKO:

Thank you, Mr. Speaker. My statement today is about the passing of a great Gwich'in leader. Johnny D. Charlie was born in the Yukon Territory on December 24, 1930 to Alfred and Alice Tetlich. Johnny had many brothers and sisters including the late John A. Tetlich, who was a Member of the Northwest Territories Legislature. Along with his sister, Joanne Firth who was married to Ben Firth, Alfred and Alice moved to Fort McPherson around 1933, where Johnny met and later married Jane Bonnetplume on June 29, 1949. Together they raised 12 children, Johnny, Lorna, Alfred, Alice, Anni, Joanne, Jane, Andrew, Liz, William, Michael and a grandson Paul. Johnny and his wife Jane lived on the land, hunted, trapped and fished year round before he started working for Imperial Oil in 1960. He often told of the many times his wife would travel ahead of him with her own dog team. He said she was a strong and helpful wife. With their children sitting on the sleigh, they would travel many miles together.

Johnny served as a Band Councillor from 1960 to 1975. He became the Chief in 1975 and served until 1985. During this time, the Indian Brotherhood of the Northwest Territories, now known as the Dene Nation, was established and he worked tirelessly for the land claim over the years and got to know many of the Dene up and down the valley. He was very well respected by all those he met on his journey through life. Johnny also served as the Gwich'in representative on the Porcupine Caribou Management Board. The Johnny D. Charlie Scholarship was established for his many years of service and knowledge he brought to the board.

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

MR. SPEAKER:

The Member for Mackenzie Delta is seeking unanimous consent to conclude his statement. Do we have any nays? There are no nays. Mr. Krutko, you have unanimous consent.

MR. KRUTKO:

Thank you, Mr. Speaker. Johnny was also instrumental with the Dene Metis Comprehensive Land Claim Agreement which was initialled in Yellowknife in April 1990. He was also there for the Gwich'in leadership when the Gwich'in Comprehensive Land Claim Agreement was initialled on July 13, 1991 in Ottawa. He was also the master of ceremonies at the signing of the Gwich'in Agreement on April 22, 1992 in Fort McPherson.

Johnny was a church warden at the St. Matthew's Church for many years and assisted in the community in arranging baptisms, confirmations, weddings and funerals. Johnny had extensive knowledge of the traditional trails between Old Crow and Fort McPherson and for many years he led teams of people taking them through the old trail between McPherson and Old Crow. Johnny was a powerful speaker through which he impressed many people and made many friends all around the world. He served as mentor and advisor to the Gwich'in leadership and the Gwich'in people in regards to his experience as Chief and was helpful in the settlement of the Gwich'in Comprehensive Claim.

Johnny will be remembered for many things, his great love and affection toward his family, especially his grandchildren and great-grandchildren and especially where he dearly loved his nieces, nephews and grandchildren. Johnny also spent time away from his family, his wife and children travelling on behalf of other people in the Northwest Territories to represent them either in claims negotiations, Dene nation leadership meetings, regional council meetings in which that experience he brought to the table will surely be missed.

One of the things Johnny loved the most was dancing. In his later years he was even calling out square dances travelling to all the different communities, especially up at Midway Lake

Page 38

where he could be seen throwing corn meal on the floor so people could dance all night. As a husband, father, uncle, grandfather, great-grandfather and a dear friend, Johnny D. Charlie will be remembered for

many years to come from his friends and relatives.
Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Krutko. Members' statements. Mr. Morin.

Member's Statement 17-13(6): Fort Resolution Health Centre Employees

HON. DON MORIN:

Thank you, Mr. Speaker. Later on today I will be tabling a petition from the Fort Resolution Health Centre employees of Fort Resolution. Along with it came a letter addressed to myself,

"I hope this letter finds you in good health and spirits. We are writing to request a settlement of our pay equity entitlements. We are making this request for the following reasons. We are now employees of a private organization, The Deninu Health and Social Services Board. We are no longer affiliated with the Union of Northern Workers. We are no longer GNWT employees. The Union of Northern Workers does not represent our concerns.

We believe the GNWT's offer to be fair. We believe the union's demands to be excessive in this economic climate. We believe the settlement monies will go a long way to helping northern families and the northern economy now. We believe these monies to be rightfully ours. We believe that any further negotiations will be fruitless and only create a bigger rift between the involved parties at a time when unity, good will and cooperation is what is required to make this great territory even better. We would like to thank you for taking the time to consider this petition. A copy of this letter will be sent to your Minister of Finance, the Honourable John Todd."

Signed by the health workers in Fort Resolution.
Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Members' statements. Mr. Miltenberger.

Member's Statement 18-13(6): Concerns of the Forestry Industry Association

MR. MILTENBERGER:

Thank you, Mr. Speaker. I would like to raise an issue in the House today that pertains to many ridings in the

southern Northwest Territories in regard to the lumbering issue. Logging and lumbering have been done for decades in the South Slave and Deh Cho. It has evolved to the point where the parties involved that form the Northwest Territories Forestry Industry Association. They not only harvest logs, they rough cut the lumber and then finish it as well to the Canadian lumber standards or creditation board standards. The problem they face, are that this manufactured product they produce is not covered under the northern manufactured policy. This puts local businesses who employ local people and support local economies at a distinct disadvantage when their product is not considered a northern manufactured product when you bid on houses under the Housing Corporation or if you bid on tenders and contracts put out by Public Works. This is a significant issue for this new association and they have, in fact, written to the Ministers, Minister Kakfwi and Minister Arlooktoo, about this concern.

I raise this issue in the House today because it is important, there are contracts going out every day where this critical component of construction is not recognized as a northern manufactured product. At the appropriate time, I will be asking the Ministers involved how we can best deal with this issue. As well, I will raise this issue in the business planning process and would like to give the government and the departments involved enough lead time to address this very important issue and hopefully it will be addressed and resolved in a satisfactory way so that the next building season will see northern lumber graded to Canadian standards as considered a northern manufactured product and making the playing field that much more level and recognizing the investment northern business makes in the north and in our communities to provide that kind of service.
Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Members' statements. Mr. Barnabas.

Member's Statement 19-13(6): Concerns Regarding Late Changes to Airline Departures Schedules

MR. BARNABAS:

(Translation) Thank you, Mr. Speaker. Good afternoon colleagues. Mr. Speaker, during my visit to the communities I represent, there was a concern which was repeated in the communities regarding airfares and travel schedules that are delayed due to weather and other circumstances. For example, if a

plane travels from Iqaluit to Resolute or Nanisivik when it goes over here, the passengers are told they are responsible for their own accommodation. While the person is trying to get to their destination, many of these people pay out of their pockets for their airfare and when circumstances are beyond their control this is not fair treatment. If this occurred in the south and the delay was because of the weather or circumstances beyond the passengers control, then the airlines are responsible for ensuring proper accommodation and meals for the passengers. Thank you, Mr. Speaker. (Translation ends)

MR. SPEAKER:

Thank you. Members' statements. Mr. O'Brien.

Member's Statement 20-13(6): Passing of Tunguaq Infant

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, today I rise on a sad note. I have asked yourself Mr. Speaker, and the rest of my colleagues to offer sincere condolences to the family of Mark and Hannah Tunguaq of Baker Lake. Mr. Speaker, their nine-month-old son passed away suddenly last week in Baker Lake. Thank you.

MR. SPEAKER:

Thank you, Mr. O'Brien. Members' statements. Mr. Ootes.

Member's Statement 21-13(6): Pay Equity and Collective Bargaining Impasse

Page 39

MR. OOTES:

Thank you, Mr. Speaker. Welcome back colleagues. Today I would like to make a statement on the pay equity and collective agreement impasse. Mr. Speaker, the pay equity dispute between the union and the government seems to be a case of seeing how many legal hurdles can be shoved through before settlement is reached. For the GNWT employees, three-quarters of whom are union members, this must be very demoralizing. Historically, this disagreement goes back ten years, during which time a lot has been done to thwart efforts towards solving the dispute expeditiously. What I continue to hear from the union, is that this government is inflexible to other points of view and ways of doing things.

The union says they have proposed solutions to negotiation difficulties many times. For example, they said they offered to go to arbitration to settle the question of gender neutrality of the Hay Plan. Then they offered to sign a memorandum of understanding to allow both parties to deal with the pay equity situation separate from the collective agreement, with the proviso that resolution be reached by April 1, 1999. Most recently, they have indicated their desire to work with a facilitator to get the negotiations back on track. According to the union, this government has turned down all these options. There is obviously a difference of opinion as to why we are at this stage today.

The government today is determined to proceed with the appointment of a mediator, which could potentially lead to a strike or arbitrary acceptance of the offer. A strike is not what we need at this very time in our history of the Northwest Territories, just when we are seeing a glimmer of hope on the economic front that it is improving.

The question is, where are we heading with all this Mr. Speaker? To set a new record for legal processes? It seems we are losing the art of negotiating and instead we are honing the art of legal processes. I urge you, Mr. Todd to remove the pay equity issue from the bargaining process, settle the collective agreement, deal with the pay equity issue through a memorandum of understanding with a proviso that it be settled by April 1, 1999. Let us not push this to the brink of a strike, which will be an abyss from which we will have a hard time to recover. We do not want it to become the equityville horror. Thank you.

--Applause

MR. SPEAKER:

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

Member's Statement 22-13(6): Draft Operational Review of the Hamlet of Rae-Edzo

MR. RABESCA:

Thank you, Mr. Speaker. Mr. Speaker, today I rise to welcome my colleagues back from our summer break. I hope we all enjoyed a relaxing time with family and friends.

Also, over the course of this past summer, changes were made at the senior management level of the

Department of Municipal and Community Affairs. I would like to welcome and congratulate Mr. Bob McLeod for his appointment as deputy minister. During the period that Ms. Penny Ballantyne was the deputy minister, the community of Rae-Edzo developed a very good working relationship with the department staff, and I hope that this will continue under the new leadership.

Recently the Hamlet of Rae-Edzo received and reviewed a copy of the draft operational review that the department has undertaken. It was disappointing to find that this document does not address the main concerns that the community and I have raised on many occasions. The hamlet alone has discussed these issues with the department now for the past three years. The department still and must resolve the issue of the two separate communities divided by 14 kilometres of road operating under the budget of one community. The Hamlet of Rae-Edzo has two firehalls, two water/sewage systems, two complete and separate communities, but receives funding as one community and is a great concern.

Another issue is that of equipment and infrastructure. How will the department address that fact that some communities that have certain equipment are funded at some higher level than other communities? I give the example of a community with a cat. This cat was purchased by the department for the community, then given the dollars to operate the cat and to house this unit in a building provided by the department. So far the community has not spent a dime of its O and M budget. Now compare that to a community that does not have a cat. If the community needs cat work done, it must hire a local contractor to do it and then must pay out of its own budget the cost of this contractor, this community should not be penalized. This is not fair or equitable to the community without this equipment or infrastructure and the department should resolve these anomalies. It has been this department's position to ensure all communities are treated in a fair and equitable manner, but this is not what is happening.

In closing, I would hope that the Minister will inform her staff to ensure that these anomalies will be addressed and resolved in the very near future as time is running out. Mr. Speaker, I would like to have unanimous consent to conclude my statement please.

MR. SPEAKER:

The Member for North Slave is seeking unanimous consent to conclude his statement. Do we have any nays? Mr. Rabesca, you have unanimous consent.

MR. RABESCA:

Thank you, Mr. Speaker. I would also like to pledge today, with my colleagues that I will do whatever it takes, to ensure that this is resolved. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Members' statements. Mrs. Groenewegen.

Member's Statement 23-13(3): Tribute to Volunteers

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Good afternoon and welcome back colleagues. Mr. Speaker about 23 years ago a young couple came to the Northwest Territories

Page 40

to pastor a small church in Hay River. While in Hay River they travelled throughout the north and grew to love the people of the north very much. Their duties also included performing some very important ceremonies, not the least of which, and very important in my life, was the marriage of myself to my husband. Although they moved on to much larger churches in southern Canada, they recently gave up the comforts of home and family here in Canada and now devote their full time life and energies to working to bring hope and humanitarian aid to many parts of the former Soviet Union. I know that they are still northerners at heart and that the experience that they gain here in the north forms a small part of what they now bring to some of the poorest and most needy people of the world. In a country such as Canada, so bountiful and blessed it is wonderful to know that while all of us cannot go, there are people who are still willing to make the sacrifices to fulfil the great commission to go into all the world. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Erasmus.

Member's Statement 24-13(6): NAV Canada Service Charges

MR. ERASMUS:

Thank you, Mr. Speaker. Mr. Speaker, I rise today to speak about NAV Canada and the new fee schedule they have released. Mr. Speaker, on August 7, 1998 I had sent a letter to federal Minister David Collenette indicating that it was unacceptable that NAV Canada proposes to reduce southern costs by up to \$110 million a year while the cost in the NWT will increase by up to \$10 million a year. I had indicated to him that he could evoke section 35(2) the Civil Air and Navigation Services Commercial Act. This act states that the charging methodology may recognize that the value of the services differs among users. I also indicated that the value of the services they provide to us is much less than in the south. The area of lower radar coverage and lack of provision of radio navigation services for approach and landing and also using maximum certified takeoff weight as the bases of charges when in the north planes cannot land with maximum certified takeoff weight.

On September 8th, I also wrote him another letter indicating that NAV Canada is raising millions of dollars on our route charges, flights that are flying over the Northwest Territories, from western United States to Europe as well as from Alaska to the eastern United States, and that they stood to gain about \$140 million from our route fees and from the four new polar routes that will be open over the Northwest Territories.

Mr. Speaker, these charges, the money they are raising from the over flights have not been reflected in our fees. I believe that the Minister should evoke section 35(2) of the Civil Air and Navigation Commercial Services Act to lower our rates. I guess you could say that NAV Canada should have taken this upon themselves to see that if they are going to make over \$140 million off of us, this should be reflected in their rates. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Roland

Member's Statement 25-13(6): Inuvik Community Events

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, it has been some time since we have gathered back together, so I would like to use this time to report on a number of events that occurred in Inuvik this past summer. Mr. Speaker, these events were put on by many volunteers that receive little recognition for the work and effort they put into it. I would like to name a number of examples, Mr. Speaker. For example, this summer it seems to be a recognition that summer is over in Inuvik when the fall demolition derby is on. This event is put on by volunteers in our community and was attended by, what would seem to be most of the community I represent, and was a great show for all. I was even asked why I did not have a car in there and I thought that would be like painting a bulls-eye on my back. Many people seem to have fun in suggesting I should have a vehicle entered. Some questioned why my suburban was not even in there, but I suggested if it was, I would probably be driving over the competition, not into them.

Mr. Speaker, as well as a number of other events that happened in my community, another that is put on by a majority of volunteers from the community as well as others from the territories, was the Great Northern Arts festival. That again, drew many people to the community and was a great success to us. So I think we have to recognize many of our volunteers in the community who put on these events. Even in tough economic times, they find the heart to be able to put on these things on a voluntary basis to make the life in a community more enjoyable. Another one that is starting to touch base in Inuvik is the Inuvik Golf and Tundra Club, which held its first meeting a number of days ago, before I returned here. So we are looking at making the life a little more enjoyable for those who come to live in Inuvik. Mr. Speaker, one of the biggest events I think that happened in Inuvik this fall, happened to myself and our family back home. We, the Roland clan grew by one more as of August 6th. A new son by the name of Mitchell Joshua. In closing, I would like to send greetings to my wife and children back home. Thank you.

--Applause

MR. SPEAKER:

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

Member's Statement 26-13(6): Concerns Regarding the Western Constitutional Development Process

MR. HENRY:

Thank you, Mr. Speaker. I would like to welcome you and the rest of my colleagues back to our capital city, it is still our capital city for six months for everyone in this House yet. Mr. Speaker, it is not always popular to speak out against initiatives such as the work of the new constitution, but none the less I feel it is my responsibility to raise in a public forum, the serious reservations I have about the state of the constitution development in the western Northwest Territories.

Page 41

Mr. Speaker, I cannot fault the work to date of the Constitutional Working Group, they are working within their mandate and are trying to raise a sense of a very divisive issue. However, I believe strongly that now is not the time to be dealing with constitutional issues in the western Northwest Territories. How can the constitutional working group hope to develop a workable constitution when major players such as the Deh Cho and the Sahtu, refuse to be involved or have withdrawn from the process. Mr. Speaker, how can we realistically expect the federal government to agree to a new constitution when major players are not involved in the process? A new constitution for the Western Territory is not possible until land claims and self-government agreements are settled. It is that simple, Mr. Speaker.

We, as a territory, cannot move ahead economically and constitutionally until these issues are resolved. It is easy to understand the hesitation on the part of aboriginal leaders to agree to any process that may impact their inherent right to govern themselves. Mr. Speaker, I do not believe that a constitutional conference proposed for this fall, would accomplish any measurable result. Consensus is not there.

Ultimately, Mr. Speaker, it is highly unlikely that a workable constitution, acceptable to the majority of residents of the western Northwest Territories would come out of a constitutional conference. Mr. Speaker, even if consensus on a constitution was reached, it would be at best, an interim measure, that would have to be changed each time a new land claim or self-government agreement was reached. The current NWT Act, which is basically the constitution, may be flawed and outdated, but at least all of the players in the western NWT understand it. It will continue to serve as the constitution of the residents of the NWT with minor changes for the time being.

Mr. Speaker, until the inter-relationship between the Territorial Government, aboriginal claimant groups and self-government agreements are defined at the

negotiating table there will be no possibility of a constitution. It may take some time for negotiations, but at least then it would be possible to forge a constitution. Mr. Speaker, I seek unanimous consent to conclude my statement.

MR. SPEAKER:

The Member for Yellowknife South is seeking unanimous consent to conclude his statement. Do we have any nays? Mr. Henry, you have unanimous consent.

MR. HENRY:

Thank you, Mr. Speaker and thank you, colleagues. I urge the Constitutional Working Group to consider the validity of holding a constitutional conference and the possibility of any measurable outcomes. I do not think there will be any measurable results and a conference at this time, is not the best use of taxpayers money. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Members' statements. Mr. Steen.

Member's Statement 27-13(6): Tuktoyaktuk High School Graduation Ceremonies

MR. STEEN:

Thank you, Mr. Speaker. Welcome back Mr. Speaker and other Members as well. Mr. Speaker, on August 21st the residents of Tuktoyaktuk gathered to hold graduation ceremonies for four students who completed their grade 12 at Mangilaluk School in Tuktoyaktuk this past year. Mr. Speaker, I had the pleasure of congratulating Jennifer Thrasher, Cherylyn Nasogaluak, Barry Jacobson and Lucky Pokiak personally at this ceremony. I hope the Members of this Assembly will join me in encouraging these students to continue their education and wish them every success in the future. Mr. Speaker, I also would like to take this opportunity to encourage more students at Mangilaluk School to follow the examples of these role model students. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you, Mr. Steen. Members' statements. Mr. Ningark.

Member's Statement 28-13(6): Recognition of Pisurayak Kootook

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, first of all I would like to take this opportunity to thank the people of Taloyoak. When Northern Transportation Company Limited (NTCL) was purchased equally by the Inuit of Nunavut and the Inuvialuit of the western Arctic, the board of directors began a program of renaming its fleet of ships to better reflect its northern aboriginal ownership. On September 12, 1998, NTCL held an official ceremony in Taloyoak to rename the former MV Kelly Hall to MV Pisurayak Kootook. Pisurayak Kootook or David was a courageous member of the Taloyoak community who was on a medevac emergency flight that crashed on route from Cambridge Bay to Yellowknife. Pisurayak David Kootook, although seriously injured himself, worked heroically to keep his fellow passengers alive until he finally succumbed to his own injuries. Pisurayak Kootook is a true northern hero and it is only fitting that he be recognized with this honour in his own community.

David's mother and family were on hand to christen the vessel and honoured guests included were: John Ningark, MLA for Natilikmiot; Mayor Dennis Lyall of Taloyoak; NTCL Chairman of the career development committee, Wilf Wilcox; President Cameron Clement and Pat Lyall and also Norterra executive vice-president Murrie Hurreley. I would like to thank Mr. Clement for providing this information to me. I would like my colleagues to join me in congratulating the community and the family of Kootook. Thank you.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Mrs. Groenewegen.

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. It is my pleasure today to recognize Reverend Craig Pitts and his wife

Page 42

Dorothy. They are very close friends of ours and it is wonderful to have them back in the north. Craig and Dorothy are the couple I spoke of in my Member's statement and they are presently serving as directors of Overseas Mission for Europe and Asia for the Pentecostal Assemblies of Canada. Welcome.

--Applause

MR. SPEAKER:

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

MR. KRUTKO:

Thank you, Mr. Speaker. I would like to recognize Pat Thomas, NWTTA and Mr. Williams who is sitting just behind her. Welcome.

--Applause.

MR. SPEAKER:

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

MR. HENRY:

Thank you, Mr. Speaker. I would like to recognize David Legros. He is a constituent of Yellowknife South and has a great interest in the pay equity issue.

--Applause

MR. SPEAKER:

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

ITEM 6: ORAL QUESTIONS

Question 15-13(6): Pay Equity/Collective Bargaining Dispute

MR. OOTES:

Thank you, Mr. Speaker. My questions will be regarding the pay equity and collective agreement impasse for the Minister of the Financial Management Board, Mr. Todd. I wonder if Mr. Todd could tell us when the offer of the \$40 million was made? No doubt there was a methodology used to calculate this amount of what each particular employee would get. I wonder if the Minister could tell if they did, in fact, go through a process of a methodology of which to calculate this \$40 million?

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 15-13(6): Pay Equity/Collective Bargaining Dispute

HON. JOHN TODD:

Thank you, Mr. Speaker. I believe I have said to the point of being repetitive, if it is \$40 million versus \$25 million in retroactivity, nine for the ongoing costs and six for the collective agreement. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 15-13(6): Pay Equity/Collective Bargaining Dispute

MR. OOTES:

The method by which employees will be paid their particular share of owing under the pay equity for back pay, has the government a methodology by which that was calculated?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 15-13(6): Pay Equity/Collective Bargaining Dispute

HON. JOHN TODD:

Again, Mr. Speaker, I believe I have had said consistently in the House that the government has used the Hay Plan evaluation system I have just prepared in my comment today. The Hay Plan evaluation job system is what we are using to determine the fiscal costs associated with the pay equity complaint and with bringing about gender neutrality in the workplace. Thank you.

MR. SPEAKER:

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

Supplementary To Question 15-13(6): Pay Equity/Collective Bargaining Dispute

MR. OOTES:

Thank you, Mr. Speaker. Again, on the pay equity and collective agreement, has the issue of liability been shared with Nunavut and have NTI and NIC and the Interim Commissioner agree that they would share in the debt load that is incurred by this government? That is my first question on that Mr. Speaker.

MR. SPEAKER:

I heard two questions. Minister of Finance.

Further Return To Question 15-13(6): Pay Equity/Collective Bargaining Dispute

HON. JOHN TODD:

Mr. Speaker, again, I have said consistently in this House, the disposition of assets and liabilities is done so in the asset and liability table under the Division Secretariat and that is how the pay equity situation will be dealt with and there will be a fair assignment of liability. However, certainly my desire to try and seek some resolve both, with the collective agreement and hopefully, at some point, the pay equity issue. Thank you.

MR. SPEAKER:

Oral questions. Mr. Krutko.

Question 16-13(6): Poor Condition of the Dempster Highway

MR. KRUTKO:

Thank you, Mr. Speaker. My question is to the Minister of Transportation in regard to the condition of the Dempster Highway at the present time. During the several trips I made over the summer, I noticed there are several areas, I counted five areas, of the Dempster Highway which are corroding and sliding away in which there are two locations where the highway has become a one lane highway system. I think it is detrimental that this government do something about the condition of that road because a number of years ago an MLA from the Yukon was killed on the Dempster Highway because of corrosion of that highway system. I believe it is important that this government and department

Page 43

take this seriously because the public safety factor is in line with being a dangerous road to drive on, especially with the areas that have been sliding and corroding away. My question to the Minister is, is he

aware of this problem and what is being done about it?

MR. SPEAKER:

Thank you. The Minister of Transportation, Mr. Antoine. I heard two questions.

Return To Question 16-13(6): Poor Condition of the Dempster Highway

HON. JIM ANTOINE:

Thank you, Mr. Speaker. I am aware of one incident where close to James Creek, I believe, there is a condition on the road. The department is aware of the situation and we are making plans to do something about it. The weather conditions this time of the year are fairly wet and damp in that area. Once the conditions improve, we will try to improve that road. Thank you.

MR. SPEAKER:

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

Supplementary To Question 16-13(6): Poor Condition of the Dempster Highway

MR. KRUTKO:

Thank you, Mr. Speaker. I would like to know exactly, how often is that section of the road monitored because for several months now there has not been a foreman working on the Dempster Highway. How often is it being done and who is doing the monitoring of those locations?

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 16-13(6): Poor Condition of the Dempster Highway

HON. JIM ANTOINE:

Thank you. I do not have details to answer in detail to the Member. However, I will get all the information and get back to the Member. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Krutko.

Supplementary To Question 16-13(6): Poor Condition of the Dempster Highway

MR. KRUTKO:

Thank you, Mr. Speaker. I do feel that this is an urgent enough matter, which is why I have raised it at this time. I believe there should be some urgency to try to identify this, because I believe there will be a major accident on that highway if nothing is being done. I would like to ask the Minister again if he can notify the public, through the radio, especially driving that highway, that there are some areas where it is at that stage at the present time. Thank you.

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 16-13(6): Poor Condition of the Dempster Highway

HON. JIM ANTOINE:

Mr. Speaker, the objective of the department is safety on our highway system and if there is a major problem with the safety in these corroding areas that the honourable Member mentioned on the Dempster Highway in the Northwest Territories, we will look at this immediately with urgency and we will try to correct that. Thank you.

MR. SPEAKER:

Oral questions. Mr. O'Brien.

Question 17-13(6): Update on NWTPC and WCB Division Transition Measures

MR. O'BRIEN:

Thank you, Mr. Speaker. My question to the Minister responsible for division, Mr. Todd. Would the Minister provide to this House a brief update as to the status of discussions as it relates to division regarding the NWT Power Corporation and the WCB? Thank you.

MR. SPEAKER:

The Minister Responsible for Division Secretariat, Mr. Todd.

Return To Question 17-13(6): Update on NWTPC and WCB Division Transition Measures

HON. JOHN TODD:

Yes, thank you, Mr. Speaker. Well as my honourable colleagues know the Power Corporation and the WCB are sensitive issues. There is, on occasion, some polarization of thought on both these issues.

On the WCB, we are working closely with all the players - the Western Coalition and the Interim Commissioner to try to reach an accommodation where we have a transition document that will allow the two new governments to continue to negotiate, what we think will inevitably happen. That is two new WCBs. We are seven months effectively away from division and it would simply be unreasonable for us to expect the eastern territory to be up and running in that time. So there are some discussions underway to try to reach a Memorandum of Understanding as to how we will proceed with this, when the two new governments are elected in 1999.

The NWTPC of course, which comes under the auspices of my colleague, Mr. Dent, these same type of negotiations are underway right now. They are what you might determine as sensitive negotiations and it is the desire of both myself, my Cabinet colleagues and Mr. Dent to try to reach an appropriate compromise to ensure that a transition document will be in place for both these organizations. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. O'Brien.

Supplementary To Question 17-13(6): Update on NWTPC and WCB Division Transition Measures

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, the Minister indicated there is a possibility the WCB may split and Nunavut would have its' own WCB. Does the Minister sincerely believe that Nunavut can support its' own WCB? Thank you.

MR. SPEAKER:

Mr. Todd.

Page 44

Further Return To Question 17-13(6): Update on NWTPC and WCB Division Transition Measures

HON. JOHN TODD:

Well in the analysis that are being done right now and as I say sensitive discussions that are underway, that

will have to be a critical component of it, is the affordability issue. At this time I have not seen any documentation to say otherwise. The Workers Compensation Board, I will be making a comment on that later on this week, is a pretty impressive organization. It has done a darn good job in terms of its obligations to injured workers and to employers and I think later on this week I will make a comment about how even its current performance is. It has outperformed itself, in a way. So in terms, is there a fiscal capability? I think that is the issue you are asking to have two new Workers Compensation Boards, east and west. To date, to say is that there? I honestly could not answer you. I believe it is but these discussions are currently underway. The negotiations are sensitive and it will be critical that when it comes across my desk, Mr. O'Brien, I want it to be critical that there be an affordability component to it. When that comes across my desk, I will share it with yourself and my colleagues in the House. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. O'Brien.

Supplementary To Question 17-13(6): Update on NWTPC and WCB Division Transition Measures

MR. O'BRIEN:

Thank you, Mr. Speaker, falling in the same line of thought regarding division and the Power Corp., and the WCB. Mr. Speaker, recently I attended a meeting in Winnipeg regarding a possible road linkage and power grid between Churchill and the Kivalliviq region. It is my understanding there is approximately \$500,000 has been put into a research fund to study these two issues. There is also a joint committee that is working between Manitoba and the GNWT to come up with some possible options regarding this.

My question, Mr. Speaker, is can the Minister update us as to what is the status of these discussions with this joint working group? Thank you.

MR. SPEAKER:

That is a new question. I will rule it out of order. Oral questions, Mr. Picco.

Question 18-13(6): Reallocation of Surplus Funds to Education Programs

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, my question follows on my earlier Member's statement. Will the Premier be directing the FMBS to review the recorded excess surplus and use this to follow up on the motion to rebate the Department of Education, as passed in this House in June? Thank you, Mr. Speaker.

MR. SPEAKER:

The Premier, Mr. Morin.

Return To Question 18-13(6): Reallocation of Surplus Funds to Education Programs

HON. DON MORIN:

Thank you, Mr. Speaker. As the Member is fully aware, this summer has been a hard summer on forest fires. The Minister of Finance is still working on balancing the budget of this government and hopefully we will get a surplus. We have taken the Member's motion in this Legislative Assembly seriously. We know that we would like to invest more dollars in education and health but we have to make sure they are there first. Once we find that out, then we will move ahead. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 18-13(16): Reallocation of Surplus Funds to Education Programs

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, in the financial report that was tabled according to Sub-section 51(3) The Financial Administration Act in August. When would the Premier know what the actual surplus is so he can actually rebate said department? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 18-13(16): Reallocation of Surplus Funds to Education Programs

HON. JOHN TODD:

Yes thank you, Mr. Speaker. Well I am optimistic that we may have a small surplus. I want to remind my honourable colleague that we still have got an accumulated deficit that I am sure he will support getting rid of. We still have an enormous pay equity

issue out there that is significant, which I am sure he supports. Certainly, our intention as the Premier has said, that should we and when we determine what an appropriate surplus, if we do have a surplus, and I will report to the House as quickly as I can, we would take into due consideration the overall fiscal framework of the government, the needs and priorities as has been explained by Members of this House and Cabinet and allocate dollars accordingly. At this time, I wish I was in a position to announce today, this is what the surplus will be. I am not, but I do have, and I am sure my colleague is well aware of it, enormous fiscal issues still looming. Hopefully, we will be able to do this, if not in October, certainly in November. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 18-13(16): Reallocation of Surplus Funds to Education Programs

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, the annual surplus is actually a net of the provision for pay equity. So I do not know why he is bringing that up. Mr. Speaker, my supplemental question to the Premier or the Finance Minister is, will they be actually involving the Ordinary Members of this House in the allocation of said surplus, because last year when they actually had a surplus of \$4 million in RWED, we were not identified until after the fact. Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 18-13(16): Reallocation of Surplus Funds to Education Programs

Page 45

HON. JOHN TODD:

As my grandmother used to say to me, a penny wise, a pound foolish. I am not prepared to spend money right now that I do not see. Until such time as I am comfortable and confident there is going to be a surplus, that we can assign to the priorities we have heard in this House, and we have heard with the public and the advocacy groups out there, I am not in a position to determine that today. While we have banked \$25 million on the pay equity retroactive side,

that issue still has not been concluded. I would like to remind Mr. Picco, since he made reference to it. We still have as the Premier said, somewhere around, I think we spent close to \$11 or \$12 million in the fire suppression this year that was not budgeted for, which is no fault of anybody's. Massive problems in housing, health care problems, education, et cetera. So we will, when I am clear, if there is a surplus, we will use due process to determine, to some extent, where that money, should there be any, go. Thank you.

MR. SPEAKER:

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

Supplementary To Question 18-13(16): Reallocation of Surplus Funds to Education Programs

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, I am at a little disadvantage because of the reporting structure of government on what is actually the surplus. I can only go on the Financial Administration Act and the Comptroller General's Report, which according to the Finance Administration Act, has to be forecasted and tabled. So my question then to the Minister, following up on the surplus of this government or if there is a surplus is. Indeed, according to the Comptroller General there was and is, can the Minister actually inform us then, on the surplus. Is the result of the surplus because of increased money to us from the federal government because of our formula financing grant? Is that the case? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 18-13(16): Reallocation of Surplus Funds to Education Programs

HON. JOHN TODD:

There is a possibility and I am cautious about it because we still do not have an agreement with the provincial jurisdictions and I think my colleague will understand that we may get a one-time, some additional dollars from the federal government, because of population statistics, growth. It requires the concurrence of not only the territories, it also requires the concurrence of provincial jurisdictions. I do not know at this time to what degree that will be, if

any. When I do, I will ensure that due process takes place and this House will be informed. Thank you.

MR. SPEAKER:

Oral questions, Mr. Roland.

Question 19-13(6): Timely Settlement of Pay Equity Issue

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, my question at this time would be directed to the Minister responsible for FMBS. In his opening Minister's statement, he spoke on the issue of collective bargaining. We have heard time and time again about the process. We have had information flowing from this government as well as from the UNW. We know where it stands to date that the course he is pursuing is to get a court appointed mediator, but beforehand he has to get the issue of bad-faith bargaining dealt with. When can the employees of this government look forward to a settlement if things went right? I would say to put it properly, can the employees look forward to a settlement before Christmas or in the New Year? Thank you.

MR. SPEAKER:

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

Return To Question 19-13(6): Timely Settlement of Pay Equity Issue

HON. JOHN TODD:

Thank you, Mr. Chairman. I would have liked to settle weeks ago, but unfortunately we are caught up in a battle that is not necessarily being driven by territorial politics and more by national ones. It is certainly our desire, one to deal with the bad faith bargaining issue, which is an allegation by the UNW not us. I believe that gets dealt with on Monday. I am hopeful that the courts will see that we are bargaining in good faith. We will apply, under the Public Service Act, in accordance with the rules that are in place, that a mediator will be appointed because we can not come to an agreement with the union on that. Once that is done, the mediator is supposed to help both parties reach a resolve. I want to resolve this thing. As I have said to my honourable colleague many times, both informally and formally, as quickly as possible to put money in the hands of our employees. At the end of the day, it is up to the UNW to give the democratic

right to each of our constituents and employees to vote on what we think is a fair and reasonable settlement. I want to remind everybody that we want to give the people more money not less money. Thank you.

MR. SPEAKER:

Okay. Thank you. Oral questions. Ms. Groenewegen.

Question 20-13(6): Signage Policy on Capital Projects

MRS. GROENEWEGEN:

Thank you, Mr Speaker. Mr. Speaker, my question today is for the Minister of Transportation. Mr. Speaker, I have occasion to travel back and forth between Yellowknife and Hay River quite often and I almost always take the opportunity to drive the road. I have in the past commended the Minister for the condition of that road save and except for that last 100 kilometres from Rae to Yellowknife. I am always amazed that 20,000 people are held captive at the end of that road.

--Laughter

Anyway, as I travel I see many interesting things, not the least of which is the bison that stand on the road and will not move when I get to Mr. Speaker's riding, but recently I had occasion to pass by a sign on a capital project which is the weigh scale at Enterprise. I was just wondering from the Minister if he

Page 46

might tell me what the policy is on signage on capital works projects with his department?

MR. SPEAKER:

The Minister of Transportation, Mr. Antoine.

Return To Question 20-13(6): Signage Policy on Capital Projects

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, as Minister of Transportation and also having travelled on the highway system, whenever there is a capital project, I notice there is a sign but I have never really asked the department what is the policy with the sign but I know it describes the project and it also lists the MLA's

riding as well as the Minister responsible for the project. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 20-13(6): Signage Policy on Capital Projects

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. I am very pleased to see a sign on a capital project in my riding and as the Minister indicates, indeed, it does identify the project. It does identify the Minister, the Hon. Jim Antoine. It does identify the MLA for Hay River and I thank you for that but on that sign also is identified the Honourable Sam Gargan, MLA for Deh Cho. I know there is an Electoral Boundaries Commission underway, but I was just curious as to whether Enterprise is in the Deh Cho or Hay River. Thank you.

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 20-13(6): Signage Policy on Capital Projects

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Enterprise is in the Hay River constituency, so I do not know. We will talk to the MLAs involved and we will talk to the department.

MR. SPEAKER:

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 20-13(6): Signage Policy on Capital Projects

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. I am happy that the Minister will communicate with me and identify why the Member for Deh Cho's name and riding appears on a sign in my riding. Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 20-13(6): Signage Policy on Capital Projects

HON. JIM ANTOINE:

I did not really study that particular sign in my travels, Mr. Speaker, so I am not aware of that situation until today. We will take a look at it. Thank you.

MR. SPEAKER:

Oral questions. Mr. Steen.

Question 21-13(6): Additional Funding on Purchase of Calcium Chloride for Tuktoyaktuk

MR. STEEN:

Thank you, Mr. Speaker. Mr. Speaker, my question is directed toward the Honourable Manitok Thompson, Minister of MACA. Mr. Speaker, my question regards calcium chloride for municipal roads. As you know, Mr. Speaker, the Department of Transportation has been using calcium chloride for road maintenance wherever they cannot afford to have hard top, which is commonly known as "poor man's hard top". Mr. Speaker, it is obvious that the people from the small community from a city like Yellowknife would proceed in putting two, three layers of hard top on the road and we then wonder why conditions of the roads in the communities have to be in such terrible shape compared to the streets in the cities and towns. Mr. Speaker, my community of Tuktoyaktuk has been trying to obtain an increase in the amount of calcium chloride for the community in order to help maintain the road conditions in that community. Mr. Speaker,

I would also like to point out that gravel is also very expensive and in that particular community, if and when it is available, so calcium is very important to the community to help offset the cost of obtaining more gravel. My question to the Minister of MACA is, would her department consider increasing the annual supply of calcium chloride for the hamlet of Tuktoyaktuk? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister responsible for Municipal and Community Affairs, Ms. Thompson.

Return To Question 21-13(6): Additional Funding on Purchase of Calcium Chloride for Tuktoyaktuk

HON. MANITOK THOMPSON:

Thank you, Mr. Speaker and welcome back to the session. This to everybody. I will have to take the question as notice because I am not briefed on the

different types of solutions or chemicals that are put on the roads. I will get back to the Member as soon as I get more information on this issue. Thank you, Mr. Speaker.

MR. SPEAKER:

The question is taken as notice. Oral questions. Mr. Erasmus.

Question 22-13(6): NAV Canada Service Charges

MR. ERASMUS:

Thank you, Mr. Speaker. My question is for the Minister of Transportation in regard to NAV Canada and their notice of new revised service charges. Earlier I had indicated that I had sent the federal Minister Collenette a few letters asking him to invoke Section 35(2) of the Civil Air and Navigation Services Commercial Act, that states the charging methodology may recognize that the value of the services differs among users. I know also that the Minister and his officials have been working hard on these issues. Could the Minister be kind enough to update us on what they have been doing over the course of the summer to try to get NAV Canada to change their user fees?

Page 47

MR. SPEAKER:

The Minister of Transportation, Mr. Antoine.

Return To Question 22-13(6): NAV Canada Service Charges

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, NAV Canada had a 60-day consultation process that they have gone throughout the summer. Through the consultation process we were expressing our concern about the increases that they were planning to impose upon us in the North here on the air carriers which will in turn be reflected down into higher costs in air transportation, passengers and airfares as well as cargo. We are told by NAV Canada that they are doing away with the ATT, the tax that they put on carriers, passengers, however they will replace it with a fee. They will be doing away with this tax however, they will have an increase of \$7.5 million above the taxes they used to recover. As a result of that, we realize this will be an additional financial burden to people in the north. As a result, through the

consultation processes with NAV Canada we were writing letters and expressing our concerns. We also work with the other stakeholders in the north, the air carriers, different interest groups, different organizations explaining to them, briefing them what we interpret this new fee structure to be. As a result, there has been a strategy campaign to try to get to NAV Canada and their board to express upon them our concern here. We felt that going through the consultation process, they do not seem to be taking us very seriously so I was able to meet personally with the Chairman of the NAV Canada board, Mr. Louis Comeau in the early part of August and told him personally, all our concerns and expressed to him what we were seeking is that we do not want to see an increase in the cost of airfare in the north, that we would seek cost-neutral arrangements where they have all the numbers, they have done all the consultation, so it is up to them to figure out a structure that would not see any increase in the north and we left it with them. The board met and put a proposal together and presented it to federal Minister Collenette and he has 30 days from the time it is presented to him. I understand tomorrow is the last day when he will decide whether he is going to approve this proposal or not.

I also had the opportunity of talking to Minister Collenette on the telephone. I again impressed upon him the severe consequences that these new fees will have here in the north. Despite our representation to him, he has until tomorrow. We have no indication whether he is going to approve it. We expressed upon him that he should amend this proposal, so that we will not see any increases. The NAV Can proposal is to delay this whole process for a few months, about six months and another six months for another fee structure, but at the end of the day, they will still want to increase fees. This is where we are at. I am attending a Minister of Transportation meeting next week in Regina. Minister Collenette will be there and one of the agenda items is NAV Canada. It is not only we, here in the Northwest Territories, who are in the same predicament. We are also dealing with the Yukon which is in the same situation, as well as the northern provinces in the south. That is where we are at right now. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 22-13(6): NAV Canada Service Charges

MR. ERASMUS:

Thank you, Mr. Speaker. The Minister indicated there was a 30-day period after NAV Canada had announced their fees, whereby there was time for the federal Minister to review this. What does that actually mean? Can you explain that a little bit?

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 22-13(6): NAV Canada Service Charges

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, my understanding of the act that this comes under is, once NAV Canada gets a proposal together, they have gone through a consultation process and the board had a meeting and as of August 18th, they delivered a proposal to the Honourable David Collenette, the Minister of Transportation. According to the act, he has 30 days from that date to reject, amend or accept the Phase II proposal. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 22-13(6): NAV Canada Service Charges

MR. ERASMUS:

Minister Collenette has 30 days which ends tomorrow. If he does not make any changes, can we still try to lobby NAV Canada to make changes on their own? Does the act allow NAV Canada to make changes to reduce our fees within a set period of time or can they do it anytime? How does that work?

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 22-13(6): NAV Canada Service Charges

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, my understanding of the act is that once the federal Minister approved this proposal there is nothing that we could do legally or financially to change this proposal. Then it is up to NAV Canada to either raise

the fees or lower the fees. That is my understanding of how this act works. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Erasmus.

Supplementary To Question 22-13(6): NAV Canada Service Charges

MR. ERASMUS:

Thank you, Mr. Speaker. Could the Minister clarify, is he saying that NAV Canada can still lower their rates on their own after this 30-day period. Does the act allow that?

MR. SPEAKER:

Thank you. Mr. Antoine.

Further Return To Question 22-13(6): NAV Canada Service Charges

Page 48

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, again my understanding of the act is that Mr. Collenette, once he makes a decision on this fee proposal, it is a final decision and there is nothing in the act that we could return to the fee structure. My understanding is that it will be up to NAV Canada then with this fee structure proposal that has been approved or disapproved and we are assuming here that it will get approved tomorrow. If it does the way it is presented, then NAV Canada will use that fee structure to operate. I am not too familiar with whether they have the opportunity to lower it or not, but that fee structure is in place and that is what they will work with. Perhaps what I should say here is, not being totally familiar as to whether they could lower it or raise it. I will have to check that out and get back to the Member. Thank you.

MR. SPEAKER:

Oral questions. Mr. Miltenberger.

Question 23-13(6): NWTPC Division Transition Options

MR. MILTENBERGER:

Thank you, Mr. Speaker. My question is addressed to the Minister responsible for NTPC. Earlier in the House the Minister of Finance indicated that Cabinet

and the Minister were interested in a transition arrangement with NTPC that would allow for an orderly move to division similar to the WCB. That has come to be known as plan B. Plan A being the initial position put on the table by the Minister responsible for NTPC where he indicated Plan A is, we would like to keep one Corporation. I think that the move to plan B is a wise one. I just asked the Minister if he could elaborate on that particular shift in light of the delicate nature of the negotiations as the Minister of Finance indicated earlier. Thank you.

MR. SPEAKER:

The Minister Responsible for the NWT Power Corporation, Mr. Dent.

Return To Question 23-13(6): NWTPC Division Transition Options

HON. CHARLES DENT:

Thank you, Mr. Speaker, and good afternoon. Mr. Speaker, as my honourable colleague, Mr. Todd said earlier, negotiations are at a delicate stage on the future of the Power Corporation. The government's position remains that we would prefer to see the Power Corporation as one entity following division. Given the status of negotiations and the timetable we have before division takes place, we felt that it was prudent to begin the work of preparing a document that could be considered a transition document, should we prove to be unsuccessful at advancing the Power Corporation as one. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 23-13(6): NWTPC Division Transition Options

MR. MILTENBERGER:

Thank you, Mr. Speaker. I, of course, fully support the idea of a very careful even-handed move toward division and the reality that there is a possible need for that kind of transition arrangement similar to WCB. Could the Minister, in fact, confirm whether his transition document will, in fact, be similar somewhat to WCB where you will have a split but the opportunity will be left wide open for the two new Legislatures to, in fact, to possibly have a merger or to carry on with a more formal separation? Thank you.

MR. SPEAKER:

Mr. Dent

Further Return To Question 23-13(6): NWTPC
Division Transition Options

HON. CHARLES DENT:

Thank you, Mr. Speaker. It is too early in the negotiation process to answer that question. I would hope the parties will agree that we could leave the transition document open enough so that such an action could be contemplated, should we get to that point. I want to reinforce that we are still hoping we will be successful at achieving consensus on a process that will keep the Power Corporation together after division. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 23-13(6): NWTPC
Division Transition Options

MR. MILTENBERGER:

Thank you, Mr. Speaker. Could the Minister at least indicate whether in fact the transition document in his mind, would be either a transition document keeping the corporation whole or a transition document looking to some sort of division with a possible re-connection later by the two new Assemblies should that be the wish of the people of Nunavut and the Northwest Territories? Thank you.

MR. SPEAKER:

Mr. Dent.

Further Return To Question 23-13(6): NWTPC
Division Transition Options

HON. CHARLES DENT:

Thank you, Mr. Speaker. I think it is important to state and restate that there has not been any discussions with the stakeholders east and west. Early thinking sees the document leading to an orderly division of the company over the course of two or so years. During that time, obviously, if two new Legislatures were to choose to change the approach, they could do so. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Mr. Ootes.

Question 24-13(6): Mediation of the Pay
Equity/Collective Bargaining

MR. OOTES:

Thank you, Mr. Speaker. I would like to readdress some questions again to Minister Todd regarding the collective agreement. Specifically, with regard to the process if the government is successful in its Court application to have a mediator appointed. Can the Minister tell us, will the mediator deal strictly with the collective agreement or will the mediator deal with both, the collective agreement and the pay equity dispute?

Page 49

MR. SPEAKER:

Thank you. That is a hypothetical question. Would you like to rephrase your question, Mr. Ootes?

MR. OOTES:

When the government has the mediator appointed, can the Minister tell us, will the mediator deal with the question of the collective agreement in isolation, or will it be both, the collective agreement and the pay equity dispute?

MR. SPEAKER:

The Courts have not decided yet. Would you like to try again? Mr. Ootes.

MR. OOTES:

Thank you. Is the mediator going to deal with the collective agreement or the collective agreement and the pay equity dispute?

MR. SPEAKER:

Can I ask you to maybe rephrase your question again, to possibly, should the Courts decide on a mediator. Mr. Ootes, could you rephrase your question again, maybe to say something like...

MR. OOTES:

Is it the government's plan to have the mediator deal with the pay equity dispute as well as the collective agreement or only the Collective Agreement?

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 24-13(6): Mediation of the Pay Equity/Collective Bargaining

HON. JOHN TODD:

Mr. Speaker, yes, I believe that is the idea.

MR. SPEAKER:

Supplementary, Mr. Ootes.

Supplementary To Question 24-13(6): Mediation of the Pay Equity/Collective Bargaining

MR. OOTES:

Mr. Speaker, yes, what? Is it that the mediator will deal with both the pay equity dispute and the collective agreement?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 24-13(6): Mediation of the Pay Equity/Collective Bargaining

HON. JOHN TODD:

I believe the answer is yes.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 24-13(6): Mediation of the Pay Equity/Collective Bargaining

MR. OOTES:

The mediator's report will be on, therefore, the pay equity dispute and the collective agreement. With Mr. Todd's instructions, can the mediator settle the Pay Equity dispute?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 24-13(6): Mediation of the Pay Equity/Collective Bargaining

HON. JOHN TODD:

Thank you, Mr. Speaker. I do not want to pre-empt any negotiations that are going to take place between mediators. After all, that is the definition of a mediator. You do not want to set preconditions. You

want the mediator to bring both parties together to seek what we think is a reasonable and fair offer to our employees. I would suggest that my honourable colleague at this time we want to give the mediator as much flexibility as possible so we can resolve this important issue and put more money into the hands of our employees prior to Christmas. Thank you.

MR. SPEAKER:

Oral questions. Mr. O'Brien.

Question 25-13(6): Churchill/Arviat Power Grid Negotiations

MR. O'BRIEN:

Thank you, Mr. Speaker. My question is to the Minister responsible for Division. Can the Minister update this House as to the status of the discussions which are taking place between the joint committee that was set up through the Government of Manitoba and the GNWT as it relates to the possible construction of road and the power grid between Churchill and Arviat and the Arviat region? Thank you.

MR. SPEAKER:

The Minister responsible for the Division Secretariat, Mr. Todd.

Return To Question 25-13(6): Churchill/Arviat Power Grid Negotiations

HON. JOHN TODD:

Thank you, Mr. Speaker. I am not quite sure how it equates to division, but, my understanding is that the Manitoba government has assigned a half million dollars worth of its provincial budget to look at the possibility of an expansion of the hydrogrid out of northern Manitoba into the Keewatin as well. I am not party or privy to the status of that at this time unfortunately, but I will undertake to get an update from the Manitoba government and our government people in the Keewatin and report back to my honourable colleague in the House. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. O'Brien.

Supplementary To Question 25-13(6): Churchill/Arviat Power Grid Negotiations

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, would the Minister be able to advise the House as to who, from the GNWT sits on this joint committee?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 25-13(6): Churchill/Arviat Power Grid Negotiations

HON. JOHN TODD:

I would only be too happy to, Mr. Speaker. I believe this initiative came out of two of them, which my honourable colleague was a participant earlier in the year with the Manitoba provincial leaders and Ministers. I

Page 50

believe it is an initiative, as I said, it has come out of the Manitoba government and there is some participation from our government, and I think that it is at the regional level, so I will get a full report for my colleague and report back either directly to him or to the House. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. O'Brien.

Supplementary To Question 25-13(6):
Churchill/Arviat Power Grid Negotiations

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, was the Minister aware of any terms of reference that have been set out in order for the working group to study the issue of a road link and a powergrid?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 25-13(6): Churchill/Arviat Power Grid Negotiations

HON. JOHN TODD:

Mr. Speaker, I was trying to avoid telling my honourable colleague, I do not know what we are talking about, but the reality is, Mr. Speaker, I am going to have to look into the matter. I am not directly involved with it. It is not a division issue, however, I do recognize its importance and it maybe has some

indirect aspects to division, particularly as it relates to power. I have, just recently written to the Manitoba government asking for an update, myself. I am just as keenly interested as my colleague is. As I said earlier, to an earlier question, I will get an update from somebody on this issue and report back to the House and tell my honourable colleague as to the status of same. Thank you.

MR. SPEAKER:

Oral questions. Mr. Picco.

Question 26-13(6): Hay Plan System Gender Neutrality

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, following up on the earlier questions regarding the Collective Bargaining process, there were two major issues which have caused the impasse in the Collective Bargaining process, Mr. Speaker, that was, of course, the UNW did not want to bargain pay equity at the bargaining table, and the second was the classification of the new Hay Plan Job Classification System. My question, Mr. Speaker, to Mr. Todd, the Minister in charge, is the Hay Plan Classification System that the GNWT wants to implement, is it gender neutral? Thank you.

MR. SPEAKER:

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

Return To Question 26-13(6): Hay Plan System Gender Neutrality

HON. JOHN TODD:

Thank you, Mr. Speaker. If my memory serves me correct, in the Tribunal's decision, I believe there is a section in it, I do not have it with me today, where the Tribunal actually says that they used the Hay Plan Evaluation System as a means to determine a gender neutral workplace. We believe the Hay Plan evaluation system is a gender neutral method to determine the workplace. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 26-13(6): Hay Plan System Gender Neutrality

MR. PICCO:

That is it, Mr. Speaker. That is the crux of the problem, because there is no outside agency that actually looked at the Hay Plan Job Classification System, because the Minister and this government is using a modified Hay Plan Classification System. So can the Minister tell me, has an outside agency actually looked at the modified Hay Plan Job Classification System that this government is using that they are saying is gender neutral? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 26-13(6): Hay Plan System Gender Neutrality

HON. JOHN TODD:

Mr. Speaker, I am not aware that we have had an outside agency review whether our Hay Plan Job Evaluation System is gender neutral. We believe it is. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 26-13(6): Hay Plan System Gender Neutrality

MR. PICCO:

Thank you, Mr. Speaker. So that is the concern from our union people and our employees, that indeed, the system may not be gender neutral. The Minister tells me he has no outside agency looking into it. Can the Minister tell me will he take it upon himself and this government, to actually have their system, the modified Hay Plan System that they are using, to actually have an outside agency look at it, to ensure that indeed it is gender neutral? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 26-13(6): Hay Plan System Gender Neutrality

HON. JOHN TODD:

Mr. Speaker, I have every confidence that our Hay Plan Job Evaluation System will stand up to scrutiny

and have no intention at this time of asking for a third party to determine whether it does or not. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Picco.

Supplementary To Question 26-13(6): Hay Plan System Gender Neutrality

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, so if the Minister is so adamant and so secure at his government's feeling that this Job Classification System is gender neutral, can he give us the reasons why this modified plan is gender neutral? Why does he think that? He has not told us why he

Page 51

thinks it. Who has given him the information that the modified Hay Plan Classification System is gender neutral? Why is he so adamant about that? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 26-13(6): Hay Plan System Gender Neutrality

HON. JOHN TODD:

Yes, Mr. Speaker, I would be only too happy to provide my colleague with justification for my position, with respect to the Hay Plan Job Evaluation System.

MR. SPEAKER:

Oral questions, Mr. Steen. Mr. Henry.

Question 27-13(6): Increase to Northern Allowance for Yellowknife Employees

MR. HENRY:

Thank you, Mr. Speaker. My question today is to Minister Todd, the Minister responsible for the Financial Management Board. In his address to the House today, under Collective Bargaining, the Minister touched on northern living allowances. Back on May 22nd and again on June 4th, I asked questions of the Minister regarding the Northern Living Allowance for GNWT employees who were living in Yellowknife. I pointed out to the Minister at

that time, that there were employees in Yellowknife who did not get an increase in the Northern Living Allowance from the old agreement, even though there were other communities where the cost of living was lower than in Yellowknife and they did get an increase.

I believe at that time, the Minister had agreed that did not sound reasonable and he was going to look into the situation. My question Mr. Speaker is, has the Minister had an opportunity to look into this inequity in the Collective Agreement? Thank you, Mr. Speaker.

MR. SPEAKER:

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

Return To Question 27-13(6): Increase to Northern Allowance for Yellowknife Employees

HON. JOHN TODD:

Mr. Speaker, I have to be extremely careful that I do not preempt any negotiations between Organized Labour and the Management team. What I indicated to my colleague that I would look into his concerns he raised, and see if in fact there could be back on the table. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Henry.

Supplementary To Question 27-13(6): Increase to Northern Allowance for Yellowknife Employees

MR. HENRY:

Thank you, Mr. Speaker. I also respect the Collective Bargaining process and the importance of not interfering with two parties. My question to the Minister is, has the question of the unfairness in that particular area of the Collective Agreement, has that been brought up again with the Ministers' representatives at the table? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 27-13(6): Increase to Northern Allowance for Yellowknife Employees

HON. JOHN TODD:

Unfortunately, Mr. Speaker, we have not been able to get back to the table and so I would have to say to my colleague at this time, it has not been discussed.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Henry.

Supplementary To Question 27-13(6): Increase to Northern Allowance for Yellowknife Employees

MR. HENRY:

Thank you, Mr. Speaker. The Minister on May 22nd and again on June 4th, had suggested he felt the position I took on that particular topic, it was unfair to government employees living in Yellowknife, and he felt that was a reasonable case. I understand the Minister is telling me they have not got back together, but I would ask the Minister is that still his opinion, that it is a reasonable request from the GNWT employees living in Yellowknife? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 27-13(6): Increase to Northern Allowance for Yellowknife Employees

HON. JOHN TODD:

Again, Mr. Speaker, I have to be careful I am not preempting the bargaining process. I said to my honourable colleague at the time and I do not have Hansard, maybe he has it. I do not have it, I would take the matter under consideration. That is as much as I can do at this time. I can certainly not pre-empt the bargaining process. Thank you.

MR. SPEAKER:

Oral questions. Mr. Roland.

Question 28-13(6): Repairs to the Town of Inuvik Airport Road

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, my question at this time would be directed to the Minister Responsible for Transportation. Mr. Speaker, back in June, when we left this Assembly and I travelled back home, from the airport into the community of Inuvik I noticed some large cracks forming on the airport road,

going into the community. I had talked with the department there. We went and looked at the sites. One of the concerns that has come up is the way the road was designed, they call it the benching of the road is quite steep and with the sun hitting the sides of the roadway, it is causing thawing at the base and therefore causing the road to slide.

My question to the Minister is, can the Minister look at having a study done on that road. There is much money spent on that. It has been upgraded and it has got a hard top on it but as I was returning back down here for this session,

Page 52

continuance of this session, I found there were larger cracks and some subsidence of the actual shoulders of the road. I would like to know if the Minister could have his department look at that and seriously have some commitment to have work done in the area to see what it would take to repair the road, before we end up having some serious damage occurring there. Thank you.

MR. SPEAKER:

The Minister of Transportation, Mr. Antoine.

Return To Question 28-13(6): Repairs to the Town of Inuvik Airport Road

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, the Department of Transportation indicates that in Inuvik, the road between the airport and the community is hard topped paved section of the road which is a very good road, compared to other roads that I have been on. It is an investment we have to protect. I am aware of the problem there. There is a permafrost problem in that area where there is cracking of the paved surface. It has been addressed through maintenance funding every year between the tune of \$2,000 to \$10,000 a year to make sure it does not deteriorate any further.

There has been suggestions of trying to address the problem by perhaps dealing with the bench. Maybe developing bench road systems on both sides. At the present time there has been no study done but with the preliminary figures it is quite costly to do that. However, I will take the Members' request and see if the department could look further into this. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 28-13(6): Repairs to the Town of Inuvik Airport Road

MR. ROLAND:

Thank you, Mr. Speaker. Could the Minister inform me, is the timing of this, will he be instructing his department to look at this in the very near future, so that we can know, for example if we will be looking at business plans in the upcoming months, if something could be done to try to address this right away? Thank you.

MR. SPEAKER:

Mr. Antoine.

Further Return To Question 28-13(6): Repairs to the Town of Inuvik Airport Road

HON. JIM ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, I will ask the department to see what the problem is in detail and to see if there have been any studies done or to see what is the status of this road. If there is anything that is in the plans for the future besides the cost-effective maintenance that they are doing with just patching the cracks as they occur? Thank you.

MR. SPEAKER:

Thank you. Question period is over. Did you have any more supplementaries? Item 7, written questions. Item 8, returns to written questions. Mr. Clerk.

ITEM 8: RETURNS TO WRITTEN QUESTIONS

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, return to Written Question 1-13(6), asked by Mr. Ootes, to the Minister responsible for the Workers Compensation Board, concerning third party liability.

Return To Written Question 1-13(6): Third Party Liability

1. What mechanism does the WCB use to decide what company or individual, or individuals, specify to name in an action?

Answer: I assume that this question is asking "How does the WCB determine which company, individual or individuals will be named as a defendant(s) in an action to which the WCB is subrogated pursuant to subsection 12(4) of the Workers' Compensation Act?"

When an injured worker claims compensation, both the injured worker and his/her employer are required to file a Report of Accident. If a report indicates that some person (either a corporation or an individual), other than the injured worker's employer or co-worker, may be responsible for causing the injury to the worker, the WCB adjudicator assigned to the claim will forward a "Third Party Referrals" to the WCB's in-house legal counsel.

The WCB's in-house legal counsel will investigate the claim and make a recommendation to the Director of Client Services, based upon the possible liability of the defendant, as to whether an action should be commenced.

2. Who makes the decision to launch a prosecution alleging a violation of an NWT or federal law?

Answer: The WCB does not administer any federal legislation and is, therefore, not involved in any decisions to launch prosecutions pursuant to federal legislation. The Safety Act, the Mine Occupational Health and Safety Act and the Explosives Use Act, which are administered by the WCB, each prescribe that it is an offence, punishable by summary conviction, to contravene these acts. Each act specifies the maximum fine that a person found guilty is liable to pay. Safety Officers, Mine Inspectors and Explosive Use Inspectors for the respective acts investigate to determine if a contravention of the act has occurred. If the inspector is of the opinion that a contravention of the act has occurred, he/she shall discuss with the Crown Prosecutor's Office whether a prosecution should be commenced.

Prosecutions pursuant to these acts and regulations are unrelated to the civil liability that a defendant may incur pursuant to a "third party cause of action".

3. How are these cases funded and budgeted for?

Answer: Pursuant to subsection 6(1.1) of the Workers' Compensation Act, all costs of administering the act are paid out of the Accident Fund. A budget for these cases is developed based upon past experience and the number of

ongoing actions.

4. Does the money come out of the accident fund?

Answer: Yes.

5. How often in its history has the WCB initiated a lawsuit to recover compensation?

Answer: The WCB, which was created in 1977, does not initiate lawsuits solely to recover the compensation it has paid to injured workers. The WCB ensures that injured workers and their dependants receive as much as they are legally entitled to receive. When the WCB recovers money, by way of third party actions it is also used to reduce the amount of assessments employers are required to pay.

Accordingly, the WCB will initiate litigation, all its own expense (as opposed to the injured worker's expense) to recover the damages that the injured worker sustained as a result of the negligence of someone other than the worker's employer or co-workers. Claims for damages can only be initiated if a worker's employer or co-workers. Claims for damages can only be initiated if a worker's injury was caused by someone other than the worker's employer or co-workers. The WCB and the injured worker can not sue the injured worker's employer or co-workers. The vast majority of defendants have liability insurance, which covers the defendant's liability including the cost of defending the third party action.

Between 1989 and the present, the WCB commenced 57 actions on behalf of injured workers and their dependants. In order to determine the number of actions that were commenced and concluded prior to 1989 would require the staff of the WCB to examine in excess of 50,000 archived files.

6. What were the results of those actions?

Answer: Because the settlements of these actions are bound by confidentiality and non-disclosure agreements, no information identifying the parties can be provided. The following chart relates solely to the litigation that has concluded since 1989. It specifies how much money was recovered and how it was disbursed, but the name of each claimant is not disclosed.

Claim	Amount recovered	Payment to Worker/dependants	Reimburse WCB legal/claims costs
1	\$200,000.00	\$50,000.00	\$150,000.00
2	\$0.00	\$0.00	\$0.00
3	\$60,000.00	\$28,224.70	\$31,775.30
4	\$80,333.21	\$20,083.30	\$60,249.91
5	\$35,133.29	\$8,099.04	\$27,034.25
6	\$37,500.00	\$9,375.00	\$28,125.00
7	\$1,100,000.00	\$371,200.00	\$728,800.00
8	\$23,000.00	\$5,750.00	\$17,250.00
9	\$850,000.00	\$346,748.68	\$503,251.32
10	\$65,000.00	\$16,250.00	\$48,750.00
11	\$400,000.00	\$100,000.00	\$300,000.00
12	\$172,463.18	\$43,115.79	\$129,347.39
13	\$445,000.00	\$111,250.00	\$333,750.00
14	\$22,144.31	\$5,536.08	\$16,608.23
15	\$50,597.94	\$12,178.56	\$38,419.38
16	\$43,868.24	\$10,342.16	\$33,526.48
17	\$3,694.00	\$923.50	\$2,770.50
18	\$13,000.00	\$8,3347.98	\$4,665.02
19	\$18,470.96	\$4,617.74	\$13,853.22
20	\$40,000.00	\$20,927.32	\$19,072.68
21	\$400.00	\$0.00	\$400.00
22	\$20,000.00	\$5,000.00	\$15,000.00
23	\$128,000.00	\$32,000.00	\$96,000.00
24	\$25,260.74	\$19,862.34	\$5,398.40
25	\$147,269.58	\$36,365.47	\$110,904.11
26	\$53,819.47	\$8,700.00	\$45,119.47
27	\$15,000.00	\$3,750.00	\$11,250.00
28	\$355,000.00	\$213,500.00	\$141,500.00
29	\$17,000.00	\$4,250.00	\$12,750.00
30	\$136,510.14	\$34,127.53	\$102,382.61
31	\$57,246.27	\$14,311.57	\$42,934.70
32	\$117,500.00	\$29,375.00	\$88,125.00
33	\$19,203.32	\$4,801.08	\$14,402.24
34	\$7,000.00	\$0.00	\$7,000.00
35	\$1,870,000.00	\$467,500.00	\$1,402,500.00
36	\$0.00	\$0.00	\$0.00
37	\$125,000.00	\$21,500.00	\$103,500.00
38	\$103,427.84	\$21,644.43	\$81,783.41
Total	\$6,857,842.49	\$2,089,644.27	\$4,768,198.62

Page 54

7. Can the Minister provide us with a list of all actions initiated by the WCB since 1991, the disposition of the action and the settlement recovered, if any?

Answer: See answers to question six and eight.

8. Can the Minister provide us with a list of current outstanding legal actions and the stage they are at before the court?

Answer:

A Statement of claim was recently filed in one action to prevent the one year limitations of actions from lapsing. Additional information has to be gathered before it is determined whether the action will proceed. It would be inappropriate to list the defendants at this time, as they have not been served with the Statement of Claim.

9. How much money has been spent in each of the fiscal years since 1991 to fund actions pertaining to third party liability actions?

Answers: Prior to 1995, the WCB accounting procedures did not distinguish between legal consulting costs for Third Party Actions and legal consulting costs for general legal advice. It would be inappropriate violation of solicitor-client privilege to disclose the amount of fees being spent on the active third party litigation referred to in answer to question 8.

Page 55

In 1991, the sum spent on all legal consulting \$222,720.16

In 1992, the sum spent on all legal consulting \$227,030.28

In 1993, the sum spent on all legal consulting \$142,684.62

In 1994, the sum spent on all legal consulting \$347,511.34

In 1995, the sum spent on all legal consulting \$233,009.81

In 1996, the sum spent on all legal consulting \$32,552.29

In 1997, the sum spent on third party litigation that is now closed \$47,372.52

Return to Written Question 2-13(6), asked by Mrs. Groenewegen to the Minister of Education, Culture and Employment, concerning the support for NWT Friendship Centres.

Return to Written Question 2-13(6): Support for NWT Friendship Centres

On June 4, 1998 you presented a written question to the Premier on support for the NWT Council of Friendship Centres and on the invitation and attendance by GNWT staff to the Council's Annual General Meeting held on May 29, 1998.

On May 19, 1998, the office of the Premier received a letter from the NWT Council of Friendship Centres requesting recognition for their expanded role as well as financial support. The council also invited representatives from the Legislative Assembly and the Departments of Health and Social Services and Education, Culture and Employment to attend their annual general meeting.

The office of the Premier forwarded the council's letter to the Department of Education, Culture and Employment for response in late May. Unfortunately, the council's letter did not indicate that this was a formal invitation, and the timing was such that no representatives of the Government of the Northwest Territories were able to attend the meeting or to make presentations on behalf of the government.

This government is not providing any additional funding beyond what the NWT Council of Friendship Centres is currently provided by the federal government.

MR. SPEAKER:

Thank you. Item 9, replies to opening address. Item 10, petitions. Mr. Picco.

ITEM 10: PETITIONS

Petition 4-13(6): Pay Equity/Collective Bargaining

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, I have a petition. The petition reads to have the GNWT separate the pay equity complaint from the current collective bargaining process and also to have the GNWT refer to impartial arbitration panel in the matter of gender neutrality of Job Evaluation Systems now being composed in the Collective Bargaining process. The petition contains 36 signatures from the community of Iqaluit. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Petitions. Mr. Morin.

Petition 5-13(6): Pay Equity/Collective Bargaining

HON. DON MORIN:

Thank you, Mr. Speaker. I would like to present the petition dealing with the matter of the settlement of pay equity entitlements. Mr. Speaker, the petition contains 7 signatures and Mr. Speaker the petition requests the GNWT and the union to settle the pay equity entitlements. Thank you.

MR. SPEAKER:

Thank you. Petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Mr. Miltenberger.

ITEM 12: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS

MR. MILTENBERGER:

Thank you, Mr. Speaker. I wish to report to the Legislative Assembly that the Standing Committee on Social Programs has reviewed Bill 2, Inter-Country Adoption Hague Convention Act and wishes to report that Bill 2 is ready for consideration of committee of the whole. Mr. Speaker, I seek unanimous consent to waive Rule 70(5) and have the bill moved into committee of the whole for tomorrow.

MR. SPEAKER:

Thank you. The Member for Thebacha is seeking unanimous consent to waive Rule 70(5), to move the bill into committee of the whole. Do we have any nays? Mr. Miltenberger, you have unanimous consent. Bill 2 will be put into committee of the whole for tomorrow. Reports of committees on the review of bills. Mr. Miltenberger.

MR. MILTENBERGER:

Thank you, Mr. Speaker. I wish to report to the Legislative Assembly that the Standing Committee on Social Programs has reviewed Bill 1, Family Law Reform Statutes Amendment Act and wishes to report that Bill 1 is now ready for consideration of committee of the whole as amended and reprinted. Mr. Speaker, I seek unanimous consent to waive Rule 40(5) and have the bill moved into committee of the whole for tomorrow. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The member for Thebacha is seeking unanimous consent to waive Rule 70(5). Do we have any nays? There are no nays. Mr. Miltenberger, you have unanimous consent. Bill 1 will be put into committee of the whole for tomorrow. Reports of committees on the review of bills. Mr. Picco.

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, I would like to report to the Legislative Assembly that the Standing Committee on Infrastructure has reviewed Bill 3, The Risk Capital Investment Tax Credit Act and Bill 4, An Act to Amend the Income Tax Act and wishes to report that Bill 3 and 4 are now ready for consideration in the committee of the whole. Mr. Speaker, I seek unanimous consent to waive Rule 70(5) and have the bills moved into committee of the whole for tomorrow. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The Member for Iqaluit is seeking

Page 56

unanimous consent to waive Rule 70(5). Do we have any nays? Mr. Picco, you have unanimous consent. Bills 3 and 4 is put into committee of the whole, for tomorrow. Reports of committees on the review of bills. Item 14, tabling of documents.

ITEM 14: TABLING OF DOCUMENTS

Tabled Document 11-13(6): 1997/98 Annual Report of the NWT Information and Privacy Commissioner

MR. SPEAKER:

In accordance with Section 68 of the Access to Information and Protection of Privacy Act, I wish to table the Annual Report of the Information and Privacy Commission of the Northwest Territories for 1997/98. Tabling of documents. Mr. Erasmus.

Tabled Document 12-13(6): Package of Letters Regarding NAV Canada Revised Service Charges

MR. ERASMUS:

Thank you, Mr. Speaker. I wish to table two letters from myself to the Federal Minister of Transportation, Minister Collenette. The first letter is dated August 7th and requests the Minister invoke Section 35.2 of the Civil Air Navigation Services Commercialization Act and the second letter is dated September 8th and

describes the four polar routes that will be opened over Canada's Northwest Territories and over Russia. Thank you.

MR. SPEAKER:

Thank you. Tabling of documents. Mr. Clerk.

Tabled Document 13-13(6): Responses to Petitions 1-13(6), 2-13(6) and 3-13(6)

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, pursuant to Rule 42(10) I wish to table responses to the following petitions. Petition 1, presented by Mr. Roland and responded to by the Chairman of the Financial Management Board. Petition 2, presented by Mr. Krutko and responded to by the Chairman of the Financial Management Board. Petition 3, presented by Mrs. Groenewegen and responded to by the Chairman of the Financial Management Board.

MR. SPEAKER:

Thank you. Tabling of documents. Item 14, notices of motion. Item 15, notices of motion for first reading of bills. Item 16, motions. Item 17, first reading of bills. Item 18, second reading of bills. Item 19, consideration in committee of the whole of bills and other matters. Item 20, report of committee of the whole. Item 21, third reading of bills. Item 22, orders of the day. Mr. Clerk.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, there is a meeting of the Ordinary Members' Caucus at 11:00 a.m. tomorrow.

Orders of the day for Thursday, September 17, 1998:

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 Motions for First Reading of Bills
16. Motions
17. First Reading of Bills
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters.
 - Bill 1, Family Law Reform - Statutes Amendment Act
 - Bill 2, Intercountry Adoption (Hague Convention) Act
 - Bill 3, Risk Capital Investment Tax Credit Act
 - Bill 4, An Act to Amend the Income Tax Act
20. Report of Committee of the Whole
21. Third Reading of Bills
22. Orders of the Day

MR. SPEAKER:

Thank you. This House stands adjourned to Thursday, September 17, at 1:30 p.m.

--ADJOURNMENT