



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

5th Session

11th Assembly

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Pages 1 - 10

Speaker: The Hon. Red Pedersen, M.L.A.

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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NORMAN WELLS, NORTHWEST TERRITORIES

WEDNESDAY, OCTOBER 18, 1989

MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Arlooktoo, Hon. Tom Butters, Hon. Nellie Cournoyea, Mr. Crow, Mr. Ernerk, Hon. Stephen Kakfwi, Mr. Kilabuk, Mr. Lewis, Mr. Morin, Mr. Nerysoo, Hon. Dennis Patterson, Hon. Red Pedersen, Mr. Pudluk, Mr. Whitford, Hon. Gordon Wray, Mr. Zoe

SPEAKER (Hon. Red Pedersen): Father Posset, would you lead us in prayer please?

ITEM 1: PRAYER

FATHER HENRI POSSET: (Speaks in Slavey, no translation)

Lord, may this Legislative Assembly be an instrument of Your peace and unity, for the welfare of all people living on this land. Where there is hatred, may we show love; where there is injury, may we give pardon; where there is doubt, may we express faith; where there is despair, may we bring hope; where there is darkness, may we be light; and where there is sadness, may we bring joy.

(Speaks in French, no translation)

Lord, make us channels of Your peace and unity. Amen.

MR. SPEAKER: Thank you, Father. Would the Fort Norman drummers now lead us in a prayer song please?

---Drummers' Prayer Song

Please be seated. Mr. Clerk, would you ascertain if the Commissioner of the Northwest Territories is prepared to address the Legislative Assembly?

ITEM 2: OPENING ADDRESS

COMMISSIONER NORRIS: Please be seated. Mr. Speaker, Members of the Legislative Assembly, it is my privilege to welcome you to this fifth session of the 11th Legislative Assembly. I am pleased to be here today to represent your government and to deliver, for my first time, the Speech from the Throne. As your new Commissioner, I want to say that I am deeply honoured to have been appointed to this position. I also want to state that I plan to follow the direction established by my distinguished predecessor, Mr. John Parker. This direction helped to bring full ministerial government to the Northwest Territories and, more recently, a reduction of his own responsibilities to more closely reflect the role of a provincial lieutenant-governor. It is my hope that such a role will be officially recognized through changes to the NWT Act by the end of my term of office.

Finally, it is appropriate that my first opportunity to address the Legislature as Commissioner is taking place outside of Yellowknife in a region that I have served, in a different capacity, for the past 27 years. I pledge to do my best to be a worthy ambassador and to serve our elected officials and the people of the Northwest Territories to the best of my abilities.

Developing A Focus

During the past few months, your government has reviewed its agenda in order to determine how to maintain the broad social and economic principles and objectives set out in its Directions for



the 1990s document while, at the same time, trying to meet growing expectations for new programs and services. It has been a difficult and sometimes frustrating task, particularly since the government does not have the resources or jurisdiction to tackle some of the key issues facing the Northwest Territories today. Examples are protection of the environment, resolution of land claims and low-level bomber training missions over the southern Mackenzie.

In addition, public demands for new social programs, aboriginal language enhancements, new schools, community infrastructure and housing are voiced almost daily. These demands, combined with the need to maintain essential programs and services, are creating a financial dilemma. In order to resolve this dilemma, your government believes it has to make decisions regarding the basic shape of government at all levels in the Northwest Territories. It knows that it cannot do this alone. Accountability does not stop at the Executive Council chamber. Under consensus government, it is shared by each and every Member of the Legislature and must be clearly understood by the public they serve.

### Political And Constitutional Development

Government, as it is presently constituted in the Northwest Territories, is complex and financially burdensome. More than anything else, the funding of a proliferation of decision-making institutions is draining precious money away from the types of social and economic programs so urgently required. This factor was illustrated in a discussion paper tabled in the Legislature last fall. In that paper your government spoke about political and constitutional development in the Northwest Territories, the heavy financial burden of maintaining existing structures, and the pressing need for a consensus on the shape of public government in the North. It brought that document back during the budget session in January in order to initiate debate on this important matter. As a result of those debates, it planned to develop recommendations on the process, framework and form for the shaping of public government that best serves the interests and program needs of all northern people. As you know, the debate has only just begun.

Because of this, your government remains anxious to continue the discussions and is confident that a form of community self-government will emerge that protects aboriginal interests and embodies and strengthens municipal and territorial structures and their decision-making authority. It will do this in a manner that will provide us with more efficient and cost-effective administrations at all levels throughout the Territories, and the necessary strength to tackle the many issues facing the North now and as we move into the 1990s.

One of the key components, however, to any political and constitutional development in the Territories is the satisfactory resolution of land claims, a process that Northerners have assumed would be completed by the end of the decade. The Inuvialuit claim, of course, has been settled, and completion of an Agreement in Principle for the Tungavik Federation of Nunavut is imminent. Recent developments, however, suggest that the Dene/Metis claim, which a year ago appeared to be close to finalization, now appears to be in jeopardy.

Your government views this development with great concern. The risk is that the investment of over a decade of time, energy, commitment and money, combined with the numerous opportunities that would be created by a final settlement, may be lost. The loss will not only be that of the Dene/Metis. It will include the dashed expectations of all northern residents that a settlement would contribute to the political and economic future of the Northwest Territories as it was designed to do. It could also trigger a departure from the co-operative environment of the 1980s and a return to the climate of conflict and confrontation prevalent during the 1970s. As a result, your Executive Council is reviewing its part in the land claims process and is considering whether it could be playing a more aggressive role. It is not seeking third party status, but it intends to remind the major parties to the claims process that the political, social and economic future of the Territories is at stake.

To guide the House in its discussion, and to assist with continuation of the debate, a second report on political and constitutional development will be tabled early in this session. In addition, representatives from aboriginal organizations will be available to present their positions during committee of the whole discussions. Your government believes that discussion and the



development of a consensus on this important matter will provide it, and future governments, with the tools required to more properly implement existing priorities and future directions.

### The Environment

The Northwest Territories is the homeland for a native majority for whom the land is a sacred trust and where any developments must take serious consideration of that reality. Indeed, all of us share that concern and are committed to protection of our environment for future generations. The current environmental review board's examining of the cumulative effects of all northern Alberta pulp mills is an example. As you know, your government has successfully negotiated with the federal and Alberta governments for a territorial representative on the review board and has gained assurances that the panel will hold sessions in the Northwest Territories at Fort Smith and Fort Resolution. In addition, a total of \$80,000 has been made available for northern residents who need assistance to research information and make their views known at the public hearings.

As mentioned earlier, however, your government does not have the resources to tackle all of the issues confronting the Northwest Territories today. Among the matters that will not be dealt with, at this time, is introduction of new environmental legislation for the Northwest Territories. While your government agrees that immediate steps must be taken to ensure protection of the environment, it also knows that the money and administrative resources required to properly protect an area that is one-third the size of Canada are far beyond its reach. Because of this, it is determined to hold the federal government to promises it has made about cleaning up the Arctic environment and to ensure that Ottawa is dedicating the necessary resources to enforce existing federal environmental legislation and responsibilities in the North, on both crown and Commissioner's lands.

In addition to recent remarks made by Environment Minister Lucien Bouchard on this matter, the government is also encouraged by statements made earlier this month to the standing committee on industry, science and technology by the Hon. Pierre Cadieux. Mr. Cadieux noted the northern environment was a priority and that he wanted to give it a lot of his personal attention.

The matter of aboriginal language services is also a concern of the government. It plans to table a discussion paper on languages during this session. Over \$26 million has been spent on aboriginal language services since the five year languages agreement was signed by the territorial government and the federal Secretary of State. Your government considers this to be a considerable investment and before it addresses the matter of amendments to the NWT Official Languages Act it wants to have a full and meaningful discussion in the House. The discussion must take into consideration the need to fund other pressing issues and the limited amount of free money to properly address any of them.

### The Military

Plans by Canada and the United States to conduct low-level bomber training flights in the southern Mackenzie emphasize the need for the Northwest Territories to develop a policy on military activity in the North. Such a policy is presently under development. While actions taken by the Government of Canada in respect to defence issues are quite arbitrary, your government believes a northern policy may help to more formally indicate our desire to work toward an Arctic zone of peace and security.

For the record, your government is opposed to low-level bomber training in the Territories. It is also concerned that such flights could increase in frequency because of recent steps by governments in West Germany and the Netherlands to limit low-level training in their countries because of environmental and public concerns. As you know, the government and native leaders have made personal representations to Defence Minister Bill McKnight against low-level training. The government will continue to make its case to Ottawa and in public forums such as the recent conference in Edmonton on Arctic peace and security. In the interim, your government wishes to create a special aboriginal rights court challenges program for people who wish to launch court actions on issues involving the protection or definition of aboriginal rights. The \$100,000 program



is in partial response to recent demands from the community of Snowdrift for financial assistance in challenging low-level training flights but could also be used to legally challenge other matters of pressing concern to northern aboriginal people. Applications for funding will be received by the Minister of Justice's advisory committee on aboriginal justice issues that was established in 1986. They would be reviewed by the committee for merit and cost and to ensure the point or points being challenged had not already been decided in previous court rulings.

#### A Time For Choices

More than ever before, it is a time for choices. While your government is satisfied with the progress and developments that have taken place over the past two years, it also recognizes that there is a limit to the amount of financial resources available to implement significant program changes.

This factor became abundantly clear during the development of the territorial budget for 1990-91 and in the government's negotiations of a new formula financing agreement with Ottawa. While the federal government has agreed that the current formula has achieved its objective, it has also made it clear that it wants a new agreement to be accompanied by a substantial reduction in the amount of money provided to your government. The federal proposal, if adopted, would place the Government of the Northwest Territories in an extremely serious financial position. Without adequate resources, your government would be significantly constrained in its attempt to meet its economic and social obligations.

Introduction of a nine percent federal goods and services tax in January of 1991 would further aggravate the situation. Your government views the proposed tax as particularly damaging to the Northwest Territories. The reason is clear. For a high-cost region like the Northwest Territories, consumers will have to pay a higher tax bill than consumers purchasing the same items in southern provinces.

In addition, the government is also concerned that the tax will place an onerous burden on northern businesses, at a time when their success is vital to the future economic stability of the North. The added costs of compliance to business will be particularly high in the Territories. Unlike most other jurisdictions in Canada, businesses here are not required to collect or remit a general provincial retail sales tax and are not equipped to do so. Your Minister of Finance has made significant representation to Ottawa against the introduction of the proposed goods and services tax and he will continue to address these concerns in the strongest possible terms.

#### Recognition Of Individuals

At this time I would like to recognize two individuals, Mrs. Edna Leader of Fort Simpson and Mr. Red Pedersen, MLA for Kitikmeot West, who were chosen by my predecessor to receive the Commissioner's Award for Bravery. I will be announcing the time and place for a ceremony in the very near future.

Mrs. Leader, after repeated attempts, managed to single-handedly rescue Peter Corneille from a house fire by pulling his unconscious body through a window frame. Mr. Pedersen, unable to swim and with little if any canoeing experience, pulled 16 year old Annissa Ihumatak from the Coppermine River, brought her by canoe to shore and revived her. In both cases, these northern residents put their own safety at risk to save people who, RCMP say, would have otherwise perished.

I would also like to officially recognize a group of individuals who have made a particularly important contribution to our northern society. Their hard work and pioneering effort, beginning in 1973, laid the foundation for the establishment of aboriginal language services within the Government of the Northwest Territories. All of them are now pursuing different careers. But at the time, they were the original members of what later became the NWT language bureau. They are: Betty Brewster, Peter Bughhins, Joachim Bonnetrouge, Alexis Pameok, Roy Goose, Peter Liske, David Audlakiak and Susie Huskey.

## Legislative Schedule

During this session a legislative program including the following bills will be introduced for your consideration. Amendments to the following acts will be advanced: Business Loans and Guarantees Act; Charter Communities Act; Cities, Towns and Villages Act; Criminal Injuries Compensation Act; Dental Profession Act; Education Act; Hamlets Act; Insurance Act; Interpretation Act; Jury Act; Justices of the Peace Act; Legal Profession Act; Legislative Assembly Retiring Allowances Act; Liquor Act; Mental Health Act; Motor Vehicles Act; Municipal Employees Benefits Act; Northwest Territories Power Corporation Act; Nursing Profession Act; Regulations Act; and Settlements Act.

New bills include: Elevating Devices Safety Act; Real Estate Agents' Licensing Act; Senior Citizens and Disabled Persons Property Tax Relief Act; Transportation of Dangerous Goods Act; Adoption of the French Statutes and Statutory Instruments Act; Supplementary Appropriation Act, No. 4, 1988-89; and Supplementary Appropriation Act, No. 1, 1989-90.

In addition, two bills will be tabled for public information. They are: the Public Services Vehicles Act and the Status of Women Council Act.

Mr. Speaker and Members of the Legislature, your government considers these bills essential to the good conduct of government business and I recommend passage of each of these acts.

I now commend to you for your earnest consideration and wise judgment the business of this House, as I declare open the fifth session of the 11th Assembly of the Northwest Territories. Thank you.

---Applause

MR. SPEAKER: Be seated. We will now move to orders of the day.

Item 3, Ministers' statements. Item 4, Members' statements. Mr. Kakfwi.

### ITEM 4: MEMBERS' STATEMENTS

#### Member's Statement On Welcome To Norman Wells

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. It gives me great pleasure to rise today to welcome the Commissioner and the Members of the Legislative Assembly, and the staff and other invited guests to my constituency.

(Translation) ...very first time to the Legislative Assembly functions. We wanted you to see for yourselves how we work in the Legislative Assembly. Last year we spoke of this. We talked about how the Legislative Assembly could also travel within the regions and we discussed which region would be the one that would be chosen. When we talked about this we mentioned that Norman Wells had the facilities to take care of this amount of people for this amount of time, the two weeks that were allotted for the Legislative Assembly. So we are here amongst you and we will show you the work that we do.

The people that live in this region are primarily Dene and Metis people and there are a lot of non-native people among us. We speak in Slavey and we understand one another well. There is not a mixture of people, there are no Loucheux or Dogrib people. We are Slavey people that live within this region. We are working hard in our region to develop a unified position on issues and deal with our unique challenges. (Translation ends)

Mr. Speaker, the people of the Sahtu see themselves as a distinct cultural people and we look forward to the time when this government recognizes this by creating a new region called the Sahtu. This weekend I will be pleased to host a tour of the Sahtu communities for the Members, and I look forward to the next three weeks of hard work and meaningful debate. Once again, thank you for coming, and welcome to the Sahtu.



---Applause

MR. SPEAKER: Thank you, Mr. Kakfwi. Those were metric minutes you had today in your Member's statement.

Speaker's Thanks To Norman Wells

I would like to, on behalf of the entire Assembly, thank the community of Norman Wells and the Sahtu region for the obvious great work that was put into making this sitting possible. I am sure we will all enjoy our stay here and that our deliberations will be fruitful. I would particularly like to greet today the school children we have with us. I would like to make a special thanks to the Fort Norman drummers for giving us the privilege of opening this session. It is the first time in my tenure that we have opened a session with a prayer drum song, and I wish to thank them for that.

I would like to welcome all the many distinguished visitors we have in the gallery today. There are really too many to mention individually, but I am going to single out two members. I would like to welcome Ethel Blondin, our hard working MP, Member of Parliament for the Western Arctic, of course.

--Applause

And a very special welcome to our colleague-to-be, John Ningark from Pelly Bay. John is the Member elect for the constituency of Natilikmiot and we greatly look forward to your being sworn in and having you join us inside the ropes in your chair for what I know will be an excellent contribution to our deliberations. Welcome.

---Applause

We will now continue with orders of the day. We were on Item 4, Members' statements. Are there any further Members' statements?

Item 5, oral questions.

Item 6, written questions.

Item 7, petitions.

Item 8, reports of standing and special committees.

Item 9, tabling of documents.

Item 10, notices of motion. Item 11, notices of motion for first reading of bills. Mr. Wray.

ITEM 11: NOTICES OF MOTION FOR FIRST READING OF BILLS

Notice Of Motion For First Reading Of Bill 3-89(2): Charter Communities Act

HON. GORDON WRAY: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 3-89(2), An Act to Amend the Charter Communities Act, be read for the first time.

MR. SPEAKER: Thank you, Mr. Wray. Notices of motion for first reading of bills. Mr. Wray.

Notice Of Motion For First Reading Of Bill 4-89(2): Cities, Towns And Villages Act

HON. GORDON WRAY: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 4-89(2), An Act to Amend the Cities, Towns and Villages

Act, be read for the first time.

MR. SPEAKER: Thank you, sir. Notices of motion for first reading of bills. Ms Cournoyea.

Notice Of Motion For First Reading Of Bill 6-89(2): Dental Profession Act

HON. NELLIE COURNOYEA: Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 6-89(2), Dental Profession Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 17-89(2): Mental Health Act

Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 17-89(2), An Act to Amend the Mental Health Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 21-89(2): Nursing Profession Act

Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 21-89(2), An Act to Amend the Nursing Profession Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Madam Minister. Notices of motion for first reading of bills. Mr. Wray.

Notice Of Motion For First Reading Of Bill 9-89(2): Hamlets Act

HON. GORDON WRAY: Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 9-89(2), An Act to Amend the Hamlets Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 18-89(2): Motor Vehicles Act

Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 18-89(2), An Act to Amend the Motor Vehicles Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 25-89(2): Settlements Act

Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 25-89(2), An Act to Amend the Settlements Act, be read for the first time. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Notices of motion for first reading of bills. Mr. Kakfwi.

Notice Of Motion For First Reading Of Bill 7-89(2): Education Act

HON. STEPHEN KAKFWI: Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 7-89(2), An Act to Amend the Education Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 8-89(2): Elevating Devices Safety Act

Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 8-89(2), Elevating Devices Safety Act, be read for the first time. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Notices of motion for first reading of bills. Mr. Patterson.

Notice Of Motion For First Reading Of Bill 14-89(2): Legal Profession Act

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I give notice that on Friday, October 20, 1989, I shall move that Bill 14-89(2), An Act to Amend the Legal Profession Act, be read for the first time.

MR. SPEAKER: Thank you, Mr. Minister. Notices of motion for first reading of bills. Mr. Butters.



Notice Of Motion For First Reading Of Bill 16-89(2): Liquor Act

HON. TOM BUTTERS: Thank you, Mr. Speaker. I give notice that on Friday, October 20, 1989, I shall move that Bill 16-89(2), An Act to Amend the Liquor Act, be read for the first time.

MR. SPEAKER: Thank you, Mr. Butters. Mr. Patterson, again.

HON. DENNIS PATTERSON: I have several, Mr. Speaker, if I may.

Notice Of Motion For First Reading Of Bill 23-89(2): Regulations Act

I give notice that on Friday, October 20, 1989, I shall move that Bill 23-89(2), An Act to Amend the Regulations Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 13-89(2): Justices Of The Peace Act

Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 13-89(2), An Act to Amend the Justices of the Peace Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 12-89(2): Jury Act

I give notice that on Friday, October 20, 1989, I shall move that Bill 12-89(2), An Act to Amend the Jury Act, be read for the first time.

Notice Of Motion For First Reading Of Bill 11-89(2): Interpretation Act

Mr. Speaker, I give notice that on Friday, October 20, 1989, I shall move that Bill 11-89(2), An Act to Amend the Interpretation Act, be read for the first time. Thank you.

MR. SPEAKER: Thank you, Mr. Government Leader. Notices of motion for first reading of bills. Mr. Patterson.

HON. DENNIS PATTERSON: I am sorry, Mr. Speaker, I did have another bill. I shall give notice that on Friday, October 20, 1989, I shall move that Bill 14-89(2), Legal Profession Act, be read for the first time. Thank you.

MR. SPEAKER: Thank you. Notices of motion for first reading of bills. For the record, notice was given for Bill 14-89(2) twice today. Notices of motion for first reading of bills. That would appear to conclude Item 11.

Item 12, motions.

Item 13, first reading of bills.

Item 14, second reading of bills. Item 15; Mr. Clerk, orders of the day, please.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a meeting of the ajauqtit at 9:00 a.m. tomorrow morning and a meeting of the standing committee on finance at 10:00 a.m. tomorrow morning.

ITEM 15: ORDERS OF THE DAY

Orders of the day for Thursday, October 19, 1989.

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
18. Report of Committee of the Whole
19. Third Reading of Bills
20. Orders of the Day

Resignation Of Hon. Red Pedersen As Speaker

MR. SPEAKER: Thank you, Mr. Clerk. Before adjourning the House for today, I wish to share with honourable Members some observations concerning this speakership.

Priority access to cabinet is normally extended to Speakers in all jurisdictions. This is to compensate in his constituency concerns for the loss of any politician's most important and effective tool, his voice, his ability to speak out freely, his ability to take sides and to express his opinions and his right to participate in question period and to take part in debates in the House. While this access has not been denied me, I must inform the House that access, unfortunately, has not translated into action and my constituency consequently has suffered. The stature and benefits of the speakership recommended after the last election have also not been achieved.

In party political systems the speakership is the most difficult, and a very lonely, position which requires the full support and confidence of at least the government and party in power, if it is to function effectively. In a consensus system such as ours, the Speaker's position is even more delicate and should have the full support and confidence of the entire House if it is to function effectively.

When actions are taken against the incumbent of the chair which are based on factors over which he has had no control, then the institution of the speakership itself is weakened. This cannot be allowed to happen. We must do whatever can be done to ensure that the speakership is not only maintained but is, in fact, enhanced and strengthened, for without the institution of a strong and respected speakership the very future of parliamentary democracy is threatened. I feel it is



necessary to accept political reality and to select for this chair a Member who will have the confidence of, and who will be acceptable to, all groups in this Assembly. Therefore, effective immediately after adjournment today, it is my decision no longer to serve this House as your Speaker.

This House now stands adjourned until Thursday, October 19, 1989, at 1:00 p.m.

--ADJOURNMENT

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