

## **Motions COW — KEVIN O'REILLY, MLA FRAME LAKE**

### **Comments on Pandemic Committee Reports**

**June 11, 2020**

**MR. O'REILLY:** Thanks, Madam Chair. I guess I have a similar question as my colleague from Yellowknife North. Can the Minister just get a little bit more specific about what kind of time periods we're actually talking about here? Some more examples would be really helpful. Thanks, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Member for Frame Lake. Minister of Justice.

**HON. CAROLINE WAWZONEK:** Thank you, Madam Chair. The person with more specifics would be the witness that I am lucky to have with me today, so if I could turn it over to Mr. Reddy, please.

**CHAIRPERSON (Ms. Semmler):** Thank you, Minister. Mr. Reddy.

**MR. REDDY:** Thank you, Madam Chair. Keeping in mind my first job as a legislative drafter, but by virtue of being in that position, I have learned a lot from departments in terms of some of the timelines that they're running up against over the last little while. I don't profess to be an expert, but I'll share the information that I have.

With respect to the business licence example that the Minister spoke of, as well as the insurance renewal example that the Minister spoke of, my understanding is that businesses, effectively, were looking for a couple of extra months to ensure that they get all their paperwork in order. In the example of business licences, I believe the new deadline would be somewhere around July 1<sup>st</sup>, the middle of July. Likewise, with the insurance deadline, that would be extended by about two months as well.

**CHAIRPERSON (Ms. Semmler):** Thank you, Mr. Reddy. Member for Frame Lake.

**MR. O'REILLY:** Thanks, Madam Chair. I guess maybe I will paraphrase what I think I heard in some plainer language, but I want to thank our witness for saying that. As I understand it, this bill really is about ensuring business continuity so that businesses, small businesses in particular, can continue to operate if they have licences or permits or things that have expired. It could also be used to extend appointments for boards where they might lose quorum. Appointments, that kind of thing, and maybe places where individuals could be severely inconvenienced if a driver's licence expires. They need to travel in another jurisdiction. They don't have valid ID. Are those the kinds of examples of things that this government would expect to use this authority for? Thanks, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Member for Frame Lake. Minister of Justice.

**HON. CAROLINE WAWZONEK:** Thank you, Madam Chair. Those are all perfect examples. That is exactly the nature of what is being contemplated here. If you sense any kind of reluctance to provide a long laundry list, it's only because, frankly, we don't have the complete list necessarily. A lot of staff are really only getting back into their offices in a more regularized fashion. The examples that I think we've given here from the table, as well as what's been noted by the Member, are all very good examples and exactly the type of thing that's at issue here. Really, as we begin to move from a more emergency stage and to, perhaps, a bit of a clean-up stage is when we would expect to be identifying precisely how far. Do we need 30 extra days? Do we need 60 extra days, et cetera? Some of that is just ensuring that all departments have that ability to come forward, request the order, and go through this process, but it is exactly in line with the kinds of procedural and timeline or appointment or et cetera related requests that we're making. Thank you, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Minister. Member for Frame Lake.

**MR. O'REILLY:** Thanks, Madam Chair. I'm asking a few questions that I actually know the answers to, just so that the public might have a better understanding of where we're going, and why we are doing this. How long would the authority to make these temporary variations or extensions, how long would that stay in place? Thanks, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Member for Frame Lake. Minister of Justice.

**HON. CAROLINE WAWZONEK:** Thank you, Madam Chair. It is six months from the time of this Act, Madam Chair, and there is no intention to hopefully be in a position to have to renew it beyond that point. Thank you, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Minister. Member for Frame Lake.

**MR. O'REILLY:** Thanks, Madam Chair. How would the public actually know about these extensions or variations? Thanks, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Member. Minister of Justice.

**HON. CAROLINE WAWZONEK:** Thank you, Madam Chair. Any orders here are to be published on a website that will be maintained by the Government of the Northwest Territories. They will also be part of the monthly publication in the Northwest Territories Gazette. Both of those are requirements of the Act itself. Thank you, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Minister. Member for Frame Lake.

**MR. O'REILLY:** Thanks, Madam Chair. How does the bill set out that Cabinet is going to work with Regular MLAs in looking at what orders might come forward? Thanks, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Member. Minister of Justice.

**HON. CAROLINE WAWZONEK:** Thank you, Madam Chair. Again, that is actually also part of the Act itself where it does say that the order is not to be made until seven days after a copy is provided to the Standing Committee on Accountability and Oversight, so the intention there being that any such orders are being put through a process of review and consideration by the whole of the Assembly. Thank you.

**CHAIRPERSON (Ms. Semmler):** Thank you, Minister. Member for Frame Lake.

**MR. O'REILLY:** Thanks, Madam Chair. I just want to get some assurance from the Minister that this is not just giving notice to the standing committee. If the committee has concerns or issues with a particular order, that Cabinet would seriously consider any representations that might be raised by the committee; Regular MLAs, essentially? Thanks, Madam Chair.

**CHAIRPERSON (Ms. Semmler):** Thank you, Member. Minister of Justice.

**HON. CAROLINE WAWZONEK:** Thank you, Madam Chair. Yes. Any of these orders, they do have to go through all of Cabinet. They are not just exclusive to one Minister. That said, there is also going to be input from the department. I can't say for sure, but I would expect that if one particular department requires something, that the committee will hear from that department to understand the full context of what's happening and why. Really, again, Madam Chair, my hope would be that there won't, hopefully, be too many of these occasions or that we can do them, but that when we do have to do them, of course, if we are in front of committee which is meant to be an engaged process and not a one-way process. Thank you.

**CHAIRPERSON (Ms. Semmler):** Thank you, Minister. Member for Frame Lake.

**MR. O'REILLY:** Thanks, Madam Chair. I guess I have a few comments I want to make with my remaining three minutes. I want to commend the Minister and my colleagues in Cabinet for bringing this forward. I know, early on during the pandemic, I actually sent an email to the Minister saying, "Geez, we're going to be sitting soon. Is there any legislative changes that we should look at making in terms of COVID response and planning and recovery and so on?" This, eventually, ended up on our desks.

This is something that other jurisdictions have done, so this is not something terribly unusual. Other jurisdictions in southern Canada have, perhaps, done it in different ways and so on. I am prepared to support this. I want to commend the Minister and her staff for working with us as Regular MLAs to make some important improvements to this bill and changes. There's a purpose section in here now that sort of better explains and maybe restricts the ways in which the authority can be exercised.

Certainly, the Regular MLAs, we worked hard to make sure that some specific pieces of legislation were exempted or outside the scope of this including access to information, the Health Information Act, and the Legislative Assembly and Executive Council Act itself, and that the act itself cannot be used in a way that would allow Cabinet to unilaterally extend things.

I'm happy to have worked with Cabinet on this, and it is a collective effort. It is very unusual times, and we don't want to inconvenience our residents with deadlines running out. We want to provide for business continuity. I am prepared to support this with the important improvements that Regular MLAs made.

The process that we're going through with this bill is quite extraordinary as well. Normally, bills go off to standing committee where they can be studied. We take public input, and Regular MLAs can then propose changes, try to work with our Cabinet colleagues to improve bills based on public comment and our own advice, and so on. That is not the process that is being used for this bill, but I think it's a reflection of the extraordinary times that we are in and the compressed time frame of this sitting and so on. It is not the usual process that we are going through, but I want to assure Members of the public that it is time limited, that we have worked with Cabinet to put some reasonable limitations in here. Based on that, I am prepared to support the bill. Thanks, Madam Chair.

COMMITTEE MOTION 18-19(2):  
COMMITTEE REPORT 1-19(2) – STANDING COMMITTEE ON ECONOMIC DEVELOPMENT  
AND ENVIRONMENT REPORT ON LONG-TERM RECOVERY: RECOMMENDATIONS TO  
THE GNWT – BUSINESS INCENTIVE POLICY, CARRIED

**MR. O'REILLY:** Thanks, Madam Chair. I feel obligated to say something about where we went with some of this stuff as a committee. Committees started to meet during the pandemic electronically. Of course, we were quite preoccupied by what was happening during the pandemic. We were trying to find ways to provide advice, recommendations to our Cabinet colleagues. Each of the standing committees has come up with its own report.

With this particular recommendation, I was a Member of the last Assembly, and towards the end, the Standing Committee on Economic Development and Environment did bring forward a report on procurement that was based on a survey of small businesses. One of the main recommendations was that there should be a review of the Business Incentive Policy and, more generally, procurement practises. That hasn't happened. I know it came towards the end of the life of the last Assembly, and perhaps we have been overtaken by the pandemic. I think we have heard numerous complaints as individual MLAs about the Business Incentive Policy, and thus, again, we are making this recommendation to move forward with a review. I certainly support this recommendation and timely action from our colleagues on the opposite side. Thanks, Madam Chair.

COMMITTEE MOTION 19-19(2):  
COMMITTEE REPORT 1-19(2) – STANDING COMMITTEE ON ECONOMIC  
DEVELOPMENT AND ENVIRONMENT REPORT ON LONG-TERM RECOVERY:  
RECOMMENDATIONS TO THE GNWT – TALTSON HYDRO EXPANSION, CARRIED

**MR. O'REILLY:** Thanks, Madam Chair. I will not be supporting this recommendation for a variety of reasons. I tried to work within committee to broaden the scope of the recommendation beyond the Taltson Hydro Expansion to look at building Indigenous capacity and partnerships in general to maximize benefits, which I certainly support. The work proposed in this motion is already underway, so I don't really see the need to make this recommendation.

Natural Resources Canada and Crown Indigenous Relations and Northern Affairs Canada are providing \$619,950 to "support Indigenous engagement" in the Taltson Hydro Expansion as announced in January of 2019. Committee did not seek information on the status of this work. I raised this issue when we were reviewing the supplementary estimates yesterday, and I look forward to receiving that information. I am also of the view that, in terms of critical infrastructure for post-pandemic recovery, Taltson expansion is not a priority and should not be a priority. It is not anywhere near shovel-ready and it will take years of planning, environmental assessment, and permitting before it is ready, if ever. The top priority for critical infrastructure should be improving the broadband Internet connectivity in all NWT communities to Canadian standards, and that is something that I believe the federal government is ready to invest in.

To be clear, I have always supported the use of currently available power from Taltson to build the South Slave regional economy, including use for space heating, electric vehicles, small-scale transmission lines to adjacent communities, and possibly even a submarine line to Yellowknife, depending on the outcome of ongoing studies. However, the full extent of Taltson expansion, we have not yet seen a business case for it. We haven't seen a full project description. There are no confirmed buyers, and I have serious doubts about the financial viability of the full expansion. The most recent cost estimates are over \$2 billion, and a recent study showed that the Taltson hydro expansion is also the most expensive option per unit of greenhouse gas emissions saved.

There was a previous attempt at Taltson hydro expansion by Deze Energy. That corporation was one-third owned by NWT Energy Corporation, or the GNWT, essentially, and two-thirds by Indigenous development corporations. There was an environmental assessment of that project that started in 2007, and it was withdrawn in 2013. It's my understanding that about \$17 million was spent on that project before it was withdrawn.

In any event, I believe that there are better ways to build energy self-sufficiency, reduce greenhouse gas emissions, and create more jobs and benefits for Northerners than through the Taltson expansion project. So, Madam Chair, for all of those reasons, I will not be supporting this recommendation from the committee and this motion. Thank you.

COMMITTEE MOTION 19-19(2):  
COMMITTEE REPORT 1-19(2) – STANDING COMMITTEE ON ECONOMIC  
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COMMITTEE MOTION 22-19(2):  
COMMITTEE REPORT 3-19(2) – STANDING COMMITTEE ON SOCIAL  
DEVELOPMENT REPORT ON LONG-TERM RECOVERY: RECOMMENDATIONS TO  
THE GNWT – PERMANENT POLICY CHANGES TO SUPPORT INCOME  
ASSISTANCE CLIENTS, CARRIED

**MR. O'REILLY:** Thanks, Madam Chair. I want to thank the social development committee for allowing me to sit in on some of their discussions. I support these changes that the Department of Education, Culture and Employment made, and I want to commend the Minister and his department for these creative changes made during the pandemic. We have to make sure that they actually stay in place. That's the purpose of this motion.

We had the release of the integrated case management program recently the Minister tabled a report in the House. It's a very good report that says a lot of good things about integrated case management. What I took away from that is that we need to find a way to transition our system from, as I think it's been characterized, the punitive nature of Income Assistance to much more of an enabling, empowering system. That's what integrated case management actually does. We need to expand that outside Yellowknife. We need to expand it across the NWT and the way to do that is to transition our Income Assistance program to providing a guaranteed basic income. Integrated case management makes the case for doing it in that way. If we're able to get Income Assistance workers and transition them into guaranteed basic income pathfinders and pathfinders through integrated case management, we're almost there.

With the federal government supports offered through CERB, we're almost there at a guaranteed basic income. I'm happy to support this, but what we really need is a precise roadmap from where we are to where we need to be in terms of universal basic income. That's a challenge to my colleagues on the Cabinet side and perhaps the colleagues on this side with social development. We need that roadmap. Step by step, how are we going to a guaranteed basic income so that we enable all of our residents to become full citizens in our economy and exercise all their rights and meet their potential. That's what we really need is a guaranteed basic income. This is a step in the right direction, so I'm happy to support it. Thanks, Madam Chair.

COMMITTEE MOTION 27-19(2):  
COMMITTEE REPORT 3-19(2) – STANDING COMMITTEE ON SOCIAL  
DEVELOPMENT REPORT ON LONG-TERM RECOVERY: RECOMMENDATIONS TO  
THE GNWT – WAGE TOP-UP, CARRIED

**MR. O'REILLY:** Thanks, Madam Chair. Yes, this is, I guess, another one that I am passionate about. I've raised this issue with my colleague, the Minister of Finance, several times about the wage top-up program and want to commend her again. I think Cabinet did the right thing in extending this wage top-up to all low wage income earners in the Northwest Territories. It's not focused just on essential service workers.

I can support this but the real answer here is to increase our minimum wage, and that's what needs to happen. It's not just maybe into \$18 an hour. It needs to be closer to a living wage that we can lift people out of poverty. We heard, I think yesterday from the Minister of Finance, that 293 workers are taking advantage of this program. They have to do it through their employers. I guess I'm going to quote from the Premier. I think it would be a sin to roll back these people's wages after the pandemic. It's just unconscionable that we would actually take money away from people.

Now, whether GNWT should be doing this through a wage top-up, that's a different issue, and I think, as I said, we need to just look at increasing the minimum wage. I've had some members of the public raise with me the issue that with a wage top-up, what we're actually doing for some employers is subsidizing, like maybe big box stores, franchises where some of those workers may not get much more than a minimum wage. As I said, I think the real solution here is to increase the minimum wage, and I look forward to that being done in our term. I am prepared to support this motion. It gets us part-way there, but the real answer is increasing the minimum wage. Thanks, Madam Chair.

COMMITTEE MOTION 29-19(2):  
COMMITTEE REPORT 2-19(2) – STANDING COMMITTEE ON GOVERNMENT  
OPERATIONS REPORT ON LONG-TERM RECOVERY: RECOMMENDATIONS TO  
THE GNWT – EMERGENCY RESPONSE LEGISLATIVE FRAMEWORK, CARRIED

**MR. O'REILLY:** Thanks, Madam Chair. I sat in on some of the deliberations of this committee, as well. I support this. The first day of this sitting, I was raising issues around lessons learned. Even though we're still in the pandemic, we need to start to think about what we've learned and how we're going to get ready for a second wave, potentially, or future pandemics, and so on, so this is certainly consistent with that.

I wouldn't wait, though. If I was on the government operations committee, I wouldn't wait for Cabinet to bring forward a legislative proposal. We can always work collaboratively with our friends in Cabinet, but the committee itself has the authority to conduct its own review and come

up with its own ideas working collaboratively with Cabinet, but I wouldn't just sit back and wait for a legislative proposal from Cabinet; but I am happy to support the spirit and intent of this moving forward. Thanks, Madam Chair.

COMMITTEE MOTION 30-19(2):  
COMMITTEE REPORT 2-19(2) – STANDING COMMITTEE ON GOVERNMENT  
OPERATIONS REPORT ON LONG-TERM RECOVERY: RECOMMENDATIONS TO  
THE GNWT – EMERGENCY RESPONSE COMMUNICATIONS PROTOCOL,  
CARRIED

**MR. O'REILLY:** Thanks, Madam Chair. I support this motion. On the very last day of our sitting in March, I was asking questions about getting regular updates to the then-COVID-19 Web page that the department of health had set up, and eventually we did evolve into a single website. I had recommended much before that that we have one single portal, and we're finally there, so I support this.

I also think that we need to improve and have an understanding of what the communications are going to be between Cabinet and Regular MLAs if there is another pandemic or a second wave. I think we've all learned from this experience and probably have found ways to work together through the school of hard knocks, sometimes. I think we probably need some work a protocol in terms of how we work together. The last thing I want to say here is that I had advocated, and I had members of the public come to me about the use of the emergency alert system through cellphones. We did not use it at all during the pandemic, at least so far. I think there are several occasions where it could and should have been used. As an example, when the borders were about to be closed so that people wouldn't be stranded on the other side. I trust and hope that that is going to be part of the what is considered as part of this exercise, but I will support the motion. Thanks, Madam Chair.

COMMITTEE MOTION 31-19(2):  
COMMITTEE REPORT 2-19(2) – STANDING COMMITTEE ON GOVERNMENT  
OPERATIONS REPORT ON LONG-TERM RECOVERY: RECOMMENDATIONS TO  
THE GNWT – ENFORCEMENT OF ORDERS ISSUED DURING A PUBLIC HEALTH  
OR TERRITORIAL EMERGENCY, CARRIED

**MR. O'REILLY:** Thanks, Madam Chair. I want a second to sum up the concerns raised by my colleague by Yellowknife Centre. On March 21<sup>st</sup>, the public health order was issued closing the border. I started asking questions three days later of my Cabinet colleagues to try to find out what was actually happening, whether information was being collected, what information was being given out. I guess for the first few days the people at the border stop didn't even have pamphlets, brochures, nothing to give out. Then they started to collect photos of drivers' IDs, they were collecting names of passengers, but it wasn't until March 27<sup>th</sup> that they had a

standardized collection process. Forms were actually not standardized until April 9<sup>th</sup> to, I guess, presumably ensure that there was a better follow up of self-isolation plans.

It's still not clear to me what happens with the information that is collected, how it goes from the task force to the Chief Public Health Officer's office and who does the follow up? I've asked questions since March about that and just never really got the answers I was looking for. I still have questions about this. I was going to make a Member's statement about it and that's where I'm taking some of these dates out of here because couldn't get to the bottom of it. I support this. The task force itself was only set up on April 8<sup>th</sup>, 18 days after the border controls were put into place. There was gaps there, I know that we are all learning from this experience. We've got to put that learning into practice and that's what this recommendation is about. It's making sure that we're ready next time. I do support it. Thanks, Madam Chair.

COMMITTEE MOTION 31-19(2):  
COMMITTEE REPORT 2-19(2) – STANDING COMMITTEE ON GOVERNMENT  
OPERATIONS REPORT ON LONG-TERM RECOVERY: RECOMMENDATIONS TO  
THE GNWT – ENFORCEMENT OF ORDERS ISSUED DURING A PUBLIC HEALTH  
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COMMITTEE MOTION 32-19(2):  
COMMITTEE REPORT 2-19(2) – STANDING COMMITTEE ON GOVERNMENT  
OPERATIONS REPORT ON LONG-TERM RECOVERY: RECOMMENDATIONS TO  
THE GNWT – DIGITAL COMMUNICATIONS PLAN AND INTERNET ACCESS,  
CARRIED

**MR. O'REILLY:** Thanks, Madam Chair. This recommendation dovetails very nicely with the fourth recommendation in the Standing Committee on Economic Development and Environment report where we wanted a costed plan for upgrading Internet access across the NWT to Canadian standards by September 1<sup>st</sup>. I hope that when Cabinet responds positively to that recommendation, we can work together and deal with the two at the same time. Thanks, Madam Chair.