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YELLOWKNIFE, NORTHWEST TERRITORIES

TUESDAY, OCTOBER 21, 1986

MEMBERS PRESENT

Mr. Angottitaurug, Mr. Appaqaq, Mr. Arlooktoo, Hon. Michael Ballantyne, Hon. Tom Butters, Ms Cournoyea, Hon. Tagak Curley, Mr. Erkloo, Mr. Gargan, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Hon. Bruce McLaughlin, Mr. Nerysoo, Mr. Paniloo, Hon. Dennis Patterson, Mr. Pudluk, Mr. Richard, Hon. Nick Sibbeston, Hon. Don Stewart, Mr. Wah-Shee, Hon. Gordon Wray

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Tuesday, October 21st. Item 2, Ministers' statements. Mr. Ballantyne.

ITEM 2: MINISTERS' STATEMENTS

Minister's Statement 2-86(2): Policy Direction To The Northwest Territories Housing Corporation

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I would like to take this opportunity to advise the Assembly on the policy and programs of the Northwest Territories Housing Corporation as they are being implemented to respond to the direction given through the special committee on housing. Members will recall that the corporation's programs are to be delivered in the new policy context of community development, economic development and accountability to and by the communities.

Since we last sat, I have had the occasion to travel to several different regions to discuss these policy changes with the housing associations and authorities. I have found these meetings very valuable as they served to keep me current on concerns at the community level. My most extensive travel was in the Baffin, where I was able to visit all but three communities. On part of that trip I was accompanied by the chairman of the board for the Canada Mortgage and Housing Corporation (CMHC), Mr. Bob Jarvis. It was a very valuable experience for Mr. Jarvis as he saw first-hand how housing impacts northern communities. I am hopeful that as a result we will be able to work more co-operatively with CMHC to address some of the specific policy concerns of housing in the NWT. I certainly want to take this opportunity to thank the MLAs from the Baffin for all the assistance they gave to me during my time there, and I look forward to further visits to other regions after the session.

When holding community meetings, it was evident to me that there is a great need to encourage the aspect of community development through fostering a closer working relationship between the local housing associations and the municipal authorities. The trips also reinforced my belief that new working agreements between the communities and the Housing Corporation are needed to give life to the policy of accountability to and by communities.

Mr. Speaker, I am pleased to advise you that I have directed the Housing Corporation to begin work on this policy right away. It is my intent to redefine working agreements in order to provide the opportunity of moving new authority to the community should they wish it. On their part, the communities must be willing and able to assume an expanded role. To assist in this, I feel that a closer working relationship between the association and the municipality is very important. During my trip to the Baffin, I asked for specific ideas from the communities about how local groups could work more closely together and what expanded authority they might be interested in receiving.

We have had recent success in a few communities in the Western Arctic in shaping new relationships with the Housing Corporation that may serve as models for policy implementation. Agreements have been signed for block funding with the Hay River band, and of course with Fort Good Hope. Under these arrangements, the community manages the total housing program including design, acquisition of material, location and construction for all home-ownership assistance program (HAP) units. Besides these communities, the Housing Corporation has reached agreement in principle with Fort Liard, and I expect to see Liard managing its own program by next year.

As interest in this concept grows, I anticipate that we will see other communities enter into similar agreements. From my point of view, this is extremely positive and is entirely supportive of the direction given by this Assembly and should allow the communities to manage to their own advantage aspects of accountability, economic development and community development that are so important.

A further advance in implementing the policies of community development and accountability has been made through the community planning process I announced during the summer season. I am pleased to advise that the review is nearing completion, and as a first exercise, I believe it was a success. Most communities participated actively and are pleased with the corporation's new emphasis on local planning responsibility. It is evident that while the planning process was positive, the communities continue to be concerned about allocation. Most communities feel their real needs are significantly greater than that contained in the five year plan. Members are aware that further work is being done with communities to refine the needs survey and to get a better idea of the major demands. As a result of this survey, adjustments will have to be made in the five year plan to reflect this new data. However, the five year capital plan is a beginning and has enjoyed initial support. I would like to thank all those MLAs who worked with the communities and the corporation in completing the planning process. I need and look forward to your continued support.

Mr. Speaker, I am pleased to advise that an additional \$2 million in maintenance and administration funding has recently been released to housing associations. In addition, work with associations in the development of community-based maintenance management systems is continuing. With the addition of this funding, maintenance and administration budgets for housing associations have been increased \$12.8 million over the past two years. This will go a long way to responding to the desire for more control at a local level.

I am also pleased, Mr. Speaker, to report on other progress in responding to the special committee on housing report as well. The assessment of the NWT Housing Corporation has been completed, and a detailed plan to advance changes internal to the Housing Corporation is being implemented. I have given instructions to the president that he is to move forward with these.

To further assist at redirecting the Housing Corporation, Members will recall that the Auditor General of Canada was requested to undertake a comprehensive audit of the corporation. I am looking forward to that report. I am sure it will be a very valuable tool to assist me in ensuring that resources are being used to the greatest effect and that the policies of this government are being satisfied.

Mr. Speaker, while some very difficult issues remain in housing, I believe we are moving in the right direction. The policy context within which the corporation is now reshaping its programs is key to further improvements. The continued support offered by this Assembly is also vital. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Ballantyne. Item 2, Ministers' statements. Mr. Patterson.

Minister's Statement 3-86(2): "Creating A Better Tomorrow"

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Under the appropriate item of business today I will be tabling a book entitled, "Creating a Better Tomorrow, Aboriginal Claims in the Northwest Territories". This is the most recent publication of the Aboriginal Rights and Constitutional Development Secretariat and represents the most recent major component of the secretariat's public relations/public information campaign. Members will recall that during last year's winter session of the Legislative Assembly, Mr. Sibbeston tabled a publication of the secretariat entitled "Opportunities -- A Guide to Government Services and Programs in the NWT, A Handbook for Aboriginal People". I might add that "Opportunities", as it has become known, has been widely distributed

throughout the Northwest Territories and its popularity has been most encouraging. I am optimistic that "Creating a Better Tomorrow" will be as useful as the secretariat's 1985 publication.

The issues and matters discussed during comprehensive claims negotiations are numerous and complex. Negotiators themselves spend a great deal of time and energy keeping abreast of the most recent developments and the many potential implications of every tentative agreement that is reached and every proposal that is tabled for discussion. For those who are not directly involved in this process of negotiations, it is often difficult and sometimes impossible to fully understand what a land claim is all about and what effect a claims settlement might have on one's personal life.

In recent months the pace of land claims negotiations in the NWT has picked up. Claimants and non-claimants alike are showing a greater interest in the negotiations. There have been demands for general information on claims and for information on the implications of tentative agreements. "Creating a Better Tomorrow" is yet another effort on the part of the secretariat to provide northerners with the kind of information they both want and need. It is my hope that "Creating a Better Tomorrow" will help its readers better understand what claims are all about, who is involved in the process of negotiating a settlement, and how the interests of all people are being accommodated.

"Creating a Better Tomorrow" has, as you will note, been printed in both English and Inuktitut. It will be widely distributed in the NWT and it will also find its way into the hands of some Yukoners and southern Canadians. For the information of this House, Mr. Speaker, I would like to give you an idea of just how widely this book will be circulated. It will be distributed on the basis of the mailing list that is currently used for the secretariat's monthly newsletter, "Building Blocks". This mailing list includes, but is not restricted to, all NWT bands, all NWT Metis locals, all NWT regional Inuit associations, all NWT schools, all NWT hamlets, villages, towns and cities, all NWT media organizations including community radio stations, all NWT hunters and trappers associations, all NWT adult educators, all NWT community education societies, all Members of the Legislative Assembly, all NWT local chambers of commerce, all NWT libraries, regional councils, friendship centres, hospitals, nursing stations and community health clinics, as well as all GNWT deputy ministers, assistant deputy ministers, regional directors and heads of secretariats. Destinations outside of the NWT include the major media organizations in southern Canada, other major aboriginal organizations, southern university libraries and various federal, provincial and Yukon government offices and officials.

Mr. Speaker, I am proud of this publication. I am confident that you and my colleagues in this House will join with me in congratulating those who played a role in its development and production. A lot of careful thought and time has been put into its development as well as its distribution. My staff have informed me that this distribution process will begin very soon. I truly hope recipients of this book find it to be informative and a useful resource tool. I am confident that all who read "Creating a Better Tomorrow" will find themselves to have a better understanding of the purpose of aboriginal land claims, the process involved in negotiating a land claim and the many different components in the comprehensive claims of the Dene, Metis, Inuvialuit and Inuit of the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Item 2, Ministers' statements. Item 2, Ministers' statements. Item 3. I am calling Item 2 once more, Ministers' statements.

Item 3, Members' statements. Members' statements. Item 4, returns to oral questions. Mr. Ballantyne.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question 06-86(2): Petition Re Liquor Plebiscite, Rae-Edzo

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I have a return to an oral question asked by Mr. Wah-Shee on October 16th, 1986. It has to do with the Rae-Edzo liquor plebiscite. This return is in respect of the oral question asked by the honourable Member for Rae-Lac la Martre on October 16th, 1986, concerning the alleged irregularities in the conduct of the liquor plebiscite held on October 7th in Rae-Edzo. The plebiscite in question was ordered by me in response to a petition by the residents of Rae-Edzo in compliance with the Liquor Act. The plebiscite was conducted in

accordance with the Rae-Edzo liquor plebiscite regulations which provided detailed guidance on the holding of the plebiscite. The returning officer was recommended by the Rae Band Council. In accordance with usual practice, this is either done by the municipal council or band council of the community and the plebiscite is run by the community.

Once regulations for the holding of the plebiscite have been made, the community in question conducts the plebiscite within the parameters laid down in the regulations. The wording of the ballot is set out in the regulations which, by reference, incorporate the Municipal Act. Therefore, where the plebiscite regulations are silent on a particular issue, the Municipal Act applies. The controverted elections procedures, as set out in the Municipal Act, apply by reference to liquor plebiscites.

If it is felt that the recent plebiscite in Rae-Edzo was not properly conducted, appropriate remedies can be sought in the courts of the Northwest Territories. The procedure for challenging the plebiscite is set out in the Municipal Act. In order to initiate the process, it is necessary to file a petition supported by an appropriate affidavit as to the facts. The petition may be filed by any person who had the right to vote in the plebiscite. Once a properly constituted petition is filed in the court, it will act to determine whether the plebiscite was properly conducted.

As Minister of Justice, the Liquor Act leaves me no discretion once the plebiscite has been conducted. If the vote is 60 per cent or over, I have statutory obligation to act, accordingly. I will be proceeding to make Rae-Edzo a prohibited area. If, however, the court finds that the plebiscite was improperly conducted to a point where it would be nullity, then naturally I will repeal the prohibition regulations for Rae-Edzo. Until that happens, I am bound by this legislation. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Returns to oral questions. Mr. Curley.

HON. TAGAK CURLEY: Thank you, Mr. Speaker. Return to Question W3-86(2), asked by Mr. T'Seleie on October 16, 1986.

MR. SPEAKER: Mr. Curley, I think we have just jumped a little here. We are still dealing with returns to oral questions. Returns to oral questions. Mr. Curley.

Return To Question 019-86(2): Fort Smith Chamber Of Commerce Application For EDA Grant.

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I picked up the wrong document. Return to Question 019-86(2) asked by Mr. McCallum on October 17th, 1986. Referring to your question regarding the Fort Smith Chamber of Commerce EDA application, the EDA secretariat received this application September 20th. Prior to that time the application was with the Department of Education. This application is to examine the feasibility of establishing a summer school of arts and crafts at Thebacha College. While this proposal will have some tourism benefits, the primary focus of the proposal will be to offer courses to people from all over Canada in northern arts and crafts.

There is a meeting scheduled this week with EDA and members of the chamber to discuss their application. I have been assured that, providing the application is a business and not an educational proposal, it will be presented at an upcoming EDA meeting. I hope this answers the Member's question. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Returns to oral questions. That appears to conclude that matter. Item 5, oral questions. Mr. Paniloo.

ITEM 5: ORAL QUESTIONS

Question 037-86(2): Funding For Soapstone, Pangnirtung

MR. PANILOO: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Economic Development. Pangnirtung residents have been trying to get some funding to get some soapstone. The funding has not been approved and the residents of Pangnirtung have asked me to see if they can get some funding for the next year. That is my question. I have given you the written document and I believe you understand me. Could you reply, please?

MR. SPEAKER: Mr. Minister.

HON. TAGAK CURLEY: (Translation) Thank you for the request you gave me in writing. It was requested from the federal government and my assistants are looking into this matter at this time. I will get some more information and reply to you later on.

MR. SPEAKER: Thank you. You are taking the question as notice. Oral questions. Ms Cournoyea.

Question 038-86(2): Species Put Forward To CITES

MS COURNOYEA: Mr. Speaker, it is a question for the Minister of Renewable Resources and I notice that he is not here. However, I gave notice of the question. According to the schedule in putting forward proposals to be dealt with by CITES, the Convention on International Trade of Endangered Species, the cut-off date was set for October 15th and interest groups were to submit wolverine, lynx and narwhal to Appendix 1, which would in fact prohibit any legal commercial trade in any country of these species.

The question to the Minister of Renewable Resources is, were these species put forward on that date? And if they have been, what are the department's plans to represent the interests of the people of the Northwest Territories, and have there been any preliminary positions developed?

MR. SPEAKER: Mr. Minister.

HON. TOM BUTTERS: Mr. Speaker, I regret that the honourable Minister for Renewable Resources is ill this afternoon and therefore cannot be in the House but in his absence I will take the question as notice and attempt to have a reply filed tomorrow, sir.

MR. SPEAKER: Thank you, Mr. Butters. You are taking the question as notice. Oral questions. Mr. Angottitauruq.

Question 039-86(2): Translation Of Documents In Communities

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I probably have to direct this question to the Minister of Government Services. It is regarding interpreters or translators of documents in the communities. The communities have their own secretaries but at their busy times they sometimes do not have time to fully interpret the documents for their meetings. I am talking about most of the elected bodies in the communities and to have a good knowledge, sometimes you have to read. I believe that what is lacking in some communities is that they just have a document put on their table and their secretary just reads it briefly and they do not come out with the best decision. The question is, would he look into that matter and try to put more funding into the communities so that maybe a private person could do the interpreting and translating at the community level?

MR. SPEAKER: Mr. Minister.

Return To Question 039-86(2): Translation Of Documents In Communities

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I will take the question, although it only affects my department indirectly. I think the Member is really attempting to indicate that there are services that could be provided in the communities such as translating and interpreting. Therefore, the government should make use of these individuals or businesses who can provide that service.

As the Minister of Economic Development, I can assure the Member that if there is a company or business in a region that can provide that service, whether it be translating/interpreting or providing simultaneous translation service to groups of businesses or government conferences, I am in full support of that and our financial programs of the department are available to assist groups who wish to provide or establish that kind of business. Mr. Speaker, I think my department has been known to support a number of these kinds of businesses established throughout the North and I would be pleased to examine that possibility in that region. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Arlooktoo.

Question 040-86(2): Disparity In Prices Of Lots, Lake Harbour

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. My question is directed to, I think, Municipal and Community Affairs. The lots in communities on the home-ownership program -- I have seen three cases of trying to obtain land. Some are cheap and some are more expensive. For that reason I am quite confused on these matters. Perhaps if you could give me some information or detailed document or give me a reply on what procedures they have. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 040-86(2): Disparity In Prices Of Lots, Lake Harbour

HON. GORDON WRAY: Thank you, Mr. Speaker. It is difficult to reply without knowing the specifics of the communities and which lots have been talked about. However, in general, there is and can be a substantial difference in the price of lots within a single community. For example, if the lot which is obtained is an undeveloped lot and the person who obtains that lot pays for his own pad, then the annual lease fee that the government charges is a fairly minimum one. If, however, that lot was one that happened to be developed under the land assembly policy two years ago, whereby the Housing Corporation borrowed money from CMHC and then had the Departments of Municipal and Community Affairs and Public Works construct those lots, then those lots could be very expensive because the lessor is responsible for the costs of developing that lot. I know in some communities, for example, the costs of lots were in the neighbourhood of \$20,000, which are being charged to the lessors. We will spread that cost over the term of the lease. But you can have the situation of two people with lots right beside each other, one person paying \$100 a year and another person paying \$1000 a year. It depends on the condition of the land that they happened to obtain.

There is also another situation in terms of land in tax-based municipalities where the municipality may have developed the land and they will also charge costs of development. For example, in Yellowknife, a lot here can cost sometimes upwards of \$40,000. So it depends on where the land is, which community it is in, and the state of development that has taken place on that lot. However, if the Member has questions regarding specific lots, then I will be more than happy to obtain a written answer for him if he can provide me with the details.

MR. SPEAKER: Thank you, Mr. Minister. Mr. Arlooktoo.

Supplementary To Question 040-86(2): Disparity In Prices Of Lots, Lake Harbour

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I am referring to Lake Harbour. Perhaps if I can be given some written document explaining Lake Harbour lots, perhaps then I can get clarification. Thank you.

MR. SPEAKER: Any comments, Mr. Minister?

Further Return To Question 040-86(2): Disparity In Prices of Lots, Lake Harbour

HON. GORDON WRAY: Yes, Mr. Speaker. I will ask the lands department in Municipal and Community Affairs to take a look at Lake Harbour and see what the situations are in that community and what we are charging for lots there and I can provide the Member with that information.

MR. SPEAKER: Thank you. Then you are taking the question as notice and will give Mr. Arlooktoo an answer. Supplementary, Mr. Arlooktoo.

HON. GORDON WRAY: Point of order.

MR. SPEAKER: Point of Order.

HON. GORDON WRAY: Yes, Mr. Speaker. I am really not taking the question as notice. I am going to provide the Member with a document which will show the state of land in Lake Harbour. I suppose, maybe stemming from those documents, he may very well have a question. But I think I have answered his question in terms of whether I will provide documents or costs of land in Lake Harbour, and yes, I will do that.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I am familiar with the documents of the municipality, but the \$80 and \$100 per month, I do not understand. It is \$700 for a year. I am quite familiar with that because the hamlet council was dealing with this. Thank you.

MR. SPEAKER: Mr. Arlooktoo, that was really not a question. You pulled another one over on me. Oral questions. Mr. MacQuarrie.

Question 041-86(2): GNWT Role In Assistance To Nunasi Corporation

MR. MacQUARRIE: Mr. Speaker, my question is for the Minister of Finance. I refer to a news item on CBC radio yesterday, indicating that the Government of the NWT is participating with the Government of Canada in offering a package of assistance to Nunasi Corporation and that the Nunasi board is considering, or will be considering shortly. Could I ask the Minister to inform the House as to the nature and extent of this government's participation?

MR. SPEAKER: Mr. Minister.

Return To Question 041-86(2): GNWT Role In Assistance To Nunasi Corporation

HON. TOM BUTTERS: Mr. Speaker, I thank the honourable Member for giving me notice of this question yesterday. Neither the Financial Management Board nor the Executive Council has looked at any specific package as described in the news broadcast on CBC yesterday. However, there may be some discussions that are currently proceeding between the Minister of Economic Development and his federal counterparts. Possibly the Member might address the question to him or I could ask the Minister of Economic Development to answer that question.

MR. SPEAKER: Mr. MacQuarrie.

Question 042-86(2): Role Of Department Of Economic Development In Assistance To Nunasi Corporation

MR. MacQUARRIE: So I take it then that it is not direct government participation if the Minister of Finance is indicating that the Executive Council and the Financial Management Board have not addressed this matter. So I would like to address the question to the Minister of Economic Development, and essentially it is the same: Could I ask the Minister whether his department has been participating and if so, what is the nature and extent of the participation?

MR. SPEAKER: Mr. Minister.

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I am sure the Member is well-briefed by the press on the matter, so I do not know whether I should go that far.

---Laughter

MR. RICHARD: More than you, Tagak.

HON. TAGAK CURLEY: Mr. Speaker, I can only respond...

MR. MacQUARRIE: Point of privilege, Mr. Speaker.

MR. SPEAKER: Privilege, Mr. MacQuarrie.

MR. MacQUARRIE: Mr. Speaker, I believe that the Minister ought to withdraw those remarks, I do not have any special relationship with the press. I do not rely on the press for the opinions that I have and I think that is implied in the Minister's comments.

MR. McCALLUM: He's jealous. He doesn't have any either.

MR. SPEAKER: I did not find the statement objectionable. Mr. Curley, proceed.

HON. TAGAK CURLEY: Mr. Speaker, I certainly do not want to embarrass my honourable friend, I think he is quite popular. That is what I meant.

HON. DENNIS PATTERSON: Especially with the press.

HON. TAGAK CURLEY: Yes.

HON. DENNIS PATTERSON: Hear, hear!

Return To Question 042-86(2): Role Of Department Of Economic Development In Assistance To Nunasi Corporation

HON. TAGAK CURLEY: Mr. Speaker, Nunasi Corporation is one of the businesses that has been affected by a tremendous downturn in the NWT economy. So, as one of our clients, the department has been meeting with the officials of the Nunasi Corporation from way back, since last spring, in an attempt to try and restructure the corporation so that it can at least carry out the obligation that it has with private financial supporters, particularly the banks. Our meetings so far, to date, have got to the point where we could not provide any other assistance unless they have made some clarification to us. We put some conditions on what we could do. Unlike the press report, the department is not at all attempting to bail out the company. What we are doing is providing some support -- financial, yes -- along with the federal government, so that the company can meet the other obligations that it has with respect to the other loans that it is carrying from private financing. So far, the conditions that we have put forward for changes with respect to Nunasi Corporation management have not been responded to formally. The situation is mainly that our programs are able to provide financial assistance to private entrepreneurs, only, not to the political organizations and therefore the management changes were to come in line with the free enterprise mandate; then as well, that they have a capable financial expert in managing the corporation. Then we would be prepared to respond formally.

There was a meeting recently held in Igloodik and they may have had results. There are joint conditions, federal and territorial. Provided these conditions are met, we are to respond. Since then, to date, I have not had any formal communication. I am sure it is coming to my office shortly. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Mr. MacQuarrie.

Supplementary To Question 042-86(2): Role Of Department Of Economic Development In Assistance To Nunasi Corporation

MR. MacQUARRIE: Thank you, Mr. Speaker. Well, Mr. Minister, on the one hand in a sense you are saying that we are not able to support them because of the nature of the structure of that organization but on the other hand you have indicated that there is some financial support. Could I ask you to clarify that? If there is some financial support, what is the extent of that financial assistance that is being offered? And could I ask under what program of the Department of Economic Development are the finances coming from?

MR. SPEAKER: Mr. Minister.

Further Return To Question 042-86(2): Role Of Department Of Economic Development In Assistance To Nunasi Corporation

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I am only indicating in a very quick response to your question the fact that there were some management changes recently, about a couple of months ago. We wanted to be sure that the management changes were, in the long run, in the best interests of the company as free entrepreneurs in the North. Our programs can only be granted to companies in the Northwest Territories, to those companies that are doing business and operating without so much interference with the political organizations. There are a number of corporations that have been established and we do have a number of programs, whether they be loan programs or Special ARDA programs which we administer jointly with the federal government and our assistance through business grants and contributions. Therefore, taking into account all these programs, we are reviewing the Nunasi situation. Therefore, as with any business that is presently in a difficult state, it is not out of line at all. We are taking it as routine and we are keeping an eye on the company on a day-to-day basis. As far as the figures are concerned, they are not staggering. We are not dealing with a situation like we had with the co-operatives situation. They are within the department's mandate. But until the conditions that we have put forward to Nunasi are accepted, I am not at liberty to release these figures to anybody. Thank you.

MR. SPEAKER: Supplementary, Mr. MacQuarrie.

Supplementary To Question 042-86(2): Role Of Department Of Economic Development In Assistance To Nunasi Corporation

MR. MacQUARRIE: Mr. Minister, as I understand it, where companies have had loans from the Government of the Northwest Territories under the Business Loans and Guarantees Fund and they are having financial difficulty in repaying those loans, from time to time our government will attempt to assist. Do I understand that that is the case here? That it is because of that kind of circumstance that our government has become involved? I would ask you to be a little more specific with respect to programs. You said, yes, the amount is not great but it is included in the present programs. Could I ask you specifically which programs those are that you are referring to?

MR. SPEAKER: Mr. Minister.

Further Return To Question 042-86(2): Role Of Department Of Economic Development In Assistance To Nunasi Corporation

HON. TAGAK CURLEY: Mr. Speaker, we are dealing with a number of companies as they restructure their companies, and refinancing is normally the route to go if any business is in a difficult situation. Nunasi has been going through a financing structure with its loan, with the other bankers as well as the -- not so much with ours, but we are responsible for a number of their loans, and their subsidiaries are affected. Igloo Hotel in Baker Lake is one company that is able to manage its own loans and carry out the business. But, at the moment, my department is mainly attempting to ensure that the company does not get into any more difficulty than it is in now and thereby default in paying its loans. If it does default then it would be doing more harm to the North. At this particular moment, we are dealing with a number of programs that we have within my department, mainly, for instance, the business development section in my department which administers contributions and other programs. We have been able to provide an adviser on request. There is an interdepartmental committee in place with Department of Indian Affairs. Department of Indian Affairs, in my view, is carrying a much heavier load than we would be. But until the conditions are finally agreed to, there is no agreement, there is no support. So therefore, I cannot release the financial figures to the Member, as much as I would like to because the conditions that we have given to Nunasi have not been agreed to yet.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Supplementary, Mr. MacQuarrie. This is your final supplementary.

Supplementary To Question 042-86(2): Role Of Department Of Economic Development In Assistance To Nunasi Corporation

MR. MacQUARRIE: Thank you, Mr. Speaker. I will have to mull over some of the answers, read the Hansard and perhaps return tomorrow. But, my final question for today would be: Do I understand, then, that any company -- whether or not it has had dealings through the programs of this government and is finding difficulty repaying loans -- that any company that is having financial difficulties, may find the Minister of Economic Development and his department on the doorstep offering assistance to get them over their rough times? Is that what I am to understand?

MR. SPEAKER: Mr. Minister.

Further Return To Question 042-86(2): Role Of Department Of Economic Development In Assistance To Nunasi Corporation

HON. TAGAK CURLEY: Mr. Speaker, I can only say to the Member that surely, yes, we will be contacted and we have been contacted by a number of businesses that are operating in the North. Some of them in his own constituency...

AN HON. MEMBER: Hear, hear!

HON. TAGAK CURLEY: ...and I have one before me on my desk right now from his constituency asking for refinancing. But it will take more than one program to get some of these businesses through the difficult period. The banks sometimes cannot refinance their loans and their financing unless the department itself makes either a loan guarantee or some small assistance in order to ensure that the bank has support. So it is not out of tune at all with the other companies that experience difficult situations. But I can assure the Member that we will not abuse our programs

and we will not grant companies that are in a difficult situation -- the Business Loans and Guarantees Board has already established guidelines for dealing with the refinancing of companies that are in very difficult circumstances and have huge amounts of refinancing requirements. Because we expect to receive a tremendous amount of refinancing requests and therefore, in order to protect other businesses, legitimate businesses, that are prepared to expand and develop, we had to ensure that the loans board had at least some guidelines to work with so that it does not deplete the resources that are there to take care of the other free enterprises in the North. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Wah-Shee.

Question 043-86(2): Conditions For Financial Assistance To Nunasi Corporation

MR. WAH-SHEE: Thank you, Mr. Speaker. My question is directed to the Minister of Economic Development. Am I to understand from the Minister's reply that one of the conditions of the assistance that is being provided by your department is that some changes have to be made to the management of the corporation? In other words, can we expect in the future that this is going to be a continuing direction of this administration in regard to interfering with the autonomy of future corporations, which is the sole responsibility of the elected boards of the various corporations. So I would like to know why your department has put forward such a condition? In order to be a recipient of the existing territorial programs one of those conditions is that your department has to establish...

MR. SPEAKER: Mr. Wah-Shee, a question, not a debate. Mr. Minister.

Return To Question 043-86(2): Conditions For Financial Assistance To Nunasi Corporation

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I think my response was clear that the programs that the department offers to the business community and free entrepreneurs in the North are to support those companies that are registered as private companies or corporations to pursue economic activities in the Northwest Territories. That is all the department administers. We are not in the business of supporting political organizations. You have to be a registered company and be engaged in economic activities to qualify for the programs that we do support. There is no change and there will not be any changes.

MR. SPEAKER: Supplementary, Mr. Wah-Shee.

Supplementary To Question 043-86(2): Conditions For Financial Assistance To Nunasi Corporation

MR. WAH-SHEE: Mr. Speaker, what are the exact programs involved in regard to providing assistance to Nunasi Corporation? Specifically, are these Special ARDA, EDA? What are the programs that are involved in regard to assisting that particular corporation and are we talking of an exception to the rule here?

MR. SPEAKER: Mr. Minister.

Further Return To Question 043-86(2): Conditions For Financial Assistance To Nunasi Corporation

HON. TAGAK CURLEY: Mr. Speaker, I will be pleased to announce the contents of our support to Nunasi once the company has agreed to the conditions that we have offered them. They are not at all an exception to Inuit Development Corporation that operated in the Northwest Territories. No exceptions at all.

MR. SPEAKER: Oral questions. Mr. Appaqaq.

Question 044-86(2): AWG Ulu Award Inappropriate For Men

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. My question is to the Minister of Municipal and Community Affairs. It is a good one. I was asked to direct this to the Minister concerning the Arctic Winter Games. The winners usually get the gold ulu. These ulus are only directed to the women, not to men. I was asked to bring this up, that some of the men in the local community do not wish to participate at the winter games because they might get the ulu as an award. The men I think should get a harpoon instead -- a spear. I think this would be a good compromise. I would like to get a response from the Minister of Municipal and Community Affairs. Thank you.

MR. SPEAKER: Mr. Minister.

AN HON. MEMBER: Don't be sexist now!

Return To Question 044-86(2): AWG Ulu Award Inappropriate For Men

HON. GORDON WRAY: Thank you, Mr. Speaker. The design of the ulu is not the responsibility of the Department of Municipal and Community Affairs. It is the responsibility of the Arctic Winter Games Corporation, which is comprised of officials from Alaska, the Yukon, Northwest Territories and I think northern Alberta now. However, I will pass the comments along to the corporation but it is certainly something that is not in our control.

MR. SPEAKER: Thank you, Mr. Minister. Has anybody else got a good question?

---Laughter

Mr. Angottitauruq.

Question 045-86(2): Employment In DEWline Sites

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I do not have a good question, I just have a simple question. In my view it may be a good question. I am going to direct it to the Government Leader and it is regarding present DEWline sites. In my constituency I believe I have approximately four and of those four and their distance to the three communities, there is one, approximately 50 miles, one approximately 40 miles and one approximately five miles. At this present time people are saying "Give us a job", and I guess the communities are concerned why they have not been working in the DEWlines. No one has worked in a long time in those present DEWlines. I guess it is partly the people's fault in a way, but then again these are military types of stations and I guess need the government's attention to find out what can be done. What can these communities do toward finding jobs in the DEWline sites at this present time?

MR. SPEAKER: Mr. Minister.

Return To Question 045-86(2): Employment In DEWline Sites

HON. NICK SIBBESTON: Mr. Speaker, the matter of DEWline sites and their operations are not under the direct authority of our government, particularly with regard to the persons that the DEWline sites employ. I will be pleased to undertake to write to the contractors that hire the personnel at the DEWline sites and suggest to them that they be more conscious of and sensitive to hiring people from the nearby communities. I will be pleased to do this on behalf of the Member.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Ms Cournoyea.

Question 046-86(2): Equalization Of Liquor Prices

MS COURNOYEA: Mr. Speaker, I have a question directed to the Government Leader. Is my understanding correct that the Government Leader is working toward attempting to do away with the present equalization on the liquor prices in the Northwest Territories?

MR. SPEAKER: Mr. Sibbeston.

Return To Question 046-86(2): Equalization Of Liquor Prices

HON. NICK SIBBESTON: Mr. Speaker, I appreciate that in the last few weeks there has been some news about that issue. I had raised it at a Native Women's Association annual assembly and stated there that I was tempted to raise the matter with my colleagues on the Executive. Since then I have noted that a number of organizations in the North have stated their opinions about the matter and our Executive has taken some steps to get information on the matter of liquor; both the way that liquor is being sold in the North and the way that it may or may not be subsidized. There is an equalization process of the prices of liquor sold throughout the North. So we are gathering information on the subject and at an appropriate time I would be pleased to provide this information to the Members here.

MR. SPEAKER: Supplementary, Ms Cournoyea.

Supplementary To Question 046-86(2): Equalization Of Liquor Prices

MS COURNOYEA: Mr. Speaker, in any preliminary analysis that the Leader has come across, is he able to tell us, if the equalization was taken away and the correct transportation cost was attributed to each community receiving alcohol, what would be the difference between a case of beer in Yellowknife and a case of beer in Frobisher Bay? As well, if the equalization was taken off, what spin-off benefits would this bring to other programs, if any?

MR. SPEAKER: Mr. Minister.

HON. NICK SIBBESTON: Mr. Speaker, I will take the question as notice and provide a response to the Member tomorrow.

MR. SPEAKER: You are taking the question as notice. Mr. Angottitauruq, did you have a supplementary question? I am sorry. You have the floor.

Question 047-86(2): Reason For Delay In High School For Kitikmeot Region

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I have changed my mind in between. I will direct another question to another Minister. This question will be directed to the Minister of Education. There was supposed to be a regional high school built in the Kitikmeot Region for 1990-91 and it has now been delayed until 1991-92. Would the Minister give me a good reason why that regional high school was delayed?

MR. SPEAKER: Mr. Minister.

Return To Question 047-86(2): Reason For Delay In High School For Kitikmeot Region

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, there was never money budgeted for the construction of a regional high school in the Kitikmeot Region in the Department of Education's five year plan. There was money budgeted to plan such a facility in 1990-91. However, due to the extreme pressures on the Department of Education to replace run-down school buildings in other parts of the Northwest Territories, that planning money was removed from the five year plan in the revision of the capital plan which took place earlier this year. Mr. Speaker, I will be attending a meeting of the Kitikmeot regional education authority this weekend, at which the subject of a regional high school for the Kitikmeot will be discussed. I will be prepared to inform the representatives of the local education authorities from that region of my support for high school programs in the Kitikmeot Region. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Mr. Angottitauruq.

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I guess the Minister stated that there was never any planning but there has been a lot of correspondence and documents and there have been some comments made about the regional high school. I guess there must have been some excitement over it for some reason -- and they are calling it a regional high school. I guess I am going to ask the Minister, for the benefit of his department in the future, to be more clear to that region about high schools and schools, so that there will be no misunderstanding between his department and the people in the communities in that region.

MR. SPEAKER: Mr. Angottitauruq, that is not really a question. Oral questions. Mr. McCallum.

Question 048-86(2): Additional Funding For Housing Associations

MR. MCCALLUM: Thank you, Mr. Speaker. I have a question to the Minister responsible for the Housing Corporation. Today on page four of his statement he indicated that he was pleased to advise that an additional two million dollars in maintenance and administration funding has recently been released to housing associations. A question to the Minister, Mr. Speaker. From whom were these funds released and who had them and why did it take this long to release them?

MR. SPEAKER: Mr. Minister.

Return To Question 048-86(2): Additional Funding For Housing Associations

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. These funds were in the budget. There was a maintenance management system that had been proposed by the Housing Corporation. Mr. Speaker, I was unhappy with it because it tried to treat the whole of the Territories the same, so I asked that it be looked on at a regional basis. So we held off disbursing the money until each region had an opportunity to develop their own maintenance system. Does that answer your question, Mr. McCallum?

MR. SPEAKER: A Minister does not ask questions.

---Laughter

Oral questions. Supplementary, Mr. McCallum.

Supplementary To Question 048-86(2): Additional Funding For Housing Associations

MR. McCALLUM: Thank you, Mr. Speaker. I am not sure whether I heard the Minister correctly. Did he indicate that this money had been in the corporation's budget for personnel? I understand this is for maintenance and administration funding, so has there been a transfer from one to another?

MR. SPEAKER: Mr. Minister.

Further Return To Question 048-86(2): Additional Funding For Housing Associations

HON. MICHAEL BALLANTYNE: No, Mr. Speaker. This money was identified in the budget for the maintenance system and it just was not allocated until I was pleased that the system was adequate to meet each region's needs. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Mr. McCallum.

Question 049-86(2): Tabling Of Plan Of Internal Changes To Housing Corporation

MR. McCALLUM: It is not a supplementary, Mr. Speaker, it is another question on the report. In the next paragraph on page four of his statement, it indicates that the assessment of the Housing Corporation has been completed and a detailed plan to advance changes internal to the Housing Corporation is being implemented. Would the Minister indicate to the House or at least table something to indicate to this committee -- I am sure not only the House but the other committees will be quite taken, I would hope, with this new detailed plan of the Housing Corporation. Will the Minister give an undertaking that he will table that particular document, or the plans, in the House?

MR. SPEAKER: Mr. Minister.

Return To Question 049-86(2): Tabling Of Plan Of Internal Changes To Housing Corporation

HON. MICHAEL BALLANTYNE: Yes, Mr. Speaker, a document is being finalized now. I do not know if we will be able to distribute it during this session but I will give an undertaking that I will table it at the next session. As soon as it is completed I will release it to each Member. Also I have already given the undertaking to the communities that they will have a look at it also.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Mr. McCallum. New question, Mr. McCallum.

Question 050-86(2): Cotterill Report On Fort Smith Region

MR. McCALLUM: Thank you, Mr. Speaker. I have a question to the Government Leader, Mr. Sibbeston. Can the Government Leader indicate to the House if the report undertaken by Mr. Cotterill and Associates on the Fort Smith Region has been received by him?

MR. SPEAKER: Mr. Minister.

Return To Question 050-86(2): Cotterill Report On Fort Smith Region

HON. NICK SIBBESTON: Mr. Speaker, the Cotterill report was received by myself on October 6th and the report is being actively considered by the Executive Council. I am conscious of the Member's interest in the subject and I will attempt to have the government's response to the Assembly during the next week or so.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Is it a supplementary, Mr. McCallum? Supplementary.

Supplementary To Question 050-86(2): Cotterill Report On Fort Smith Region

MR. McCALLUM: Thank you, Mr. Speaker. Given that the business of the House is pretty lean, could I have an undertaking from the Government Leader that the response will be given during this particular session and not that the response be made public after this particular session has been completed.

MR. SPEAKER: Mr. Minister.

Further Return To Question 050-86(2): Cotterill Report On Fort Smith Region

HON. NICK SIBBESTON: Mr. Speaker, I am sorry that I cannot give that undertaking. I can assure the Member that the matter is under active consideration. We have had a number of meetings about the report. We presently have some of our senior staff dealing with the report, scrutinizing it with respect to any fiscal or administrative changes that there may be. The matter is what I consider a grave and weighty matter, so I want to be very careful in dealing with the report. As stated, I will attempt to have our government's response to the report available to the Member during this session. However, if I am not able to, I will advise the Member and the public as soon thereafter as possible.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Gargan. Supplementary, Mr. McCallum?

Supplementary To Question 050-86(2): Cotterill Report On Fort Smith Region

MR. McCALLUM: Thank you, Mr. Speaker. Mr. Speaker, I have some concern with that. If the Leader recognizes that this is of some great concern, not just to me but to other people, and he is going to make whatever recommendation they come to, or take a plan or action outside this House, when then...

AN HON. MEMBER: (Inaudible comment)

MR. SPEAKER: Mr. McCallum, your question, please. A little slow, but we will now listen to your "when".

MR. McCALLUM: ...when will I, as an MLA, or when will the other citizens concerned with it, have an opportunity to voice their concerns to the Government Leader? Mr. Speaker, while I am on my feet, I have a further supplementary to ask of the Minister. I have a reply that the Minister put in this House on June 18th, to a question asked by my colleague, Mr. Richard, where, in the task of this particular study by the Cotterill group, the contractor will undertake a study of the organization of the Government of the Northwest Territories regional structure at Fort Smith to determine the most efficient and effective means of replacing the present regional organization. I have a further letter of the Government Leader to the mayor of Fort Smith, dated September 4th, 1986, in which the Leader pointed out to the mayor that the study is not intended to recommend upon the regional office in Fort Smith, rather the sole objective is to examine the feasibility of alternate types of organization within the Fort Smith Region with a view toward increasing program efficiency and effectiveness. I would like to know which of those particular tasks the Cotterill study was based upon -- replacing or simply looking at increasing program efficiency and effectiveness?

MR. SPEAKER: Mr. Minister.

Further Return To Question 050-86(2): Cotterill Report On Fort Smith Region

HON. NICK SIBBESTON: Mr. Speaker, I do consider the question as lengthy. On one hand I am tempted to take notice of the question and provide a reply tomorrow. But at the same time, I do recognize that the Member is very concerned about it. I will attempt to indicate what the purpose of the study was. Regardless of how it was said at various times, the purpose of the report was to review the regional administration in Fort Smith, with a view to increasing the efficiency and providing better administration to the communities and areas that are presently served out of Fort Smith. That is the most general and best way that I can put the purpose of the report. Some Ministers, I think, have referred to it as a decentralization. At varying times I referred to it as a deployment of the Fort Smith Region. But it is really a review of the Fort Smith Region to see if there is a better way of providing administration to the citizens in what is presently the Fort Smith Region.

MR. SPEAKER: Oral questions. Mr. Nerysoo.

Question 051-86(2): Decentralization For Improved Efficiency

MR. NERYSOO: Thank you, Mr. Speaker. Just a supplementary with regard to the questions that are being asked by Mr. McCallum. Is the government, in its review with regard to Fort Smith, considering decentralizing headquarters responsibilities that will, in fact, improve the efficiency in the delivery of programs and services to the people in the Fort Smith Region?

MR. RICHARD: Do you want a regional headquarters now or...

MR. SPEAKER: Mr. Minister.

HON. NICK SIBBESTON: Mr. Speaker, can I please ask the Member if he could restate his question? I did not catch all of it.

MR. SPEAKER: Mr. Nerysoo.

MR. NERYSOO: Gee, I like this, Mr. Speaker. Is the government...

MR. McCALLUM: Say it differently this time.

MR. NERYSOO: In its review of the Fort Smith Region, is the government considering decentralizing headquarters responsibilities to the region to, in fact, improve the efficiency of programs and services to the region?

MR. SPEAKER: Mr. Minister.

Return To Question 051-86(2): Decentralization For Improved Efficiency

HON. NICK SIBBESTON: Mr. Speaker, the answer is no.

MR. SPEAKER: Supplementary, Mr. Nerysoo.

Supplementary To Question 051-86(2): Decentralization For Improved Efficiency

MR. NERYSOO: Mr. Speaker, if I could direct my question again to the Government Leader. If the intent, Mr. Speaker, of the report is to improve the services to be offered by government to the region, is it not in the interest of the government and the Government Leader to consider the possibility of transferring certain responsibilities that exist at headquarters to the region to better serve the interests of the region and the communities?

MR. SPEAKER: Mr. Minister.

Further Return To Question 051-86(2): Decentralization For Improved Efficiency

HON. NICK SIBBESTON: Mr. Speaker, the review that has been undertaken is essentially to look at the Fort Smith Region as it exists now and to see how services can be better provided to people in the region. The review centred on the regional administration as it is now constituted. I did

not, in the terms of reference, provide for any review of decentralization from headquarters. If the Member feels that it is an area that we ought to have considered then I would be pleased to still consider it, in light of the report that has been provided to date.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mr. Gargan.

Question 052-86(2): Appointments To Review Committee, Regional And Tribal Councils

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Government Leader. It is concerning regional and tribal councils. I understand now that there is a review that will be occurring and I also understand that there is going to be a committee struck to review the regional and tribal councils. I would like to ask the Minister whether appointments have been made to this committee that is going to be reviewing the regional and tribal councils?

MR. SPEAKER: Mr. Minister.

Return To Question 052-86(2): Appointments To Review Committee, Regional And Tribal Councils

HON. NICK SIBBESTON: Mr. Speaker, the decision with respect to appointments to the committee that the Member talks about, has been made. I am prepared to make an announcement on the appointments tomorrow. If the Members are extremely anxious and give me unanimous consent, I would be pleased to make the announcement today. The decision and paperwork is ready for the announcement on the membership to that committee.

MR. SPEAKER: Oral questions. Mr. Wah-Shee.

Question 053-86(2): Policy Regarding Senior Civil Servants Entering Private Business Enterprise

MR. WAH-SHEE: Mr. Speaker, my question is directed at the Government Leader. Would the Minister indicate to this House what is the policy for senior managers and deputy ministers, who resign or leave their positions to enter into business enterprise in the NWT, in regard to the delivery of territorial and federal programs in the area of economic development? And how are these policies enforced?

MR. SPEAKER: Mr. Minister.

Return To Question 053-86(2): Policy Regarding Senior Civil Servants Entering Private Business Enterprise

HON. NICK SIBBESTON: Mr. Speaker, the matter of employment and hiring of senior civil servants in our government is primarily pursuant to provisions of the Hay Plan. There is a procedure where senior administrators are hired through the regular process under the Public Service Act. In the case of senior officials at the level of deputy minister, these officials serve at the pleasure of the government, at the pleasure of the Ministers. These persons are free to leave the government in the event that they wish to pursue private business interests or other interests, and occasionally there have been instances where, at the discretion of the Ministers and the Government Leader, a senior deputy minister or people at that level have left the government pursuant to an agreement. In that case an agreement is worked out between the Minister, myself and the person, and the person leaves the government. So that is the system that we presently have in place.

MR. SPEAKER: Mr. Wah-Shee. Supplementary.

Supplementary To Question 053-86(2): Policy Regarding Senior Civil Servants Entering Private Business Enterprise

MR. WAH-SHEE: Mr. Speaker, a follow-up to that. My question basically has to do with a deputy minister or a senior official in any department, I assume, having to sign an agreement that specifically indicates that when he or she leaves his or her position, that individual not engage in business enterprise in the NWT that will put him or her in direct conflict with his or her previous responsibility. For example, in the delivery of economic development programs within the territorial or federal government. That is my specific question.

MR. SPEAKER: Mr. Minister.

HON. NICK SIBBESTON: Mr. Speaker, I think it would be best if I took the question as notice and provide a response to the Member tomorrow.

MR. SPEAKER: The question is being taken as notice. Oral questions. Ms Cournoyea.

Question 054-86(2): Position On North Warning System

MS COURNOYEA: Mr. Speaker, this is a question to the Government Leader. In the matter of the Executive Council's consideration to provide funding for a nuclear free Canada conference in Edmonton, and in some motions and positions put forward from certain Members of this Legislative Assembly, I would like the Government Leader to clarify if the opinion of either is that they are opposed, or at least not enthusiastic, toward the construction of the North Warning System. In the position of the Leader, is it determined that the North Warning System should not be enthusiastically supported, in view of some of the opinion that the impetus in building such a system would contribute to further advancing build-up of nuclear deterrents?

MR. SPEAKER: Mr. Minister.

Return To Question 054-86(2): Position On North Warning System

HON. NICK SIBBESTON: Mr. Speaker, the North Warning System and the proposal to replace and upgrade the system now is very much supported by our government. It is seen as simply replacing a communications and observation system now out of date. We support it on the basis that it provides opportunities and economic benefits to the North. My message to the Prime Minister with respect to the cruise missile and the North being a nuclear free zone does not affect that matter.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mrs. Lawrence. Sorry. Oral questions. That appears to conclude oral questions for today. Item 6, written questions. Are there any written questions? Mr. Wah-Shee.

ITEM 6: WRITTEN QUESTIONS

Question W6-86(2): Native Economic Development Program

MR. WAH-SHEE: Mr. Speaker, I have a written question for the Minister of Economic Development and Tourism. Yesterday in the House, the Minister for Department of Economic Development and Tourism stated that he would be prepared to second an official from his department with the knowledge required to administer the native economic development program, NEDP, should a regional office be set up in the NWT. At the same time, he stated that his department has no plans to take over the implementation of the program. I find these two statements contradictory, so I would ask the Minister to clarify the situation for me.

What exactly is the nature of the discussions between the Government of the NWT and the federal government regarding the NEDP, and why have the native corporations not been actively involved in the planning of an NEDP regional office in the NWT? The Minister stated yesterday that the Government of the Northwest Territories has no direct responsibility for the native economic development program, so why has this government entered into discussions or negotiations with the federal government at all? Thank you.

MR. SPEAKER: Thank you, Mr. Wah-Shee. Written questions. Mr. Appaqaq.

Question W7-86(2): Bingo Licensing In Sanikiluaq

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Justice and Public Services. The Uviluq women's association has been wanting to hold bingo games in Sanikiluaq to raise funds for emergency purposes in the community. For example, when a relative of a person dies in one of the outlying communities, assistance is often required for this purpose. The GNWT does not provide assistance for this type of situation. Bingo licences are issued by the GNWTs Department of Justice and it takes a long time for a licence to arrive in the community. I was informed by the women's association that they applied for a bingo licence in June; they have not received the licence at this date. Would the Minister of Justice inform this House if it is possible for the hamlet of Sanikiluaq to issue licences for bingo?

Question W8-86(2): Funding For Women's Group, Sanikiluaq

My next question to the Minister of Education. The Uviluq women's association, which is part of Pautuuti, but they have a different name in Sanikiluaq than the national Pautuuti women's organization. They had asked me to express their concern regarding the young people that have quit school and who are now having a hard time getting employment because they lack knowledge. The women's group is requesting that something should be started to help these young drop-outs to learn skills such as sewing traditional clothing and making hunting equipment. As the MLA for Sanikiluaq, my question to the Minister of Education is whether the women's group in Sanikiluaq, Uviluq, could get funding to start a program for the 1987-88 fiscal year?

MR. SPEAKER: Thank you, Mr. Appaqaq. Written questions. Ms Cournoyea.

Question W9-86(2): Capital Allocations Planning

MS COURNOYEA: Mr. Speaker, would the Government Leader provide to the Legislative Assembly tomorrow: 1) whether the capital allocations planning has been concluded; and 2) what criteria were used to determine priorities to these allocations?

MR. SPEAKER: Thank you, Ms Cournoyea. Written questions. That appears to conclude written questions for today. Item 7, returns to written questions. Mr. Curley.

ITEM 7: RETURNS TO WRITTEN QUESTIONS

Return To Question W3-86(2): Adviser To The Department Of Economic Development And Tourism

HON. TAGAK CURLEY: Thank you, Mr. Speaker. Return to Question W3-86(2), asked by Mr. T'Seleie on October 16th, 1986.

1) The Minister's economic adviser will be responsible for assisting in the process of hiring a deputy minister for the Department of Economic Development and Tourism. He will also be assisting in completing a few other organization-related initiatives at headquarters. Second, the adviser has been asked to assist the department in preparing strategies for improving the health of the NWT economy, over the mid and long term. Such strategies will be made available to the recently established subcommittee of the Executive that is to deal with the territorial economy. Third, and somewhat related to the above, the Minister's adviser asked to follow up on Expo '86-related economic development opportunities. The adviser will not be charged with the implementation of the opportunities; rather, his task will be to advise on strategies necessary to gain maximum advantages from these opportunities.

2) The adviser will be contracted to provide advice/support on an "as required" basis. The initial value of the contract is \$6500, which will be reviewed when a deputy minister has been hired. At this time, should the Minister determine that the adviser's services are no longer required, the contract will be terminated or not extended.

3) The adviser was approached by the Minister of Economic Development and Tourism in early October, to determine if he was interested in a contract with the department. The job was not offered by the Executive Council, nor did the adviser ask for the job.

4) The government contracts regulations permit the Minister to enter into consulting service contracts to a maximum of \$50,000 where this service is not available in-house. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Returns to written questions. Mr. McLaughlin.

Return To Question W4-86(2): Aulatsivik Centre, Cape Dorset

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I have a return to Question W4-86(2), asked by Mr. Arlooktoo on October 17th, regarding the Aulatsivik Centre in Cape Dorset.

The centre is presently funded by the National Native Alcohol and Drug Abuse Program. My department is prepared to assist the centre in making application for additional funds. The additional space requirements are available in the existing building and the present concern is for the funding to rent these premises. I have directed my departmental officials to provide the necessary funding of \$400 on an interim basis, pending the consideration of a new application by the Aulatsivik Centre.

MR. SPEAKER: Thank you, Mr. Minister. Are there any further returns to written questions? That appears to conclude this item.

Item 8, replies to Opening Address. Item 9, petitions. Mrs. Lawrence.

ITEM 9: PETITIONS

MRS. LAWRENCE: Thank you, Mr. Speaker. I have Petition 5-86(2), from the drug and alcohol program staff in Fort Resolution, regarding day care. It says that "as concerned working parents we require day care in the community. There is a great need for day care in the community because it is hard for working parents, or parents who would like to work, to find a reliable babysitter. With proper day care facilities we would have:

- 1) Reliable, caring day care personnel, instead of taking older children out of school to babysit their younger brothers and sisters.
- 2) In order to fill the gap between the generations, our children must, at an early age, preschool, learn the Chipewyan language. This can be accomplished by having day care personnel who will speak Chipewyan to them.
- 3) Children with an opportunity to express themselves through supervised educational programs.
- 4) Full-time employment for several community members.

As working parents we are concerned for our children's well-being, who will receive proper nourishment and guidance. This makes us parents less apprehensive about our children and more effective at work. We bring this concern to your attention and ask that you speak on our behalf in the Legislature. We invite other concerned parents needing of child care to sign as an indication of their support.

Mr. Speaker, I have 61 signatures on this petition.

MR. SPEAKER: Thank you, Mrs. Lawrence. Petitions. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Speaker. I have Petition 6-86(2), from the alcohol and drug program staff at the Community Development Centre in Fort Resolution: "As workers in the alcohol and drug field we condemn the use and abuse of alcohol and drugs in the Northwest Territories. We feel that it is more important to subsidize food such as milk, fruit, vegetables, juices and meats. As members of this community we support your decision on cutting the subsidy on alcohol in the Northwest Territories. We invite other community members to show their support as well." Mr. Speaker, on this petition I have 78 signatures. Thank you.

MR. SPEAKER: Thank you, Mrs. Lawrence. Petitions. That appears to conclude petitions for today.

Item 10, reports of standing and special committees. Item 11, tabling of documents. Mr. Patterson.

ITEM 11: TABLING OF DOCUMENTS

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I wish to table Tabled Document 12-86(2), Creating a Better Tomorrow, Aboriginal Claims in the Northwest Territories. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Tabling of documents. Mr. Sibbeston.

HON. NICK SIBBESTON: Mr. Speaker, I am pleased to table Tabled Document 13-86(2), Government of the Northwest Territories Response to the Recommendations of the Task Force on Aboriginal Languages. There is an English and Inuktitut version and the Slavey one will be available later on this afternoon.

MR. SPEAKER: Thank you, Mr. Minister. Tabling of documents. Tabling of documents. That appears to conclude that item for today. Item 12, notices of motion. Mr. Butters.

ITEM 12: NOTICES OF MOTION

Notice Of Motion 3-86(2): Tabled Document 13-86(2) To Committee Of The Whole

HON. TOM BUTTERS: Mr. Speaker, I wish to give notice of a motion for which I will be seeking unanimous consent at the appropriate time today and the motion is: I move, seconded by the honourable Member for Nahendeh, that Tabled Document 13-86(2), titled "Government of the Northwest Territories Response to the Recommendations of the Task Force on Aboriginal Languages", be moved into committee of the whole for discussion.

MR. SPEAKER: Thank you, Mr. Butters. Notices of motion. Notices of motion. There do not appear to be any further notices of motion for today.

Item 13, notices of motion for first reading of bills. Item 14, motions. Motion 2-86(2), rules of conduct. Mr. Pudluk.

ITEM 14: MOTIONS

Motion 2-86(2): Rules Of Conduct, Withdrawn

MR. PUDLUK: Thank you, Mr. Speaker. I would like to withdraw Motion 2-86(2). I would like to ask unanimous consent to go back to Item 12, notices of motion.

MR. SPEAKER: Does the seconder, Mr. Arlooktoo, agree to the withdrawal of this motion? Agreed.

Unanimous consent is being requested to go back to notices of motion. Agreed? Are there any nays? Proceed, Mr. Pudluk.

REVERT TO ITEM 12: NOTICES OF MOTION

Notice Of Motion 4-86(2): Rules Of Conduct

MR. PUDLUK: Thank you, Mr. Speaker. Now therefore, I move, seconded by the honourable Member for Baffin South, Joe Arlooktoo, that a provision be added to the Rules of the Legislative Assembly to give the Speaker, the Deputy Speaker and the deputy chairmen of committees the power to have removed any person who enters the House or the gallery while intoxicated; and further, that this rule become effective immediately. Thank you.

MR. SPEAKER: Thank you, Mr. Pudluk. We are now back on notices of motion. Are there any further notices of motion?

Item 13, notice of motion for first reading of bills. Item 14, motions. Mr. Pudluk.

REVERT ITEM 14: MOTIONS

MR. PUDLUK: Mr. Speaker, I would like to ask unanimous consent for the motion that I just read, to deal with it now. Thank you.

MR. SPEAKER: Unanimous consent is being requested to deal with Motion 4-86(2) that has been given notice of as of today. Are there any nays? You have unanimous consent, Mr. Pudluk. Proceed.

Motion 4-86(2): Rules Of Conduct

MR. PUDLUK: Thank you, Mr. Speaker.

WHEREAS the smooth operation of our Legislative Assembly is desirable and it is important to maintain the dignity of the House on behalf of our constituents;

AND WHEREAS individuals may enter the chamber in an intoxicated state and could be seen by the general public;

AND WHEREAS it is difficult to proceed with the business of the House when individuals in this state are in attendance;

NOW THEREFORE, I move, seconded by the honourable Member for Baffin South, Mr. Arlooktoo, that a provision be added to the Rules of the Legislative Assembly to give the Speaker, the Deputy Speaker and the deputy chairmen of committees, the power to have removed any person who enters the House or the gallery while intoxicated;

AND FURTHER, that this rule become effective immediately.

Thank you.

MR. SPEAKER: Mr. Pudluk, it is my inclination that your motion is most difficult to put into effect or to apply. However, inasmuch as this House has voted unanimously to proceed with this motion, I will accept it. But I am pointing out that I do believe that there will be difficulties in applying this motion as written. Mr. Pudluk.

MR. PUDLUK: Mr. Speaker, are you ruling this out of order or are you asking me to speak to it now?

MR. SPEAKER: No. I am ruling it in order. You go ahead and proceed with it.

MR. PUDLUK: (Translation) Mr. Speaker, I am reluctant to move this motion. However, first of all I would like to comment that when the leaders had their summit meeting, this was a concern that was raised in that meeting. As leaders, they are in the spotlight and the public looks to them and to the fact that they have to deal with alcohol abuse. I am not, in any way, trying to stop people from drinking as I do drink also. However, in the chambers of the Legislative Assembly it is sometimes shameful for any of us if we are to be drunk or in an intoxicated state. We have the biggest mandate in the Northwest Territories in the responsibilities that we have; we have to keep up with them and in the future, the future leaders should be able to know what the mandates of this Assembly are. Personally, I have been a Member or a councillor for a long time and it is difficult sometimes when we try to proceed with the meetings and there is one person intoxicated in the meeting. I regret that fact and hope that the people, or the person can be dealt with perhaps in a closed room. We have to look into the future, for the future MLAs or the leaders in any organization, so that they will not have to have this problem to deal with. As MLAs we have to deal with this problem and it is not good when this happens. I just wanted to make a brief comment.

MR. SPEAKER: Thank you, Mr. Pudluk. Mr. Arlooktoo, as seconder.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I have the same idea as the previous speaker but we are all aware that anywhere in the NWT, we, as leaders, are not to be looked at as merely drunks. You have a rule not to smoke in the chamber and I think there should also be a rule concerning intoxicated persons not being allowed in the chamber. For this reason I am happy to second the motion and I am in favour of not seeing intoxicated persons in the chamber of the Legislative Assembly. I am not too sure how you ran your meetings previously and I know we all drink, but when there is a person who is obviously drunk in the chamber, it is a heavy burden to the Baffin representatives here. The aboriginal people abuse alcohol more than the white people and it is so obvious when a person is drunk in here, because we are in the public eye. I am happy to second the motion and I am supporting it. I cannot say anything further. Thank you.

MR. SPEAKER: Thank you, Mr. Arlooktoo. To the motion. Mr. Paniloo.

Embarrassment To Members

MR. PANILOO: (Translation) Thank you, Mr. Speaker. I am supporting the motion. I was elected toward the end of 1983. To date I am able to do more than before. Every time I come to the chamber and there is a problem on the floor, I just go out to get away from the problem itself. I prefer to see something useful being done here in the chamber. If the new motion is going to be directed to all the Members here, I am going to support it.

I am not worried about the weekends or drinking after the hours of the session but during the time we are in the chamber this has been a problem that has been ignored. We are not even allowed to have food on the floor, or smoke. For this reason I am concerned that this kind of problem should be looked into. It is a serious problem. I am aware too that this problem has been in existence for two days -- a person being intoxicated at the Legislative Assembly session. I do not know if it is really affecting me or not, as a Member, but it is an embarrassment to me as an elected person. I think it is going to help us to resolve this problem if the motion goes into effect. I will be happy to see the Members support this motion. Thank you.

MR. SPEAKER: Thank you, Mr. Paniloo. To the motion. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I agree with the concern behind the motion, namely that it is very important that this Assembly and Members of this Assembly set a good example for all people of the NWT in our actions in this House and even outside this House. I would venture to say that in my view, with perhaps a few exceptions over the years, this Assembly does set a good example for the young people of the NWT in the conduct of public business and in inspiring people to aspire to public service. Indeed, while there may be, or may have been some Members who have occasionally exhibited weaknesses relating to and perhaps resulting from the pressures of office and leading to problems with alcohol, I think it is also worth noting that some of our Members do not drink at all.

So Mr. Speaker, while I do agree with what the Member is saying and while I do know that members of the youth assembly that met to give us advice last year talked about the importance of MLAs setting an example, I would like to point out that there is another matter at issue underlying this motion and that is the democratic right to represent one's constituents and to represent them through freedom of speech and freedom of assembly and freedom of association. Mr. Speaker, I must say that I would be concerned that this motion, if embodied in a rule of this House, would impose an enormous responsibility on the Speaker.

Mr. Speaker, I believe that there should be order in this Assembly and I believe that it is very clear that if any member of the public or any Member of this Assembly walked into this House and disrupted the House by shouting, by swearing, by upsetting chairs or tables, I am sure that it is very clear that the Speaker and the Sergeant-at-Arms should have the power to remove such a person. I believe, Mr. Speaker, that Rule 13 in our rules which states, under "Order and Decorum", that "The Speaker shall preserve order and decorum and shall decide questions of order", does in fact give the Speaker the power to take the necessary action in situations where the business of the House is disrupted.

Problem Of Defining "Intoxicated"

However, Mr. Speaker, with the greatest of respect to the mover of this motion, I would like to point out that the motion says that the power to remove a person who enters the House "while intoxicated" shall be given to the Speaker, the Deputy Speaker and the deputy chairmen -- not "while intoxicated and causing a disturbance", not "while intoxicated and shouting and swearing", but simply while intoxicated. Mr. Speaker, the Webster's dictionary definition of "intoxicated" reads "affected by or as if by alcohol". Mr. Speaker, my concern would be that this is a very, very generous definition. I would venture to say that anyone who had a glass of wine at lunch would be affected by alcohol and therefore intoxicated and therefore subject to removal by the Speaker or the Deputy Speaker or the deputy chairmen of committees. Now, while I know that that is undoubtedly not the intention of the honourable Member who made this motion, I would just be concerned that, in fact, if the motion is approved, that power and the consequent burden of responsibility would fall on officers of this House. And it would in effect give them a very arbitrary and very extensive power which would never, I know, be abused by you, Mr. Speaker, but in fact in a difficult situation or in a close debate or in a controversial matter which occasionally visits itself upon this House, when an issue of very close division is before the House, in fact this rule might be invoked in a very arbitrary and capricious manner.

I would suggest that if the rule was amended as suggested, it might in fact affect the rights of constituents to representation in this Assembly. So again I would like to say that while I fully support the principle of the motion, mainly that Members of this House should set a good example in terms of working hard and being vigilant in the Legislative Assembly, I think we have to be careful about just to what extent we go in expressing this concern in rules of this House which may put the Speaker in almost an impossible situation. So, not because the motion does not have a good sound premise underlying it, but because I am afraid that the very generous interpretation of the word "intoxicated" could put a very difficult burden on the Speaker and in fact could threaten democratic rights, I would suggest that perhaps this is a matter which should be referred for further study to the committee on rules and procedures of this Assembly. That is the only comment that I will make at this point, Mr. Speaker, because other Members may wish to comment. I think that this motion demands a little more sober -- if you will pardon the adjective -- study. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Speaker. I do not think you are going to find anybody in this House who would oppose the intent of this motion, and that is to ensure that the representatives of the people are -- not only are but are seen to be -- exercising their judgment while in possession of all their faculties, and not under the influence of alcohol, which is not something that happens very often in this House and it has not happened very often in the past.

Rule Impossible To Enforce

Quite frankly though, Mr. Speaker, if this motion passes, my concern is that we are bringing in a rule and giving you, or the Deputy Speaker or the deputy chairmen of committees, a power which you cannot exercise. You cannot exercise the power that is contained in this motion because you have no way of knowing whether or not a person is intoxicated, unless you are going to have us all line up at the door and give us a breathalyzer test. There is no way for you to enforce this rule. I cannot see the point of us passing a rule which simply is just not enforceable. I would think that perhaps this has to be sent back for further study to see what can be done. But I know of no way for you to make a decision on whether or not a person is intoxicated, other than the fact that -- I guess if the motion had said "while visibly intoxicated", it might have been a little easier for you because then you can tell from a person's physical signs whether or not they are intoxicated, but other than that I really do not know of a way in which you or any of the chairmen or the Deputy Speaker can determine whether a person is intoxicated or not. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Wray. To the motion. Mr. Curley.

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Speaker. I have a short comment to make. Rules and procedures have to be thought over very carefully. It has been obvious that a motion like this would be coming forth and we have to have rules and procedures right within the gallery. The person has been thinking about this for a long time. If we try and postpone this motion, I think it would not be in effect for a long time. Obviously there is a person who has been intoxicated in the House. Even criminal acts are in effect in our House.

If there was a TV in our gallery here when someone was drunk, people would be able to see that on TV throughout the Northwest Territories. If we were being shown on TV publicly we would need a rule of this sort. I think that we should not have to postpone this motion any further. I think it is obvious to see when someone is intoxicated or when someone has a history of being intoxicated, it can be obvious to someone. How can this motion be amended? It is just like when I cannot talk, I cannot talk. It is the same when someone is intoxicated, they are obviously intoxicated. When you are home, nobody can make you stop talking. If I take my necktie off would my representation disappear? It does not have an effect that way. I will speak further in English. (Translation ends)

Proposed Guideline Is A Good Beginning

There are rules established in the Rules of the Legislative Assembly. I say the rules are a guideline, not necessary moral standards of any individuals of this House. For instance I could speak in this House while you, Mr. Speaker, are in the chair, without wearing my necktie. That is really to me a complicated situation which I have to accept. Not necessarily because it is my culture. It is an absolutely odd rule that is outdated and should be taken out of the rules of this Assembly. I consider another point as the mover of the motion recommended to the House, to be of the same relevance as attire status of MLAs. I for one believe that if the TV cameras were to be instituted in this House, Mr. Speaker, you would have to have some guidelines as to how to deal with the intoxicated individuals, like the Member for the High Arctic for so long has had to tolerate it, with a Member sitting beside him, not really knowing what to do.

In many cases he has had to take the role as the committee chairman for the deputy chairman of the committee of the whole, who has not been able to carry out his duties. That is one example as to how we can indicate whether the Member is intoxicated or not. In my view, in that state, the Member was not able to perform the duties that have been assigned by this House. So that is one indication. The Speaker would have a pretty clear idea as to what to do with that individual. The rest of the Members could obviously refuse to replace the deputy chairman of the committee of the whole in that role and therefore would have to ask the Member who is in such a state to try and carry out the role. So that is one example.

Mr. Speaker, I do not want to argue about whether or not we are dealing with establishing standards with respect to the moral state of individuals because I really do not think the Member for High Arctic tried to establish standards for moral behaviour but rather to establish a respectable state, as you have asked us to do by wearing such a fashion of attire as the tie, which I could not speak without while the Mace is on the table. So in that regard I am in full support of the motion because I think it will at least allow us to fine tune the provision if it were to be incorporated. I know that it would require more definition. Definition would have to come at a later period but such as it is, I think it is a good beginning and I am inclined to support it. Thank you.

MR. SPEAKER: Thank you, Mr. Curley. To the motion. Mr. Butters.

Dignity And Decorum Has Been Maintained

HON. TOM BUTTERS: Mr. Speaker, I agree with the mover of the motion that the dignity and the decorum of this House should be maintained at all times. However, I disagree with some Members who have stated that has not been the case. I feel that you, sir, as Speaker, have carried out your role excellently and with dispatch and that we have had during your tenure very few, if any, problems I can remember of this nature. So I am sure that neither the mover nor the seconder nor anybody in this House see this motion as suggesting that you are not and have not carried out your function in the manner which we expected you would when we elected you to this role.

I would point out, I have seen activity in this House for many, many, many years and I would say -- not even by and large -- I would say this House and the Members in this House of today and in the past could be held up to any other Legislature, and not only in Canada, but in the world, for the manner in which they deal with each other. The respect they have for each other and the courtesies which they extend to each other in debate, you will not see in the House of Commons. Go to the House of Commons and see that it is like a bear pit. This House is an example to many Houses of the world over. So I would hope that the press or anybody that listens to this debate does not feel that we are some kind of an animal show. We are not. I think we are foremost in Legislatures in the world today.

I would also say as legislators, sir, that we have learned in putting forward and examining legislation that it is a waste of our time to develop bad law and bad law is law that cannot be enforced. Neither should we be developing bad rules and bad rules of this House are rules that cannot be enforced. I think in this case, while I understand and sympathize with the intent that the Member has put before us in this motion, I do not see how the motion as it currently exists can be enforced. When I spoke of intoxication in the House, I spoke with regard to this chamber, but in the gallery as well I have seen many, many people come into this gallery and I think that I can count on one hand the number of times in which an observer from that gallery has had to be requested to leave. So not only has our chamber, as I say, acted in a mature manner but also the people that come from the Territories to witness us have acted similarly.

I would hope, Mr. Speaker, that this motion is referred or will be looked at by our House standing committee on rules. That committee is currently in very active meetings and process and I believe that rather than attempting to make a decision on this motion now, we should ask the chairman and his committee to look at it. I feel the rules that we currently have, have taken the concern of the Member into regard in the past and I think will continue to do so in the future. I would think if we look in the past when the Speaker has had a problem with Members of this House, the Members have not been intoxicated or been drinking. It has been in the emotion of the moment in debate. Those are the difficulties we have had but in terms of intoxication I think that they have been dealt with under our current rules and I think can be dealt with in a similar manner in the future. Thank you.

MR. SPEAKER: Thank you, Mr. Butters. To the motion. Mr. Sibbeston.

HON. NICK SIBBESTON: Mr. Speaker, I support the motion and I urge as many Members as possible to support the motion. The North is a place where there are a lot of meetings -- throughout all parts of the North -- and I am happy to say that in my own constituency I can see where there has been a public consciousness about drinking at public meetings. In my area, at any of the band council meetings, at any of the regional council meetings, where at one time there was kind of a quiet acquiescence or acceptance of a drunken person at a meeting, nowadays there is no tolerance of anybody that is drinking at public meetings. They are immediately dismissed and told to leave and where meetings are held outside the person's community he is made to pay his way back. So there is a growing consciousness and support to have people sober and at their best at meetings.

Direct And Firm Measures Needed

I believe that the matter can be dealt with in a very practical and commonsense way by a person such as you, Mr. Speaker. I am glad the matter is being raised here, too, because it brings further public attention to the matter of alcoholism and drunkenness in the North. I guess what we would be saying if this motion was passed, is that we as MLAs do not tolerate anybody drinking as MLAs or in public when they come into this place. It is serious business and we are going to be at our best in order to do work on behalf of the people.

I feel that we must deal with the problem in a very direct and firm way and we must be very stern. It has been said by people who deal with alcoholics that you do not get anywhere by pussyfooting, by being nice and by ignoring a problem. There is such a thing as tough love and taking very stern measures with anybody that has a problem. So in my view this provision could work. It could be very effective and it is a message to the people of the North that we are serious about alcoholism and we do not tolerate it in our Assembly.

Other Members have raised the matter about how difficult it might be to deal with it and suggesting at one drink and so forth, and do we have to have a little test as we come in. I think these are irrelevant, they are red herrings. I believe that if this motion passes, the Speaker can use his common sense to gauge whether somebody is intoxicated. To me, somebody intoxicated means a person that is not in control of himself. He is staggering, he is falling around, he is talking, he is falling asleep -- doing all of these very obvious things which indicates that a person is intoxicated.

AN HON. MEMBER: People fall asleep all the time.

---Laughter

HON. NICK SIBBESTON: Okay, maybe falling asleep is going a little bit too far. One should gauge before he falls asleep whether he was intoxicated.

AN HON. MEMBER: As long as he does not snore.

HON. NICK SIBBESTON: So I urge Members to be bold and not be afraid and to support this. It is with a view to improving things in this House. I think it will do that.

MR. SPEAKER: Thank you, Mr. Sibbeston. Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. I understand the spirit in which this motion was put forward and the frustration that Members could feel when occasionally one among us does not carry out their duties in a responsible way. One thing I would like to say is that I am proud to be in a House that would debate publicly an issue as sensitive as this. There is probably no other legislature in the country who would have the courage to have a full public debate on such a sensitive issue. I think that is one advantage of consensus government when there is not the divisiveness of partisan politics, that we can talk about a very sensitive issue in this sensitive way. I think it also points out to all of us that politicians are ordinary people -- ordinary people with a very special responsibility. In any group of ordinary people, occasionally there will be people with problems. I think what we are trying to do here is find a way to deal with those problems. I agree with Mr. Butters. I want to make it very, very clear to people in the Northwest Territories that it is very rare among the politicians that I have met at the municipal level or at the territorial level, that this problem exists. The vast majority of politicians at all levels of government do not have this problem and they carry out their responsibilities in a very responsible manner.

Better Mechanism Needed To Achieve Objective

I do have a concern about this particular way of dealing with the problem. My concern is a concern that has been put forward by other Members. I think that as a Legislature, if a problem occasionally arises, we need a mechanism to deal with it. I am not convinced that this is necessarily the right mechanism. I have a concern that, for instance, if a Member, because of some sickness is under medication and might for instance, slur...

---Laughter

No, I am saying that the Speaker might, in the Speaker's opinion, because it is a judgment call -- and that is all it is, it is an objective judgment call -- ask such a Member to leave. And, if we were to agree to this rule, I think then, that we should also think of some form of appeal process. Somebody cannot be convicted without some due process. I think that is another principle. The Government Leader speaks of courage. Now, I think, that because one disagrees with his perception of action, that does not necessarily mean lack of courage. I feel as strongly as anybody in this room that Members of this Legislative Assembly should act with responsibility, with dignity. But I also think that there might be better mechanisms to achieve that particular objective. So I just want to caution the House, though I agree with the spirit and with the intention of the motion, that I think with a little bit more reflection we might be able to come up with a better way to deal with the problem. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Mrs. Lawrence.

MRS. LAWRENCE: Mahsi cho. (Translation) Mr. Speaker. In the Northwest Territories there are a lot of problems because of people drinking. We sit here together, we all sit here together, some of us drink but not too many of us show up drunk. Some people here do not drink at all. But in the future some people are going to be taking over our positions. The new people, the young people that are going to be taking over, if they are going to be having problems with alcohol, right now we should be doing something about it. We should put in a word right now so that in future the young people who are going to be taking our place would not have problems with alcohol. That is why I want to support the motion that the Member made.

MR. SPEAKER: Thank you. Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Mr. Speaker, I will be very brief. I, too, support the motion and understand the difficulty the Member for High Arctic had leading to his request that you reassign his seating. The difficulty, though, as Mr. Patterson says, is that the wording could be a little bit unclear and exaggerated. However, I would like to, if this is possible, Mr. Speaker, have the Clerk or yourself, explain this: If this motion did pass as it is, I note that in the text it does not actually provide suggested wordings to a new rule so I would assume that if this motion did pass in its present state, that it would then just be a matter of process that it would have to go to the standing committee on rules and procedures in order to determine the proper wording to be put into the rules. So I would like to have a clarification on that by yourself or the Clerk so that I can determine whether I want to vote for this or have the motion referred to a committee. Thank you, Mr. Speaker.

MR. SPEAKER: It would under normal circumstances, be turned over to the committee on rules and procedures as a recommendation from the House which, of course, is the authority. It would be, I presume, put into force and into the rules by that committee. Then it would have to appear again in the House for ratification, as part of your new rules. To the motion. Mr. Angottitauruq.

Wording Should Be Changed

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I guess we all know that in order to try and help the future of the young people, we try all kinds of things. I have a little difficulty with the wording of the motion. Not the purpose of it, but if we are in a way trying to put it in the rules, I do not think that in any way, the way that it is put would stand under the law. I guess what I am saying is the wording has to be changed. Because we are not experts and Mr. Speaker and all the other chairmen of whatever are not experts in a way. That is already the argument there. A technical argument. I guess, what I am saying is that there has to be a closer study before that motion is put out. Then it would be a lot easier to vote upon.

In spirit, yes, we put our minds into it and we could vote for it in spirit. But, then again, the wording just does not stand. If we are the Legislative Assembly and we are trying to make laws for the Northwest Territories, we have to be precise in some way. I believe that it is a very hard decision for myself and all of you in some way -- not looking at one individual but looking at us all and whoever enters into the House, into the chamber, into the gallery. We cannot just point our fingers and say "The guy is drunk, intoxicated." It is very hard. That is where the difficulty comes in. Yes, I would support everything in the Northwest Territories that we have to help the people and try to better the future of the children. I support every last thing. But sometimes in some way some things just cannot stand, such as this motion -- just for the technical problems. Nothing else. Thank you.

MR. SPEAKER: Thank you, Mr. Angottitauruq. To the motion. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Speaker. I just wanted to say that I do support the intent of the motion. There is one legislation that may address that particular issue and that is with regard to the Mental Health Act. However, I would also like to say that in the North where the aboriginal people are the majority, it is quite obvious that every time an issue like this is addressed, it is usually focussed at that particular group of people. Quite evidently if you go down south, it is the non-native people who do have the majority of these problems. However, over here in the North, because the aboriginal people are the majority, it is quite evident among them. I just wanted to point that out.

Difficulty Of Making Judgment

The other thing I would like to mention too is that I just had the opportunity to drive down the road, just this afternoon at dinnertime and I saw three individuals beating up on one individual, and those were not aboriginal people. Whether these individuals were intoxicated or not, I could not say. It is difficult to find out or to say whether an individual is reacting to a situation or not. I have already addressed that when the Mental Health Act was addressed. However, again, it is very difficult in situations like these when professional people are required to make a judgment on people. It is quite difficult to make these judgments. So I just wanted to mention that particular issue, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you, Mr. Gargan. To the motion. Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I will make this brief. I think this is going to be very beneficial, so I am going to be supporting it. I am not only thinking of myself but also of the next generation who will be elected to the Legislative Assembly. That is why I want to support it. I think it is going to have to be shown that you have to be firm to be able to do your job in the Legislative Assembly. We politicians are the only ones who can make legislation and I feel that when you say we are professionals or politicians -- there should never be any drunk people in the Legislative Assembly because people are going to look at it in a very observing way and they are going to think that we are not effective in the Legislative Assembly. It is going to be very beneficial to the next generation and we should make them aware of these things. When the motion goes forward this can also be considered in the communities -- how to improve the system and how to go forward in procedure of meetings. So I am going to be supporting the motion and any recommendations concerning these matters. Thank you.

MR. SPEAKER: Thank you, Mr. Appaqaq. To the motion. Mr. MacQuarrie.

MR. MACQUARRIE: Thank you, Mr. Speaker. I think that all Members of this House are confronted with a kind of dilemma this afternoon because the problem that has given rise to Mr. Pudluk's motion is a real problem, it is a serious problem, although perhaps not as widespread as might be inferred by people when they hear mention made of it. So that is the one side of the dilemma. There is a real problem.

Members Represent Constituents' Interests

The other side of the dilemma for us this afternoon is that the proposed resolution of the problem -- having the Speaker determine subjectively that someone is intoxicated in this House or in the chamber, and have them removed arbitrarily -- has very serious objections that need to be considered. I would like to deal with those first. Members who come to a Legislature such as this, whether they are intoxicated or not, are elected by citizens in their constituency to represent their interest. And if the Speaker is arbitrarily to remove an elected representative from the House, he is taking away the right and the opportunity of the citizens in that constituency to have their concerns reflected and represented. In one sense it is not for us to judge for those citizens whether their interests are being represented effectively. I do not think we have the right to make that judgment.

I think we do have the right to make a judgment as to whether the individual or individuals that are in question are performing duties that they take on for this House, as a result of motions by Members. We have the right to judge whether they are doing those duties effectively or not. If they are named to committees or positions such as chairman of committee of the whole or whatever, I think that we do have the right to decide that perhaps they are not doing those duties effectively and do something about it.

I am really reluctant to participate in making a decision that they should be removed from the House. That is a very weighty matter to lay on the Speaker's shoulders. There is very great danger that in giving the Speaker that authority and he in trying to exercise it judiciously, might nevertheless be in error. He may be inaccurate. He may be confronted by someone who is ill, who has been taking some medications to deal with the illness and if that is mistaken to be intoxication, he might have the person removed. So his judgment may be inaccurate. He may make decisions that result in inequity, where this week, depending on how he feels, still again trying to be judicious, he decides that someone is not to be removed and then two weeks later it is a different standard that is imposed. So all of those are concerns. Again, as Mr. Patterson alluded to earlier, it is possible, not for this Speaker surely, but for a Speaker in the future, to use that power for political reasons.

All Are Tarred With The Same Brush

So I am very reluctant to agree to a motion that would confer that kind of power on the Speaker alone. And yet, as I say, we are faced with a real and serious problem. For me, not so much because of the dignity and decorum of the House -- it is not a great concern to me because one or more Members may be seen by the public to be intoxicated. That is not a great concern to me in that direct sense, that somehow the rest of our dignity is lowered by it. I do not believe and have never believed that the actions of one will reflect on all. I am content to be judged by what I do or do not do. But in a subtle way, this does have an impact on all of us. Because if there is an incident that may be reported, as one was reported on the radio yesterday, in all of this there is a reluctance to use names because we recognize the sensitivity of the issue. But when names are not used in public reports, then two things occur. One is that unjustly all of us are tarred with the same brush, those who do not drink and those who drink little, those who may drink a lot but never let it interfere with their work -- all are tarred with the same brush because the public does not know who is being referred to when the allegations are made.

Constituents Can Judge Merits Of Member

So that is one concern and another is that then the public may assume that the problem is much more widespread than it really is. I say that it is not very widespread in this House at all. The reason that I am more concerned about than dignity or decorum, is that it is true in the North we have a very serious alcohol problem. We were asked earlier this year to set an example with respect to smoking. I am desperately trying to do that, and I will cut my remarks short so that I can get out and have a puff in a little while. In this area, certainly, we ought to be trying to do that too. But how do you do it short of having the Speaker remove somebody? Well, I think there may be ways in which, when a Member comes to this House intoxicated, that he is not removed but that there may be ways, publicly, to let people know that that is the state that he came in. Let his constituents know that that is the way he comes to the House and let them judge finally, whether he ought to be there or not. The rest of us can judge whether such Members should be holding special positions on committees. The only way to do that, in my opinion, is not to pass this motion today but rather to refer it to a special committee on rules, procedures and privileges in order for them to think it over seriously. We are not trying to dodge anything, but think the whole thing over seriously and make some recommendations as to how to deal with it best.

Motion To Refer Motion 4-86(2) To Special Committee On Rules, Procedures And Privileges, Carried

And therefore, Mr. Speaker, I would like to move that this motion be referred to a special committee on rules, procedures and privileges. And that motion is, I believe, seconded by the honourable Member for Nunakput.

MR. SPEAKER: I have a motion on the floor. To the motion. Question being called. All those in favour? Opposed, if any?. The motion is carried.

---Carried

Item 14, motions. Are there any further motions? Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, may I have consent of the House to give my motion that I gave notice of earlier today?

MR. SPEAKER: Unanimous consent is being requested to proceed with a motion that was given notice of today. Are there any nays? Are there any nays? Proceed, Mr. Butters.

Motion 3-86(2): Tabled Document 13-86(2) To Committee Of The Whole, Carried

HON. TOM BUTTERS: Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Nahendeh, that Tabled Document 13-86(2), entitled "Government of the Northwest Territories Response to the Recommendations of the Task Force on Aboriginal Languages" be moved into committee of the whole for discussion.

MR. SPEAKER: Your motion is in order. To the motion. Are you ready for the question? All those in favour? Opposed, if any? The motion is carried.

---Carried

Item 14, motions. Mr. Nerysoo.

MR. NERYSOO: Point of order, Mr. Speaker. Are we going to be receiving the documentation so that we can discuss that particular motion that the Minister has approved?

MR. SPEAKER: It has been tabled and you will have copies of it just as quickly as we can get them to you. It was tabled today, but it is not issued yet. It will be forthcoming very shortly. Are there any further motions?

Item 15, first reading of bills.

Item 16, second reading of bills. Item 17, consideration in committee of the whole of bills and other matters. Bill 1-86(2), Bill 8-86(2), Bill 4-86(2) and Tabled Document 13-86(2), with Mr. Wah-Shee in the chair. Before I leave the chair, I would like to recognize Mr. Fraser, a former colleague of this House. Mr. Fraser.

---Applause

Mr. Wah-Shee.

ITEM 17: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-86(2), ARCTIC COLLEGE ACT; BILL 8-86(2), WORKERS' COMPENSATION ACT

CHAIRMAN (Mr. Wah-Shee): The committee will come to order. We are dealing with Bill 1-86(2). We will continue after coffee break, 15 minutes.

AN HON. MEMBER: Coffee break?

CHAIRMAN (Mr. Wah-Shee): Yes.

---SHORT RECESS

We are dealing with Bill 1-86(2). I believe the Minister was going to produce an amendment to the bill. Mr. Patterson.

Bill 1-86(2), Arctic College Act

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. There were several issues raised yesterday that I promised to report back to the House on. Firstly, Mr. Chairman, Mr. Nerysoo asked to be assured that the budgeting and reporting system of the Arctic College, as set up in this legislation, would be in line with proper practices and with those of other government agencies, such as the Housing Corporation, who are funded through contributions. I would like to report that the financial aspects of the act have been discussed with the comptroller for the NWT and he pointed out that in fact the financial provisions provide even a stronger reporting requirement than for the Housing Corporation at the moment. This may well change with respect to the Housing Corporation but the requirement to provide financial statements three months after the end of the fiscal year is even stricter than that required of the Housing Corporation.

Mr. Chairman, the board is required under section 16 to prepare estimates and submit them to the Minister when they are requested. Clearly, the Minister has the power to require those estimates well in advance of the coming fiscal year, which I believe was a concern that Mr. Nerysoo had.

Section 19 requires that audited reports and financial statements, as well as the activities of the college for the previous fiscal year, be submitted within three months after the end of the fiscal year. This time frame is stipulated by Finance to all agencies to ensure that the government's overall financial position can be finalized within six months after the end of the fiscal year. The time frame is intended to put pressure on such organizations to provide timely audited statements. I would like to point out also, Mr. Chairman, that under paragraph 8(1)(a) of the bill, the Minister may direct the board to provide any other reports he feels are required if he or she is concerned about the use of college money. For example, the Minister might stipulate that monthly management reports be provided, but it is more likely that the Minister would ask for a quarterly unaudited financial statement. In any event, the comptroller for our government is satisfied and I am satisfied that the provisions outlined in the act do allow for the required level of controls and are consistent with other similar government agencies.

Measures To Allow Non-Residents As Board Members

Mr. Chairman, if I may go on, I promised to -- again, on a suggestion from Mr. Nerysoo -- I promised to look into measures by which additional members, perhaps non-residents of the Northwest Territories, perhaps people who should be recognized by virtue of their standing in industry or through their involvement with charitable corporations, could be included as members of the board. This suggestion seems to have merit, Mr. Chairman, and I would then propose an amendment, which would not tamper with the requirement that regional representatives be ordinarily resident in the region, but would instead expand on the Minister's power to appoint additional members as deemed necessary. So the proposed amendment, Mr. Chairman, would be to paragraph 10(2)(d). It would permit the Minister to appoint such additional members as the Minister deems necessary. If paragraph 10(6)(a) is removed, then it would be possible to appoint additional members who are not resident in the Northwest Territories.

Motion To Amend Paragraph 10(2)(d), Delete Paragraph 10(6)(a), And Renumber Paragraphs 10(6)(b) To (d), Bill 1-86(2), Carried

Mr. Chairman, with your indulgence, I will move, that Bill 1-86(2), An Act to Establish the Arctic College, be amended by deleting line 44 on page three and substituting paragraph (d) "such additional members as the Minister deems necessary". I further move that lines 11 and 12 on page four be deleted and paragraphs 10(6)(b) to (d) be renumbered as paragraphs 10(6)(a) to (c) respectively.

So in sum, Mr. Chairman, 10(2)(d) is replaced with "such additional members as the Minister deems necessary"; the first paragraph in 10(6), namely paragraph (a), will be deleted; and (b) to (d) become (a) to (c). I think that would accomplish the suggestion made by Mr. Nerysoo and permit a member to be appointed who is not ordinarily a resident in the Northwest Territories. I am sending you a copy of that, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Mr. Minister, your amendment is in order. To the amendment. Question has been called. All those in favour? The amendment is carried.

---Carried

Mr. Minister.

Inuvik Campus To Be Established And Named Later

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. There was one other point raised by Mr. Nerysoo and that concerned clause 36. Mr. Chairman, I agreed to look into whether there would be a means of recognizing the now established campus of the Arctic College in Inuvik. Mr. Chairman, a name has not yet been chosen for that campus of the Arctic College to be located in Inuvik. I would like to consult with persons in the region as to the appropriate name to be given to this campus. Therefore, it is not recommended that the campus at Inuvik should be set out in clause 36 at this time. However, Mr. Chairman, once an appropriate name has been chosen for the campus at Inuvik, the campus will be established, as are the Thebacha and Iqaluit campuses, and when Bill 1-86(2) is

enforced on April 1, 1987 I will be able to make an order which will establish the campus at Inuvik with its appropriate name under the Arctic College Act. Thank you, Mr. Chairman. So I am not proposing any amendment of that clause at the moment. There are provisions whereby the new name can be duly recognized in law. Thank you.

CHAIRMAN (Mr. Wah-Shee): Now we are back to short title. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): To the bill as a whole, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Does the committee agree that Bill 1-86(2), as amended, is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, if the committee might consider Bill 8-86(2).

CHAIRMAN (Mr. Wah-Shee): Does committee agree that we are now ready to deal with Bill 8-86(2)?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): I would like to call on the Minister responsible for Workers' Compensation, Mr. McLaughlin.

Bill 8-86(2), Workers' Compensation Act

Opening Remarks

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. The amendments contained in this bill were recommended to me by the legislation review committee which I established in May of this year to review the Workers' Compensation Act. The committee made its first report to me in August and their final report is due at the end of this month. In their first report, the committee made three recommendations. First, that the year's maximum assessable remuneration should be increased from \$30,400 to \$36,800. The committee in this case is endorsing the recommendation of the Workers' Compensation Board. Secondly, that the term "year's maximum assessable remuneration" should be changed to "year's maximum insurable remuneration" to better reflect the primary purpose of the maximum. Thirdly, that the basis of calculating benefits for injured workers should be changed from 75 per cent of gross earnings, which is the present situation, to 90 per cent of net earnings. In other words, to calculate workers' compensation benefits so that an injured worker on compensation would basically receive 90 per cent of the take-home pay.

Mr. Chairman, the Workers' Compensation Board's policy in recommending previous levels of the year's maximum assessable remuneration to the Legislative Assembly has been to ensure that 80 per cent of the workers in the NWT were fully covered for compensation; that is, to ensure that 80 per cent of the workers earned less than the YMAR and only 20 per cent earned salaries above the YMAR. The Executive Council supports that approach and we have included an increased maximum of \$36,800 in these amendments.

The reason for the change from 75 per cent of gross to 90 per cent of net is to ensure that a worker on compensation will not earn more than his normal take-home pay. Workers' compensation benefits are not taxed, Mr. Chairman, so it is quite possible, as the year's maximum increases, that some workers, if they receive 75 per cent of gross earnings, could actually receive more on compensation than they would get for working.

Mr. Chairman, the amendments contained in this bill seem rather complicated, but many of them are simply to make the wording change from year's maximum assessable remuneration to year's maximum insurable remuneration, which appears in quite a number of places in the act.

Mr. Chairman, I would request the permission of the committee to have the chairman of the Workers' Compensation Board, Mike Moore, and executive director, Mr. Bryan Roberts, present at the witness table to assist me in providing Members with information.

CHAIRMAN (Mr. Wah-Shee): Thank you. Does committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Mr. Minister, for the record, would you identify your witnesses, please?

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. Mr. Mike Moore is the chairman of the Workers' Compensation Board and Mr. Bryan Roberts is the executive director of the Workers' Compensation Board.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Mr. Nerysoo.

Comments From Standing Committee On Finance

MR. NERYSOO: Thank you, Mr. Chairman. This is a preliminary report of the standing committee on finance, not the standing committee's complete report to this House.

The standing committee on finance met on Thursday, October 16th, to review Bill 8-86(2), An Act to Amend the Workers' Compensation Act. Members of the committee commented on this bill clause by clause and have agreed to proceed with discussion in committee of the whole. I would, however, like to make Members of this Assembly aware of the committee's concerns and the government's response. The Minister responsible for the Workers' Compensation Board, Mr. McLaughlin, appeared as a witness before the committee. It was explained that it was the purpose of this act to correct an inequality resulting from the present method of calculating benefits payable to disabled individuals.

At present two employees, one single and one with three dependants, making the same annual wage, take home different amounts of pay. The single person, without having deductions because of his dependants, pays more income tax at source and therefore has small take-home pay. The problem apparently was that when compensation was paid based on 75 per cent of gross earnings, the result was that the single person, without the costs for dependants, was taking home more pay than the married worker. In fact, we were told, the single person probably had a larger pay cheque for his disability than from working. To correct this inequality, a number of changes are being suggested by government.

One, the year's maximum insurable remuneration is being increased from \$30,400 to \$36,800. The government was questioned as to why such a significant increase was being made, an increase of nearly 20 per cent. It was explained that information from the Bureau of Statistics indicated that at least 20 per cent of the wage earners earn in excess of the \$36,800. And the maximum has been adjusted whenever that situation occurs. The increased maximum along with the new method of calculation would mean only a small increase to benefits paid.

Two, the other changes in the method of calculating maximum amount of compensation. Previously the maximum was calculated at 75 per cent of gross income. Now it is proposed to be 90 per cent of net income; that is, income after deductions for income tax, unemployment insurance and the CPP.

Figures provided by the government indicate that a married employee with two dependants, earning \$36,800, the maximum or earning more, would receive approximately \$2150 per month. Under the previous calculation he would have received approximately \$1752. It must be noted that the lower amount is because a calculation would be based on a lower maximum of \$30,400. If the maximum is increased to \$36,800 and the calculation procedure not changed, that wage earner would earn \$2300 per month, an increase of \$150 over the scheme outlined in this act.

For a single person the new method of calculations result in a lower benefit than before. It was pointed out to the government, and I should like to point out to Members, that it appears that the government's plan to make benefits fair to all is to reduce the amount paid to single workers and not to substantially increase the benefits paid to workers with dependants.

Another concern of the committee members was that in paragraph 44(1)(b) it was noted that the term "permanent disability" had been changed to "permanent partial disability" and no new definition is being added to the act. The government witnesses were unable to adequately explain the need or reasons for this change in terminology. The committee also asked if increases in the year's maximum insurable remuneration would increase the premiums being paid by employers and was assured that this would not be a problem. As the committee of the whole proceeds with this bill, I would encourage Members of the standing committee on finance to ask any questions that may have come to mind since our review.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Mr. Richard.

MR. RICHARD: Mr. Chairman, I am wondering if the chairman of the Workers' Compensation Board or the Minister could confirm for the record the issue that was raised by Mr. Nerysoo as to whether the change of name from YMAR to YMIR, the new calculation and the increase on the dollar figure -- those three changes -- will they result in higher assessments being levied on employers? Thank you.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

Higher Assessments On Employers Not Needed

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. The situation financially for the board is that they have accumulated a considerable amount of funds over the years and the interest on those funds has been used partially to maintain what is commonly referred to as the "disaster fund". That fund now has reached the point where it no longer has to be billed. So that is one of the major reasons why premiums were fairly high as far as the business community was concerned, because we did not have such a fund in place. That was a matter of debate in the Assembly about three or four years ago when we established that fund. It is now felt by the board, on advice of their actuary, that that fund is big enough, so the fact that fund is not growing any more is going to be one of the main reasons that we are going to be able to implement the increase in the YMIR and at the same time be able to reduce the premiums paid by the employers. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Nerysoo.

MR. NERYSOO: Mr. Chairman, I just received a document with regard to calculations. One with regard to their present weekly rate, 75 per cent gross earnings, YMAR of \$30,400 and compared to a weekly rate, YMIR of \$36,800. I think that by using those two different numbers the calculations were not going to be reflective of the situation that exists with the increase in the YMIR. So I would hope that the Minister and his officials might be able to table in this House the appropriate relationships between 75 per cent gross earnings and the present change in calculations using the same amount of numbers with regard to the increase and not the difference.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

HON. BRUCE McLAUGHLIN: Mr. Chairman, those figures are what anybody who earns \$30,400 a year or more would get if they are on temporary disability. Under the old system of 75 per cent of \$30,400, anyone making that amount of money or more would receive \$438.46. That would be the largest amount that could be paid to anybody if they were single. The new maximum that a person who is single could achieve would be \$457.49. That would be 90 per cent of net. What we are doing is changing it, so that if a person wanted to calculate 75 per cent of gross, in this case you would use 75 per cent of the \$36,800 divided by 52. We can work on getting some of those figures put together.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

HON. BRUCE McLAUGHLIN: Mr. Chairman, basically what we are trying to address in this amendment -- and this possibly should have been considered before, because even right now using the \$30,400, there are situations that arise where an employee makes more money on compensation than he would take home if he were actually still on the job. So you actually make more money on workers' compensation, and that is something the board wants to change. Hence we are going to use the net pay to determine what a person should take home. He will get 90 per cent of that net pay. The other thing that this will also change is that a single worker, as Mr. Nerysoo outlined -- you can have a situation where you have two workers, one single, one with four dependants, both doing the same job and while they are at work the employee with the dependants is going to take home more money because of the whole way the tax system is set up. What we are trying to do is reflect that in the workers' compensation that a person takes home. So what we are doing is insuring a person's net earnings to make sure that the person takes home a reasonable amount of funds when he is not at work because of a temporary disability. The idea of being on workers' compensation and receiving more money than if you were at work can lead to abuses of the system. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, in relation to establishing different rates for differences in status of workers, is it advocated that people receive more because they have one or two or three children? Is the same statement that they pay a little bit more to workers' compensation for the fact that they have children as well and will be receiving benefits to compensate them for having children?

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

HON. BRUCE McLAUGHLIN: Mr. Chairman, employees do not pay anything into the fund. All the money comes from the employers and the employers pay so many cents per hundred dollars, depending upon the type of job. So you can have a range from a small amount of money per hundred to a large amount per hundred depending upon how risky the job is; for example, a clerk in an office as opposed to an underground miner. So the assessment is done strictly on the gross salary of the employee, and the pay-out that we are proposing will be on a percentage -- 90 per cent of the net pay the employee takes home. Thank you.

CHAIRMAN (Mr. Wah-Shee): Ms Cournoyea.

MS COURNOYEA: I am sorry, Mr. Chairman, I should have said the employer. I realize the employee does not pay. But has this formula been passed through people who would feel that because they have a child, then they would be more favourably treated than a single worker? Or in the end would the employer be required to pay more to take into consideration a higher percentage being paid out to the employee? I know that in a number of situations, because of the transportation in and out, people who have children receive a bigger benefit than the worker who is single or with just a wife. There is sometimes an awful lot of feeling over the fact that you are penalized if you do not have a family. I am just wondering whether, in the eventuality that more is paid out, the rates will go up for the employers to make sure that there is enough money to pay for people who have more children.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

HON. BRUCE McLAUGHLIN: First of all, it would administratively be almost impossible to have employers paying a different amount per different employee, depending upon the number of dependants they had. It would be administratively a nightmare. Secondly, what workers' compensation is basically is an income insurance scheme. When you are injured, this scheme guarantees that you have a reasonable income to live on. We have chosen to do 90 per cent of net because it is more fair to everybody. First of all, no one will get paid more for being on disability than they would if they were at work. And secondly, it does also realize that a married person with dependants does have larger financial obligations. Therefore, if we give 90 per cent of net, the married person with dependants and with obligations like a mortgage or something will be able to carry out his responsibilities to the family members.

So it is basically an income insurance. What we are zeroing in on should be a net income insurance so that the person is not making more than he would at work, but it also recognizes that some people have more responsibilities than others do, if they have a family. So we are recognizing that at the same time. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): General comments. Mr. Richard.

MR. RICHARD: Mr. Chairman, from the table that was circulated just now, and after the chairman of the standing committee on finance made his introductory remarks, I take it that the suggestion in Mr. Nerysoo's introductory remarks, that a single person's benefits are going to be reduced under the new system, is not correct if we are to accept this table. And I assume that is correct in that the single person's benefits under the new system are going to increase and the married person with a few dependants, that person's benefits are going to increase but by a larger amount. So I would ask the Minister or the chairman of the board to confirm that. While I have the mike, Mr. Chairman, I would just like to comment on the process here which I think is commendable on behalf of the Minister and the Workers' Compensation Board, that this Minister struck a committee in May of this year to review the legislation and here we are in October considering a fairly detailed amendment to the legislation. I, for one, appreciate the timeliness with which this is being done. Thank you.

CHAIRMAN (Mr. Wah-Shee): General comments. Mr. Minister.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I want to make it perfectly clear so I do not mislead the House that what is being distributed around to you applies to people that make \$30,400 or more under the current scheme and people that -- and the new scheme comes into place effective in January -- make \$36,800 or more, that this is what they get. In other words, the maximum that a single worker could make now if he was making \$30,400 or more, would be \$438.46 a week. The maximum that a single employee making \$36,800 or more could make under the new system would be \$457.49 a week.

Workers' Compensation Benefit May Be Greater Than Take-Home Pay

There are situations right now where some employees and these are mostly single employees, are making more money on compensation than they are taking home in pay. I will give you an example. If we raised the YMAR to \$36,800 and continued to pay at 75 per cent of gross, the single worker would receive \$530.76. Under the system as we put it now, he would receive \$457.49. Going to the married worker with two children, who presently receives \$438.46, with the proposed system the person would get \$485.02. If we left it the same at 75 per cent, the person would get \$530.76, which would also be more than his take-home pay. But we also would not be contemplating raising the YMAR to \$36,800 if we were continuing to use the 75 per cent. We would be proposing something like \$34,000.

Members have to realize that this also only applies to temporary disability. This does not apply to people on permanent disability or for the surviving relatives of a person who is killed in an accident. Those people's monthly or weekly income is determined by their actual needs, according to how many dependants they have. Of course, as I explained to Mr. Nerysoo, a single person who has adult persons who are dependent or maybe a sister who is disabled and 100 per cent dependent, that is also taken into consideration for partial disabilities or permanent full disabilities or death benefits.

The principle here is that the board does not believe, and the Executive Council does not believe, that people should get more money when they are on compensation than they would take home if they were not injured. The other thing is that you have to realize that when people work, they have expenses that they do not have when they are home on disability. They do not have to take their car to work, for example; if they are businessmen they may not have to launder their suits twice a week. So that is why we are paying 90 per cent of the net pay.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Nerysoo.

MR. NERYSOO: Let me get one issue current here. In reality then, what is happening is two changes. Firstly, the process of calculating, and the other thing is that if the calculations were done through the usual manner, there is in fact a reduction in the amount of benefits being paid to single people. Is that not correct?

CHAIRMAN (Mr. Wah-Shee): Mr. Minister.

HON. BRUCE McLAUGHLIN: I would like to refer that question to Mr. Moore.

Workers' Compensation Benefits Not Taxed

MR. MOORE: Mr. Chairman, generally speaking that is true because it is the single workers, presently, who, because workers' compensation benefits are not taxed are bound to be better off on compensation, relative to the man who is married and has children. That is the whole problem; that workers' compensation benefits are not taxed. They have never been taxed and are not likely to be taxed.

Single Workers' Compensation Less Under New Proposal

And because of that the YMAR has reached the point or is reaching the point, if you agree with this bill, where a fairly significant number of people because of that tax business will receive more on compensation than they would if they remained at work. The best example, Mr. Chairman, is the very example that came out of the standing committee on finance -- the \$30,000 a year man who was quoted and worked out in detail by the staff for the standing committee on finance. It is perfectly true that he is going to get less compensation now under this new proposal than he would have done if we had stayed at 75 per cent. Mr. Chairman, that same man, who is the average \$30,000 a year worker, from the very figures produced by the standing committee on finance on 75 per cent of gross would have more on compensation than he would receive for working. That figure is there on the standing committee on finance's sheet, Mr. Chairman. And that is why as a board we have to propose this, in all responsibility we have to propose to you a change from 75 per cent of gross to a percentage of net. We chose 90 per cent of net mainly because that is being used by six other provinces already.

Compensation At 90 Per Cent Of Net Pay Represents A 10 Per Cent Deductible

It really, Mr. Chairman, in insurance terms, in commercial insurance terms, represents a deductible of 10 per cent on your insurance. That is what it is, a deductible. Not everybody agrees with the idea of a deductible but that is how we came to 90 per cent, Mr. Chairman. It could have been 95, it could be 99, but 90 per cent has been adopted by Alberta, by Quebec, Ontario, Saskatchewan, New Brunswick and Newfoundland. Most of them have YMARs higher than ours and that is why they have had to do it, for the same reasons as we are, here today with these amendments, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Nerysoo.

Single Workers May Pay More And Receive Less In Benefits

MR. NERYSOO: Thank you, Mr. Chairman. I am glad I finally got that out of the government, that there is a decrease in benefits. Secondly, I think that one of the problems, and it is a concern that I have, is that those that are single or married without any children have a tendency to pay more with regard to income tax at the work place and receive in fact in many instances less benefits, less benefits on the work site. The reality is that this is, in fact, taking into consideration those types of calculations as well. I think that when you consider the kind of benefits that are paid, you have to consider the situation as it exists and any additional. You also have to be careful that those benefits that are now being offered through the income tax process, your housing subsidies or whatever it is, do not become an element for taxation, or are protected in the process.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Moore.

Remuneration Defined To Include Benefits

MR. MOORE: Mr. Chairman, if I could just respond to that very good point raised by Mr. Nerysoo. I think I should tell the committee that when the board calculates the remuneration, and that is why the word is used, remuneration. In the bill the definition of remuneration does include most of those benefits. So for someone working in a mine, for instance, who has a number of benefits which are subsidies on housing, subsidies on fuel, and so on, those are calculated in when we calculate his total remuneration. So to that extent the scheme is reasonably fair, I think.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Mr. MacQuarrie.

Concerns Of Workers' Compensation Act Review Committee

MR. MacQUARRIE: Thank you, Mr. Chairman. In his introductory remarks, the Minister indicated that the amendment to the act essentially is based on recommendations of the Workers' Compensation Act review committee. Can I ask the Minister whether that committee is satisfied fully that what we see as the bill here reflects what that committee had wanted to see, that it is an accurate representation of their recommendations? Or are there some concerns that the committee has with respect to the bill yet?

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

HON. BRUCE McLAUGHLIN: I believe that when the committee reviewed the actual proposed legislation they had some comments which they addressed to me in a formal letter. I believed they copied you, Mr. MacQuarrie, and I think the area they spent most of their time on was whether or not the list used to determine what was the difference between gross and net income should and should not be gazetted. That was one of their major concerns. But the actual YMAR itself, the figure, and the 90 per cent system is part of what was their major recommendations to me. So they are satisfied with what is being done here.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I understand that the major recommendations do in fact reflect, or the amendment rather, reflects the major recommendations, but I was aware of some differences on the finer points. And my question essentially is, have those differences been resolved to the satisfaction of everybody, the committee as well as yourself? In other words, what is now the bill, has the committee seen that recently and indicated support?

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

Finer Points In Workers' Compensation Act May Be Addressed Later

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I addressed a letter to the chairman advising her that we intended to go with the bill as it was, that we thought that any other changes they might want to make or address -- I believe that there is one area where they wanted to define more properly a particular group or method of determining what a pension would be for somebody. But that can be addressed in the major legislation. It is an area where there is a little bit of doubt as to what the wording has been but WCB has adopted a policy and will not change that in-house policy on that clause between now and next February so I thought that it would be more properly addressed later. In order to get this here we had to do two things. We had to decide if we were going to change the YMAR in order to have all the paper work in place to send out the premium notices for the new year, and we did, because we were increasing and want to go to the 90 per cent. So I felt accomplishing those two main things was enough to bite off for this piece of legislation. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Mr. Richard.

Large Number Of Workers Will Receive Smaller Benefits

MR. RICHARD: Mr. Chairman, I appreciate that it has now been clarified that the individuals making a salary above the YMAR, both single and married, will receive more benefits under the new system. However it has been clarified that those individuals making less than the YMAR, or say \$30,000 or less, single persons with no dependants will have their benefits reduced under this new system. And in terms of numbers or percentage of the work force, we have been told before that approximately 80 per cent of the work force earns less than the YMAR. Now I do not know what percentage of that group is single with no dependants or married with no dependants, but I take it, Mr. Chairman, we are talking about a large number of workers who will have their benefits reduced as a result of this legislation. And perhaps someone could confirm that I am correct on that.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

New System Prevents Many Receiving More Money On Compensation Than At Work

HON. BRUCE McLAUGHLIN: Yes, Mr. Chairman, there is no intent on our behalf to cover up the fact that under the present system, even at the \$30,400, some people are making more money when they are on compensation than they would if they are at work. Under the new system, if we go up to \$36,000 and if we remain at 75 per cent, an awful lot of people would make a lot more money on compensation than they would at work. Employers whose funds are used to establish this find that to be a sort of very bad aberration, so we are correcting that. In correcting that there is a benefit in the fact that the take home pay would be used as the basis for determining the weekly remuneration and in that way people with more dependants are going to make more money while they are on compensation than people without dependants.

So we know that is happening right now and we know it would happen even to a greater degree if we left the same system in place. I do not think you can describe it as we are going to be paying people less or that they are losing something, the point is that the people should not have been getting more money in the first place for being on compensation, than they were at work. This probably should have been done when the YMAR was raised last time, because that is when this difficulty began to occur for us.

CHAIRMAN (Mr. Wah-Shee): General comments. Mr. Moore.

Average Reduction \$18 Per Week

MR. MOORE: If I could perhaps put it in perspective. All the workers earning \$25,000 a year, gross salary, on average are going to receive benefits per week \$18 less than the present benefits. That is, on \$400 plus. So they are the worst example, Mr. Chairman, of what Mr. Richard was saying. The average reduction there over the whole spectrum of those workers -- single, married, with or without dependants -- is an \$18 reduction per week. That is just to put it into perspective, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Chairman. Just with regard to one other comment here. I have no problem with the idea of ensuring that those who have dependants receive more money. I just have a concern with the demands for employees and that the amounts being paid on behalf of single people does not change. It does not reduce because the amount of benefits are reduced. In fact, they pay the same as any other ordinary worker. So you can have it either way, you can either have them receiving the appropriate benefits they pay for or are having paid for them. I am not saying that they pay, I am talking about the people that they work for paying. You either have a method by which they reduce it or increase it with regard to married people -- when you do not take away benefits for single people because you are a single working person.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Minister.

Being Paid More On Compensation Than At Work Not A Proper Benefit

HON. BRUCE McLAUGHLIN: The point is that we do not think it was a proper benefit for somebody to be paid more when they are on compensation than their take home pay would be. So what we are doing here is using net take home pay as a determination. I think the fact that a person is married and has two or three dependants, is going to take home a little more money when he is on compensation than the person with no dependants is, is a good standard thing. In our whole tax regime in this country, the people who have more expenses to maintain a family or maintain disabled relatives, do have those deductions and it is working in the system. So what we are doing is piggybacking our workers' compensation program on the across-the-country taxation system that exists.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Moore, additional comments.

People Already Receiving Benefits Will Not Suffer Reduction

MR. MOORE: Mr. Chairman, if this bill is passed by the Assembly, the change will take place on January 1st. I should tell the committee that the board would not on January 1st reduce the benefits of anybody who is already on benefits. So anybody who is already receiving benefits on

January 1st, will not have his benefits reduced. Anyone who has an accident after January 1st will be covered by this bill. So there will be people who, if they had the accident on December 30th, would have received more than they would receive for having the accident on January 2nd. But anybody who is already on benefits will not have his benefits reduced.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Does the committee prefer to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 1, net monthly remuneration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 2, payroll. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 3, year's maximum insurable remuneration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 5, application to have act apply. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 6, compensation for other dependants. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 9. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 10. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 11. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 12, net monthly remuneration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 13, definition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 14. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 15, minimum compensation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 16. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 17, minimum compensation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 18, further disability. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 19, annual review of pensions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 20, assessable payroll. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 21, publication. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 22, board may vary rate. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 23, persons included on payroll. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 24, claims prior to January 1, 1987. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Chairman. I just wanted to raise what would have been a concern here as well; that there was no real clear term, sort of temporary partial disability. It does not appear in any of the definitions and it was a concern that was raised. Just as a matter of record.

CHAIRMAN (Mr. Wah-Shee): Mr. Minister.

Permanent Partial Disability Defined In Section 41

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. Our advice in this area is that in the act itself section 41 is dedicated to describing what that is. Just for Members' information, perhaps Mr. Roberts could describe to us what that section says. The drafters of the legislation feel that a definition is not necessary because of the description in that section.

CHAIRMAN (Mr. Wah-Shee): Mr. Roberts.

MR. ROBERTS: Thank you, Mr. Chairman. The reason that we do not have a definition for permanent partial disability in the definition section is that this whole section 41 sets forth how we rate permanent disabilities and exactly how it applies. So that if a person cannot return to their employment or if they have some permanent incapacity of some description, then we use a medical rating table, which is used across Canada, and in conjunction with permanent rating you determine what effect that has on the worker's return to work and there are additional percentages added to come up with a disability.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 24. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. I am just trying to get the interpretation for this particular clause right. I am a bit confused on what does this particular clause mean. It also says here that the law in effect would be -- or the law that is in effect is going to be used in accordance if the accident occurs before January 1st, 1987. Does this mean that this particular amendment with regard to the Workers' Compensation Act, once passed by this session, is the one that is going to be used? Or are we looking at a different act besides this one here?

I also would like to get the correct interpretation because I am a little bit confused on the disability, permanent partial disability, temporary total disability and temporary partial disability. I am totally lost with regard to that particular section.

CHAIRMAN (Mr. Wah-Shee): Mr. Minister.

Existing Legislation In Effect Through December 31, 1986

HON. BRUCE McLAUGHLIN: Mr. Chairman, with respect to the two different situations, the existing legislation will stay in effect until December 31st and if the House approves the new legislation it will come into force effective January 1st. So that a person injured in this calendar year of

1986 will be covered under the present act as far as this temporary disability goes. People injured in the new year will be covered under the new legislation. So it will depend upon what year you are injured in. But people that are on permanent disability of any sort, whether it be partial or full or survivors of a deceased worker, their individual needs are assessed in a completely different area. That brings us to what this is. For example, if you have a permanent partial disability, that might mean you have lost a hand in an accident but you are still able to work and maybe do go back to work -- the company hires you and gives you a different job than you had before, but you are compensated under this act for the fact that you have lost a hand on the job. Whereas a permanent full disability would mean that you received, say a back injury for example, which paralyzed you and made you unable to move your arms or hands, then that would be described as a permanent full disability. So that is what those terms mean, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Clause 24. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 25. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Does the committee agree that Bill 8-86(2) is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): I would like to thank the witness for appearing before the committee. Mr. Butters.

Bill 4-86(2), Income Tax Act

Minister's Opening Remarks

HON. TOM BUTTERS: Mr. Chairman, Bill 4-86(2) is an amendment to our Income Tax Act, or some minor changes in our Income Tax Act, which are required from time to time to bring our act into line with the federal Income Tax Act. We are required as a government to make these changes since a clause in the income tax agreement that we have with Ottawa requires us to do so.

There has been a concern in previous years when amendments of this nature are brought to the committee that some of the amendments are retroactive. The same is true in this case. However, we did receive a notice in March of the changes to the federal act and have acted as quickly as we were able to bring them to the House and to have them made to our own act. The retroactive legislation in the main, I believe, will be to the advantage of the taxpayer. Only in one case will the retroactivity be disadvantageous. That one case where the change is not in favour of the taxpayer relates to the change from four to three years allowed for a taxpayer to appeal. I believe that taxpayers should be aware of these changes since the amendments have already been made to the federal act and therefore that should have been communicated to taxpayers at large throughout the country.

If necessary, I could comment on any of the particular sections in the act where amendments have been made and why the amendments have been made. Maybe that would be the best way to deal with the bill. In a general sense, possibly the chairman of the standing committee on finance may have something to add to my remarks as his committee did consider the act and referred it for examination by committee some three or four days ago.

CHAIRMAN (Mr. Wah-Shee): Thank you. Dealing with Bill 4-86(2), Mr. Nerysoo.

Comments From Standing Committee On Finance

MR. NERYSOO: Thank you, Mr. Chairman. If I could give some quick introductory comments from the standing committee on finance. This is not our conclusion on the Income Tax Act but the committee was told that the changes and this committee has been told that these changes are being made to this act to bring our act into line with federal legislation. The committee received a written handout from the government witnesses explaining the changes. I have sent copies around to every Member of the House and I believe they will assist everyone to understand the changes at least as well as my commentary will.

The committee had few problems accepting the changes proposed. One Member did inquire about the difference between "charitable organizations" and "registered charities" and non-profit organizations and asked if the same rules might apply to both. The explanation given essentially referred to the purpose of the organizations. It may be that since the committee meeting a fuller answer might be made available.

As chairman of the standing committee on finance, I advise this House that the committee agrees to recommend that this bill proceed in committee.

CHAIRMAN (Mr. Wah-Shee): Thank you. General comments. Does committee agree to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 2, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 3, idem. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 4, obligation to file return. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 5, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 8, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 9, general limitation period. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 10, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 11, idem. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 12, no interest assessed. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 13, refund of overpaid tax. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 14, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 15, application of refund to other tax liabilities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 16, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 17, decision of court or Supreme Court of Canada on appeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 18, reassessment on objection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 19, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 20. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 21, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 22, security for taxes. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 23, surrender of security. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 24. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 25, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Mr. Gargan.

Effect Of Amendments On Persons On Hay River Reserve

MR. GARGAN: Thank you, Mr. Chairman. I just wanted to find out for the record, with regard to tax on the Hay River Reserve. What is the situation? Does this act affect the reserve, if they do pay tax and are employed on the reserve?

CHAIRMAN (Mr. Wah-Shee): Mr. Minister.

HON. TOM BUTTERS: Mr. Chairman, the amendments we have just considered will not affect the current situation with regard to the taxation on the reserve or incomes earned on the reserve.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Gargan.

MR. GARGAN: I guess I just wanted to find out. If people are employed on the reserve and they did pay tax, what effect would it have on them? I just wanted to find out, if a person is employed on the reserve and working on the reserve but living in Hay River and paying tax, are they going to be reimbursed or refunded for the amount of tax that they paid?

CHAIRMAN (Mr. Wah-Shee): Mr. Minister.

HON. TOM BUTTERS: Nothing in the amendments relates to the question that the Member has asked, but my understanding, in response to his question, is that if the person referred to is a registered Indian working on a reserve, he would be entitled to get his tax back.

CHAIRMAN (Mr. Wah-Shee): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Does the committee agree that Bill 4-86(2) is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Mr. Butters, Tabled Document 13-86(2).

HON. TOM BUTTERS: Mr. Chairman, the government recognizes that Tabled Document 13-86(2) was put in the Members' hands somewhat late this afternoon and probably to allow complete and full discussion, it may be better that Members have a chance to read this document overnight, so I would move progress at this time.

CHAIRMAN (Mr. Wah-Shee): Thank you. The motion is in order. To the motion. All those in favour? Opposed, if any? The motion is carried.

---Carried

MR. SPEAKER: Mr. Wah-Shee.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF BILL 1-86(2), ARCTIC COLLEGE ACT; BILL 8-86(2), WORKERS' COMPENSATION ACT; BILL 4-86(2), INCOME TAX ACT

MR. WAH-SHEE: Mr. Speaker, your committee has been considering Bill 1-86(2), Bill 8-86(2), Bill 4-86(2) and Tabled Document 13-86(2) and wishes to report that Bill 1-86(2) is now ready for third reading as amended and Bill 8-86(2) and Bill 4-86(2) are ready for third reading and, Mr. Speaker, Tabled Document 13-86(2) requires further consideration.

Motion To Accept Report Of Committee Of The Whole, Carried

Mr. Speaker, I move that the report of the committee of the whole be concurred with.

MR. SPEAKER: Thank you, Mr. Wah-Shee. Members have heard the report of the chairman of the committee of the whole. Are you agreed?

SOME HON. MEMBERS: Agreed.

---Carried

MR. SPEAKER: Mrs. Lawrence.

MRS. LAWRENCE: Point of order, Mr. Speaker. Can I have unanimous consent to go back to Item 12, notices of motion?

MR. SPEAKER: Unanimous consent is being sought to go back to notices of motion. Are there any nays? Proceed, Mrs. Lawrence.

REVERT TO ITEM 12: NOTICES OF MOTION

Notice Of Motion 5-86(2): Establishment Of Community Day Care Centres

MRS. LAWRENCE: Thank you, Mr. Speaker. I give notice that on Thursday, October 23, 1986 I shall move the following motion: Now therefore, I move, seconded by the Member for High Arctic, that this Assembly recommend to the Executive Council that it consider tabling in this House a child care policy during the next session for public debate and discussion; and further, that this Assembly recommend the use of older unused buildings in each community to avoid high construction costs in the establishment of child care facilities; and further, that priority be given to the establishment of child care facilities in those communities faced with serious economic problems and conditions.

MR. SPEAKER: Thank you. Notices of motion. Are there any further notices of motion? Mr. Clerk, announcements and orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a meeting of the western caucus immediately after adjournment tonight. There will be a meeting of the standing committee on finance tomorrow morning at 9:00 a.m. There will be a caucus briefing tomorrow at 11:45 a.m.

ITEM 19: ORDERS OF THE DAY

Orders of the day for Wednesday, October 22nd at 1:00 p.m.

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

16. Second Reading of Bills

17. Consideration in Committee of the Whole of Bills and Other Matters: Tabled Document 13-86(2)

18. Report of Committee of the Whole

19. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Wednesday, October 22nd at 1:00 p.m.

---ADJOURNMENT

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