



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

6th Session

Day 16

13th Assembly

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The Honourable **Samuel Gargan**, Speaker

MEMBERS PRESENT

Honourable Jim Antoine, Honourable Goo Arlooktoo, Mr. Barnabas, Honourable Charles Dent, Mr. Erasmus, Honourable Sam Gargan, Mrs. Groenewegen, Honourable Stephen Kakfwi, Mr. Krutko, Mr. Miltenberger, Honourable Don Morin, Honourable Kelvin Ng, Mr. Ningark, Mr. O'Brien, Mr. Ootes, Mr. Picco, Mr. Rabesca, Mr. Roland, Mr. Steen, Honourable John Todd.

ITEM 1: PRAYER

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

HON. SAMUEL GARGAN:

Thank you, Mr. Barnabas. Good morning. Orders of the day. Item 2, Ministers' statements. Mr. Todd.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 72-13(6): Collective Bargaining Mediation

HON. JOHN TODD:

Mr. Speaker, I have an emergency statement.

Mr. Speaker, mediation concluded yesterday without an agreement. The UNW wanted additional time to examine the effects of current evaluations on the rates of pay that were tabled on May 8, 1998. Mediation is scheduled to resume on December 12 and 13, 1998.

Mr. Speaker, a revised offer to settle the equal pay complaint was tabled as part of the collective agreement. The revised offer described how payments were calculated for each affected employee. Payments are calculated the same way for both current and former employees and include interest.

Mr. Speaker, the offer to settle the equal pay complaint was taken off the table when it became evident that an agreement would not be achieved at the bargaining table. We will be approaching the union within the next two weeks to discuss how we may be able to settle the complaint outside the

collective agreement and collective bargaining process. We will share with the union the payments we are offering to each employee and ask the union to put the offer to employees for their consideration. Mr. Speaker, we believe that employees have the right to decide for themselves whether to accept the offer to settle the complaint.

Mr. Speaker, a revised offer was also tabled which should have addressed all the union's concerns with the gender-neutral Hay Job Evaluation System. The offer provided a fully independent and binding review process to resolve any disputes that employees may have with their job evaluations. We had hoped, Mr. Speaker, that the UNW would have seized this opportunity to conclude a collective agreement; and begin to work with managers and employees to make sure that any concerns with evaluations are resolved as quickly as possible.

Unfortunately, the PSAC spokesperson continued the rhetoric of criticizing the Hay Job Evaluation System as not being gender-neutral. The union's refusal to recognize that the Hay Job Evaluation System is gender-neutral appears to be the single issue that is holding up a collective agreement.

Mr. Speaker, this government will only conclude a collective agreement if both parties can agree that equal pay for work of equal value for the present and future is achieved. This government will not sign a collective agreement with this union if there is a potential for another equal pay complaint by the union that is a party to the collective agreement.

Mr. Speaker, I also want to make it equally clear that this government will not impose terms and conditions of employment if there is no collective agreement; imposing the Hay Job Evaluation System would simply invite another equal pay complaint. That would put the government in a worse position than it is now.

Mr. Speaker, this government has done everything it can reasonably do to achieve a fair collective agreement and get money in the hands of employees. The accountability now rests solely with the UNW to either conclude an agreement for ratification by employees or go without a collective agreement for the remainder of this fiscal year. Mr. Speaker, the mandate of this government for concluding a collective agreement expires in a few months. If there is no collective agreement, collective bargaining will start all over again sometime after April 1, 1999, with

completely new mandates from the two respective territorial governments.

Mr. Speaker, mediation on December 12 and 13, 1998, will be our last opportunity to conclude a negotiated collective agreement in time to get money in the hands of employees before March 31, 1999. Mr. Speaker, employees must look to the UNW for their opportunity to decide for themselves whether to accept the offer for a collective agreement.

Mr. Speaker, mediation has been very helpful. We remain hopeful that the UNW will decide to conclude a collective agreement for employee ratification at the next round of mediation in December.

--Applause

MR. SPEAKER:

Thank you. Ministers' statement. Mr. Kakfwi.

Minister's Statement 73-13(6): Northern Employment Strategy Benefits

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HON. STEPHEN KAKFWI:

Mr. Speaker, I am pleased to inform this Assembly that the Northern Employment Strategy has made a significant contribution to the creation of jobs for northerners and to the development of the Northwest Territories economy.

This two-year program was established in 1997/98. It was designed to support northern businesses and communities in employing summer students, youth, social assistance recipients and unemployed northerners. The NES also assists communities and regions to lead their own economic development initiatives and provides support to the private sector, which is the primary vehicle for economic development.

The \$8.5 million provided to Resources, Wildlife and Economic Development in 1998/99 was used to increase the budgets of four existing programs to \$15.3 million. These programs are the Business Development Fund (BDF), the Grants to Small Business Program, the Community Initiatives Program and the Community Futures Program. For the first quarter of 1998-1999, program funding, along with client equity and other sources of financing, totalled \$9 million.

Of the four programs just mentioned, the BDF is the principle source of job creation. As a result of the NES enhancement, BDF contributions during the first quarter of 1998/1999 totalled \$1,364,000, resulting in 57 full-time and 157 part-time jobs. During the same quarter, \$397,000 from the Grants to Small Business Program created 18 full-time and 85 part-time jobs in our NWT communities.

At this time, Mr. Speaker, I would also like to take a few moments to acknowledge two key groups:

-First and foremost, all individuals in the private sector that have partnered with us to create jobs for northerners.

-Secondly, all employees of the Government of the Northwest Territories who have provided assistance and support with the NES and job creation in the north.

Mahsi Cho.

MR. SPEAKER:

Thank you. Ministers' statements, Mr. Arlooktoo.

Minister's Statement 74-13(6): NWT Court Facility

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. Mr. Speaker, our Canadian system of government is made up of three branches of government. These branches are; the Legislative, the Executive and the Judiciary. Each of these branches is equally important. Each branch must be independent of the other to provide the checks and balances our system depends on. Each branch fulfils a critical role in protecting our rights and freedoms. The roles and responsibilities of these three branches of government can only be effectively carried out if they have the basic tools to get the job done. These basic tools include adequate and appropriate facilities in which to function.

For the judiciary, adequate and appropriate facilities mean facilities that are secure, easily accessible to the public, appropriate for the business to be done and visibly independent of the other branches of government. The value of independent or stand alone court facilities has been recognized across Canada as essential to public confidence in the independence of judges. Right now, our courts and judges work in inadequate space in an office building also occupied by the Department of Justice and the Chief Executive Officer of the NWT, the

Commissioner. The NWT is the only jurisdiction in Canada and probably North America and the British Commonwealth where the capital city does not have a stand alone courthouse.

Beyond the need to establish publicly the independence of the judiciary, is the simple fact that the current court facilities are woefully inadequate to meet the needs of the judicial process, the legal profession, the court clients and the public. A recent study prepared for the department of Public Works and Services, which I will be tabling later on this afternoon, makes it clear that no amount of renovations is going to deal with the problems. The time has come to seriously look at a new facility.

Mr. Speaker, with all of the other needs that government must meet, some may say that now is not the time to consider a new courthouse. I suggest that now is the time to address this requirement as our legislators are considering the direction and priorities of the new Western Territory. To enable the judicial branch of government to meet the needs of the public we must provide it with the basic tools.

Mr. Speaker, I will be including the requirement for a new courthouse in the Department of Justice Business Plan. The money has not yet been found to finance it, but as the business plan gets reviewed and debated through our budget approval process, I am sure it will receive serious consideration as our scarce resources get allocated. Thank you, Mr. Speaker.

MR. SPEAKER:

Ministers' statements. Mr. Morin.

Minister's Statement 75-13(6): GNWT Report on the Affirmative Action Policy Review

HON. DON MORIN:

Thank you, Mr. Speaker. Later today, at the appropriate time, I will table "The Government of the Northwest Territories Report on Affirmative Action Policy Review." This government is committed to creating and

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maintaining a public service that is representative of the people it serves. Our Affirmative Action Policy supports that objective.

The present policy was put in place in 1989 and a review of its effectiveness has been done. The

review included broad consultation with the public and with the public service. A number of recommendations were made and they are addressed in this report. Progress has been made toward the objective of a representative public service. At the same time, more work is needed in this area, including a revision of the policy itself. This work is ongoing. Thank you, Mr. Speaker.

MR. SPEAKER:

Ministers' statements. Item 3, members' statements. Mr. Krutko.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement 168-13(6): Support for the Oil and Gas Industry

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, I would like to know why there is there such disparity between the mining industry and the oil and gas industry in the Northwest Territories? Mr. Speaker, the oil and gas industry for the region I represent was a lucrative business for some thirty years until the downturn of the oil and gas industry. In the three years that we have been here, a lot of attention and resources have been spent in one particular sector. The diamond sector, and the amount of resources that have been spent in that sector in regards to developing programs and services, building infrastructure and trying to offset the costs for the gold mines around Yellowknife. Mr. Speaker, I would like to know why it is that there is such a disparity between the mining sector and the oil and gas sector when it comes to distributing resources and developing infrastructure in these industries?

Mr. Speaker, there are a lot of regions in the Northwest Territories, besides the North Slave, that have potential. We have to strive for all the areas of the Northwest Territories to develop that potential. Especially when we are importing oil and gas from southern Canada to heat our homes. It is not a way to develop our economy.

Mr. Speaker, there is a lot of potential happening in the Northwest Territories, but we also have to show the oil and gas industry that we do support it and that we will put resources, people and infrastructure into that industry. In the region I represent, there is talk about the gas pipeline from Parsons Lake to Inuvik to run the generating facility there. There is also talk in

the Deh Cho region of oil and gas development around Fort Liard. There is the Norman Wells pipeline, there is a lot of land that has been opened up for development, yet this government does not seem to show its support for that industry. It is time that this government ensured that it was equitable in the way it distributed wealth in all industries. Thank you.

MR. SPEAKER:

Members' statements. Mr. Roland.

Member's Statement 169-13(6): Charity Hockey Game

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, I would like to start by sending greetings to my wife and children.

--Applause

Following up on my statement from yesterday, as a side event to the Beaufort Delta Leaders Conference I enlisted the help of the Inuvik Minor Hockey Association, as well as the Inuvik Old-timers League, to host a charity hockey game with proceeds going to Inuvik Minor Hockey. Mr. Speaker, this was the second time this has been done. This year the MLA Sharks were supported by players Merrick Arey and Ben Wright from the Minor Hockey League, as well as Darryl English, Peter Clarkson, Robert Lamb and our mystery goal tender.

The Members of this Assembly that donned the blades this year included Minister Kelvin Ng, who was in the face of our opponents. Well, at least in the shoulder pads. Needless to say, he broke up many of the plays of the Inuvik Old-timers. This year, Mr. Speaker, a new addition to the MLA team was Minister Charles Dent. It has been said that it has been thirty years since he last wore hockey equipment, so he had to be re-educated on what piece of equipment went where. Once on the ice it did not take him long to want to come off the ice. I must say that he did a remarkable job for someone who had not played the game in thirty years. He even had the opportunity to put the puck in the net on a couple of occasions, he just could not get the puck to stay on his stick long enough to get a shot off.

For the second time, Mr. Miltenberger strapped the blades on. I must say that he once again proved himself a valuable asset to the Sharks. This year he played the role of a stay-at-home defence. I think he

did this just so he would not have to skate too much. I must say that he did a good job as a defensive defence man and I might add that he even scored a goal for us. It was not quite the sizzling shot we would expect from as brawny a defence man as himself, but it did have enough momentum to roll over the goal line.

Once again this year, I strapped on the blades for the MLA Sharks. This year, Mr. Speaker, I was determined to remove any of the doubt that I was not playing up to standard. I am sure both Mr. Ng and Mr. Miltenberger were questioning my commitment.

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

MR. SPEAKER:

The Member for Inuvik is seeking unanimous consent to conclude his statement. Do I have any nays? Mr. Roland, you have unanimous consent.

MR. ROLAND:

Thank you, Mr. Speaker, and my colleagues. I am sure both Mr. Ng and Mr. Miltenberger were questioning my commitment to the MLA Sharks when I coughed up the puck in the first minute of the game and the Inuvik Old-timers scored as a result. However, I did recover to score a couple

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of goals later in the game.

I must say that if it was not for our goaltender we would surely have lost. As the game went on some were questioning out loud, who is this guy, as save after save kept us in the game. I think I overheard someone ask, is that the dominator? Well, as the final buzzer sounded he removed his mask to reveal that it was none other than Pete Smith, long time resident of Inuvik, who on short notice came out of retirement to once again don the pads.

In closing, Mr. Speaker, I would like to thank all the Inuvik Old-timers, especially Louis Bryant and Denis Savoie, for making this an enjoyable event and the Inuvik Minor Hockey Association for organizing and for supplying the much needed youthful energy that helped us to victory. I would also like to thank the town recreation staff and the Town of Inuvik's mayor and council. As well, I would like to thank Northern Stores, Eskimo Inn and Originals on Mackenzie for supplying the prizes for the draws that took place.

This year, Mr. Speaker, I am told that the charity game raised \$280 for minor hockey in Inuvik. Once again, I would like to thank the organizers and the players for making this an enjoyable event.

MR. SPEAKER:

Thank you. Members' statements, Mr. Miltenberger.

Member's Statement 170-13(6): 1999 and Beyond - Western Vision and Priorities

MR. MILTENBERGER:

Thank you, Mr. Speaker. Mr. Speaker, when we first gathered as the 13th Assembly we spent the first few days together and out of that gathering came the document, Agenda for Change, which was the basic framework and foundation that we moved forward with as an Assembly. With division upon us, and both east and west caucuses going their separate ways in the very near future, we will be setting our own path.

Mr. Speaker, the Western Caucus will be putting out a document called, 1999 and Beyond, which will, in fact, reflect and look back on the Agenda for Change, what we were able to accomplish, what we were not, issues still to be dealt with and basically, what direction we are going to recommend that the ship of state be left pointing in. That document has been many months in the works. There has been a lot of input from all the western MLAs and we hope that the people of new Western Territory will take it as a clear sign that planning for division and the new Western Territory is at hand. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mrs. Groenewegen.

Member's Statement 171-13(6): Importance of Religious Education

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. It is good to be making a statement again today. My colleagues have just shared that they were missing me. Mr. Speaker, I would like to speak on the importance of religious education. When the new Education Act was introduced in 1995, the section on spirituality and religion was one of the most controversial sections under the former act, there was a provision for

religious instruction as part of the school program. This provision was removed in response to concerns that it violated the Charter of Rights and Freedoms.

There was an overwhelming response from communities all across the north. They felt the new act would take away the opportunity to provide doctrine-based religious instruction through the schools. The legality of the issue prevailed and references to religion were removed and references to instruction in spiritual values and beliefs was put in place.

Concerned residents across the north addressed the Standing Committee on Legislation during the public hearings on the development of the new Education Act. The presentation by Reverend Robertson, the representative of the Anglican/Roman Catholic Christian Assemblies, Community Baptist and Lutheran churches in Inuvik, May 8, 1995, discussed the importance of religious education. The concern of the church members was not so much with what is included in the new act, but what has been left out. I quote:

"From the beginning, the Government of the NWT has always been concerned with the developing of the whole person; the mind, the body and the soul. This is evident in three ways: the rising academic standards; the inclusion of cultural programs; and the written provision for religious instruction in all schools, not just denominational schools. It is our concern that the written provision for religious instruction is not provided for in the new act and could lead to elimination of religious instruction in public schools."

Mr. Speaker, my constituency in Hay River is particularly concerned about the elimination of religious instruction in the public schools, specifically the Princess Alexandra and Harry Camsell schools. There is unwavering support from the Town of Hay River, the Hay River District Education Authority, the Hay River Ministerial Association and the parents of Hay River for the continuance of spiritual classes.

Mr. Speaker, I am only talking about one-half hour to forty-five minutes a week of spiritual education. No child would be required to attend or would have their beliefs offended in any way. The instruction will be in either the Catholic or Protestant faith, depending on what the parents want.

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

MR. SPEAKER:

The Member for Hay River is seeking unanimous consent to conclude her statement. Do I have any nays? Mrs. Groenewegen, you have unanimous consent.

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. The spiritual education program in Hay River has been a very successful program and is well accepted and desired by the

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majority of the parents of the children in these two schools.

The old act was clear that religious education was allowed, but that no student would be forced to learn a religion contrary to his or her own beliefs. This intent remains clear in the new act, unfortunately the specific direction is lost and the decision for each community is left up to the Minister instead.

Mr. Speaker, the Hay River community is extremely concerned. The community needs to know, if indeed the spiritual education classes will be reinstated and if not, what recourse the community has. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Members' statements. Mr. Rabesca.

Member's Statement 172-13(6): Electoral Boundaries Discussions

MR. RABESCA:

Thank you, Mr. Speaker. Today Mr. Speaker, I would like to comment on the reaction that our vote last evening has produced. For years, Yellowknife has had the opportunity of being the capital of the NWT, as well as the centre for many mining companies. They have positioned themselves to the point that now it is difficult for any community to gain any economic benefits for their own residents.

Last evening we had a vote that passed by a slim margin, saying Yellowknife does not need any more seats in this House. The people in the gallery at that time felt betrayed and the MLAs in this House were very frustrated. I think the realization and perception is that Yellowknife is always getting everything, why do they need more representation in this House?

Currently, Yellowknife has four seats, unlike the rest of the ridings in the NWT these four seats really represent the whole of Yellowknife not just the single riding, as is the case in all the rest of the ridings. Why does this city need more?

Recently, my community and myself started lobbying for this road to resources to be built out of Rae-Edzo. Yellowknife came to the meeting saying we all needed to compromise to see this project through. I agree with this, however, for Yellowknife to compromise it means Yellowknife would end up with this road. The mayor of Hay River supported this road to start in Rae-Edzo and was shot down by a MLA in Yellowknife wondering how the mayor could even consider this idea.

In reality Yellowknife is a fine city and we are privileged in having this city represent us as the capital of the NWT and the new western Arctic. However, I feel that if the new western Arctic is to succeed and prosper, Yellowknife must realize there are many other communities and residents in the western Arctic and they must be heard. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Picco.

Member's Statement 173-13(6): Bottled Water Produced in Nunavut

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, manufacturing of retail and wholesale goods in the Northwest Territories and Nunavut has been supported by this government and previous Assemblies. The private sector, which is the primary vehicle for new job creation and the main ingredient for a successful economy in the north, is worthwhile speaking about. The resource harvesting has been at the forefront of this type of economic activity. Hay River and Yellowknife have been the primary centres for the manufacturing of secondary goods in the Northwest Territories.

Over the past several years, local companies in Nunavut have begun to create, produce and manufacture retail goods for sale in the Northwest Territories and southern markets. The creation of world-class outerwear from seal and other northern furs has begun in earnest with Arctic Creations and

DJ Sensations in Iqaluit. Frobuild Construction is producing building trusses, steel frame studs and sewage tanks, to name some of their products being manufactured in Iqaluit in the north.

Today, Mr. Speaker, I would like to introduce to the House a new product being produced and bottled in Iqaluit. Peterson & Auger have been producing Coca Cola products in the north for a long time and over the last two years have opened up a plant in Iqaluit. The company has seen the success bottled water has had in the market place and has invested considerable resources to develop a truly northern Nunavut bottled water, Arctic Chiller. This product is exceptional in its clarity and its purity. I would like to take this opportunity to thank Peterson & Auger and Mr. Jack Walker for their confidence in Nunavut and Iqaluit. I wish them much success with Arctic Chiller and other locally developed and manufactured goods in Nunavut. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Again, to caution the Members regarding limiting what they can display in this chamber. It being Friday the 13th, I would like to ask that if Members wish to display that they also share with the rest of the Members in this chamber. At this time, I would like to recognize the former commissioner of the Northwest Territories, Mr. John Parker and his lovely wife, Helen.

--Applause

MR. SPEAKER:

Welcome to the Assembly. Members' statements. Mr. Ootes.

Member's Statement 174:13(6): Electoral Boundaries Discussions

MR. OOTES:

Thank you, Mr. Speaker. Mr. Speaker, last night we had the opportunity to debate and make decisions on the Boundaries Commission and I thought it worthwhile today to just review what transpired for those who did not have the opportunity to be here in the House last night. Like most

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people, they watch it on television. I think it is important for me to just go through the process.

First, Members had the opportunity to make general statements. In following that, I introduced a motion to add two Members to this House for Yellowknife, as recommended in the Boundaries Commission Report. That motion was narrowly defeated, Mr. Speaker. Following that, Mr. Dent introduced a motion to add one Member to this House for Yellowknife and it was a compromise we felt could be accepted by Members. However, that motion was also narrowly defeated. To me it was a dark moment for the democracy of this House, Mr. Speaker. The logic and justification was there to proceed with the recommendations of the Boundaries Commission, I think that will prove to be true down the road.

For one Member it was a case of knocking Yellowknife. Knocking Yellowknife seems to be a sport. I think it has to stop. We do not knock other areas, we do not knock other constituencies. We have to stop that. We cannot relate a \$1 million grant to Giant Mine as a contribution to Yellowknife. That is not a contribution to Yellowknife, it is to save our economy because it contributes \$19 million to our economy if it continues, whereas we lose that through taxation and so forth if we do not have that particular mining operation.

Upon defeat of that motion, Mr. Miltenberger introduced a motion to change the boundaries in the City of Yellowknife. Again, a very unwarranted move in my opinion. I was disappointed by this jury rigging approach. I said what I meant yesterday and I meant what I said. I am saying again today, a group of Yellowknife citizens are going to launch a court action and they will be proceeding with this to challenge what happened yesterday, Mr. Speaker. There will be a meeting for Yellowknife citizens who are interested next Wednesday evening at 7:00 p.m., the location is yet to be announced. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Antoine.

Member's Statement 175-13(6): Benefits of Natural Resource Development

HON. JAMES ANTOINE:

Thank you, Mr. Speaker. Mr. Speaker, Tuesday evening I had a constituency meeting in Fort Simpson

and one of the opportunities to address the citizens in Fort Simpson. I also represent five other communities and it is difficult to have one constituency meeting for everybody, so it takes awhile to get around.

Mr. Speaker, the concerns raised there were just general questions about what are we going to do for division and concerns with other issues like health and social services, the road and NAV Canada. One of the areas it is looking into the future is in development of the natural resources that we have in the Nahendeh constituency. There is a boom going on in the southwestern part of the Northwest Territories and the Fort Liard area. We have oil and gas, gas was discovered there last year. There are going to be about nine different wells drilled this year. The concern there is that people in that area are saying we are overlooked because there are diamonds in everybody's eyes here and all our efforts seem to be focused on that. There should be more effort put into looking at developing our natural resources. We have forestry there as well, but the main thing in our area is tourism.

I think this is the concern that citizens in my constituency are concerned about, how can we best capitalize on what we have? We should try to do it the right way and try to keep most of the resources and revenues generated from our natural resources to flow into the north rather than have them escape into the south. This is the position that was explained to me. We have all these different natural resources and this government is making an effort to do all we can to capitalize on them, but I think the feeling there is that we have to put more effort and energy into working together with people in the community and this government to make sure we truly benefit from our natural resources in that area. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER:

Thank you. Members' statements. Mr. Steen.

Member's Statement 176-13(6): Electoral Boundaries Discussions

MR. STEEN:

Thank you, Mr. Speaker. Mr. Speaker, I would like to make a statement on the Boundaries Commission as well.

Mr. Speaker, we had the opportunity yesterday to amend the existing electoral boundaries. We did not do it. Mr. Speaker, we were advised, I believe very adequately, that the existing boundaries are not consistent with the Charter of Rights and Freedoms. I think many times I have heard in this House how we like to do things as northerners. We do not need anybody telling us what to do any more. I am a little disappointed that now we are going to be told, not advised, by the Supreme Court to amend the boundaries. This, I feel, is almost a reflection of the fact that we have been under colonial rule so long that we cannot do anything here without having to be told to do it. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. Members' statements. Mr. Erasmus.

Member's Statement 177-13(6): Electoral Boundaries Discussions

MR. ERASMUS:

Thank you, Mr. Speaker. Mr. Speaker, I was going to make another statement today concerning another topic, but having heard several Members speak about the Electoral Boundaries Commission, I feel I have to make a comment as well. Mr. Speaker, following what happened yesterday, it is a natural reaction and quite easy to react angrily. However, I see that some good has come out of that discussion. For one thing, it was nice to see some Members working together again. Specifically, the Member for Hay River

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working hand in hand with the Member for Tu Nedhe and the Member for Thebacha, which we have not seen for some time.

Mr. Speaker, I notice this morning the sky had not fallen in, the sun was still shining, so things are now out of our hands and we have to continue with the business of government. I would urge the Members to forget about what happened and let us continue on with our business of doing government. Thank you.

--Applause

MR. SPEAKER:

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

ITEM 4: RETURNS TO ORAL QUESTIONS

Return to Oral Question 173-13(6): WCB Transition Plan Status

HON. JOHN TODD:

Thank you, Mr. Speaker. I have two returns to oral questions, one asked by Mr. Ootes on November 6, 1998, with respect to the WCB Transition Plan Status.

Background

Mr. Ootes was referring to a letter from the NWT Construction Association dated October 16th to the Chairperson of the WCB requesting, among other things, an update on the value of the accident fund and the reserves, given the downturn in financial markets.

At December 31, 1997, the total reserves of the Workers' Compensation Board were \$50.7 million. The book value of investments on which the surplus is based was \$206.8 million, and the market value was \$248.9 million. These values are reported in the 1997 Annual Report.

Current Status

In the third quarter of 1998 (July - September) world markets went through the worst period for investments in many years. In Canadian dollars, the TSE 300 index lost 20.5 percent of its value, the S & P (US) index lost 6.1 percent, and the EAFE index (non-Canadian and US) lost 11.0 percent.

In spite of these losses, the market value of the accident fund investments, at September 30th, is actually higher than at last year-end, at approximately \$255.2 million.

The first thing to note about the WCB's investment is the conservative nature of the board's investment policy. As only 40 percent of the funds are invested in equity markets, the exposure to the third quarter downturn was limited. The return on fixed income investments, which make up most of the board's portfolio, was positive for the third quarter.

The second thing to note is the limited impact on the surplus. The surplus is based on the book value of the investments, which is much lower than the market value and much less sensitive to market swings. Most of the impressive gains of the last four years on the board's funds are deferred to future years.

At present, the board is not expecting its total reserves for 1998 to decline from 1997 values due to investment returns. Thank you.

Return to Oral Question 175-13(6): Immigrant Investor Fund

I have a return to oral question asked by Mr. O'Brien with respect to the Immigrant Investor Fund.

Both funds have been very successful to date in raising capital for investment. The Aurora Fund (1996) has signed 139 prospective investors. The Aurora Fund (1996) had closings and has issued notes to 66 investors. This gives the fund over \$15 million, \$10.5 million of which is available for investment in eligible NWT businesses.

As I previously reported to you January 27, 1998, \$7.8 million was loaned to seven northern projects. On August 28, 1998, the fund's board approved loans for another six projects totalling \$14.4 million. These loans are in the process of being finalized with the borrowers. These projects are:

1. NWT Cooperative Development Fund - for the purchase of fuel delivery vehicles for domestic fuel delivery in communities.
2. The Shoe Store Ltd. - for the purchase of two aircraft.
3. NWT Development Corporation - to broaden its investment capabilities in, and support to, eligible NWT businesses.
4. Yellowknife Golf Club - to expand the golf course facility to an 18-hole layout.
5. Regency International Hotels Limited - to renovate, upgrade and refurbish the Explorer Hotel.
6. 2822636 Canada Incorporated (operating as Continental Helicopter) - for the purchase of a helicopter.

To date the fund has approved over \$22 million in loans. These loans have met the fund's goals of maintaining and creating employment and providing alternate financing to businesses in the Northwest Territories.

The fund continues to explore lending opportunities with northern businesses. The fund has presently lent the maximum permissible amount under its offering memorandum until further investors transfer their full

subscription amounts. As further funds become available, we will be concluding lending arrangements with other potential borrowers who have indicated an interest in a loan from the Aurora Fund.

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The supply of money to the fund is dependent on the rate at which subscribing investors transfer the full value of the note proceeds to the fund. Once an investor transfers the full \$250,000 and the note is issued (termed a "closing"), the fund has only 75 days to lend the money. If that time limit is exceeded, the GNWT could be prohibited from launching further funds until the violation has been corrected.

As I stated in January, I am pleased with the success to date of these two funds. I am confident that they will continue to be successful and that the benefits provided by these funds will be felt for many years to come.

--Applause

MR. SPEAKER:

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

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

MR. KRUTKO:

Thank you, Mr. Speaker. I would like to recognize Pat Thomas with NWTTA. Thank you.

MR. SPEAKER:

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

MR. OOTES:

Thank you, Mr. Speaker. I would also like to recognize your earlier recognition of former Commissioner of the Northwest Territories, John Parker. He is a former Mayor of Yellowknife, a geologist, a person who is very well respected around the north. I do not know who is there with him, I cannot see from this side. I believe it is his wife, Helen. She also has had a very distinguished service in the north and I would like to thank them both for being here. Thank you.

MR. SPEAKER:

Recognition of visitors in the gallery. Item 6, oral questions. Mrs. Groenewegen.

ITEM 6: ORAL QUESTIONS

Question 214-13(6): Religious Classes in Hay River Schools

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, my question is concerning the elimination of religious classes in both Princess Alexandra and the Harry Camsell schools in Hay River. During the review of committee report 11-12(7) and report on the review of Bill 25, Education Act, in June 1995, the Minister of Education, Culture and Employment stated as an Ordinary Member referring to the Yellowknife Catholic School. Just for the record, I want to say that I strongly support their right to offer Catholic based education.

Given the Minister's previous support for the right to offer spiritual education, will he consider allowing Hay River to reinstate a spiritual education program in the Princess Alexandra and Harry Camsell schools? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister of Education, Culture and Employment, Mr. Dent.

Return To Question 214-13(6): Religious Classes in Hay River Schools

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, the Education Act sets out a clear method whereby spiritual education may be offered in the schools. That is why there is establishment in a community of a public denominational school district or the district education authority. Mr. Speaker, the answer is yes, but it would have to follow the rules that are set out in the Education Act. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 214-13(6): Religious Classes in Hay River Schools

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, under section 77 of the Education Act, subparagraph two reads, a district education authority may, in accordance with the directions of the Minister, provide for instruction and discussion in spiritual values or beliefs in a manner that is respectful of the spiritual values or beliefs of all the students. It is clear that the intent of the new Education Act that no student would be forced to learn a religion contrary to his or her own beliefs. However, can the Minister clarify who would be defined as all the students? Does this mean all the students in that particular class? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Dent.

Further Return To Question 214-13(6): Religious Classes in Hay River Schools

HON. CHARLES DENT:

Thank you, Mr. Speaker. As I understand it, Mr. Speaker, an interpretation of that section would mean that the definition might actually go beyond the members of that classroom, and would mean that any course included in the hours of instruction, but it would have to be respectful of all students. That means not just in that classroom but all the students. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 214-13(6): Religious Classes in Hay River Schools

MRS. GROENEWEGEN:

Mr. Speaker, the Hay River District Education Authority passed a motion in support for the position of the Hay River Ministerial Association to continue spiritual instruction. Will the Minister consider this request and reinstate optional spiritual instruction in our elementary schools as soon as possible?

MR. SPEAKER:

Mr. Dent.

Further Return To Question 214-13(6): Religious Classes in Hay River Schools

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, I am bound to uphold the laws of this jurisdiction. I can only approve courses of instruction that fit within the definition of the Education Act. I do not have the authority to bend the rules. I think it is worth pointing out, Mr. Speaker, it is my opinion that religious instruction can be provided in the school, however, it cannot be considered as part of the course of instruction.

Our Education Act sets a minimum number of hours that students must attend school and for those hours there are certain requirements for programs that meet the course of instruction. There are ways in which religious matters can be discussed during those courses of instruction, but not how it has been done in the past in Hay River. That does not stop them from using school facilities outside the hours of instruction to provide the courses they have been, if that is the wish of the community. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Final supplementary, Mrs. Groenewegen.

Supplementary To Question 214-13(6): Religious Classes in Hay River Schools

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, this is an area of much concern in Hay River and I understand that the Minister of Education will be in Hay River on Monday to discuss other issues. I would like to ask him if he would commit today to meet with the members of the ministerial association and with parents of students who are concerned about this issue. Could he set apart some time while he is in Hay River on Monday to meet face to face with these individuals and discuss this matter? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Dent.

Further Return To Question 214-13(6): Religious Classes in Hay River Schools

HON. CHARLES DENT:

Thank you, Mr. Speaker. My office has already agreed to a meeting with Reverend Wallington. I

believe that has, in fact, already been set up. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Mr. Picco.

Question 215-13(6): Pay Equity and Collective Bargaining

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, I would like to address some questions to Finance Minister, Mr. Todd, of his emergency statement made earlier. Mr. Todd stated that pay equity is now off the table and indeed states the impasse since April has been and was the government's adamant conclusion of pay equity during negotiations. Can the Minister elaborate on the new focus the government will take on the pay equity complaint? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 215-13(6): Pay Equity and Collective Bargaining

HON. JOHN TODD:

Thank you, Mr. Speaker. I just want to remind everybody that we put \$40 million in the budget to take care of pay equity and the new collective agreement. It was at the UNW's insistence and some Members of this House that we take pay equity off the table so we have taken it off the table. I think that is an absolute tragedy, quite frankly. That \$25 million retroactivity and the \$9 million of ongoing salaries that could go to our employees are simply not going to get. The UNW is not prepared to conclude an agreement with us on pay equity. Therefore, it is going to end up in the courts for the years to come and two new governments, as I said in my correspondence, are going to have to deal with that issue.

Yet this government has committed clearly the funds to do it, we want to put the money in the hands of our employees where it rightly belongs, we are certainly not going to take responsibility for it not going forward. That clearly lies, in my opinion, in the hands of the UNW executive, I fundamentally believe this issue is being driven by PSAC in Ottawa. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 215-13(6): Pay Equity and Collective Bargaining

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, that was a great speech but did not answer my question. According to Mr. Todd's emergency statement he says we will be approaching the union within the next two weeks to look at how we can settle the pay equity complaint. My question was, what are the focuses of those negotiations? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 215-13(6): Pay Equity and Collective Bargaining

HON. JOHN TODD:

Thank you, Mr. Speaker. I always make great speeches. What we are trying to conclude right now is the collective bargaining process. As I indicated in my emergency statement today, the UNW needs some more time to evaluate the Hay Plan Job Evaluation System or go back to the table in early December with the mediator. Hopefully, we can get that cleared up. My preference would be now, as it was then and will be in the future, that the UNW will come to their senses, sit down with us and negotiate pay equity. But, I have taken it off the table because that was what some people requested, some Members in this House asked me to do and that was what the UNW has asked. We have done what we have been asked.

My preference would be to negotiate the settlement. Again, to put money into the hands of our employees. I suggest to you today that the agenda on pay equity is not being driven by northern peoples, it is clearly been driven by PSAC out of Ottawa who has a far larger agenda with the federal

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government. The tragedy of it is, our employees do not get that money that rightly belongs to them that we have in the budget.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 215-13(6): Pay Equity and Collective Bargaining

MR. PICCO:

Thank you, Mr. Speaker. I always thought Mr. Todd had so many good friends in Ottawa. Mr. Todd said in his emergency statement that December 12th and 13th, Mr. Speaker, will be the last opportunity to conclude and negotiate the collective agreement. I wonder can the Minister explain why only two arbitrary days have been set aside to settle this collective agreement after negotiations have been ongoing for nine months? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 215-13(6): Pay Equity and Collective Bargaining

HON. JOHN TODD:

Thank you, Mr. Speaker. I have many good friends in Ottawa, it is just, Mr. Speaker, the reality is that we had agreed to a two-day session. If it requires more to get an agreement, that is what we will do. We are in mediation right now, we made an effort. I have appealed in this House, I do not know how many times, to the UNW to let the membership vote on the collective agreement that we put forward which, I want to remind everybody, puts more money in the hands of our employees. It is beyond me, Mr. Speaker, that we have not been able to accomplish that.

MR. SPEAKER:

Thank you. Just to remind again to the Members regarding the rules of when a Member does answer the questions. Mr. Todd, in your first sentence, you did answer your question. I will remind the Ministers that once you answer the question, I will say that question is answered. Mr. Picco, your final supplementary.

Supplementary To Question 215-13(6): Pay Equity and Collective Bargaining

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, again referring to Mr. Todd's emergency statement this morning. He

continues in questions to the answers and again in his statement to say that PSAC is running the show, and indeed that the UNW is under the guide of PSAC from Ottawa. I am wondering what substantiation Mr. Todd has to make these accusations?

MR. SPEAKER:

Can I ask the Member to rephrase his question. You cannot accuse another Member in the House. Rephrase your question, Mr. Picco, please.

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, can the Minister of Finance elaborate on his emergency statement where he says that, indeed, it is PSAC that continues rhetoric of criticizing the Hay Plan Job Evaluation Pay System and their substantiation of same? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 215-13(6): Pay Equity and Collective Bargaining

HON. JOHN TODD:

Thank you, Mr. Speaker. Mr. Speaker, let us be clear that the PSAC Ottawa representative on the bargaining team, is still expressing concerns that the Hay Plan Job Evaluation System is not gender-neutral. The real frustrating and confusing thing for me, Mr. Speaker, is I am advised that PSAC itself uses the Hay Plan Job Evaluation System to determine gender-neutral job evaluation.

MR. SPEAKER:

Oral questions. Mr. Krutko.

Question 216-13(6): Oil, Gas and Mining Industries

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Resources, Wildlife, and Economic Development, Mr. Kakfwi, in regard to my Member's statement about the disparity between the oil and gas industry, the mining industry, especially in relation to diamonds. A lot of potential we have in the north, especially the region where I come from in regard to the Parsons Lake pipeline project which hopefully will have a go this winter. Also, there is talk about the oil

companies from Calgary, such as Shell Oil, have shown an interest in the Beaufort Sea again, and also the activity happening in the Mackenzie Valley, especially in the area of Sahtu and also the Deh Cho.

Mr. Speaker, my question to the Minister is what is his department doing to ensure that the oil and gas industry receives a similar treatment as they are in regard to the diamond industries when it comes to meeting with the oil and gas companies, and, also, developing infrastructure and joint venture and also trying to entice oil and gas industries back into the north? What is his department doing to ensure that there is a fair distribution amongst industries? Thank you.

MR. SPEAKER:

Thank you. The Minister responsible for Resources, Wildlife and Economic Development, there were a lot of questions there, I could not count how many. Would you like to respond?

Return To Question 216-13(6): Oil, Gas and Mining Industries

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. In the area of diamonds I think our government, from the onset, had felt it had not only territorial obligation, but a national obligation, as well, to make the federal government aware of the enormous potential that it had bypassed by giving a licence prematurely to BHP. We have done a lot of work to make sure that some of the jobs, some of the economic opportunities that seem to have almost bypassed us were in fact realized. We take that approach, as well, in the oil and gas business.

We have been working for the past couple of years with the federal government, for instance, to reduce the tariff from the Norman Wells pipeline, so that all companies will find it more economical to explore for oil and gas further up the Mackenzie

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Valley because it becomes economical for them to transport their product down that line. We have been working with the Sahtu communities and communities in the Deh Cho because the federal government has issued licences and oil companies have bid on those licences to make sure that they come to agreements: access agreements, benefit agreements. Those have been signed in Fort Liard, Fort Good Hope, Tulita and Norman Wells. We have been working very hard with

those communities. The focus has not been just on diamonds, we have a division that is created in the department strictly to deal with oil and gas.

We have worked with the Inuvialuit Regional Corporation recently in their bid to try to find the strongest economic means of initiating work in the Darnley Bay area. I was in Europe, I cut the trip short by a day to return in order to get organized and do a Senate presentation in support of the Inuvialuit initiative. As a government we are taking a very balanced approach to making sure that everything is done to get into the diamond business, and to approach in a balanced way that benefits everybody, that all the economic opportunities are seized at the onset and that development proceeds as it should.

We are also taking the view that we have to go periodically to Calgary. I have done that on a number of occasions over the past year and a half. I have gone to Fort Liard once in the spring on the request of the community to help them seize opportunities. They have been seizing opportunities. The MLA asked yesterday if I would return to Fort Liard. We have agreed to a community visit next Friday. Where communities request it and at every possible occasion, we are working as a government to do everything we can to make sure oil and gas companies return to the north, and to find an environment that is receptive and conducive for them to operate and explore economically. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 216-13(6): Oil, Gas and Mining Industries

MR. KRUTKO:

Thank you, Mr. Speaker. I will try to keep this question as simple as I can. Can the Minister give me an idea how much money this government has spent on studies and funds that have been allocated to the different sectors between the oil and gas sector and the mining sector?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 216-13(6): Oil, Gas and Mining Industries

HON. STEPHEN KAKFWI:

Mr. Speaker, we had full intention of doing that. Over a year and a half ago we presented to the Legislature an economic framework. That framework was intended to show, as transparently as possible, what type of resources this government provides for the different sectors of the economy how much money we put into hunting and trapping, into tourism, into the lumber industry, into oil and gas, into diamonds and mining. I would be prepared to present such a document to the Members. It would take some work but that was the intent, so I will ask the department to provide it to the Members. Thank you.

MR. SPEAKER:

Oral questions. Mr. Miltenberger.

Question 217-13(6): Collective Bargaining Mediation

MR. MILTENBERGER:

Thank you, Mr. Speaker. I would like to address my questions to the Minister of Finance. It is in regard to his two part Minister's statement of collective bargaining mediation. Mr. Speaker, this issue is of significant concern to many people in my constituency, and I am sure across the Northwest Territories, to the extent that, as you will recall, I tabled a petition in this House recently. Could the Minister elaborate on the issue of a gender-neutral evaluation system being the only issue left that is holding up the collective bargaining process?

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 217-13(6): Collective Bargaining Mediation

HON. JOHN TODD:

Thank you, Mr. Speaker. As I have said on many occasions, there was a difference of opinion between the parties as to whether the Hay Plan Job Evaluation System is in fact gender-neutral. In my response to another question asked by Mr. Picco, I find it somewhat ironic that the PSAC representative on the bargaining team is the one holding up the argument that it is not gender-neutral when PSAC, I am advised, uses the same Hay Plan Job Evaluation System to determine gender-neutrality in their organization. If that is the only issue, then the UNW should get control of the process, should come to an agreement on the 12th and 13th of December, put it out to its membership which it rightly should do

anyway, to vote on whether they agree or disagree with what we have presented on the table.

I want to say again, Mr. Speaker, if I may, that we want to put more money into the hands of our people and provide a significant change to the way in which we compensate many of the female gender in our civil service. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 217-13(6): Collective Bargaining Mediation

MR. MILTENBERGER:

Thank you, Mr. Speaker. Mr. Speaker, this issue, it would appear to me anyway, and I would like the Minister to clarify, is not as straightforward as it would seem. The pay equity is off the table, but that whole issue of pay equity is that there is no gender-neutral job evaluation system. In fact there is an agreement in the collective agreement and they accept the Hay Plan Job Evaluation System as being gender-neutral, will that not have a direct effect on the pay equity issue?

MR. SPEAKER:

Mr. Todd.

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Further Return To Question 217-13(6): Collective Bargaining Mediation

HON. JOHN TODD:

Yes, my honourable colleague is exactly correct. If we accept and go out there to allow our membership as they rightly deserve, the right to vote on this new collective agreement, which does incorporate the Hay Plan Job Evaluation System, and bring about a gender-neutral workplace, more money in the hands of both our female and male employees; it should, in fact, at the end of the day, bring about the result of the pay equity issue because that is really what it is all about. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Miltenberger.

Supplementary To Question 217-13(6): Collective Bargaining Mediation

MR. MILTENBERGER:

Thank you, Mr. Speaker. When we talked about this issue a number of weeks ago, there was a certain amount of optimism that there would be money in the hands of the employees by Christmas. Looking at these dates chosen of December 12th and 13th when mediation will continue, can the Minister elaborate if there any hope, no matter how faint, that in fact there may be some money in the hands of employees by Christmas.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 217-13(6): Collective Bargaining Mediation

HON. JOHN TODD:

The simple answer is no. At this late juncture, unfortunately, it certainly was the desire and the intent of this ministry and the Cabinet to do that. Unfortunately, there were further delays as I have indicated in my emergency statement and what we are now shooting for is to try to get some result before March 31, 1999, so that it does not get encumbered, if you want, with the division of the territories, and we can come to some agreement and provide some stability and provide more money to our employees. I cannot say it any other way.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Miltenberger.

Supplementary To Question 217-13(6): Collective Bargaining Mediation

MR. MILTENBERGER:

Thank you, Mr. Speaker. The Minister also indicated that the government will not oppose terms and conditions. My question to the Minister is, if in fact this carries on past division on April 1, 1999, will the two new Legislatures, in fact, be able to legally address the issue of retroactivity going back to April, 1998, under what would have been a separate government?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 217-13(6): Collective Bargaining Mediation

HON. JOHN TODD:

I am not a lawyer and I was not an expert in this field, but when I read the notes earlier this last month, I am advised that this could be a very complicated legalistic debate at the end of the day. I cannot set a day unequivocally that we would not be able to deal with retroactivity.

What I can say is, that this government is clearly committed to getting the money in the hands of the people. We have budgeted the \$40 million and still will provide a balanced budget in March 31, 1999, if the UNW will meet its obligation to its membership and allow it to vote on the collective agreement and the terms and conditions that we have set forth for them. I am optimistic still at this late juncture that that may occur. Let us certainly hope so.

MR. SPEAKER:

Oral questions. Mr. Roland.

Question 218-13(6): Religious Education in Schools

MR. ROLAND:

Thank you, Mr. Speaker. Mr. Speaker, my question would be directed to the Minister responsible for Education, Culture and Employment. Mr. Speaker, following the Member for Hay River on the issue of religious education in schools, this issue has been brought up a number of times in my constituency as well, and recently at the Beaufort Delta Leaders Conference it was brought up again in the area of having religious education in the classroom.

Now we have heard the Minister say that outside of normal hours they can do that, but I want to refer back to when the committee went around regarding the education bill amendments. When this issue was brought up, a number of clergies came forward to me saying that they were told that they would still be provided the opportunity to continue under local programming which is spelled out in the Education Act. Now in fact it is being said that, fine you can do it, but after hours. Could the Minister confirm the fact that local programming is all outside of school hours or is it part of the school hour programs or functions? Thank you.

MR. SPEAKER:

The Minister of Education, Culture and Employment,
Mr. Dent.

Return To Question 218-13(6): Religious Education
in Schools

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, as I have said
previously to the Member for Hay River, religious
education of a denominational nature must be
provided outside of the hours of instruction within the
school. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 218-13(6): Religious
Education in Schools

MR. ROLAND:

Could the Minister inform us that at the time the public
hearings were held, were there commitments made

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to those that were concerned raising the issue of
religious instruction in school, if they were at that time
told that they would still be able to continue if the
DEA, or at the time it would be a board of education,
agreed to it? Thank you.

MR. SPEAKER:

I am sorry, Mr. Roland, I have to rule the question out
of order. This happened during the 12th Assembly,
not this Assembly. Mr. Roland, supplementary.

Supplementary To Question 218-13(6): Religious
Education in Schools

MR. ROLAND:

Thank you, Mr. Speaker. Could the Minister inform us,
if the district education council or district education
authority of any region or community put forward and
agreed with the notion of religious instructions once
again being held in classrooms during the school hour
and if time was available, would he support that
initiative? Thank you.

MR. SPEAKER:

Mr. Dent.

Further Return To Question 218-13(6): Religious
Education in Schools

HON. CHARLES DENT:

Thank you, Mr. Speaker. As I have stated, the
Education Act is quite fair. As I understand, it was
drawn up the way it was because of the Canadian
Charter of Rights and Freedoms. Religious instruction
can be offered in the schools, if that is the wish of the
local community, but must be outside the hours of
instruction. The hours of instruction are stipulated
within section 126 of the Education Act. National
instruction in a religion or religious instruction must be
provided outside of those hours of instruction. Thank
you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Roland.

Supplementary To Question 218-13(6): Religious
Education in Schools

MR. ROLAND:

Thank you, Mr. Speaker. Under the issue of the
Education Act and district education authorities and
local programming, the Minister informed that under
the act as he interpreted it, it could not be done, but if
a district education or authority were to receive a
different interpretation would the Minister then review
his decision? Thank you.

MR. SPEAKER:

Mr. Dent.

Further Return To Question 218-13(6): Religious
Education in Schools

HON. CHARLES DENT:

Thank you, Mr. Speaker. In this case I would rely on
the Department of Justice to provide the department
with an interpretation as the final arbiter in this regard.
Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Mr. Ningark.

Question 219-13(6): High Frequency Access in
Kitikmeot

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, again I report back to the Kitikmeot Leaders Forum that I attended about less than a month ago. My question is directed to the Premier. The Kitikmeot Leaders Forum recognizes the importance of search and rescue throughout the Kitikmeot region. We also understand, Mr. Speaker, the need for good secure communications in times of emergency. My question to the Premier is, will the Premier direct his staff to communicate with the Kitikmeot Leaders office in Cambridge Bay to perhaps work together with them to access a high frequency radio for the Kitikmeot regions to support use of search and rescue? Thank you.

MR. SPEAKER:

The Premier, Mr. Morin.

Return To Question 219-13(6): High Frequency Access in Kitikmeot

HON. DON MORIN:

Thank you, Mr. Speaker. I appreciate the Member raising the issue and I appreciate the concern. I, myself, have had the opportunity to travel out on the land. Communication is important. I will ask the right department to contact the leadership in your region to discuss the issue with them to see if we can come to some agreement, and how we can work together to solve that problem. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ningark.

Supplementary To Question 219-13(6): High Frequency Access in Kitikmeot

MR. NINGARK:

Thank you, Mr. Speaker. I thank the Premier for the positive response. Will the Premier now communicate with the right department within a few days? Thank you.

MR. SPEAKER:

Mr. Morin.

Further Return To Question 219-13(6): High Frequency Access in Kitikmeot

HON. DON MORIN:

Thank you, Mr. Speaker. Next week. Thank you.

MR. SPEAKER:

Oral questions. Mr. O'Brien.

Question 220-13(6): Benefits for Keewatin Teachers

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, in a letter that I received yesterday from the Keewatin teachers, a number of concerns were raised regarding loss of VTAs, the private accommodation allowances, some housing issues and classroom sizes. Mr. Speaker, my question to the Minister of Education is, can the Minister provide any assurances that these benefits will be reinstated or at least equivalent initiatives be implemented to make up the shortfalls? Thank you.

MR. SPEAKER:

The Minister of Education, Culture and Employment, Mr. Dent.

Return To Question 220-13(6): Benefits for Keewatin Teachers

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HON. CHARLES DENT:

Thank you, Mr. Speaker. No, I could not provide any assurances of the sort. The benefits the Member refers to are all subject to the collective bargaining process and totally outside the responsibility of my department. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. O'Brien.

Supplementary To Question 220-13(6): Benefits for Keewatin Teachers

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, another issue that was raised was regarding the housing situation for the teachers. The fact that there are very few houses that are available for rent and if they are, the extreme cost of these houses for rent. Are there any initiatives underway to alleviate the housing situation that the teachers face in the communities?

MR. SPEAKER:

Mr. Dent.

Further Return To Question 220-13(6): Benefits for Keewatin Teachers

HON. CHARLES DENT:

Thank you, Mr. Speaker. Mr. Speaker, my department continues to work with FMBS on a case by case basis as we find instances that need to be addressed. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. O'Brien.

Supplementary To Question 220-13(6): Benefits for Keewatin Teachers

MR. O'BRIEN:

Thank you, Mr. Speaker. Mr. Speaker, as we all know, teachers work long and hard hours and have various responsibilities. Can the department provide any assurances that the records of employment remain intact after transition or division occurs?

MR. SPEAKER:

Can I ask the Member to rephrase his question. It is a new question and you were talking about benefits. Mr. O'Brien.

Supplementary To Question 220-13(6): Benefits for Keewatin Teachers

MR. O'BRIEN:

Mr. Speaker, thank you. I am asking the Minister of Education if he can provide assurances that employment records of all teachers will remain intact after transition or division occurs. Thank you.

MR. SPEAKER:

I am sorry it is a new question. I will rule it out of order. Oral questions. Mr. Barnabas.

Question 221-13(6): High Arctic Residents' Access to Doctors

MR. BARNABAS:

Thank you, Mr. Speaker. Mr. Speaker, in the High Arctic most of the patients have access to

Yellowknife. The only thing that we would have seen going to Yellowknife is maybe delivery, but there are specialists here in Yellowknife, doctors and specialists, who handle patients from the High Arctic. My question is, why do people from the High Arctic have to wait for doctors or specialists in Iqaluit when there are specialists and doctors in Yellowknife? Thank you, Mr. Speaker.

MR. SPEAKER:

The Minister of Health and Social Services, Mr. Ng.

Return To Question 221-13(6): High Arctic Residents' Access to Doctors

HON. KELVIN NG:

Thank you, Mr. Speaker. Mr. Speaker, it is because the Baffin Regional Health Board has the jurisdiction for delivery of services within the honourable Member's constituency. Certainly I believe that they are flexible enough if there is a need, that they could certainly make arrangements through the Stanton Regional Health Board for provision of some services for whatever reasons they could not be accommodated in a timely fashion from Iqaluit. Thank you.

MR. SPEAKER:

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

Supplementary To Question 221-13(6): High Arctic Residents' Access to Doctors

MR. BARNABAS:

Thank you, Mr. Speaker. Mr. Speaker, some patients have to wait at least six months to see a heart specialist or a doctor. How long do these doctors come up to Iqaluit to see these patients? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Ng.

Further Return To Question 221-13(6): High Arctic Residents' Access to Doctors

HON. KELVIN NG:

Thank you, Mr. Speaker. Mr. Speaker, I do not know what the actual schedules are of the different special

services that may be provided through the Baffin board, through Iqaluit. I can certainly get that information back to the honourable Member. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Mr. Erasmus.

Question 222-13(6): Diavik Environmental Review

MR. ERASMUS:

Thank you, Mr. Speaker. My questions are for the Minister responsible for RWED. Mr. Speaker, recently we learned that the environmental groups had pulled out of the environmental review process for the Diavik Diamond Mine project and this causes some concern among several of my constituents, as well as to me. I would like to know if the Minister could indicate what reasons were given for these environmental groups to pull out of the environmental process? Thank you.

MR. SPEAKER:

The Minister of Resources, Wildlife and Economic Development, Mr. Kakfwi.

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Return To Question 222-13(6): Diavik Environmental Review

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. Mr. Speaker, they had not given any written reasons to myself or any notice of the concerns they have had as environmental groups for the stress they signalled, and for pulling out of participating in this particular process. I believe that their fundamental reason was because Diavik was not at this time going to receive the full, more comprehensive type of a panel review that the BHP project received.

The federal government had decided to proceed initially with a study process. I understand that significant environmental issues were raised in the course of that process. It is possible that it could be elevated to the review process that the BHP project was subject to. It seemed logical to me that the environmental groups should stay involved, contribute their expertise and their views that would protect the animals and the trees and the environment as they are mandated to do should significant concerns be

raised. It is their responsibility to work on that. It is unfortunate that they have decided to neglect their duties for political posturing. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 222-13(6): Diavik Environmental Review

MR. ERASMUS:

Thank you, Mr. Speaker. The Minister indicated that perhaps it was because the mine was not going under a full review, but rather going under a study. What is the GNWT's position on the fact that they are doing a study and not a full review on this mine? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 222-13(6): Diavik Environmental Review

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. This type of process is totally a federal responsibility. It is the Department of Indian Affairs and Northern Development that receives application of these projects and decides what process it should be assessed through. In this case, they have decided to do it through a comprehensive study. The Government of the Northwest Territories is not party to this process.

Initially the group that is going to make decisions, the trim and the scope of the study and developed guidelines is all federal, it is DIAND, Natural Resources Canada and Department of Fisheries and Oceans. The Government of the Northwest Territories has asked if we could be members of that. At this time, we are part of the steering committee, which has been set up to advise the decision-making body called the Responsible Authorities Caucus, that is what the federal department is called. That is the one who is going to be the over-all decision maker on this study process. A group set up to advise the Responsible Authorities Caucus or the RA Caucus, is what you call a project steering committee. That is made up of aboriginal groups, DIAND, the Government of the Northwest Territories, Akaitcho Treaty 8, Dogrib Treaty 11, Kitikmeot Inuit Association and the North Slave Metis Alliance. It is an advisory body that will work with the caucus.

We will also set up an experts' pool, which the Government of the Northwest Territories will become part of and then we will also advise the RA Caucus. As a department, Resources, Wildlife and Economic Development, we are taking the lead in establishing a working group across all departments within our government to look at the project as it proceeds, and to make sure all our departments are in a position to assist and respond to the issues as they arise. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Erasmus.

Supplementary To Question 222-13(6): Diavik Environmental Review

MR. ERASMUS:

Thank you. Mr. Speaker, the people now involved in the review are the industry, the government and the aboriginal groups. We all seem to have a stake in ensuring that this goes ahead because we are all going to receive monetary value from it. What I would like to know is, is there anybody still there that is solely concerned about the environment? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 222-13(6): Diavik Environmental Review

HON. STEPHEN KAKFWI:

It has always been my view that the aboriginal peoples are part of the environment. You cannot just look at the trees, the birds, the wildlife, the water and the land in absence of the people. With all respect to environmental groups, they do leave that omitted from their zealous protection of wildlife and the environment. I believe that the environmental interests are always in the forefront of every aboriginal person, and every aboriginal First Nation in the territories. If the First Nations have to, they will go it alone and ensure that even without the environmental groups, the study process and the environment will receive full screening and protection. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Erasmus.

Supplementary To Question 222-13(6): Diavik Environmental Review

MR. ERASMUS:

Thank you, Mr. Speaker. Should the environmental groups wish to become involved with this process again, would they be welcomed as full and equal partners? Thank you.

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question 222-13(6): Diavik Environmental Review

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HON. STEPHEN KAKFWI:

Mr. Speaker, I am also representing the government, trying to get into the door or the room of the decision makers. I would never turn away or reject overtures from the environmental groups to work with us as a government, to meet with us as a government and to be part of any process. That may be something that other groups may elect to do.

However, as far as I am concerned, I said two years ago to the environmental groups I am prepared to meet with them on a regular and a monthly basis if they wish, my door is always open to them. Although I have not seen them for a while or heard from them, I continue to have an open door policy as far as the environmental groups are concerned. I am a little bit disappointed in the recent action, but we have to use all the resources and expertise that we can possibly muster in our effort to protect the environment and still see economic projects proceed. Yes, I would welcome them if they want to take part and help them to take part. Thank you.

MR. SPEAKER:

Thank you. Oral questions. Mr. Picco.

Question 223-13(6): Hay Job Evaluation System

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, following up on the collective agreement process, Mr. Todd stated that the bargaining team made up of northerners are being influenced by a PSAC representative and I think that is an unfair statement to make concerning our

representatives. Mr. Speaker, could the Minister categorically state that the GNWT Hay Plan System is not a modified evaluation process which is the allegation made by the UNW? Thank you.

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 223-13(6): Hay Job Evaluation System

HON. JOHN TODD:

Mr. Speaker, I believe if my honourable colleague checks Hansard here, he asked me that question before and I did, in fact, say that there is no modified Hay Plan Job Evaluation System at that time. I say it again today. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 223-13(6): Hay Job Evaluation System

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, I remember that response and I remember that question. I would like to follow up on that, Mr. Todd and indeed the Hay Plan Evaluation System, that the Minister and this government is using is exactly the same Hay Plan System that is being used that he alluded to earlier, by PSAC and by other provincial and federal government departments. Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 223-13(6): Hay Job Evaluation System

HON. JOHN TODD:

Yes, I believe it is, Mr. Speaker.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Picco.

Supplementary To Question 223-13(6): Hay Job Evaluation System

MR. PICCO:

Thank you, Mr. Speaker. Mr. Speaker, the Minister believes it is. I am wondering what type of system they have put in place then to guarantee that indeed it is. Has he had an evaluation done by his own FMBS, has it been evaluated by the Hay Plan itself... he wants to laugh but it is a very serious point. He made an emergency statement on it today and I am asking a serious question. Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 223-13(6): Hay Job Evaluation System

HON. JOHN TODD:

I do not have to be advised on the seriousness of this issue, Mr. Speaker, by an honourable colleague. I know the seriousness of this issue. I am advising my colleague, as I did in the House before, that the Hay Plan Job Evaluation System is gender-neutral, it has been confirmed by a number of agencies across the country, a number of governments across the country, the tribunal itself. I answered all of those questions in the past and I am now just saying to my honourable colleague check Hansard. My position today is not any different from then. Thank you.

MR. SPEAKER:

Oral questions. Final supplementary, Mr. Picco.

Supplementary To Question 223-13(6): Hay Job Evaluation System

MR. PICCO:

Thank you, Mr. Speaker. Mr. Todd is correct in his assumptions and he stated categorically in the House and I will believe that. Then I will follow up with my supplementary question on the same Hay Plan Evaluation System, ask Mr. Todd that indeed, these outside agencies have looked at the Hay Plan Evaluation System as implemented by this government. Could he give us something to table in the House to show us where he can prove that, indeed, it is because the PSAC people he has alluded to in the UNW say it is not? They must have some reason for stating that. They are not just pulling it out of the air. My question is, can you table something, Mr. Todd?

MR. SPEAKER:

Mr. Todd.

Further Return To Question 223-13(6): Hay Job Evaluation System

HON. JOHN TODD:

Mr. Speaker, I will take it nice and slow, so my colleague from Iqaluit understands. The Hay Plan Job Evaluation System that we are using, is used by other governments. It is also used by PSAC. There is no requirement to table any other documentation as to whether

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the Hay Plan Job Evaluation System is gender-neutral or not. A variety of other governments, including the Human Rights Tribunal and Commission use the Hay Plan Job Evaluation System to determine gender neutrality. I do not know how much more my colleague wants. Unless he is of course just playing to an audience.

MR. SPEAKER:

Oral questions. Mr. Krutko.

Question 224-13(6): Challenge of Federal Gun Control Legislation

MR. KRUTKO:

Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Justice, Mr. Arlooktoo. It is in regard to the issue of gun control. I have heard from a lot of my constituents who are concerned, especially the aboriginal constituents who depend upon hunting for a livelihood, and the effects this gun control bill is going to have on their ability to hunt, as well as the restrictions in there. I would like to ask the Minister in light of the court challenge that was put forth by the western provinces, is this government continuing on with that court case, all the way to the Supreme Court of Canada?

MR. SPEAKER:

The Minister of Justice, Mr. Arlooktoo.

Return To Question 224-13(6): Challenge of Federal Gun Control Legislation

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. We have been advised the Government of Alberta, through its Department of Justice, will be going to the Supreme Court of Canada to challenge Bill C-68, the validity of the act and question whether or not enacting that law infringes upon the rights of the provinces' jurisdiction in this area. When they do, we as a government have made it known we will join as intervenors with Alberta, along with four other jurisdictions, when they go to the Supreme Court. Thank you.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 224-13(6): Challenge of Federal Gun Control Legislation

MR. KRUTKO:

Thank you, Mr. Speaker. Can the Minister tell me, has there been any effort in regard to communication of the residents of the Northwest Territories to keep them in light of what has happened in this case? Also, in regard to Bill C-68, what it does take and to hear from the residents of the Northwest Territories on the concerns they do have and lobby our MP to consider the amendments to the Bill? Thank you.

MR. SPEAKER:

Thank you. I heard three questions. Mr. Arlooktoo.

Further Return To Question 224-13(6): Challenge of Federal Gun Control Legislation

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. The original position of this government that was put forward by the previous Minister of Justice was partly in response to concerns put forward by other MLAs and regions in this area. Mr. Speaker, in that sense we are following the wishes of the constituency and what we also believe to be the right thing to do. I have brought this issue up with the Minister of Justice, Anne McClellan, recently in Regina, and both of our MPs for the Northwest Territories, Ms. Karetak-Lindell and Ms. Blondin-Andrew know full well what our position is. Thank you, Mr. Speaker.

MR. SPEAKER:

Oral questions. Mr. Ootes.

Question 225-13(6): Post Division Options for WCB

MR. OOTES:

Thank you, Mr. Speaker. My question is for Mr. Todd in relationship to the WCB. I was very pleased to see the Minister's statement today with an update on the financial status of the corporation. Obviously, it is very good. On Monday, I referred to the WCB Annual Report for 1997. Under the heading of division issues, it had stated five operational models were designed to deal with one or two WCB options. The Minister had stated he would try and get copies of those proposals and possibly table those in the House. I wonder if he has had success with that, Mr. Speaker?

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

Return To Question 225-13(6): Post Division Options for WCB

HON. JOHN TODD:

My apologies, Mr. Speaker, I do not have it today, but I will provide it to the Members by mail early next week.

MR. SPEAKER:

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 225-13(6): Post Division Options for WCB

MR. OOTES:

Yes, I appreciate that, Mr. Speaker. Apparently the Minister, if he could also confirm to me that a meeting has been arranged, I believe it is on November 26th, I wonder if the Minister could just confirm that the stakeholders will be involved in that particular meeting? Thank you.

MR. SPEAKER:

Mr. Todd.

Further Return To Question 225-13(6): Post Division Options for WCB

HON. JOHN TODD:

Thank you, Mr. Speaker. I do not know the date, but I believe there are meetings to be held with all the stakeholders in relationship to the division plans for the Workers' Compensation Board.

MR. SPEAKER:

Oral questions. Mrs. Groenewegen.

Question 226-13(6): Attracting and Retaining Teachers

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, in follow up to Mr. O'Brien's question with respect to the issue of housing for teachers in the north. Mr. Speaker, we have heard in this House this week about the extraordinary

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measures that are going to have to be taken in the area of health care, whereby they are going to have to spend \$3 million on recruitment and retainment for health care providers. I am just wondering if the wages are not competitive, if there is no affordable housing in the smaller communities, if the demands on teachers are ever increasing and the resources are diminishing, how long is it going to be and how far are we going to let this situation deteriorate before we have to take similar measures to attract and retain educators in the Northwest Territories? Thank you, Mr. Speaker.

MR. SPEAKER:

Can I ask the Premier who should be responding?

Return To Question 226-13(6): Attracting and Retaining Teachers

HON. DON MORIN:

Thank you, Mr. Speaker. I thought the question would have been to the Minister of Health, but then it kind of switched to the Minister of Housing and then it was an overall question, so I will ask the Minister of Finance, on behalf of the government, to answer this question today. Thank you.

MR. SPEAKER:

The Minister of Finance, Mr. Todd.

HON. JOHN TODD:

I think you have to take it piece by piece with respect to compensation in relationship to teachers. There is a collective bargaining process and we signed an agreement with the NWTTA which they signed off on

and accepted. That agreement put new money into the hands of these teachers. A new collective bargaining process will take place later on in the year and both the bargaining unit, which is headed up by Ms. Thomas, I believe, and others, will negotiate that with government.

On the housing thing, I mean to make a broad sweeping statement about the fact that there is no affordable housing is just simply nonsense. As my honourable colleague, Mr. Dent, alluded to earlier, we are dealing on a one-to-one basis with housing. For the same housing that is in these communities, butchers, bakers and candlestick makers have used that housing and it would seem that, with all due respect to our educational fraternity, this issue keeps coming up with teachers, but does not seem to come up with anybody else. If there are specific examples of where we are having specific problems in relationship to specific teachers in relationship to specific housing, we would be only too happy as my honourable colleague, Mr. Dent, said, to deal with on a case by case basis.

MR. SPEAKER:

Thank you. Question period is over. Item 7, written questions. Item 8, returns to written questions. Item 9, replies to opening address. Item 10, petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Mr. Morin.

ITEM 13: TABLING OF DOCUMENTS

Tabled Document 34-13(6): The Government of the Northwest Territories Report on the Affirmative Action Policy Review

HON. DON MORIN:

Thank you, Mr. Speaker. I wish to table the following document entitled the Government of the Northwest Territories Report on the Affirmative Action Policy Review. Thank you, Mr. Speaker.

MR. SPEAKER:

Tabling of documents. Mr. Arlooktoo.

Tabled Document 35-13(6): Yellowknife Courthouse Feasibility Study - October 1998

HON. GOO ARLOOKTOO:

Mr. Speaker, I wish to table the following document entitled, Yellowknife Courthouse Feasibility Study, October, 1998.

MR. SPEAKER:

Tabling of documents. Mr. Kakfwi.

Tabled Document 36-13(6): Business Development Fund Annual Report, April 1, 1997 to March 31, 1998

HON. STEPHEN KAKFWI:

Thank you, Mr. Speaker. Mr. Speaker, further to my Minister's statement yesterday, I wish to table the following document entitled Business Development Fund Annual Report, April 1, 1997 to March 31, 1998. Thank you.

MR. SPEAKER:

Thank you. Tabling of documents. Item 14, notices of motion. Item 15, notices of motions for first reading of bills. Item 16, motions. Motion 16-13(6), Extended Adjournment. Mr. Todd.

ITEM 16: MOTIONS

Motion 10-13(6): Extended Adjournment

HON. JOHN TODD:

Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Yellowknife Centre that notwithstanding Rule 4, that when this House adjourns on Friday, November 13, 1998, it shall be adjourned until Wednesday, December 2, 1998.

AND FURTHER, that any time prior to December 2, 1998, if the Speaker is satisfied, after consultation with the Executive Council and Members of the Legislative Assembly that the public interest requires that the House should meet at an earlier time during the adjournment, the Speaker may give notice and thereupon the House shall meet at the time stated in such notice and shall transact its business as it has been duly adjourned to that time. Thank you.

MR. SPEAKER:

Thank you. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Motions. Item

17, first reading of bills. Item 18, second reading of bills. Mr. Arlooktoo.

ITEM 18: SECOND READING OF BILLS

Bill 14: Nunavut Judicial System Implementation Act

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HON. GOO ARLOOKTOO:

Mr. Speaker, I move, seconded by the honourable Member for Keewatin Central, that Bill 14, Nunavut Judicial System Implementation Act, be read for the second time. Mr. Speaker, this bill enacts a Judicature Act for Nunavut in place of the existing Northwest Territories Judicature Act and Territorial Court Act. The new act deals with the composition, powers and officers of the Nunavut Court of Justice and the Court of Appeal of Nunavut and designates youth courts for Nunavut. Rules of law applicable to Nunavut are established, as are procedural rules governing appeals from statutory tribunals to the Nunavut Court of Justice.

This bill also enacts a new Justices of the Peace Act, for Nunavut in place of the existing Northwest Territories Justices of the Peace Act, and makes consequential amendments to other statutes. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the principle of the bill. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 14 has had second reading and accordingly the bill stands referred to a committee. Second reading of bills. Mr. Arlooktoo.

Bill 15, Nunavut Statutes Amendment Act

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Natilikmiot, that Bill 15, Nunavut Statutes Amendment Act, be read for the second time. Mr. Speaker, this bill adjusts the laws of Nunavut by amending eight statutes that will be duplicated for Nunavut by the Nunavut Act. All amendments come into force on April 1, 1999.

The Nunavut Legislative Assembly and Executive Council Act is amended to:

- make adjustments so that the act conforms with requirements of the Nunavut Act and orders made under that act with respect to the maximum duration of a Legislative Assembly and the place of the seat of government of Nunavut;

- substitute appropriate references for terms that relate to the Northwest Territories rather than Nunavut;

- update references to the amounts of the indemnities, allowances, expenses and deductions that pertain to Members of the Legislative Assembly of Nunavut;

- replace the descriptions of electoral district boundaries to substitute those boundaries that will be applicable to the first Legislative Assembly of Nunavut; and,

- make minor adjustments to several provisions of the act.

The Nunavut Liquor Act is amended to eliminate the requirement that the executive secretary to the Liquor Licensing Board be a member of the public service.

The Nunavut Petroleum Products Tax Act is amended to provide that the periodic sampling used to determine a median price of gasoline for the purposes of setting the taxable price per litre of gasoline will be done in a prescribed place rather than in Yellowknife.

The Nunavut Tobacco Tax Act is amended to provide that the periodic sampling used to determine a median price of a cigarette or a gram of tobacco for the purposes of setting the taxable price will be done in a prescribed place rather than in Yellowknife.

The Nunavut Property Assessment and Taxation Act is amended to delete references to railways, Indian reserves and Inuvialuit lands that have no application in Nunavut.

The Nunavut Western Canada Lottery Corporation Act is amended to provide the term "licence holder" in the Western Canada Lottery Regulations means Sport North, a society incorporated under the Northwest Territories Societies Act.

The Nunavut Department of Justice Act is amended to ensure that the Department of Justice of the Government of Nunavut is properly established.

The Nunavut Interpretation Act is amended to provide a definition of "territory". Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the principle of the bill. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 15 has had second reading and accordingly the bill stands referred to a committee. Second reading of bills. Mr. Arlooktoo.

Bill 16, Nunavut Statutes Replacement Act

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Keewatin Central, that Bill 16, Nunavut Statutes Replacement Act, be read for the second time. Mr. Speaker, this bill adjusts the laws of Nunavut by replacing five statutes that presently establish professional associations and provide for the regulation of the members of those associations. Each of the replacement statutes come into force on April 1, 1999.

The present Certified General Accountants' Association Act is repealed and replaced for Nunavut by the Certified General Accountants' Act. The replacement act:

- authorizes the Certified General Accountants' Association of the Northwest Territories to exercise regulatory powers and functions in Nunavut;
- protects certain designations and acronyms associated with certified general accountants and makes it an offence to improperly use those designations and acronyms; and,
- provides that the assets and liabilities of the Certified General Accountants' Association of the Northwest Territories will be divided in the circumstances and in accordance with the process set out in the Certified General Accountants' Association Act (Northwest Territories).

The present Institute of Chartered Accountants Act is repealed and replaced for Nunavut by the Chartered Accountants' Act. The replacement act:

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- authorizes the Institute of Chartered Accountants of the Northwest Territories to exercise regulatory powers and functions in Nunavut;
- protects certain designations and acronyms associated with chartered accountants and makes it

an offence to improperly use those designations and acronyms; and,

- provides that the assets and liabilities of the Institute of Chartered Accountants of the Northwest Territories will be divided in the circumstances and in accordance with the process set out in the Institute of Chartered Accountants Act (Northwest Territories).

The present Society of Management Accountants Act is repealed and replaced for Nunavut by the Management Accountants Act. The replacement act:

- authorizes the Society of Management Accountants of the Northwest Territories to exercise regulatory powers and functions in Nunavut;
- protects the designation "Certified Management Accountant" and acronym "CMA" associated with certified management accountants and makes it an offence to improperly use that designation and acronym; and,

- provides that the assets and liabilities of the Society of Management Accountants of the Northwest Territories will be divided in the circumstances and in accordance with the process set out in the Society of Management Accountants Act (Northwest Territories).

The present Nursing Profession Act is repealed and replaced for Nunavut by the Nursing Act. The replacement act:

- authorizes the Northwest Territories Registered Nursing Association to exercise regulatory powers and functions in Nunavut,
- protects certain designations associated with the profession of nursing, and makes it an offence to improperly use those designations;
- protects nurses from civil liability where medical aid is provided in an emergency; and,

- provides that the assets and liabilities of the Northwest Territories Registered Nurses Association will be divided in the circumstances and in accordance with the process set out in the Nursing Profession Act (Northwest Territories).

In addition, the Disease Registries Act, Emergency Medical Act, Evidence Act, Labour Standards Act and Mental Health Act are each consequently amended for Nunavut to ensure that references to the Nursing Profession Act will continue to relate to the Northwest

Territories Nursing Profession Act, rather than to the Nunavut Nursing Act.

The present Engineering, Geological and Geophysical Professions Act is repealed and replaced for Nunavut by the Engineers, Geologists and Geophysicists Act. The replacement act:

- authorizes the Association of Professional Engineers, Geologists and Geophysicists to exercise regulatory powers and functions in Nunavut;
- provides that only a member, licensee or permit holder of the association may practice professional engineering, professional geology or professional geophysics, or hold themselves out by use of a title or designation or by advertising, as a person qualified to practice one of those professions;
- protects the council, Discipline Committee and executive director of the association and persons acting on their instructions from liability; and,
- provides that assets and liabilities of the association will be divided in the circumstances and in accordance with the process set out in the Engineering, Geological and Geophysical Professions Act (Northwest Territories).

In addition, the Condominium Act is consequently amended for Nunavut to ensure that the reference to the Engineering, Geological and Geophysical Professions Act will continue to relate to the Northwest Territories Engineering, Geological and Geophysical Professions Act rather than to the Nunavut Engineers, Geologists and Geophysicists Act. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the principle of the bill. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 16 has had second reading and accordingly the bill stands referred to a committee. Second reading of bills. Mr. Todd.

Bill 17, Division Measures Act

HON. JOHN TODD:

Thank you, Mr. Speaker. I move, seconded by my honourable Member for Baffin South that Bill 17, Division Measures Act be read for the second time. Mr. Speaker, this bill is organized into two parts. Part one amends various statutes to implement plans and

agreements relating to the establishment of Nunavut. The amendments are placed in separate schedules organized by subject matter. Part two contains lists of regulations of the Northwest Territories that either apply only in the Nunavut portion of the Northwest Territories or that do not apply at all in the Nunavut portion of the Northwest Territories.

The Legislative Assembly Retiring Allowances Act and the Supplementary Retiring Allowances Act are amended to:

- provide for the establishment, by the Northwest Territories and Nunavut, of an advisory body to make recommendations to the two territories' Management and Services Boards respecting the administration of their respective Legislative Assembly Retiring Allowances Funds;
- clarify, in both acts, that a Member of the 13th Legislative Assembly who ceases to be a Member on dissolution of the Assembly or on April 1, 1999, will receive a pension if they are otherwise qualified;
- require a Member to have served for at least two years before the 13th Legislative Assembly to qualify for an allowance under the Supplementary Retiring Allowances Act;
- allow the Management and Services Board, under both acts, to set the interest rate payable on the refund of contributions; and,

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- allow the Speaker, in both acts, to make regulations on the recommendation of the Management and Services Board.

The Certified General Accountants' Association Act is amended to:

- permit the association to exercise such powers and functions for the regulation of accountancy in Nunavut as may be provided under the Certified General Accountants Act (Nunavut);
- establish the Northwest Territories chapter and the Nunavut chapter of the Association, and provide that each chapter may make by-laws for its governance;
- provide the circumstances under which either chapter may determine that the association will no longer perform regulatory functions in Nunavut; and,

- provide for the division of the assets and liabilities of the association where such a determination is made.

The Institute of Charter Accountants Act is amended to:

- permit the institute to exercise such powers and functions for the regulation of accountancy in Nunavut as may be provided under the Chartered Accountants Act (Nunavut);

- establish the Northwest Territories branch and the Nunavut branch of the institute, and provide that each branch may make by-laws for its governance;

- provide the circumstances under which either branch may determine that the institute will no longer perform regulatory functions in Nunavut; and,

- provide for the division of the assets and liabilities of the institute where such a determination is made.

The Payroll Tax Act, 1993, is amended to ensure that employees do not have to pay tax on the same income to both the Northwest Territories and Nunavut.

The Society of Management Accountants Act is amended to:

- permit the society to exercise such powers and functions for the regulation of accountancy in Nunavut as may be provided under the Management Accountants Act (Nunavut);

- establish the Northwest Territories chapter and the Nunavut chapter of the society, and provide that each chapter may make by-laws for its governance;

- provide the circumstances under which either chapter may determine that the society will no longer perform regulatory functions in Nunavut; and,

- provide for the division of the assets and liabilities of the society where such a determination is made.

The Charter Communities Act is amended to provide that the act does not apply to the part of the Northwest Territories that will become Nunavut. This prevents the duplication of the Charter Communities Act for Nunavut.

The Nursing Profession Act is amended to:

- permit the association to exercise such powers and functions for the regulation of nursing in Nunavut as may be provided under the Nursing Act (Nunavut);

- establish the Northwest Territories branch and the Nunavut branch of the association, and provide that each branch may make by-laws for its governance;

- provide the circumstances under which either branch may determine that the association will no longer perform regulatory functions in Nunavut; and,

- provide for the division of the assets and liabilities of the association where such a determination is made; and,

- make minor adjustments to provisions dealing with the registration of nurses.

The Engineering, Geological and Geophysical Professions Act is amended to:

- permit the association to exercise such powers and functions for the regulation of professional engineering, professional geology and professional geophysics in Nunavut as may be provided under the Engineers, Geologists and Geophysicists Act (Nunavut);

- establish the Northwest Territories branch and the Nunavut branch of the association, and provide that each branch may make by-laws for its governance;

- provide the circumstances under which either branch may determine that the association will no longer perform regulatory functions in Nunavut; and,

- provide for the division of the assets and liabilities of the association where such a determination is made; and,

- make minor adjustments to provisions dealing with the registration of members of the association and the permitting of firms of professional engineers, professional geologists and professional geophysicists.

The Interpretation Act amended to add definitions of "province" and "territory".

The Statute Revision Act is amended to:

- provide that the statute revision prepared for the Northwest Territories will include statutory material enacted on or before March 31, 1999;

- provide that the Statute Revision Commissioner may adjust a statute in the statute revision prepared for Nunavut to substitute an appropriate reference where the existing Northwest Territories statute refers to a department, office, body, place, concept or thing that does not have a direct equivalent in Nunavut; and,

- make a number of minor adjustments to the act.

The Education Act is amended to enable one conseil scolaire francophone to request the Minister to establish a commission scolaire francophone de division.

Schedule L contains two lists; the first lists regulations that do not apply in the Nunavut portion of the Northwest Territories, and the second lists regulations that apply only in the Nunavut portion of the Northwest Territories. These lists will clarify that status of regulations after division. Those regulations that are declared to not apply to the Nunavut portion of the Northwest Territories will not be duplicated for Nunavut. Thank you, Mr. Speaker.

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MR. SPEAKER:

Thank you. The motion is in order. To the principle of the bill. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 17 has had second reading and accordingly the bill stands referred to a committee. Second reading of bills. Mr. Arlooktoo.

Bill 18: Access to Information and Protection of Privacy Statutes Amendment Act

HON. GOO ARLOOKTOO:

Mr. Speaker, I move, seconded by the honourable Member for Yellowknife Frame Lake that Bill 18, Access to Information and Protection of Privacy Statutes Amendment Act, be read for the second time. Mr. Speaker, this bill amends ten statutes to address the paramountcy of the Access to Information and Protection of Privacy Act over other statutes that contain provisions that are inconsistent or in conflict with it as of December 31, 1998. The bill also amends the Archives Act and the Access to Information and Protection of Privacy Act.

The Access to Information and Protection of Privacy Act is amended to clarify that permitted public access

to records in a registry includes access to original records.

The Archives Act is amended to:

- provide a new definition of government body consistent with the definition of a public body in the Access to Information and Protection of Privacy Act;
- clarify that a notice of the destruction of public records may be general in nature;
- increase the amount of the penalty for an offence under the Act; and
- provide the Commissioner with the regulation-making authority to designate certain bodies as government bodies.

The Consumer Protection Act is amended to ensure that the provisions that limit access and provide for the security of information collected during investigations under the act continue to apply despite the Access to Information and Protection of Privacy Act.

The Disease Registry Act is amended to ensure that the provisions for access to, accountability for, and control of records contained in the reportable disease registry continue to apply despite the Access to Information and Protection of Privacy Act.

The Education Act is amended to ensure that the following prevail despite the Access to Information and Protection of Privacy Act:

- provisions dealing with conditions of access to and the process for the release of information from a student record;
- specific and detailed provisions for the correction of student records;
- provisions dealing with the requirement that disclosures by a student to a school counsellor be kept strictly confidential from the student's parents, teachers, and others as well as from the student himself or herself where necessary;
- provisions setting out the circumstances when a school counsellor's notes or information contained in the notes may be disclosed.

The Environmental Rights Act is amended to repeal the access to information provisions contained in section 3.

The Insurance Act is amended to ensure that the provision dealing with access to information about an insured or about a party to an application under the

act continues to apply despite the Access to Information and Protection of Privacy Act.

The Labour Standards Act is amended to ensure that the provision dealing with the disclosure of personal information continues to apply despite the Access to Information and Protection of Privacy Act.

The Motor Vehicles Act is amended to ensure that the specific access to information and protection of privacy provisions contained in the act continue to apply despite the Access to Information and Protection of Privacy Act and to:

- allow additional officers or organizations to request access to records contained in the motor vehicle registry, either with or without a fee;
- allow public or private agencies to access information from records contained in the motor vehicle registry, except personal information, for research purposes for a fee; and
- clarify that the Young Offenders Act and the Young Offenders Act (Canada) govern the control and release of reports of convictions in respect of young persons.

The Payroll Tax Act, 1993 is amended to ensure that the conditions of disclosure of information collected pursuant to the Act continue to apply despite the Access to Information and Protection of Privacy Act.

The Securities Act is amended to ensure that the specific circumstances of an investigation conducted under the Act and the protection of the information collected as a result continue to apply despite the Access to Information and Protection of Privacy Act.

The Tobacco Tax Act is amended to ensure that the conditions of disclosure of information collected pursuant to the Act continue to apply despite the Access to Information and Protection of Privacy Act. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the principle of the bill. The Chair does not recognize a quorum. Mr. Clerk, will you ring the bell. The Chair recognizes a quorum. The question has been called. All those in favour of Bill 18? All those opposed? Motion is carried. Bill 18 has had second reading and accordingly the bill stands referred to a committee. Second reading of bills. Item 19, consideration in committee of the whole of bills and other matters. Bill 6 and Bill 12, with Mrs. Groenewegen in the chair.

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

CHAIRPERSON (Mrs. Groenewegen):

I will call the committee of the whole to order. There are two bills before the committee today. Bill 6, An Act to Amend the Workers' Compensation Act, and Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2. What is the wish of the committee? Mr. Barnabas.

MR. BARNABAS:

Thank you, Madam Chairperson. Madam Chairperson, the committee wishes to consider Bill 6, An Act to Amend the Workers' Compensation Act, and Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Barnabas. Does the committee agree that we will take a break and return to these items. Thank you.

--Break

CHAIRPERSON (Mrs. Groenewegen):

I would like to call the committee back to order. We are dealing with Bill 6, An Act to Amend the Workers' Compensation Act. I will ask if Mr. Erasmus would like to introduce the Bill?

MR. ERASMUS:

Thank you, Madam Chairperson. Bill 6 would amend the Workers' Compensation Act to prohibit injured workers and the Workers' Compensation Board from suing any worker or employer covered by the act with certain exceptions.

Currently the act prohibits only law suits against the injured workers, employer and co-workers. Under the Workers' Compensation system, injured workers give up their right to sue employers and other workers in exchange for the right to receive benefits under a no-fault compensation system, funded by employers. This is referred to as the historic trade off. Workers are protected from the risk of being unable to collect damages awards from smaller or less financially stable employers and they are not required to prove fault.

A worker is also entitled to benefits even though he or she may have been at fault. However, workers lose the potential to receive higher awards through court action. Employers pay assessments to collectively share the risk of compensating injured workers because of negligence. The general principle which applies in all jurisdictions except the NWT is that no court action may be made against any employer or worker covered by the act.

The injured worker may sue third parties. For instance, parties who may have some responsibility for the injury but who are not employers or workers, covered by the act. Where there is a right to sue, the Worker's Compensation Board may sue the third party in the workers' name or in the board's name, without requiring the worker's consent.

The NWT is different from all other Canadian jurisdictions because not all employers and workers are protected from law suits for work-related injuries. In the NWT an injured worker may not sue his or her own employer or another worker of that employer. However, the injured worker may sue other employers and workers covered by the act. Because of subrogations this means the Workers' Compensation Board may sue employers and workers who have participants in its own system.

This situation has been commented upon in various reports over the years, proposing the act be amended to prohibit court action against all employers and workers covered by the act. As I indicated earlier, this act would amend this. Bill 6 would amend the Workers' Compensation Act to do that, with a few exceptions. Lawsuits would be allowed against workers and employers, covered by the Workers' Compensation System in certain circumstances, including if the person causing the injury was not acting during the course of his or her employment or engaged in an industry to which the act applies when the accident occurred.

Also, the amended bill allows lawsuits where the act is caused in the use of a motor vehicle, as defined in the Motor Vehicles Act. It also allows lawsuits where the accident was caused in a motor transportation, other than a motor vehicle, as defined in the Motor Vehicles Act, but only where the accident is covered by a policy of liability insurance. The final part of the bill, Madam Chairperson, is the bill would only apply to accidents that occur after the bill comes into force so it would not affect prior accidents. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. This bill has been reviewed by the Government Operations Committee, and, with the overview from that committee, Mr. Roland.

MR. ROLAND:

Thank you, Madam Chairperson. The Standing Committee on Government Operations reviewed Bill 6, An Act to Amend the Workers Compensation Act, at meetings on August 31, September 1 and November 12, 1998. The committee would like to thank the sponsor of the bill, the Member for Yellowknife North, and his legal counsel, for presenting the bill and responding to the committee's questions.

Under the workers' compensation system, injured workers give up the right to sue employers and other workers, in exchange for the right to receive benefits under a no-fault compensation system, funded by employers. This is referred to as the "historic trade-off". Employers pay assessments to the Workers' Compensation Board to collectively share the risk of compensating injured workers because of negligence. The standing committee recognizes under the current act, the NWT is different from all other Canadian jurisdictions because many employers and workers are not protected from lawsuits for work-related injuries. In the NWT, an injured worker may not sue his or her own employer or another worker of that employer. However, the injured worker may sue other employers and workers covered by the act. Because of subrogations, this means the WCB may sue employers and workers who are participants in its own system and who provide the assessment income. This situation has been commented upon in various reports over the years. There

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have been several proposals that the act be amended to prohibit court action against all employers and workers covered by the act.

Bill 6 would amend the Workers' Compensation Act to prohibit injured workers and the WCB from suing other workers and employers covered by the act with certain exceptions. This bill would provide greater protection from lawsuits to NWT workers and employers when a worker is injured on a job and bring our act more into line with the philosophy of workers' compensation throughout Canada.

The standing committee received submissions from the Minister responsible for the Workers'

Compensation Board, CAW Canada and an individual employer. These submissions supported the bill, although the Minister had some suggestions for amendments. As a result, the sponsor brought to the committee a proposed motion to amend the bill. This motion was considered and passed by the committee. The amendment to the bill provides some exceptions to the bill's prohibition on lawsuits; so that lawsuits would be allowed against workers and employers covered by the workers' compensation system in certain circumstances. The amended bill would allow an injured worker to sue an employer or a worker covered by the act if the person causing the injury was not acting during the course of his or her employment, or engaged in an industry to which the act applies when the accident occurred. Seven other provinces have similar provisions.

The amended bill would also allow lawsuits where the accident is caused in the use of the motor vehicle, as defined in the Motor Vehicles Act. There is a provision to protect a person who operates a vehicle that he or she does not own. The bill provides that the maximum liability for a worker who is not the owner of the vehicle is the amount payable in respect of the accident under any insurance policy covering that worker. If the owner of the vehicle does not have insurance covering that driver, the driver is not liable.

As well, the amended bill would allow lawsuits where the accident was caused in the use of a mode of transportation other than a motor vehicle - including aircraft - but only where the accident is covered by a policy of liability insurance. The extent of the liability for the employer or worker would be limited to the amount payable for the accident under the insurance policy. The transitional provisions of the bill were also amended by the Standing Committee. Under the original bill, the amendments made by the bill would apply to accidents that occur before the bill comes into force, if no legal action has begun. The amended bill provides that the bill would only affect accidents occurring after the bill comes into force. Accidents occurring before the bill comes into force will be governed by the act as it read on the date of the accident. Madam Chairperson, committee Members may have questions or comments on the bill as we proceed. This concludes the standing committee's comments on Bill 6, An Act to Amend the Workers' Compensation Act. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Roland. The Member who has sponsored the bill can have the opportunity now to

bring in witnesses and to take the witness table, if he wishes.

MR. ERASMUS:

Thank you.

CHAIRPERSON (Mrs. Groenewegen):

The committee has agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Mr. Erasmus, for the record could you please introduce your witness?

MR. ERASMUS:

Thank you, Madam Chairperson. My witness is my legal counsel, Elaine Keenan-Bengts.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Are there any general comments on the bill? Mr. Ootes.

MR. OOTES:

Thank you, Madam Chairperson. I have some questions if that is permissible at this point?

CHAIRPERSON (Mrs. Groenewegen):

If the committee agrees. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Go ahead, Mr. Ootes.

MR. OOTES:

Thank you, Madam Chairperson. I wonder if I could have the question addressed as to the public consultation that has taken place on this particular bill. Who may have provided submissions and what those submissions and concerns were?

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Ootes. Mr. Erasmus.

MR. ERASMUS:

Thank you, Madam Chairperson. While I did not do that much personal consultation at this particular time, there have been other committees, including the Workers' Compensation Board itself who did do consultations and have written reports indicating the Workers' Compensation Act should be changed to reflect what I am doing here today.

As the committee report had indicated, there were some people who made presentations at the public hearings, including the Minister responsible for WCB, CAW Canada and an employer. They were generally in favour of the amendments we are proposing. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Mr. Ootes.

MR. OOTES:

Thank you, Madam Chairperson. Were any recommendations made to change the bill that have not been incorporated into this particular amendment to the act?

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Ootes. Mr. Erasmus.

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MR. ERASMUS:

Thank you, Madam Chairperson. There was a recommendation to allow lawsuits in the case of general liability insurance. It was my feeling and the seconder of the original motion that this was not in keeping with the general intent of Workers' Compensation. In fact, we were the only jurisdiction in Canada that actually allowed this. We would continue to be the only jurisdiction if we continued to allow it. While we did move on other recommendations, we did not incorporate this particular recommendation into the amendment. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Mr. Ootes.

MR. OOTES:

Thank you, Madam Chairperson. Could Mr. Erasmus tell us who it was that had the desire to address the issue of lawsuits in the case of general insurance?

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Ootes. Mr. Erasmus.

MR. ERASMUS:

Thank you, Madam Chairperson. It was the Workers' Compensation Board itself and I believe we had received a letter from a private citizen as well. I cannot recall exactly who it was.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Mr. Ootes.

MR. OOTES:

Thank you, Madam Chairperson. I wonder if Mr. Erasmus can again explain to us why that was not incorporated into the bill? What was the reasoning behind that?

CHAIRPERSON (Mrs. Groenewegen):

Mr. Erasmus.

MR. ERASMUS:

Thank you, Madam Chairperson. As I explained earlier, the intent of workers' compensation is to have a no-fault insurance scheme, whereby employees receive benefits and get a percentage of their wages and get medical treatment and whatnot after they are injured on the job, whether or not they are at fault themselves and they do not have to prove fault on the employer's part. In return, the worker will not sue his employer or another employee. We felt that to allow this type of thing would be inconsistent with that.

Also, we looked at the previous ten year history on this area where this had occurred in the past. Benefits going to the actual families or the injured workers themselves seem to be insignificant. Most of the money seems to be going up in smoke in the lawsuits as expenses. We did not feel that it was worth it to be the only jurisdiction in Canada that would allow something like this for those types of benefits. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Mr. Ootes.

MR. OOTES:

I understand that the Workers' Compensation Board felt that there is a possibility here of elimination of revenue source, which could mean that employer assessments will rise. I wonder if Mr. Erasmus could address that issue for us?

CHAIRPERSON (Mrs. Groenewegen):

Mr. Erasmus.

MR. ERASMUS:

Madam Chairperson, the same reasons. The amount of money that was required that was recovered was not very much over the course of ten years, I cannot remember what it worked out to, but it was only a couple hundred thousand dollars a year. For that, you have to sue all kinds of people and drag people through litigation for years. That is not the intent. The intent of the Workers' Compensation Board is to get away from litigation. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Mr. Ootes.

MR. OOTES:

Thank you, Madam Chairperson. The figures Mr. Erasmus used, are those figures that have been received from the Workers' Compensation Board?

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Ootes. Mr. Erasmus.

MR. ERASMUS:

Thank you, Madam Chairperson. The figures that we received were from the Workers' Compensation Board itself.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. Any further general comments? If the committee has agreed that there are no further general comments, we will refer to Bill 6, An Act to Amend the Workers' Compensation Act, as reprinted. Clause 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. The bill as a whole. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Does the committee agree that Bill 6 is now ready for third reading?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Bill 6 is now ready for third reading. Thank you, Mr. Erasmus and Ms. Keenan-Bengts. The next item we have on our agenda today is Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2. I will ask the Minister responsible for this bill if he would please introduce it. Minister Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2, has two purposes. The first is to amend various statutes of the Northwest Territories that contain errors or inconsistencies that

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have been identified in the ongoing statute revision project or that have been brought to the attention of the Department of Justice by members of the public or by the staff of Justice and other departments.

The second purpose is to amend several statutes that refer to the Companies Act. That act is being repealed on March 31, 1999, and the various references to it in other statutes will be deleted, leaving only the parallel references to the Business Corporations Act. These amendments will also be brought into force on March 31, 1999, at the same time that the Companies Act is repealed. Departments responsible for the administration of the various statutes being amended by the Miscellaneous Statutes Amendment Act, 1998,

No. 2, have each reviewed and approved the changes to the statutes under their authority.

Most changes proposed in Bill 12 are minor in nature and many consist of the grammatical or spelling corrections to either the English or French version of the statute. Other changes have the effect of repealing certain provisions of the statutes that have expired or otherwise ceased to have effect. The bill also provides for the repeal of the Legislative Assembly Building Loan Fund Act, which is spent in its entirety, and for the repeal of an unproclaimed 1983 act amending the Judicature Act. The amendments are of a nature that the preparation and legislative consideration of individual bills to correct each statute would be time-consuming for the government and the Legislative Assembly, particularly at this juncture when we must be frugal with both time and resources.

In order for an amendment to be included in the bill, it had to meet the following criteria:

- a) It must not be controversial;
- b) It must not involve the spending of public funds;
- c) It must not prejudicially affect the rights of persons; and,
- d) It must not create a new offence or subject a new class of persons to an existing offence.

Madam Chairperson, in our view the amendments proposed in Bill 12 meet those criteria and I and my officials will be pleased to answer any questions the committee may have. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Minister Arlooktoo. The Government Operations Committee, I believe, has had a chance to review this bill and that report will be presented by Mr. Erasmus.

MR. ERASMUS:

Thank you, Madam Chairperson. The Standing Committee on Government Operations reviewed Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2, at its meeting on November 12, 1998. The committee would like to thank the Minister of Justice and his legislative counsel for presenting the bill and responding to the committee's questions.

The purpose of this bill is to correct errors and inconsistencies in various NWT statutes. These include corrections to typographical errors, incorrect section references, errors in grammar and structure and errors in the French translation. References to the Companies Act, which will be repealed March 31, 1999, are removed from various statutes. One amendment to the bill was passed during the standing committee review. In the original bill, a reference to section 4 was missing in subclause 33(2). Subclause 33(2) provides that certain provisions that delete references to the Companies Act will come into force March 31, 1999, when the Companies Act is repealed.

The standing committee had no difficulty with this bill, however, committee Members may have further comments or questions on the bill as we proceed. This concludes the standing committee's comments on Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Erasmus. If the committee is agreed, I will ask Mr. Arlooktoo if he wishes to call witnesses.

HON. GOO ARLOOKTOO:

Yes, I do, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen):

Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Mr. Arlooktoo, would you like to introduce your witnesses for the record please.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. I have with me, Mr. Mark Aitken, director of the legislation division of the Department of Justice, and Mr. Gary MacDougall, director of legal registries with the Department of Justice.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. General comments on the bill. Mr. Steen.

MR. STEEN:

Thank you, Madam Chairperson. Madam Chairperson, I really do not have a general comment to make in consideration of the number of bills that would be amended by this act. I would just request if there could be a short summary provided by the Minister as to each separate clause?

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Steen is requesting explanation on each of the 33 clauses as we go through them at the commencement of each clause. Just a brief explanation, if that would be agreeable. Mr. Arlooktoo, would you be able to accommodate that request?

HON. GOO ARLOOKTOO:

Yes, we are at the disposal of the committee.

CHAIRPERSON (Mrs. Groenewegen):

Does the committee agree that would be helpful?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. General

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comments on the bill. If there are no general comments on the bill, does everyone agree we will proceed on a clause-by-clause?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2, reprint. Bills of Sale Act, clause 1. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. Clause 1 repeals part two of the Bills of Sale Act to delete the reference to the bulk sales in the affidavit which is obtained to a bill of sale. The Bulk Sales Act has been repealed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 1. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Business Corporations Act, clause 2. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. Clause 2 amends the Business Corporations Act to correct a grammatical error to the English version. It strikes out, "the registrar has not been served" and substitutes "has not served the registrar". It also corrects an incorrect section reference 22(2). It strikes out several references and replaces them with the correct references, in section 21(b), (d) and (f), 104(2) and 122(a), it strikes out a reference also in section 116(3) and substitutes 116(2). Finally, clause 2 adds the word "or" to the end of the paragraph 279(f).

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. Clause 2. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Charter Communities Act, clause 3. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. Clause 3, amends paragraph 10(a) of the Charter Communities Act to strike out the word "date" and to replace it with the word "day".

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 3. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Agreed. Condominium Act, clause 4. Mr Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you. Clause 4 amends the Condominium Act to repeal an existing section and to replace it with a new section that deletes a reference to the Companies Act as the Companies Act will be repealed on March 31st.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 4. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Page 2, Co-operative Associations Act, clause 5. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Yes, Madam Chair. This is a similar situation as the earlier clause. It strikes out a reference to the Companies Act.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 5. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Dental Profession Act, clause 6. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Yes, clause 6 also deletes reference to the Companies Act in the Dental Profession Act. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 6. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Elections Act, clause 7. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. Clause 7 amends the Elections Act to strike out several words including the word "and". It also adds a new section to give the Chief Electoral Officer the authority to modify any form prescribed by the regulations. It strikes out an incorrect reference to "election clerk" and replaces it with "assistant returning officer". It makes several additional changes, including replacing a comma and substituting numbers that were incorrectly inserted in the first version of the act. It corrects a grammatical error in the English version of subparagraph 42(b)(1) to strike out "elector" and substitute "an elector". It also makes some other grammatical changes to correct errors in the English version.

CHAIRPERSON (Mrs. Groenewegen):

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

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Going on to page 3. Engineering, Geological and Geophysical Professions Act, clause 8. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. Clause 8 amends the Engineering, Geological and Geophysical Professions Act by repealing several sub-sections. These are spent transitional provisions, providing that bylaws and rules of the council made before October 26, 1988, are deemed to be made under the act and members of the council offices and committees before October 26, 1988 continue to hold office

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until their appointments expire. It also corrects a word in the French version by striking "in" and substituting it with the proper word.

CHAIRPERSON (Mrs. Groenewegen):

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

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Does the committee agree that the brief explanations at the beginning of each clause is in fact helpful and would like to continue with them for all 33 clauses?
Mr. Steen.

MR. STEEN:

Yes, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Going on to page 4, Environmental Protection Act, clause 9. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Clause 9 are some wording changes in the definitions of "licence" and "permit".

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 9. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Financial Agreement Act, clause 10. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Yes, clause 10 changes the Financial Agreement Act to repeal a financial period which refers to certain dates that have passed. It also corrects another grammatical error in the English version.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 10. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Hospital Insurance and Health and Social Services Administration Act, clause 11. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. This gives a minor correction in the french version of the act.

CHAIRPERSON (Mrs. Groenewegen):

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

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Insurance Act, clause 12. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. This clarifies section 22(8) of the Insurance Act to add the words "at the par value, if purchased above or below par" after the words "if purchased at par". It also, in Section 23, strikes out the words "prescribed form" and substitutes "form approved by the Superintendent". It also amends the English version by striking the word "prescribing" and substituting "respecting" in sections 38, 220 and 238.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. Clause 12. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Page 5, Judicature Act, clause 13. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. Clause 13, is an amendment to the Judicature Act, 1988, because this amendment passed in 1983 was never brought into force.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 13. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Jury Act, clause 14, Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. Clause 14 corrects an error in the French version in paragraph 34(a) of the Jury Act. It replaces "fixer" with " aux jures".

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 14. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Labour Standards Act, clause 15. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. In clause 15, the Labour Standards Act is amended by striking out the words "expenses as prescribed" and substituting by the words "and shall be reimbursed for expenses". There is also a new paragraph, 72(f)(1), added to allow regulations to be made with respect to the payment of a daily allowance.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 15. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Legal Services Act, clause 16. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. Clause 16 is a correction of grammar in the English version of the Legal Services Act in section 31.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. Clause 16. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you.

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Legislative Assembly Building Loan Authorization Act, clause 17. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. This whole act is repealed because the purpose of the act has now been completed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 17. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. On page 6, Local Authorities Election Act, clause 18. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. There are two changes in the French version of the act that corrects translation or words in this section on bi-election in section 47(1)(b) and sections 5.1(2)(b) and (c) strike out the words "personnel d'elections" and substituting "personnel electoral". It amends paragraph 10.1(c) and (d) to strike out "date" and to substitute "day".

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 18. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

We are finding out our Minister is multi-lingual. Medical Professions Act, clause 19. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. This is also a correction in the French version and subparagraph 1(b)(1) by striking out the number 500 and replacing it with 5,000.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 19. Agreed.

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Mental Health Act, clause 20. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. Clause 20 amends a portion of subsection 19(3), preceding paragraph (a) by striking out the words "for an appeal of a review under section 26" and by substituting "has appealed the decision made on the review under Section 29". It also repeals and replaces that portion of paragraph 23(5)(b) subparagraph (i) and subparagraph (i). This clarifies the circumstances under which a medical practitioner can sign a certificate of renewal. The former wording had an incorrect structure.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Arlooktoo. Clause 20. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Did somebody say "oui" last time instead of agreed? Did not want to be outdone on the multilingual. Okay, that is 20 down and 13 to go.

Northwest Territories Business Credit Corporation Act, clause 21. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. There is another section which repeals the reference to the Companies Act.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 21. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Northwest Territories Development Corporation Act, clause 22. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. This is the same situation here, repealing the reference to the Companies Act.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 22. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Northwest Territories Housing Corporation Act, clause 23. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. This is a correction error on paragraph 50(a) by striking out the word "made" and substituting "that may be made".

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 23. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Nursing Profession Act, clause 24. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. This repeals section 35 in the heading preceding the section. This is a spent transitional provision dealing with the bylaws of the former Nurses Association made under the Societies Act.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 24. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Pawn Brokers and Second Hand Dealers Act, clause 25. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chair. This amends section 17 of this act in the French version to strike out the number "50" and to substitute "500" as in the English version.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 25. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Property Assessment and Taxation Act, clause 26. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. Clause 26, amends Section 97.82 of the Property Assessment and Taxation Act by striking out the words "officers or employees" and substituting "officers, employees and agents". It also amends section 97.83 by adding a new subsection after paragraph C, this requires the taxing authority to include the name of the purchaser of a property and it also corrects an incorrect section references to subsection 97.89 by striking out incorrect ones and inserting the correct versions.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 26. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

On page 8. Public Utilities Act, clause 27. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. Clause 27 repeals the heading miscellaneous before section 92 and substitutes it with the word "regulations".

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 27. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Seizures Act. Clause 28. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. This is another situation of repealing the reference to the Companies Act, and is also a change in wording in section 11 by deleting the reference to growing crops in relation to the chattels of a debtor that may be seized by the sheriff.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 28. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. On to page 9, Settlements Act, clause 29. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. This clause amends paragraph 5(2) by again changing the word "date" with the word "day".

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 29. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Society of Management Accountants Act, clause 30. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. In subsection 11(2) it strikes out the acronym C.M.A. and substitutes CMA.

CHAIRPERSON (Mrs. Groenewegen):

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

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Tobacco Tax Act, clause 31. Mr. Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. This is a correction to some incorrect section references numbers. It also repeals and replaces in subsection 22(2) some incorrect structure.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 31. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. The Wildlife Act, clause 32. Minister Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. Clause 32 amends the Wildlife Act, subsection 15(1) by replacing two commas with semi-colons in paragraph (a) and (b) and to correct incorrect structure in paragraph (c). This section deals with the criteria for receiving general hunting licences. The recommendation of the HTAs is intended to be required only for the category for persons in (c), those who have lived in the NWT for five years rather than categories (a) and (b). It also corrects some incorrect structure in section 32.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Clause 32. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Page 10, commencement, clause 33. Minister Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. Clause 33 provides that this act comes into force on the day that it

receives assent and it provides that section 4 comes into force March 31, 1999, on repeal of the Companies Act. This clause was amended in standing committee at the suggestion of the ministry. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Minister Arlooktoo. Clause 33. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Bill as a whole? Mr. Steen.

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MR. STEEN:

Thank you, Madam Chairperson. I would just like to thank the Minister and his witnesses for those brief explanations of the clauses. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Steen. Does the committee agree that Bill 12 is ready for third reading. Agreed? Mr. Krutko.

MR. KRUTKO:

Thank you, Madam Chairperson. Could I get clarification from the Minister in regard to the Wildlife Act amendments and the reference to HTAs. There are also land claims organizations which have replaced the Hunters and Trappers Associations. In the Inuvialuit there are Hunters and Trappers Councils. In the Gwich'in settlement region and the Sahtu, there are renewable resource councils which are now enacted to replace Hunters and Trappers Councils. When will those amendments be coming forward to clarify the status of those organizations?

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Krutko. I believe this is outside of the scope of the amendments that is being considered to the bill. I am sure that there will be an opportunity to ask this question to the Minister in an other form. Mr. Krutko.

MR. KRUTKO:

Thank you, Madam Chairperson. I did not catch section 32 at the right time. I should have asked this question. I ask for unanimous consent to go back to section 32, the Wildlife Act.

CHAIRPERSON (Mrs. Groenewegen):

Thank you, Mr. Krutko. You can request unanimous consent to return to Wildlife Act, clause 32, but the question would still have to be within the scope of the amendment that is being proposed to the act. Anything outside of that would have to be considered in another forum. Do you want to rephrase your question in relation to this amendment?

MR. KRUTKO:

No.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Does the committee agree that Bill 12 is ready for third reading. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Bill 12 is now ready for third reading. Thank you. Before I leave the Chair, I would like to recognize a constituent of Mr. Roland's who is in the gallery today. Mr. Vaughn Gordon is in Yellowknife today visiting his grandparents. Welcome to the Assembly Vaughn.

--Applause

Minister Arlooktoo.

HON. GOO ARLOOKTOO:

Thank you, Madam Chairperson. I just would like to give some credit to the research section of the Legislative Assembly whose documents we used just a few minutes ago to do some of the explanations. We thank them very much for the work they did. Thank you.

CHAIRPERSON (Mrs. Groenewegen):

Thank you. Thank you, Mr. Aitken and Mr. MacDougall. Thank you, Minister Arlooktoo. That concludes our business for the day. If the committee agrees, I will rise and report progress.

MR. SPEAKER:

The House will come back to order. Item 20, report of committee of the whole. Mrs. Groenewegen.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

MRS. GROENEWEGEN:

Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 6, An Act to Amend the Workers' Compensation Act, and Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2, and would like to report that Bill 6 and Bill 12 are ready for third reading. Mr. Speaker, I move that the report of committee of the whole be concurred with.

MR. SPEAKER:

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

ITEM 21; THIRD READING OF BILLS

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. Mr. Speaker I seek unanimous consent to proceed with third reading of Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2.

MR. SPEAKER:

Thank you. The Member for Baffin South is seeking unanimous consent to deal with Bill 12. Do we have any nays? There are no nays. Mr. Arlooktoo, you have unanimous consent.

Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2

HON. GOO ARLOOKTOO:

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Nahendeh that Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2, be read for the third time. Thank you Mr. Speaker.

MR. SPEAKER:

Thank you. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed. The motion is carried. Bill 12 has had third reading. Third reading of bills. Mr. Erasmus.

MR. ERASMUS:

Thank you, Mr. Speaker. Mr. Speaker I seek unanimous consent to proceed with third reading of Bill 6, An Act to Amend the Workers' Compensation Act.

MR. SPEAKER:

Thank you. The Member for Yellowknife North is seeking unanimous consent to deal with Bill 6. Do we have any nays? There are no nays. Mr. Erasmus, you have unanimous consent.

Bill 6, An Act to Amend the Workers' Compensation Act

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MR. ERASMUS: Thank you, Mr. Speaker. Thank you, colleagues. I move, seconded by the honourable Member for Iqaluit that Bill 6, An Act to Amend the Workers' Compensation Act, be read for the third time. Thank you.

MR. SPEAKER:

Thank you. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed. The motion is carried. Bill 6 has had third reading. Third reading of bills. Mr. Clerk, could you ascertain the Commissioner of the Northwest Territories to come into the Chamber to assent the bills.

COMMISSIONER HELEN MAKSAGAK:

You may be seated. Mr. Speaker, Mr. Premier and honourable Members of the Legislative Assembly, greetings. As Commissioner of the Northwest Territories I am pleased to assent to the following bills:

Bill 6, An Act to Amend the Workers' Compensation Act

Bill 10, An Act to Amend the Student Financial Assistance Act

Bill 11, An Act to Amend the Workers' Compensation Act, No. 2

Bill 12, Miscellaneous Statutes Amendment Act, 1998, No. 2

Bill 13, Supplementary Appropriation Act, No. 3, 1998/99

Thank you.

MR. SPEAKER:

The House will come back to order. 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 Western Caucus right after adjournment today. A meeting of Standing Committee on Government Operations at 9:30 a.m. on Monday morning.

Orders of the day for Wednesday, December 2, 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

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 1:30 p.m., December 2, 1998.

--ADJOURNMENT