



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

8th Session

11th Assembly

HANSARD

Official Report

DAY 33

TUESDAY, APRIL 16 , 1991

Pages 790 - 819

Speaker: The Hon. Richard Nerysoo, M.L.A.

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

Speaker

The Hon. Richard Nerysoo
Fort McPherson, N.W.T.
X0E 0J0
(403) 873-7629 (Office)
(403) 873-5788 (Home) (Yellowknife)
(403) 979-2668 (Home) (Inuvik)
(Mackenzie Delta)

Allooloo, The Hon. Titus, M.L.A.
5024 - 57th Street
Yellowknife, N.W.T.
X1A 1Y6
(403) 873-7113 (Office)
(403) 873-4813 (Home)
(Amittuq)
Minister of Culture & Communications
and Renewable Resources

Arlooktoo, Mr. Joe, M.L.A.
General Delivery
Lake Harbour, N.W.T.
X0A 0N0
(819) 939-2278 (Office)
(819) 939-2363 (Home)
(Baffin South)

Ballantyne, The Hon. Michael, M.L.A.
P.O. Box 1320
Yellowknife, N.W.T.
X1A 2L9
(403) 873-7658 (Office)
(403) 920-2963 (Home)
(Yellowknife North)
Government House Leader
Minister of Finance and Justice

Butters, The Hon. Tom, M.L.A.
P.O. Box 1069
Inuvik, N.W.T.
X0E 0T0
(403) 979-2373 (Office)
(403) 979-2373 (Home)
(Inuvik)
Minister of Municipal & Community
Affairs, Government Services and
NWT Housing Corporation

Cournoyea, The Hon. Nellie, M.L.A.
P.O. Box 1184
Inuvik, N.W.T.
X0E 0T0
(403) 873-7128 (Office)
(403) 977-2405 (Tuktoyaktuk)
(403) 979-2737 (Inuvik)
(Nunakput)
Minister of Health, Energy, Mines &
Petroleum Resources, Public Works and
NWT Power Corporation

Crow, Mr. Charlie, M.L.A.
General Delivery
Sanikiluaq, N.W.T.
X0A 0W0
(819) 266-8940 (Home)
(Hudson Bay)

Ernerk, Mr. Peter, M.L.A.
Box 182
Rankin Inlet, N.W.T.
X0C 0G0
(819) 645-2800
(819) 645-2500
(Aivilik)

Gargan, Mr. Samuel, M.L.A.
General Delivery
Fort Providence, N.W.T.
X0E 0L0
(403) 873-7999 (Office)
(403) 874-3230 (Hay River)
(403) 699-3171 (Home)
(Deh Cho)
Deputy Speaker and Chairman, Committee
of the Whole

Kakfwi, The Hon. Stephen, M.L.A.
P.O. Box 1320
Yellowknife, N.W.T.
X1A 2L9
(403) 873-7139 (Office)
(403) 873-8215 (Home)
(Sahtu)
Deputy Government Leader
Minister of Education and Personnel

Kilabuk, Mr. Ipeelee, M.L.A.
General Delivery
Pangnirtung, N.W.T.
X0A 0R0
(819) 437-8827 (Home)
(Baffin Central)

Lewis, Mr. Brian, M.L.A.
P.O. Box 1320
Yellowknife, N.W.T.
X1A 2L9
(403) 873-7999 (Office)
(403) 873-5549 (Home)
(Yellowknife Centre)

Marie-Jewell, The Hon. Jeannie, M.L.A.
P.O. Box 1051
Fort Smith, N.W.T.
X0E 0P0
(403) 873-7959 (Office)
(403) 872-2940 (Home)
(Slave River)
Minister of Social Services and Safety &
Public Services

McLaughlin, Mr. Bruce, M.L.A.
P.O. Box 1320
Yellowknife, N.W.T.
X1A 2L9
(403) 873-7999 (Office)
(403) 873-6220 (Home)
(403) 874-2884 (Hay River)

Morin, Mr. Don, M.L.A.
General Delivery
Fort Resolution, N.W.T.
X0E 0M0
(403) 394-3471
(Tu Nede)

Ningark, Mr. John, M.L.A.
General Delivery
Pelly Bay, N.W.T.
X0E 1K0
(403) 769-6703
(Natilikmiot)

Patterson, The Hon. Dennis, M.L.A.
P.O. Box 310
Iqaluit, N.W.T.
X0A 0H0
(403) 873-7112 (Office)
(819) 979-5993 (Office)
(403) 873-2802 (Home)
(Iqaluit)
Government Leader,
Chairman of Executive Council,
Minister of Executive

Pedersen, Mr. Red, M.L.A.
General Delivery
Coppermine, N.W.T.
X0E 0E0
(403) 982-5788 (Coppermine)
(Kitikmeot West)

Pollard, Mr. John D., M.L.A.
Box 1095
Hay River, N.W.T.
X0E 0R0
(403) 874-2345 (Office)
(403) 874-2600 (Home)
(Hay River)

Pudluk, Mr. Ludy, M.L.A.
P.O. Box 240
Resolute Bay, N.W.T.
X0A 0V0
(819) 439-8898 (Arctic Bay)
(819) 252-3719 (Home)
(High Arctic)
Deputy Chairman,
Committee of the Whole

Sibbeston, Mr. Nick, M.L.A.
P.O. Box 560
Fort Simpson, N.W.T.
X0E 0N0
(403) 695-2452 (Fort Simpson)
(403) 873-6215 (Home)
(Nahendeh)

Whitford, Mr. Tony, M.L.A.
P.O. Box 2772
Yellowknife, N.W.T.
X1A 2R1
(403) 920-8010 (Office)
(403) 873-5328 (Home)
(Yellowknife South)

Wray, The Hon. Gordon, M.L.A.
P.O. Box 35
Baker Lake, N.W.T.
X0C 0A0
(403) 873-7962 (Office)
(819) 793-2700 (Baker Lake)
(Kivallik)
Minister of Transportation and Economic
Development & Tourism

Zoe, Mr. Henry, M.L.A.
P.O. Box 1320
Yellowknife, N.W.T.
X1A 2L9
(403) 873-7999 (Office)
(403) 873-4136 (Home)
(Rae - Lac la Martre)
Deputy Chairman,
Committee of the Whole

Officers

Clerk
Mr. David Hamilton
Yellowknife, N.W.T.

Clerk Assistant
Ms Rhoda Perkison
Yellowknife, N.W.T.

Law Clerk
Mr. Don Cooper, Q.C.
Yellowknife, N.W.T.

Editor of Hansard
Ms Marie J. Coe
Yellowknife, N.W.T.

Sergeant - at - Arms
Mr. Harry Finnis, B.E.M., C.D.
Yellowknife, N.W.T.

TABLE OF CONTENTS
TUESDAY, APRIL 16, 1991

	PAGE
Prayer	790
Ministers' Statements	
- 62-91(1) Business Development Fund	790
- 63-91(1) Cross-Cultural Science Camps	790
Members' Statements	
- Mr. Whitford on Recognition of Northern Performers	791
- Mr. Ernerk on Appreciation of the Department of Municipal and Community Affairs	791
Returns to Oral Questions	791
Oral Questions	792
Petitions	797
Tabling of Documents	798
Notices of Motions	798
Notices of Motions for First Reading of Bills	
- Bill 35 - Natural Resources Conservation Trust Act	798
- Bill 38 - Local Authorities Elections Act	798
Motions	798
Second Reading of Bills	
- Bill 6 - Regional and Tribal Councils Act	799
Consideration in Committee of the Whole of:	
- Bill 23 - Property Assessment and Taxation Act	801
- Bill 4 - Medical Profession Act	802
- Bill 15 - Northwest Territories Power Corporation Act	804
- Bill 18 - Boilers and Pressure Vessels Act	807

TABLE OF CONTENTS: TUESDAY, APRIL 16, 1991 (CONTINUED)

	PAGE
Consideration in Committee of the Whole of: (continued)	
- Bill 16 - Locksmiths, Security Guards and Other Security Occupations Act	807
- Bill 25 - Marriage Act	812
- Bill 10 - Insurance Act	815
- Bill 32 - Corrections Act	817
- Bill 24 - Social Assistance Act	818
Report of Committee of the Whole:	818
Orders of the Day	818

YELLOWKNIFE, NORTHWEST TERRITORIES

TUESDAY, APRIL 16, 1991

MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Arlooktoo, Hon. Michael Ballantyne, Hon. Tom Butters, Hon. Nellie Cournoyea, Mr. Crow, Mr. Ernerk, Mr. Gargan, Hon. Stephen Kakwi, Mr. Kilabuk, Mr. Lewis, Hon. Jeannie Marie-Jewell, Mr. McLaughlin, Mr. Morin, Hon. Richard Nerysoo, Mr. Ningark, Hon. Dennis Patterson, Mr. Pedersen, Mr. Pollard, Mr. Pudluk, Mr. Sibbeston, Mr. Whitford, Hon. Gordon Wray, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Richard Nerysoo): Orders of the day for Tuesday, April 16, 1991. Item 2, Ministers' statements. The honourable Member for Kivallivik.

ITEM 2: MINISTERS' STATEMENTS

Ministers' Statement 62-91(1): Business Development Fund

HON. GORDON WRAY: Thank you, Mr. Speaker. Mr. Speaker, it gives me great pleasure to announce the creation of the new business development fund effective April 1, 1991.

Last year when I announced the economic strategy, I made a commitment to consolidate business assistance programs, thereby making them simpler, more comprehensive and flexible in dealing with today's business problems. The new business development fund meets these objectives. The new program also reinforces the fundamental objectives of the economic development agreement to promote economic development and job creation in our smaller, less developed communities.

The business development program is a business-driven program providing assistance to business on application. The business development fund will provide capital assistance to get started, to expand, to develop new markets or products and/or to obtain management training.

Mr. Speaker, under the new business development program, the amount of assistance is tied to the level of economic development of the community. Accordingly, assistance will vary, depending on whether you live in a large community like Yellowknife with a relatively large business market and ready access to private business services, or whether you have a community with a developing wage-based economy, like Gjoa Haven.

For our larger communities, which we call group 1, if need can be justified, applicants will be entitled to assistance up to 30 per cent of eligible project costs. Applicants will also be required to contribute 15 per cent of their own cash equity.

On the other hand, for developing market communities, called group 2 communities, applicants will be entitled to assistance for up to 50 per cent of eligible project costs. For our group 3, predominantly non-wage-based communities, or those communities with the greatest difficulty attracting capital investment and attracting capital, entitlement will be 70 per cent contribution toward eligible project costs. These applicants will be required to contribute only five per cent cash or sweat equity.

In addition to making our business assistance programs more accessible to the business community, we have also broadened the scope of the program to fill in some of the gaps in the existing programs. We are now able to provide

capital assistance from concept to reality.

With the introduction of the business development program, we are taking a major step, creating jobs in our fastest growing sector, the small business sector. At the same time we are broadening and diversifying our economy. Mr. Speaker, we have also improved our program delivery systems and procedures to provide for more consistent and timely decisions. This was accomplished through the creation of a single application for all of our programs. This application will reduce the paperwork on many of the smaller applications; it can also be transmitted by computer to headquarters for faster processing. In the near future we hope to have a similar process in place for the issuance of completed contribution agreements. Thank you.

MR. SPEAKER: Thank you. Ministers' statements. The honourable Member for Iqaluit.

Ministers' Statement 63-91(1): Cross-Cultural Science Camps

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, our children must be prepared to meet the challenges they will face in the future. Education in the areas of science and technology will be especially important to them. The need to learn science from both the scientific method and the traditional knowledge of elders is of particular importance.

During the summers of 1989 and 1990, the Science Institute of the Northwest Territories tried to promote greater familiarity with science by organizing cross-cultural science camps for two-week periods at Frank's Channel near Rae-Edzo.

The objective of these camps was to bring together a mix of Northern children, between the ages of nine to 14, to learn about science in a wilderness setting from both the traditional and scientific viewpoints. The linking of these two sources of knowledge provided young minds with the opportunity to explore the natural world through the eyes of the Inuit, the Dene, the Metis and the professional scientist.

Previously-held camps brought together children from the Yellowknife, Rae-Edzo and Lac la Martre areas. Dogrib elders drew upon their wealth of experience and knowledge to explain and demonstrate hunting, fishing, hide dressing, and cooking techniques. Professional biologists also contributed a great deal of knowledge to the children.

Mr. Speaker, these camps have been an outstanding success with parents and teachers. I am also pleased to advise Members that the camps have received special recognition from the United Nations Education, Scientific and Cultural Organization, or UNESCO. The camps have been designated as a special "decade activity" for the world decade of cultural development, which runs from 1988 to 1997.

Other internationally recognized activities are the Dene Traditional Environmental Knowledge Project and the Coral Harbour Elders Writing Workshop.

Mr. Speaker, the camps will continue again this year, but we are also hoping to hold other camps across the Arctic, such as one we are planning to hold in Pangnirtung this summer. Fifteen students will be selected on their demonstrated interest in science and their school involvement. Input from teachers and the community will help us to select the students to attend these camps.

Finally, Mr. Speaker, a special video tape on the camps will be made available for viewing by Members in the lounge. I do hope that all Members will get a chance to become better informed about this special program. Thank you, Mr. Speaker.

--Applause

MR. SPEAKER: Thank you. Ministers' statements. Prior to proceeding with the next item of business, I would like to draw the attention of honourable Members to the presence in our public gallery of Mr. John Amagoalik, president of Inuit Tapirisat of Canada.

--Applause

Item 3, Members' statements. The honourable Member for Yellowknife South.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Recognition Of Northern Performers

MR. WHITFORD: Thank you, Mr. Speaker. Mr. Speaker, today I rise to salute the many and varied talented northern performers. We have here in the Northwest Territories a vast wealth of talented but still under-recognized singers, song writers, storytellers, authors, many musicians and dancers as well as artists in the performing arts such as theatre and stage.

Mr. Speaker, over the years, I feel that the performing arts here at home have not been getting the necessary attention that they so rightfully deserve. Unfortunately, the performing arts so are overshadowed by that of the paintings and crafts, carvings and such, that they tend to not be recognized as much.

This government, through its economic development policies and programs, generously funds the craft industry through direct incentives and through marketing strategies. Mr. Speaker, it would be nice to see some efforts directed toward the marketing strategy for northern performers from all regions of the Northwest Territories. I think they are a group that can, and do, contribute a lot to our culture and our heritage through dance, through storytelling and through the creation of music that is uniquely ours.

I would like to take this opportunity to recognize that vast pool of wealth of talent that we have here in the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Aivilik.

Member's Statement On Appreciation Of The Department Of Municipal And Community Affairs

MR. ERNERK: (Translation) Thank you, Mr. Speaker. Last week, all of the communities were represented by the mayors and the elected officials at the meeting in Yellowknife. These make up one of the most visible bodies -- the mayors and other elected officials -- in community government. I was very proud to see them attending to business. Also, the

territorial government's Department of Municipal and Community Affairs was able to assist these people during the meeting at that time.

I would like to express appreciation to them and all the people that I was able to see and get together with. I would like to thank them very much. That is my reason for rising today, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you. Members' statements. Item 4, returns to oral questions. The honourable Member for Nunakput.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question O451-91(1): Report On Meningitis

HON. NELLIE COURNOYEA: Mr. Speaker, I have a reply to an oral question asked by Mr. Ernerk on April 15, 1991, with regard to the reporting on haemophilus meningitis. Mr. Speaker, the University of Manitoba organized a workshop on haemophilus meningitis in Churchill almost three years ago. The NWT Department of Health and the Keewatin Regional Health Board were represented at the workshop, as well as other regions of Canada, the United States and several circumpolar countries. The report from this workshop has only recently been released.

Haemophilus meningitis has been a problem around the world for a long time. It strikes young children very quickly and, although there are some forms of treatment, no vaccine has been found to completely prevent it. About 15 years ago a vaccine against haemophilus meningitis was developed for children aged 18 months and up. The vaccine was later licensed for use in Canada and became available in the Northwest Territories about three years ago.

Most cases of meningitis in the Northwest Territories occur in children who are younger than 18 months, and therefore a special vaccine is needed. Three years ago the NWT Department of Health co-operated in a project to test the effectiveness on babies of a new vaccine developed by Connaught Laboratories. All the results were in by the summer of 1990, and it was a big disappointment to find that this vaccine did not appear to provide much protection, particularly for Inuit babies. Last August, vaccine specialists met in Yellowknife and decided that another vaccine should probably be tried. Shortly after this conference the United States announced some progress in the development of new vaccines.

Mr. Speaker, two new vaccines have been licensed in the United States in 1991; both can be used for young babies and appear to work quite well. Health and Welfare Canada informs us that these vaccines are likely to be licensed soon in Canada, at which time they will be available for our children's protection. I will keep the Assembly informed when this program commences. Thank you.

MR. SPEAKER: Thank you. Returns to oral questions. The honourable Member for Slave River.

Further Return To Question O215-91(1): Financial Stability Of Day-Care Centres Across NWT

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I have two returns to oral questions. The first one is to the honourable Member, Mr. Kilabuk, respecting financial stability of the day-care centre in Pangnirtung. The department received an application for start-up funding for the Precious Children's Centre in Pangnirtung, after which a grant of \$46,080 was forwarded to the centre in August 1989.

An operations and maintenance application for 1989-90 was received by the department. However, a contribution agreement could not be entered into since the centre had not registered as a non-profit society. Program staff has requested verification of non-profit status many times. Non-profit status is a requirement for access to operations and maintenance money. An application for 1990-91 was also received, but the same problem continues. When the organization is able to incorporate as a non-profit society, they will be eligible for funding and the program would be pleased to assist with their application. Thank you.

Return To Question O356-91(1): Programs In Hospitals For Mothers Considering Adoption

Mr. Speaker, I have a return to an oral question asked by Mr. Gargan on March 14, 1991, with respect to programs in hospitals for mothers considering adoption. In responding to the question asked on March 14, 1991, by the honourable Member for Deh Cho, I would first like to comment on the preamble to his question. The Member stated in his preamble that the current process only gives a young parent four days to change a decision to give a child up for adoption. The Member is correct in stating that there is a four day limit, but this limit, contained in section 85 of the Child Welfare Act, states that there can be no consent given to an adoption until the fifth day after the child is born. If a parent consents before the fifth day, that consent is not valid.

Secondly, the adoption will not be finalized for six months at a minimum. This is set out in section 88 of the Child Welfare Act. As a result, the parent has at least six months to go to court to ask that the consent be invalidated. All this information, of course, relates to private adoptions under the Child Welfare Act and not to native custom adoptions.

Having clarified those two points, I can now respond to the question asked, "What process is now in place in the hospitals in order to give the best possible advice to a young pregnant girl who might have a confusion or is having problems with what to do with her unborn child?" Social service workers will go to the hospital only if called upon and talk to someone who is concerned about adoption. Social workers, upon request, will also talk to them well before the baby is born if the mother wants to start thinking about options.

I would like to advise the honourable Member that any inquiries from young mothers, if they are in health centres, should be referred to social services offices. Thank you.

MR. SPEAKER: Thank you. Returns to oral questions. The honourable Member for Iqaluit.

Return To Question O294-91(1): Monitoring Of Research Activities By Science Institute

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. A return to an oral question asked by Mr. Crow on March 11, 1991 about the monitoring of research activities by the Science Institute. The Science Institute of the Northwest Territories is responsible for monitoring all research activities in the Northwest Territories. They are responsible for issuing licences for all activities; however, some research licences are controlled by other departments.

Research in archaeology is controlled by the Department of Culture and Communications, and wildlife research is dealt with by the Department of Renewable Resources.

The Member may be assured that the Science Institute does monitor all research by means of the issuance of these licences. Further, the proposed undertaking in Sanikiluaq by Hydro-Quebec and its contractee, Somer Consultants, will not

proceed unless a research licence is applied for and is granted by the Science Institute.

Further Return To Question O348-91(1): Science Institute's Authority To Issue Licences

Also, if I may, Mr. Speaker a return to an oral question asked by Mr. Gargan on March 13, 1991 on the Science Institute's authority to issue licences.

Licences are issued under the Scientists' Act and are administered under the procedures described in the revised Regulations of the NWT, 1980, Regulation No. 242. I have provided a copy of these regulations to the Member.

The Scientists Act provides the authority to define the terms and conditions under which licences are issued. The duties of the Science Institute are defined in the Science Institute of the Northwest Territories Act. The Science Institute administers the Scientists Act for the Government of the Northwest Territories.

The Science Advisor is gazetted under section 2 of the regulations. The present officer is Mr. Douglas Heyland, the executive director of the Science Institute. He was gazetted effective June 1, 1990.

The regulations also define the science administration officer, who is presently Ms. Anna Buss, who is employed with the Science Institute as the science administrator. Thank you.

MR. SPEAKER: Returns to oral questions. Item 5, oral questions. Oral questions. The honourable Member for Tu Nede.

ITEM 5: ORAL QUESTIONS

Question O457-91(1): Staff Training On Special Health Equipment

MR. MORIN: Thank you, Mr. Speaker. My question will be to the Minister of Health. Madam Minister, approximately three weeks ago to a month ago in this House, I asked you to look into buying or purchasing the equipment for one of my constituents so they can move back north. I was in touch with his doctor yesterday and that equipment has been purchased, in order to help him breathe, and I would like to commend your department on moving so quickly.

---Applause

The doctor told me his life has been greatly affected. He is going to have a better life. He can get out of the bed and even go to a movie with this breathing equipment. There is also some training to be taken by the health staff in the North in order for them to run this equipment so that he can come north. Madam Minister, when will your staff be going south to take this training? Thank you.

MR. SPEAKER: Thank you. The honourable Member for Nunakput.

Return To Question O457-91(1): Staff Training On Special Health Equipment

HON. NELLIE COURNOYEA: Mr. Speaker, the honourable Member is right in saying that an appropriate overall program would be necessary that includes nursing and medical care, physiotherapy and occupational therapy, monitoring and maintenance of specialized equipment.

The staff of the Department of Health and Stanton Yellowknife Hospital visited Mr. Lafferty at the University of Alberta

Hospital last week. They met with the University of Alberta Hospital staff and were given an overview of the care requirements of the other facilities which are involved in the care. Similar clients were also visited in Edmonton to further determine the resources that would be required to care for Mr. Lafferty. At the present time, the Stanton Yellowknife Hospital is submitting a proposal to the Department of Health. Upon receipt of this, we will be reviewing the proposal and will be providing the necessary action that would be required to carry out the program of medical treatment. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik.

Question O458-91(1): Clean-Up Of Sewage Near Maani Ulujuk School

MR. ERNERK: (Translation) Thank you, Mr. Speaker. This is a question for the Minister of Public Works. Last Friday, I spoke to one of my constituents, Keith Sharpe, from Rankin Inlet. He informed me that there is an area beside Maani Ulujuk School where there was a spillage of sewage, perhaps about 5000 to 10,000 gallons of sewage that was spilled beside Maani Ulujuk School in Rankin Inlet. My question to the Minister is, what is the government doing to correct the spillage of sewage waste before the snow melts? Thank you.

MR. SPEAKER: Thank you. The honourable Member for Nunakput.

Return To Question O458-91(1): Clean-Up Of Sewage Near Maani Ulujuk School

HON. NELLIE COURNOYEA: Mr. Speaker, the honourable Member is quite correct in stating that there was a sewage spill backup occurring in the area of the school in Rankin Inlet. The first sign of the spill was in late November, 1990. The reason for the sewage backup was a collapsing sewage line which is buried about six feet underground.

Presently, we are performing repairs to the system. However, the work we could perform was minimal because of the frozen state of the ground. As a result, we have to determine the extent and where the collapsing has occurred because with all the snow over-burden it is difficult to find exactly where the collapsed line is. However, this will be done by using a camera which will traverse the inside of the pipe. The camera is to be sent to Rankin Inlet from Yellowknife in a few days.

I want to assure the honourable Member that we will be moving as quickly as we can; however, it is recommended that perhaps the actual repairs cannot take place until the temperature is of such a degree that the frozen state is less complicating to the situation. The snow cover does help to minimize the health hazard. The frozen sewage will have to be broken up and transported to the dump. I assure the Member there is a minimal health hazard in the present frozen state. However, the work will require about two to three days to complete.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Baffin Central.

Question O459-91(1): Road To Shoreline, Clyde River

MR. KILABUK: (Translation) Thank you, Mr. Speaker. This is a question that I have asked before, but I would like to pursue it again because the Minister of Community and Municipal Affairs reassured me that he would look into it. It is with regard to the request made by Clyde River to have a road built to the shoreline for use by hunters. I wonder what state this is in at this time? Just before break-up the hunters would like to have a road built to be used by the hunters to

get to the shore. Have you done anything about this, Mr. Minister? Is it going to be solved, or is there nothing going to be done about it? Thank you.

MR. SPEAKER: Thank you. The honourable Member for Inuvik.

Return To Question O459-91(1): Road To Shoreline, Clyde River

HON. TOM BUTTERS: Mr. Speaker, as I remember my response some weeks ago, I indicated that the regional office in Iqaluit would get in contact with Clyde River officials and members of the hunters and trappers association and try to resolve the problem locally. I do not have a response to give the Member today as to what transpired as a result of those discussions, but I will try to have something for tomorrow or Thursday to respond.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife South.

Question O460-91(1): Establishment Of Mine Occupational Health And Safety Committee

MR. WHITFORD: Thank you, Mr. Speaker. I would like to direct my question to the Minister responsible for Safety. Can the Minister advise the House on how far along her department is in complying with the recommendations of the Supreme Court to establish the health and safety committee pursuant to section 10 of the Mining Safety Act?

MR. SPEAKER: Thank you. The honourable Member for Slave River.

Return To Question O460-91(1): Establishment Of Mine Occupational Health And Safety Committee

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. On April 11, 1991, I sent a letter requesting nominations for the mine occupational health and safety committee to seven different mines in the Territories and also, in addition to nine occupational health and safety committees of both union and non-union mines, to the Union of Northern Workers, the United Steelworkers of America, Nerco, Canadian Association of Smelter and Allied Workers which is with Giant, the Chamber of Mines, and the Federation of Labour. Within that letter I did request that they send forth their nominees to me by fax before May 1, 1991, so we can try to establish that particular board prior to the middle of May. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife South, supplementary.

Supplementary To Question O460-91(1): Establishment Of Mine Occupational Health And Safety Committee

MR. WHITFORD: Thank you, Mr. Speaker. Mr. Speaker for the Minister. Due to the progress that she is making and the unlikelihood of the establishment of this board for a couple of weeks or more yet, will the Minister consider holding off any further progress on the amendments to the Mining Safety Act until such time as the board has been established and is able to hold a meeting to review the draft of the legislation?

MR. SPEAKER: The honourable Member for Slave River.

Further Return To Question O460-91(1): Establishment Of Mine Occupational Health And Safety Committee

HON. JEANNIE MARIE-JEWELL: Mr. Speaker, I believe that on a number of occasions I have made commitments to the different mines and unions indicating to them that I will be

tabling the Mining Safety Act and sending them a copy of the regulations. I had hoped to have done that by the end of March; however, the documents were not ready. Therefore I indicated to them that I would try to fulfil my commitment by the month of April, taking into consideration the fact that this board was not in place. I guess the request of the Member could be considered; however, I would like some time to determine what effects this would have in respect to the commitment that we did make to the mines.

I am sorry that I cannot fully indicate a direct affirmative to the Member, because there are certain considerations that have to be given further review. I will advise the Member at a later date as to the progress being made with the amendments to the Mining Safety Act. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Hay River.

Question O461-91(1): Takeover Of Utilities Infrastructure, Norman Wells

MR. POLLARD: Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Municipal and Community Affairs and, sir, it does not concern my constituency; it concerns another Member's, namely Mr. Kakfwi's, and I have Mr. Kakfwi's permission to ask the question. It concerns the village of Norman Wells' water and sewer system, and the gas system within that community, and the discussions they have been having with MACA with regard to the village becoming responsible for the infrastructure. It also concerns a commercial subsidy on water in that particular community, and I think in Iqaluit as well, Mr. Speaker.

My question to the Minister is, what is the stage of the negotiations between Norman Wells and the Minister's department with regard to this takeover? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member for Inuvik.

Return To Question O461-91(1): Takeover Of Utilities Infrastructure, Norman wells

HON. TOM BUTTERS: Mr. Speaker, as the Member correctly indicated, conclusive discussions will not probably occur until the subsidy element has been determined as a result of discussion that will be carried out in the very near future at the Financial Management Board, affecting the operating agreement being examined both for Iqaluit and also for Norman Wells. The agreement that will occur between the municipality of Norman Wells and this government will not be a turnover agreement at this time. It will be an operating agreement, to give them some management practice with regard to the utility and to set in place the financial elements which they will be able to include in their operating formula.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Hay River, supplementary.

Supplementary To Question O461-91(1): Takeover Of Utilities Infrastructure, Norman Wells

MR. POLLARD: Mr. Speaker, I wonder if the Minister could tell us the time frame that he is looking at when he is going to take it to the Financial Management Board, because I think this issue is of a pressing nature and the village would like to get a decision made as soon as possible. Could he give us a time frame? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member for Inuvik.

Further Return To Question O461-91(1): Takeover Of Utilities Infrastructure, Norman Wells

HON. TOM BUTTERS: The issue is before the Financial Management Board, Mr. Speaker.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik.

Question O462-91(1): Support For Single Line Boundary Proposal, Ruled Out Of Order

MR. ERNERK: Thank you, Mr. Speaker. Today I would like to direct my question to the Minister responsible for Aboriginal Rights and Constitutional Development, because I was not totally satisfied with the answer that I got yesterday from the government. Mr. Speaker, my question to the government today is this, does the Government of the Northwest Territories support a single line boundary as proposed by the federal government consultant? Thank you, Mr. Speaker.

MR. SPEAKER: Firstly I will rule the matter and the question out of order. I must remind honourable Members that the matter of the decision relating to the report of the person who is proposing or could propose a boundary has not been seen or made public. The report itself is a matter for the Minister of Indian and Northern Affairs and the federal government to determine. It is not a matter yet that is in the hands of the public or in the hands of the Members of this Assembly, so I must rule the question out of order. Oral questions. The honourable Member for Yellowknife Centre.

Question O463-91(1): Timing Of Discussions On Political And Constitutional Development

MR. LEWIS: Thank you, Mr. Speaker. I would like to ask the Government Leader, in light of the fact that the government is taking the lead, beginning with the Opening Address of this session by the Commissioner, on constitutional and political development, and that he expects this government to play a leadership role, why is it that the Executive Council, and these Members on it, have met with the Northwest Territories Association of Municipalities to discuss this document, have also discussed it with the Dene chiefs, and even brought to their attention that the government intends to develop a commission to deal with all these problems. Why would he have done that outside this Chamber before we had, in fact, debated it here?

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Return To Question O463-91(1): Timing Of Discussions On Political And Constitutional Development

HON. DENNIS PATTERSON: Mr. Speaker, the government's position paper has been before the Members of this House since February 25th and, in fact, there would have been a debate on this matter last week had Members been ready to do so. The House agreed by motion to fix a day for the debate on that paper. Mr. Speaker, when we agreed to appear before the Association of Municipalities last week we had actually anticipated, when we accepted the invitation, that the debate in this House might have started that very day. It did not, due to circumstances beyond our control, Mr. Speaker, but that was unforeseen.

Mr. Speaker, I would like to clarify to the Member that the government proposes to lead public discussion but not dominate public discussion. We welcome input from Members of the Assembly, from locally elected municipal figures and from elected members of aboriginal organizations. Only if

there is full public involvement will there be a meaningful consensus on directions that have to be taken in the months and years to come. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife Centre, supplementary.

Supplementary To Question O463-91(1): Timing Of Discussions On Political And Constitutional Development

MR. LEWIS: In light of the fact then, Mr. Speaker, that the government intended to get direction from this Legislature before going to the Association of Municipalities, and before discussing it with the Dene chiefs, why did he not cancel those meetings?

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Further Return To Question O463-91(1): Timing Of Discussions On Political And Constitutional Development

HON. DENNIS PATTERSON: Mr. Speaker, I would like to make it clear that the briefing given to the members of the Association of Municipalities simply set the stage and presented the issues that we were going to be discussing in this House. It did not attempt, in any way, to forecast the conclusions to the debate. Rather, it said, "These are the issues, we hope that you will follow with interest the results when they are debated in the Legislature." I think, as well, although I have not been directly involved, that in meetings with aboriginal leaders my colleagues have emphasized that the discussions are in preparation for the debate in this Assembly.

Mr. Speaker, there has been no attempt to end-run the Assembly, but what we have done is tried to set the public stage and give notice to the public that this is an important debate and that they should, through their elected Members, participate and monitor the results so that everyone can participate in the expected further public discussion. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife Centre, supplementary.

Supplementary To Question O463-91(1): Timing Of Discussions On Political And Constitutional Development

MR. LEWIS: Thank you, Mr. Speaker. Would the Government Leader confirm then that at these meetings with the Dene chiefs and also with the Association of Municipalities the government indicated that they intended to establish a commission to examine the whole issue of constitutional development?

MR. SPEAKER: The honourable Member for Iqaluit.

Further Return To Question O463-91(1): Timing Of Discussions On Political And Constitutional Development

HON. DENNIS PATTERSON: Mr. Speaker, I think that the discussion of the so-called commission or process for developing a constitutional model was always put forward to chiefs and municipal leaders as something that was anticipated as a possible result of the debate in the Legislature, but it was never described, I understand, as a fait accompli. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife Centre, final supplementary.

Supplementary To Question O463-91(1): Timing Of Discussions On Political And Constitutional Development

MR. LEWIS: Thank you, Mr. Speaker. Since the Executive Council has met with the Association of Municipalities, and also with the chiefs, is it the government's expectation that the commission will not have to do this now, that this is now achieved and there will be no further purpose served in this commission meeting those groups?

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Further Return To Question O463-91(1): Timing Of Discussions On Political And Constitutional Development

HON. DENNIS PATTERSON: Mr. Speaker, not at all. I think that what Members of the Executive Council who met with those bodies were saying was, "Prepare yourselves for a development that may well occur, which you should know about and which you are going to want to get involved in." I would say, Mr. Speaker, in answer to the Member's question that those meetings would simply have been the first of many more that I expect will take place should the Legislature endorse the direction proposed by the government in the position paper. It would be the beginning of consultation, certainly not the end. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik.

Question O464-91(1): Government Leader's Attendance At Arctic Leaders Summit, Copenhagen

MR. ERNERK: (Translation) Thank you, Mr. Speaker. My question is directed to the Government Leader. I wonder if the Government Leader could tell me if he is going to be attending the leaders' meeting in Copenhagen.

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Return To Question O464-91(1): Government Leader's Attendance At Arctic Leaders Summit, Copenhagen

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, I have just received information on an Arctic leaders summit, so-called, which is being organized by the Inuit Circumpolar Conference, which is anticipated to include Inuit leaders from Canada, Alaska and Greenland, Sami leaders and leaders from the new Soviet Northern Aboriginal Peoples Council. This meeting is planned for June in Copenhagen and I understand that appropriate representatives of our government will be invited. I also understand that the new premier of Greenland, Mr. Lars-Emil Johanssen is also invited.

Mr. Speaker, I have yet to have the opportunity to speak to Mary Simon about this meeting, but I expect I will talk to her soon about it and likely myself or senior representatives of our government would want to attend such a meeting. The agenda looks in keeping with our goals of promoting circumpolar links. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Aivilik.

Supplementary To Question O464-91(1): Government Leader's Attendance At Arctic Leaders Summit, Copenhagen

MR. ERNERK: (Translation) Thank you, Mr. Speaker, and the Government Leader for his response. I would like to ask a supplementary question to the Government Leader. What

exactly will be discussed at that meeting? That is my question. Thank you.

MR. SPEAKER: Thank you. The honourable Member for Iqaluit.

Further Return To Question O464-91(1): Government Leader's Attendance At Arctic Leaders Summit, Copenhagen

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I have yet to receive an agenda, but I understand the objectives of this meeting may be sharing and listing common concerns, discussing environmental concerns, discussing peace and security, reviewing aboriginal participation in the 1992 Brazil Environmental Conference, looking at the international aboriginal year for 1993 and to consider setting up a forum of indigenous people. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Deh Cho.

Question O465-91(1): Data On Corrections System

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Justice. Mr. Speaker, the Minister responded to me with regard to my request to get information on adults that are in the corrections system right now. Which regions they are from, the type of offences that they have committed and the length of sentencing and whether or not in those communities, they have legal services. Mr. Chairman, the Minister has provided me with a response saying that it would be difficult for his department or the correctional services to undertake that kind of a response.

Mr. Speaker, several years ago there was an incident with regard to Donald Marshall and since then the Canadian Bar Association has done a review on aboriginal justice. The Alberta government has come up with a study on that too and there have been numerous studies indicating that in Canada aboriginal people are not being justly treated by the Justice system. In order to find indications on that, you have to have some kind of indication on where the lawyers are, where these sentences are carried out, which regions.

But the Minister does not find it too important that maybe perhaps we should not be addressing that particular issue. I would like to ask the Minister in lieu of the fact that in his department perhaps he might not be able to find the people to do that kind of study or review, that he consider looking at an independent study to review the whole Justice system up here.

MR. SPEAKER: Thank you. The honourable Member for Yellowknife North.

Return To Question O465-91(1): Data On Corrections System

HON. MICHAEL BALLANTYNE: Thank you. It is a bit of a complex question and I will try to answer it as best I can. There are presently in the Northwest Territories a number of very important initiatives that are reviewing different components of the Justice system. We are also analysing the reports done in other jurisdictions. We are taking a number of quite important initiatives. We are the leaders in the country in many areas. We are trying to get a data base justice information system that can give us access to the sort of statistics the Member is talking about. I think that the difference between us in the Northwest Territories and people that live in other jurisdictions, is that we acknowledge now that

there are improvements that have to be made within our

system.

One of the major frustrations in Nova Scotia, for instance, culminated in the Marshall Inquiry was the absolute reluctance of the government to acknowledge there is any problem in the treatment of aboriginal people. The same was true in Alberta. Some very, very serious problems and deaths, for instance, on the Blood Reserve prompted an investigation.

What has happened though in the last two or three years and I would like to think we are the leaders of a movement because of the experience we have and the models that we have developed here, is that more and more there is an acceptance in southern Canada of justice institutions, of parliaments, of cabinets, and of attorneys general that there is indeed serious problems with how the justice system treats aboriginal people. Also the way the justice system treats women.

Though we are not doing a comprehensive review of everything and I am not sure that is exactly what we need right now, because we would have to wait for two or three years as most of these reviews do. It is an excuse for government to do nothing. They get a number of recommendations and nothing is acted on. I think from the advice that we have from this Legislative Assembly, from the incredible number of meetings of groups and organizations across the Territories, I think we have a good idea of the direction which we want to go. I think the most important thing is to get on with it and not stop doing things and have another major study.

I understand very well that the Member has, over the years, been quite persistent and he has been quite consistent with his concerns and we are trying to address those concerns on a number of issues. I will try to get the information that the Member has asked for. I do want to emphasize the situation here in the Territories is in fact different from other jurisdictions, but we do have some problems here and on many, many levels we are trying to do just that, trying to find ways that we can improve the administration of justice here in the Northwest Territories. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Deh Cho, supplementary.

Supplementary To Question O465-91(1): Data On Corrections System

MR. GARGAN: Thank you, Mr. Speaker. Mr. Speaker, my question to the Minister was whether or not the Minister would consider establishing patterns in communities where there are no lawyers, where there are no legal court workers and where there are no legal services as opposed to a place like Yellowknife. I am just wondering if the smaller communities are getting incarcerated more than if lawyers are available. That is the kind of information that I want the Minister to provide.

MR. SPEAKER: Thank you. The honourable Member for Yellowknife North.

Further Return To Question O465-91(1): Data On Corrections System

HON. MICHAEL BALLANTYNE: Thank you. I understand and know exactly what the Member is looking for and I understand why he is looking for it, to see if in fact there are advantages in the system. All I can say is I will try, to the best of my ability, to put together the information that we have and if that is not satisfactory, I will definitely look at ways that we can in the future get the capacity to obtain that information. Thank you.

MR. SPEAKER: Oral questions. Oral questions. The honourable Member for Hudson Bay.

Question O466-91(1): Baseline Studies Re James Bay II Hydro Development

MR. CROW: Thank you, Mr. Speaker. Mr. Speaker, on Tuesday, March 5, 1991, I asked the Minister of Renewable Resources if his department has completed any baseline studies on the offshore ecology that will be affected by the James Bay II hydro development. He said that such an undertaking was too big for his department, but he offered to get his officials to provide any available information on studies completed by other groups. Even though this is an issue of vital importance, I have received nothing from him to date.

My question, Mr. Speaker, why has the Minister failed to provide any of the research information which he promised to make available? Thank you.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Return To Question O466-91(1): Baseline Studies Re James Bay II Hydro Development

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. The Member for Hudson Bay's concern is true, regarding the question he asked about earlier on the baseline studies that have been done in James Bay II project. I am writing him a letter and putting together what has been done today in Hudson Bay and James Bay. Perhaps it will be ready by tomorrow.

MR. SPEAKER: Honourable Member for High Arctic.

Question O467-91(1): Update On Fur Ban In Europe

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. My question will be directed to the Minister of Renewable Resources. Last week I asked him a question regarding the fur products being banned in Great Britain. He said he would provide updates from time to time in the House. He has not said anything further about that. I wonder if the Minister would be able to provide us with what progress has been made to fight the ban on the sale of fur products.

MR. SPEAKER: Honourable Member for Amittuq.

Return To Question O467-91(1): Update On Fur Ban In Europe

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. My department is continually trying to find out what activities are taking place overseas after we heard they want to stop the harvesting of seals in Canada. We do not know where that is right now, but I have directed my officials to continually keep informed about what is happening in Europe regarding fur products.

MR. SPEAKER: Honourable Member for Deh Cho.

Question O468-91(1): Baseline Studies On Government Departments

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Justice regarding a base review. I understand the Minister was going to table in this House, before we conclude, a paper with regard to the process to do a review on reorganization of departments, the

efficiency of departments, how much is government servicing government, and so on. I would like to ask the Minister when

he intends to table that document.

MR. SPEAKER: Honourable Member for Yellowknife North.

Return To Question O468-91(1): Baseline Studies On Government Departments

HON. MICHAEL BALLANTYNE: I cannot remember exactly the time frame I put in there. When I said I would bring it forward to the House, I had hoped we would have a little longer to do it. I will try to do it before we recess, if we do recess. If we come back, I will definitely table it before the House prorogues to end this Legislative Assembly's life. If for some reason we get caught in some kind of a time lag, I will make sure it is out to all the MLAs.

MR. SPEAKER: Honourable Member for Aivilik.

Question O469-91(1): Keewatin Regional Health Board Chairman

MR. ERNERK: (Translation) Thank you, Mr. Speaker. This is a question to the Minister of Health. I think the Keewatin Regional Health Board just recently got a chairperson and I would like to thank the Minister first for this. I would like to thank the Minister for the appointment of the non-public servant chairman that was appointed to the Keewatin Regional Health Board. I would like to ask Madam Minister what the name of the individual is who was appointed as chairman of the Keewatin Regional Health Board.

MR. SPEAKER: Honourable Member for Nunakput.

Return To Question O469-91(1): Keewatin Regional Health Board Chairman

HON. NELLIE COURNOYEA: Mr. Speaker, I certainly appreciate the message of thank you, however there has been a bit of confusion on the appointment of the individual and the Keewatin Regional Health Board has asked us to decline from concluding the appointment at this time. Because the particular person who was put forward appears to only want to be on the board and not be the chairman. So we complied with the Keewatin Regional Health Board until we can straighten out that particular situation. Thank you.

MR. SPEAKER: Thank you. Oral questions.

Item 6, written questions.

Item 7, replies to written questions.

Item 8, replies to Opening Address. Item 9, petitions. The honourable Member for Sahtu.

ITEM 9: PETITIONS

HON. STEPHEN KAKFWI: Mr. Speaker, I rise today to table Petition 14-91(1) on behalf of the citizens of Fort Good Hope. The petition prayer is as follows: We, the undersigned, ask the Minister of Health to provide the people of Fort Good Hope the option of travelling to Yellowknife for health services. There are a total of 145 Fort Good Hope signatures on this petition.

MR. SPEAKER: Thank you. Petitions.

Item 10, reports of standing and special committees. Item 11, tabling of documents. The honourable Member for Yellowknife North.

ITEM 11: TABLING OF DOCUMENTS

HON. MICHAEL BALLANTYNE: Mr. Speaker, I want to table Tabled Document 90-91(1), Northwest Territories Public Utilities Board, 1990 Annual Report, in English and Inuktitut.

MR. SPEAKER: The honourable Member for Inuvik.

HON. TOM BUTTERS: Mr. Speaker, I wish to table Tabled Document 91-91(1), Housing Needs Survey, Northwest Territories Housing Corporation.

MR. SPEAKER: Thank you. Tabling of documents.

Item 12, notices of motions. Honourable Member for Tu Nede.

ITEM 12: NOTICES OF MOTIONS

Notice Of Motion 12-91(1): Additional Sitting Hours For Thursday, April 18, 1991

MR. MORIN: Thank you, Mr. Speaker. I would like to give notice that on Thursday, April 18th, I will move, seconded by the Member for Yellowknife North, the following motion: That the Speaker be authorized to set such additional sitting hours as he deems fit for Thursday, April 18, 1991, to assist with the business of the House. Thank you.

MR. SPEAKER: The honourable Member for Aivilik.

Notice Of Motion 13-91(1): Completion Of Economic Development Agreement

MR. ERNERK: Thank you, Mr. Speaker. On Thursday, April 18, 1991, I plan to move the following motion: Now therefore, I move, seconded by the honourable Member for Natilikmiot, that this Legislative Assembly encourages the Government of the NWT and the Government of Canada to complete negotiations so that the economic development agreement can be implemented within 60 days; and further that this motion be conveyed to the Government of Canada by the Minister of Economic Development and Tourism through the Minister of Indian and Northern Affairs.

MR. SPEAKER: The honourable Member for Tu Nede.

Notice Of Motion 14-91(1): Extended Adjournment Of The House

MR. MORIN: Thank you, Mr. Speaker. I give notice that on Thursday, April 18, 1991, I will move the following motion, seconded by the honourable Member for Amittuq, that when the House adjourns on April 18, 1991, it shall stand adjourned until June 25, 1991; and further, that at any time prior to June 25, 1991, the Speaker is satisfied, after consultation with the Executive Council and Members of this Assembly, that the public interest requires that the House should meet at an earlier time during the adjournment, the Speaker may give notice and thereupon the House shall meet at the time stated in such notice and shall transact its business as it has been duly adjourned to that time. Thank you.

MR. SPEAKER: Thank you. Notices of motions. Item 13, notices of motions for first reading of bills. The honourable Member for Inuvik.

ITEM 13: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

Notice Of Motion For First Reading Of Bill 38: Local Authorities Elections Act

HON. TOM BUTTERS: Mr. Speaker, I give notice that on

Thursday, April 18, 1991, I shall move that Bill 38, An Act to Amend the Local Authorities Elections Act, be read for the first time.

MR. SPEAKER: Thank you. Notices of motions for first reading of bills. The honourable Member for Amittuq.

Notice Of Motion For First Reading Of Bill 35: Natural Resources Conservation Trust Act

HON. TITUS ALLOOLOO: Mr. Speaker, I give notice that on Thursday, April 18, 1991, I shall move that Bill 35, Natural Resources Conservation Trust Act, be read for the first time.

MR. SPEAKER: Thank you. Notices of motions for first reading of bills. Item 14, motions. The honourable Member for Tu Nede.

ITEM 14: MOTIONS

MR. MORIN: Thank you, Mr. Speaker. I seek unanimous consent to deal with my motion on additional sitting hours for Thursday, April 18, 1991. Thank you.

MR. SPEAKER: Thank you. The honourable Member is seeking unanimous consent to proceed with the notice of motion that he gave today with regard to sitting hours. Are there any nays? There are no nays. Proceed.

Motion 12-91(1): Additional Sitting Hours For Thursday, April 18, 1991, Carried

MR. MORIN: Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Yellowknife North, that the Speaker be authorized to set such additional sitting hours as he deems fit for Thursday, April 18, 1991, to assist with the business of the House. Thank you.

MR. SPEAKER: Thank you. The motion is in order. To the motion. Honourable Member for Tu Nede. The Honourable Member for Yellowknife North. Honourable Member for Tu Nede.

MR. MORIN: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Motions. The honourable Member for Tu Nede.

MR. MORIN: Thank you, Mr. Speaker. I seek unanimous consent to deal with my motion today on extended adjournment of the House. Thank you.

MR. SPEAKER: Thank you. The honourable Member is seeking unanimous consent to deal with the motion regarding extended adjournment. Are there any nays? There are no nays. Proceed.

Motion 14-91(1): Extended Adjournment Of The House, Carried

MR. MORIN: Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Amittuq, that when the House adjourns on April 18, 1991, it shall stand adjourned until June 25, 1991;

AND FURTHER, that at any time prior to June 25, 1991,

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

MR. SPEAKER: Thank you. The motion is in order. To the motion. The honourable Member for Tu Nede. The honourable Member for Yellowknife North. Final remarks, the honourable Member for Tu Nede.

MR. MORIN: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Item 15, first reading of bills. The honourable Member for Yellowknife North.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Speaker. Mr. Speaker, I seek unanimous consent to move to first reading of Bill 37, An Act to Amend the Judicature Act.

MR. SPEAKER: The honourable Member for Yellowknife North, the matter is out of order. We do not have copies of the bill before the House. First reading of bills. Item 16, second reading of bills. The honourable Member for Iqaluit.

ITEM 16: SECOND READING OF BILLS

Second Reading Of Bill 6: Regional And Tribal Councils Act

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Amittuq, that Bill 6, An Act to Amend the Regional and Tribal Councils Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to retitle the Regional and Tribal Councils Act as the Regional Councils Act; to provide that the mayor of Fort Liard is a member of the Deh Cho Regional Council; to provide for changes in the municipal or band status of the communities of Kakisa, Trout Lake, Fort Providence and Lac la Martre; and to change the name of the "Dogrib Tribal Council" to the "Tli Cho Regional Council". Thank you.

MR. SPEAKER: Thank you. The motion is in order. To the principle of the bill.

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 6 has had second reading and is referred to committee of the whole for today.

Speaker's Ruling

Prior to proceeding with Item 17, I wish to provide my ruling on the challenge to the chairman of committee of the whole's ruling yesterday.

The challenge arose in committee of the whole. The committee was on general comments on Bill 3, An Act to Amend the Liquor Act. I would like to advise the House that in my review of the unedited transcripts I could not fail to

observe that most of the comments by honourable Members were on the detail contained in clause 4, not on general comments.

The main purpose of the committee of the whole stage of a bill is to go through the text of the bill, clause by clause, and if necessary, word by word, with a view to making such amendments as may seem likely to render it more generally acceptable. It is also the responsibility of the committee of the whole to report back to the House on its deliberations and determination on a bill or any matter before it.

The motion proposed by Mr. Zoe was, and I quote, "I move that Bill 3 be deferred until all other matters in committee of the whole are dealt with." The chairman, Mr. Ningark, ruled that the motion was out of order and his ruling was subsequently challenged by Mr. Zoe.

In considering the matter, I reviewed practices of this House in committee of the whole and other procedural authorities. The past practice has seen agreement of the committee to defer consideration of a clause pending an amendment, and to go on to another item before the committee for that day. My concern with the motion that was proposed is the condition that Bill 3 should not be considered, quote "until all other matters in committee of the whole are dealt with". This I view to be a hoist motion which could have the effect whereby the bill would not be dealt with in committee of the whole. A hoist motion can only be made at second or third reading of a bill. It is inappropriate to make this type of motion in committee of the whole.

I would suggest that Mr. Zoe could have requested the committee to stand down this bill until a day certain or pending the introduction of an amendment. However, an amendment could not have been proposed until the committee was dealing with the details of the bill by going clause by clause. Further, I must remind Members that it is the responsibility of the committee to deal with all matters referred to it and then to report back to the House. My concern with the motion is the effect it would have had on the functioning of the committee of the whole. I also feel that the motion would have impeded the committee's ability to deal with the matter before it and subsequently report back to the House.

I uphold the chairman's ruling, the motion was out of order.

---Applause

Consideration in committee of the whole of bills and other matters. Tabled Document 22-91(1), Bills 3, 4, 5, Committee Report 2-91(1), Bills 8, 9, 10, 18, 23, 24, 25, 26, 32, Committee Report 6-91(1), Bills 16, 30, 15, 2, 29, 31, and Bill 6, with Mr. Ningark in the chair.

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

Chairman (Mr. Ningark): The committee will come to order. I just want to report to the committee, when we concluded yesterday, we completed the committee report to Bills 8, 9, 2, 5 and 29. What does the committee wish to do now? They are ready for third reading and I will report back today. Does the committee agree? We are on Bill 3 now. Mr. Minister.

HON. MICHAEL BALLANTYNE: Mr. Chairman, in discussion with the chairman of ajauqtit committee, the government agreed to put off the constitutional discussion until this week and the government is prepared to go ahead with Tabled Document 22-91(1) today. I think that has been agreed to by Mr. Lewis.

CHAIRMAN (Mr. Ningark): Does the committee agree that

we do Committee Report 2-91(1) and Bills 8, 9, 2, 5 and 29 ready for third reading. Does the committee agree? I am just trying to make a clarification here. Those that I said that were done yesterday and I would like to report to the Speaker later today. Do you agree?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Ningark): Thank you. What does the committee wish to do now? Mr. Pudluk.

MR. PUDLUK: Mr. Chairman, a little confusion here or maybe I do not understand what you are trying to say. I thought we were still on Bill 3 yesterday when we adjourned. What has happened to Bill 3 now? Thank you.

CHAIRMAN (Mr. Ningark): Mr. Pudluk, you are right. We were doing Bill 3 yesterday, but the Government House Leader wanted to start with Tabled Document 22-91(1). Now what I need is your direction, what do you want to do from here, the committee? Mr. Ernerk.

MR. ERNERK: Thank you, Mr. Chairperson. I wish to complete the debate, clause by clause, study of Bill 3. Thank you, Mr. Chairperson.

CHAIRMAN (Mr. Ningark): Mr. Zoe. You had your hand up earlier.

MR. ZOE: Mr. Chairman, I would agree with my colleague from Aivilik that we continue with Bill 3. I believe the Minister is prepared to go ahead with it too.

CHAIRMAN (Mr. Ningark): Now what is the committee wish from here? What do you want to do? Come on, give me direction. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, the Speaker in his ruling indicated that we had not gone clause by clause but in effect, we did cover the contentious parts of the bill and as a result of that debate, as a result of the questions Members brought up to me, I agreed that I would bring back an amendment to the bill to correct or improve those particular clauses and that is what I would like to do. I would like to withdraw the bill at the moment and have an opportunity to put the proposed amendments before Mr. Zoe and Mr. Gargan and then bring it back to amend those particular provisions.

CHAIRMAN (Mr. Ningark): Does the committee agree? Mr. Zoe.

MR. ZOE: Mr. Chairman, in that case you are going to be standing down Bill 3 and let it die on the order paper then.

CHAIRMAN (Mr. Ningark): Order please. Mr. Zoe.

MR. ZOE: I am trying to help my colleague out over there. Maybe I will make a motion Mr. Chairman, to stand down Bill 3. I move that Bill 3 be stood down.

--Laughter

CHAIRMAN (Mr. Ningark): Mr. Zoe, could you repeat your motion please.

Motion To Defer Bill 3, Liquor Act, Carried

MR. ZOE: Mr. Chairman, maybe I will repeat my motion then. I move that Bill 3 be deferred until appropriate amendments are brought forward.

CHAIRMAN (Mr. Ningark): I believe the motion is in order.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Ningark): Question is being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

What does the committee wish to do next? Mr. Zoe.

MR. ZOE: Mr. Chairman, I believe yesterday the Government House Leader gave us a number of suggestions as to the number of bills he would like to deal with. Could the committee suggest to the Chair that we still follow the suggestion he made?

Motion To Continue With Government House Leader's Order Of Business

I move that we continue with the list the Government House Leader provided to us yesterday.

CHAIRMAN (Mr. Ningark): Mr. Government House Leader.

HON. MICHAEL BALLANTYNE: Mr. Chairman, because the Minister does not want to deal with Bill 3, I thought we had an arrangement last week, some Members were ready to debate it, it was agreed that we would defer it but that we would be allowed to debate the paper. Today the government is prepared to debate it. I think we gave everybody a lot of warning about that and we think it is an important one. What we would like to do is go ahead with the debate on Tabled Document 22-91(1). We can start with it and just go through the process to whatever democracy ends up.

CHAIRMAN (Mr. Ningark): Mr. Morin.

MR. MORIN: Thank you, Mr. Chairman. The message I am getting from ordinary Members on this side of the House is that they want more time to think of a position paper on political and constitutional development, Tabled Document 22-91(1).

I will move a motion to defer Tabled Document 22-91(1) until June 25, 1991.

CHAIRMAN (Mr. Ningark): Mr. Zoe.

MR. ZOE: Mr. Chairman, I do not believe the committee is dealing with Tabled Document 22-91(1) at this point, so how could a motion be brought forward?

CHAIRMAN (Mr. Ningark): Mr. Zoe indicated he was making a motion to follow the order of yesterday. Do you wish it to go forward?

MR. ZOE: Yes.

CHAIRMAN (Mr. Ningark): The motion is in order. Please repeat that please, Mr. Zoe.

MR. ZOE: Mr. Chairman, I move that the list that was provided by the Government House Leader yesterday be continued to be followed.

CHAIRMAN (Mr. Ningark): The motion is in order. To the motion. Question is being called. All those in favour?

HON. DENNIS PATTERSON: Point of order.

CHAIRMAN (Mr. Ningark): Point of order, Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. There is a motion on the floor and I respect the Member's right to make the motion, but I am sure they respect my right to speak to the motion. Mr. Chairman, I just wish to point out that whether Members like it or not, Mr. Chairman, there are important events occurring in the NWT, which sooner or later require the attention of this Legislature, if we are to lead and represent the people who elected us.

Mr. Chairman, the events that I am referring to are the TFN land claim, and Members know that TFN land claim agreement in principle, article 4, in particular, calls for steps to be taken toward division of the NWT, including a plebiscite on the boundary...

CHAIRMAN (Mr. Ningark): Mr. Minister, I would like to remind you to stick to the motion.

HON. DENNIS PATTERSON: Mr. Chairman, with the greatest of respect, the motion calls for a delay of the paper on political...

CHAIRMAN (Mr. Ningark): Order, please.

MR. PEDERSEN: Point of order.

CHAIRMAN (Mr. Ningark): Mr. Pedersen.

MR. PEDERSEN: Point of order. Mr. Chairman, with the greatest of respect, there seems to be confusion in the House as to which motion we are dealing with. Could I request that we get a copy of the motion in front of us translated.

CHAIRMAN (Mr. Ningark): We will recess for 15 minutes.

---SHORT RECESS

CHAIRMAN (Mr. Gargan): The committee will come to order. We have a motion in the House by Mr. Zoe. Mr. Zoe, do you want to repeat your motion, please.

MR. ZOE: Mr. Chairman, there was a list yesterday that the Government House Leader provided to the committee and as he may recall, just to make a technical point here, Mr. Chairman, the committee did not report out yesterday, so I feel the list should be still in effect, but just to reinforce that I will restate my motion to that effect.

Mr. Chairman, I move that the list that was provided by the Government House Leader yesterday be continued to be followed.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Zoe, your motion is in order. To the motion.

MR. ZOE: Mr. Chairman. Question.

CHAIRMAN (Mr. Gargan): Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. Since it is my list, I am sure the committee would like to know the thinking that went into preparing my list. I thought a lot about this list, Mr. Chairman and my thinking at the time as I prepared the list was that we would have order in the House and that what we would do is we would have an agreement last week that we would put off this debate until this week. So I gave a list so that we would be able to fill the days and do our jobs as competent Members of the Legislative Assembly. I was a little bit surprised that there seems to be some hesitation today to go ahead with the debate. I understand and of course it is something that I have learned over the years that understanding is not really enough in this particular milieu. Some Members would be prepared to go

ahead tomorrow with a debate on political and constitutional development and with that assurance from some Members and we will probably have to fight it out on the floor of the House with a vote or whatever, is that we have no problem in going ahead with the list. The problem is the list, as I remember is quite short and if I could suggest is that when we complete the list because I think only Bill 15 -- is there more on the list, maybe you could read out the list...

CHAIRMAN (Mr. Gargan): We deferred Bill 3. The next bills are 23, 4, and 15 in that order. To the motion.

AN HON. MEMBER: Question.

Motion To Continue With Government House Leader's Order Of Business, Carried

CHAIRMAN (Mr. Gargan): Question has been called. All those in favour? All those opposed? Motion is carried.

---Carried

We will then proceed with Bill 23, Property Assessment and Taxation Act. Mr. Butters.

Bill 23: Property Assessment And Taxation Act

Minister's Opening Remarks

HON. TOM BUTTERS: Mr. Chairman, this is a proposed amendment to the Property Assessment and Taxation Act. This amendment is designed to solve the problems experienced in the collection of property taxes from short-term tenants of property owned by the Government of Canada. The amendment will provide for an appropriate agreement between this government and the Government of Canada to be entered into and for the Government of Canada to pay, either to this government or to the city, town or village in which the federal land is located, the appropriate tax in respect of such property occupied by a short-term tenant, meaning a tenant for less than one year. This payment would relieve the tenant of his liability to pay taxes. The Government of Canada would increase the rent paid by the tenant by an appropriate proportion.

Discussions with the municipal grants section of Public Works Canada have been ongoing since November, 1989. It has been indicated that legislation in the form proposed in this bill would be consistent with federal policy and legislation. If this bill is enacted, the Government of Canada may then amend its regulations in an appropriate manner. In due course a suitable agreement could then be struck between this government and the Government of Canada, which would include provisions to stipulate which federal properties would be affected.

I would just wish to point out that the amendment being proposed has nothing to do with federal grants in lieu. It is concerned with property taxes payable by tenants in property owned by the Government of Canada and offers a solution to the problem of collecting property taxes from tenants who occupy federal property for less than one year. The concern has been brought to our attention by municipalities in which such arrangements have been established between the Government of Canada and short-term tenants, specifically the municipalities of Norman Wells and Inuvik. This bill, as proposed, will deal with that particular situation and also would cover arrangements for federal property that is found in the general taxation area and would affect our government. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Butters. The standing committee on legislation, Mr. Ernerk. Chairman of

standing committee on finance, Mr. Pollard.

Comments From The Standing Committee On Finance

MR. POLLARD: Thank you, Mr. Chairman. Mr. Chairman, the standing committee on finance has reviewed the bill and would recommend it to the House. Our understanding was that Mr. Butters was going to have some examples of where this bill would come into play and I would merely ask, through you, Mr. Chairman, that Mr. Butters give us some examples of where this might affect us in the Northwest Territories. Thank you.

CHAIRMAN (Mr. Gargan): Mr. Butters.

HON. TOM BUTTERS: I would then describe instances of the two particular situations which I indicated in my opening remarks. The first would be where a tenant of the federal government is occupying property within a municipality. Say, for some portion of 1990, a tenant may have occupied a property owned by the federal government, an apartment, say in the Smith apartments in the town of Inuvik for instance. The Property Assessment and Taxation Act requires that the property assessment, some \$15,488 be in the name of the tenant. In due course a mill rate is set, 31.35 mills and the tax, some \$485.55 is then levied against the tenant. By the time the tax notice is sent out however, the tenant may have left the town, the Territories, or the country and as the matter stands now, the town has little or no chance of collecting the property taxes. The town will then have a shortfall in its tax revenue and no recourse. If this bill is passed and an appropriate agreement is made between this government and the Government of Canada, then three actions can be initiated. A tenant's rent can be adjusted to include a tax component, the Government of Canada could pay an amount to the Town of Inuvik equal to the property tax and the tenant can be relieved of the liability to pay tax on the property for a year.

In a similar way where the property is in the hamlet of Rankin Inlet and is leased from the Government of Canada for a short term, the tax component could be included in the monthly rental, and the tenant can be relieved of the tax liability for the year. The Government of Canada can pay to the government an equal amount to the tax payable on the property. This would be a case where we have an individual who is renting space in the Rankin Inlet terminal, if that is a federal terminal.

CHAIRMAN (Mr. Gargan): Thank you. General comments on Bill 23. Mr. Pollard.

MR. POLLARD: If I might ask, I think the example that came up at a meeting I was at was row housing in Inuvik that was owned by the federal government and was vacant, and then was leased out. People rented one of those houses and did not pay the taxes and the Town of Inuvik was out the amount of the taxes because the federal government was not paying grant in lieu. My question, through you to the Minister would be, when these properties are vacant, is there still a payment of grant in lieu from the federal government? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. TOM BUTTERS: My understanding is yes, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Zoe.

MR. ZOE: Mr. Chairman, just so that my understanding is correct. In other words, the assessment would be with the federal government rather than with the client that is living in that government house, so they will pay the taxes and the

federal government will try to collect it from their own people that are living in their units. Am I correct?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. TOM BUTTERS: That is one option, Mr. Chairman. The other option I mentioned was that the federal government would include the tax component in the actual rent, but they would pay the municipality the taxes owing and collect it back from the tenant during the occupancy. As I mentioned, the problem is that they are short-term leases, less than a year, and it is awful hard to keep up with them.

CHAIRMAN (Mr. Gargan): Thank you. Does the committee agree that we go clause by clause. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Bill 23, An Act to Amend the Property Assessment and Taxation Act. Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that Bill 23, An Act to Amend the Property Assessment and Taxation Act, is now ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 4, Medical Profession Act

CHAIRMAN (Mr. Gargan): We will now turn to Bill 4, An Act to Amend the Medical Profession Act, with Madam Minister.

Minister's Opening Remarks

HON. NELLIE COURNOYEA: Thank you, Mr. Chairman. I wish to introduce a bill to amend the Medical Profession Act. The amendments we propose will give the president of the board of inquiry authority to delegate his or her powers to another individual for the purpose of reviewing and investigating a complaint. The president of the board of inquiry is a standing appointment under the Medical Profession Act. He or she is responsible for the preliminary investigation of complaints registered under the Medical Profession Act, and must decide whether a complaint should be dismissed or referred to a board of inquiry. If the president believes that he or she is unable to adequately review the complaint, this amendment will allow the president

to appoint an individual to act in the president's place with respect to the review of the complaint. Having done that, he or she can then refer the investigation of the complaint to the appointee.

The appointed individual, after reviewing the complaint, will give a written report to the president. The report will recommend whether the complaint should be dismissed or referred to a board of inquiry. On receiving the report from the appointed investigator, the president will review the report and its recommendations, and either dismiss the complaint, if he or she is of the opinion that the conduct in question does not amount to improper conduct, or refer the complaint to a board of inquiry. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Madam Minister. Mr. Ernerk.

Comments From The Standing Committee On Legislation

MR. ERNERK: (Translation) Thank you, Mr. Chairman. This bill would amend the Medical Profession Act to make it easier to investigate complaints about breaches of professional conduct by medical practitioners in the Northwest Territories. Under the existing legislation, doctors can be investigated for several different types of alleged improper conduct. This includes getting into trouble with the law, using fraudulent practices, or making decisions that cause people to think they are unfit to practise medicine.

At the present time, when a complaint is received, Mr. Chairman, it is investigated by a medical doctor whom the Minister has appointed as the president of the board of inquiry. After reviewing the evidence surrounding the complaint, this president decides whether the complaint should be dismissed or whether a board of inquiry should be held for a more in-depth review of the situation.

The board of inquiry is comprised of the president, a medical practitioner from the Northwest Territories, a medical practitioner from a province, and a lay person from the NWT. This bill would not change provisions dealing with the board of inquiry itself but would give the president wider options about how to proceed with the initial investigation.

The amendments in this bill would allow the president to appoint another individual to carry out an investigation of any alleged breach of conduct. The investigator would submit a report to the president, who would then decide whether the complaint should be dismissed or whether the review should proceed to a full board of inquiry.

The president, Mr. Chairman, could carry out the initial investigation, if warranted, but in situations where the president was of the opinion that he or she could not adequately review the complaint, this bill would allow the appointment of a qualified investigator.

The investigator could be someone recommended by a college of physicians and surgeons or someone identified by the president through other means. The investigator would be able to hire staff and legal counsel and would be protected from any legal action resulting from the investigation. (Translation ends)

The standing committee on legislation reviewed this bill at its pre-session meeting on Wednesday, January 16, 1991. Members were grateful to the Minister of Health, the Hon. Nellie Cournoyea, and her officials for presenting the bill before the standing committee on legislation. The standing committee on legislation was supportive of this bill and agreed to recommend it to the House. In doing so, however, there were three general aspects of the medical complaint

procedure about which members commented.

Aspects Of Medical Complaint Procedure

First, it was recognized that the Minister's decision to include provisions which would allow the appointment of an investigator is a positive response to the increasing number of complaints coming before the government. By allowing the president of the board to seek additional help, it is intended that inquiries into these complaints will proceed more quickly. Also, it is clear that these provisions will assist in situations where complaints involve very technical aspects of medical practice, because now doctors who are highly specialized in certain areas can be appointed to conduct the initial investigation.

However, Mr. Chairperson, there was concern at the standing committee meeting about the use of investigators from outside the Northwest Territories. This bill would allow the president to appoint an investigator from either this jurisdiction or one of the southern provinces. When southern Canadian practitioners are appointed, it is important that they should be familiar with the northern setting and with the special way in which medical practice must be tailored to meet the needs of our unique communities.

Second, the standing committee on legislation spent some time discussing whether it is a good principle to have alleged breaches of professional conduct investigated by another member of the same profession. While it is theoretically possible for the president to appoint someone who is not a member of the medical profession under this act, it is unlikely that this will happen. The standing committee was aware that judgments made during initial investigations often require expertise which most lay persons would lack. The standing committee also noted that there will always be lay input when complaints proceed to a full board of inquiry.

At the same time, it is necessary to be mindful that there is a potential for bias whenever a member of any profession is faced with having to refer a colleague's behaviour for disciplinary review. Perhaps at a later time, the Minister could examine this policy issue with respect to the Medical Profession Act and determine whether additional creative options can be identified for improving the investigation process.

Finally, Mr. Chairperson, the standing committee was confused about what would happen in situations when Northwest Territories residents might wish to complain about unprofessional treatment they receive when their NWT physician refers them for medical care outside the jurisdiction. I am talking here about a situation in which something happens to a patient who was first treated in the Northwest Territories and then transferred to Edmonton or Winnipeg or Montreal. If the patient received bad treatment from an unfit medical practitioner while in the South, would the complaint be lodged with the president of the board of inquiry for the Northwest Territories, or would the patient have to deal with a board of inquiry in Alberta, Manitoba or Quebec, or would the Medical Profession Act provide our president or his appointee with the authority to initiate an investigation here and then continue it in the other jurisdiction?

Mr. Chairperson, we will be asking the Minister of Health to clarify this aspect of the inquiry provisions when we deal with this bill in committee of the whole today.

Mr. Chairperson, even though these three issues were discussed at the standing committee's review of this bill on January 16, Members generally agreed with the amendments the Minister is proposing. We are recommending this bill to the House for this afternoon's consideration in committee of

the whole. Thank you very much, Mr. Chairperson.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Ernerk. General comments. Does the committee agree to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Bill 4, An Act to Amend the Medical Profession Act, clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree to Bill 4, An Act to Amend the Medical Profession Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 15: Northwest Territories Power Corporation Act

CHAIRMAN (Mr. Gargan): Thank you. We will move now to Bill 15, An Act To Amend the Northwest Territories Power Corporation Act. Madam Minister, do you have any opening statements?

Minister's Opening Remarks

HON. NELLIE COURNOYEA: Yes, Mr. Chairman. Mr. Chairman, when the Government of the Northwest Territories purchased the Northern Canada Power Commission in May of 1988, a number of the objectives for the new corporation were established. The first was to have its offices transferred to the Northwest Territories and staffed with appropriate professional and technical expertise. With the establishment of the Hay River headquarters and the hiring of the final professional staff just before Christmas, I am pleased to report that this task is now completed.

The second objective was to improve the reliability and quality of services. While we all recognize that this will take a long time, I believe the corporation has made significant progress. An ambitious capital program has been launched; community relations and accessibility have been greatly improved; strategic planning has been initiated in such areas as new hydro facilities planning and new transmission line proposals and environmental upgrading and training.

Considering the importance and magnitude of these tasks,

government made a decision not to revise the rate structure of the corporation but to continue to use the regime of the federal government for an interim period. This was supported by the standing committees on finance and legislation on the condition that this would be a temporary measure only. It is now time to re-examine this process in the interests of fairness and equity to electricity consumers in the North. That is the fundamental goal of the amendments to the NWT Power Corporation Act.

The main purpose of the proposed amendments to the NWT Power Corporation Act is to give the Public Utilities Board, PUB, the authority to set the rates of the NWT Power Corporation, NWTPC. As many MLAs know, this has been a goal of the government and many northern consumers for close to a decade. These amendments comprise one step of several to be taken over the next five years to implement an improved system of electricity rates and subsidies and to control rapidly rising electricity costs.

Electricity Rates

Two electrical utilities -- Northern Utilities Limited, serving Hay River, Fort Providence, Dory Point, Kakisa, Trout Lake and Snare Lakes; and Centra, formerly ICG, serving Yellowknife -- are regulated by the Public Utilities Board. The PUB ensures that these utilities charge reasonable rates and receive a fair return. Therefore, they will not be directly affected by these legislative amendments. However, NUL and Centra purchase electricity from NWTPC at rates which are not regulated by the PUB. Therefore, any problems with the allocations of the NWTPC's costs can affect NUL's and Centra's rates.

If, for example, NWTPC has over-allocated costs to Centra, then Centra's rates would be higher than if all three utilities were regulated on similar criteria.

When NWTPC was created in 1988, it inherited NCPC's rates. The rates had evolved over the years without any overall co-ordination or consistency and had not been subject to review by the PUB. NWTPC's rates remain outside the PUB's jurisdiction at this time.

There are serious indications that NWTPC's rates should be revised: Revenue in recent years was not sufficient to provide NWTPC with an adequate return, thereby limiting the utility's ability to undertake necessary upgrading. Many domestic rates are far below cost and may thereby encourage uneconomic use of energy. Current rates do not distribute costs in a fair, consistent manner. Rates are not related to the costs of providing service, and therefore customers in some communities pay a far greater portion of their costs than others.

The following examples of four domestic customers living in Tuktoyaktuk will help to illustrate these problems. The four customers each use 1000 kwh per month, which costs the Power Corporation about \$440 to supply. The customers are all subsidized, but to very different degrees. Customer one is a GNWT employee. The employee pays a fixed monthly electricity charge of \$74 through payroll deduction. Customer two is a Housing Corporation tenant. The tenant pays three cents per kwh for a total of \$30 per month. Customer three lives in a house owned by a private employer. The employer pays the cost of the utilities. The customer's cost is zero dollars. The employer receives a domestic power subsidy. Customer four is a home-owner and pays the electricity bills. The owner receives a territorial power support program subsidy of \$112 and pays \$175 a month himself.

The four customers have different incentives to conserve electricity. The Housing Corporation customer has a slight

incentive to avoid wasteful use, while customers one and three have no incentive at all. Only customer four is strongly motivated to use electricity efficiently. The differences among these bills and taxes also raises the issue of fairness. The current array of subsidies is clearly providing uneven, and possibly unfair, relief from high electricity costs. It may be fair to provide low-income customers with greater subsidies than other customers receive, and Housing Corporation customers as a group are more likely than other customers to have low incomes. However, there are some home-owners who have lower incomes than many Housing Corporation tenants, and special assistance based on the Housing Corporation's tenancy does not address their needs.

Public Utilities Board Rate Structure Review

Awareness of the problems resulting from the Power Corporation's rate structure and the GNWT's subsidy programs led the Executive Council to direct the PUB to conduct an electrical rate structure review last year. The PUB conducted a series of public hearings during July and August 1990 in Iqaluit, Cambridge Bay, Rankin Inlet, Fort Smith, Hay River, Inuvik, and Yellowknife, and presented a report of its findings to the Minister on October 29, 1990.

The PUB concluded that electricity rates should reflect costs if they are to be just and reasonable. To achieve that end, the report recommended that the PUB be given the power to determine the Power Corporation's rates.

On the matter of electrical subsidies, the board found that subsidies are necessary in the NWT but that the current subsidies are not clearly focussed and may reduce consumer responsibility and increase demand and costs. The report suggested that the GNWT review its subsidy programs and recommended that rates and subsidies be clearly separated.

The government generally accepts the PUB's findings and is seeking to make the legislative and program changes necessary to implement the report's recommendations. In order to benefit fully from these changes, the government is also considering a number of complementary programs.

Amendments To The NWT Power Corporation Act

The government agrees that the PUB should be given the power to fix the rates of the Power Corporation and has therefore drafted these amendments to the NWTPC Act. The amendments establish the PUB as the sole authority to regulate the rates charged by NWTPC, effective April 1, 1992. The amendments do not affect the government's powers as the 100 per cent shareholder of the company, such as the power to appoint the board and chairman and the power to maintain the Financial Administration Act remains in force, thereby retaining cabinet's authority to approve the corporation's annual budget.

Related amendments to the Public Utilities Act will also be brought forward to facilitate the move to PUB regulation.

The benefits of the legislative amendments are significant. They will clearly separate the GNWT's role as shareholder from that of regulator; they will allow the NWTPC to operate at arm's length from government, regulated to the greatest extent possible in the same manner as investor-owner utilities; they will make the NWTPC a more attractive investment, thereby fulfilling cabinet's commitment to prepare the corporation for eventual public participation; they will provide NWTPC's customers with an opportunity to participate in regular rate hearings; and they will allow the PUB to use standard regulatory principles to determine fair and reasonable rates for NWTPC's customers.

The last point requires elaboration. In order for customers to benefit from fair and reasonable NWTPC rates, it will be necessary to do more than to simply empower the PUB to regulate the corporation. Customers also need to have some assurance that rates will not change suddenly, that fair subsidy programs will exist, and that they will have the option of conserving electricity. Government initiatives to address these needs are outlined in the following sections.

Implementation Guidelines

There is ample evidence that the current rates charged by the NWTPC are not fair and reasonable and, in fact, have little relationship to actual electricity production costs. Rates are therefore likely to undergo some change in the process of becoming fair and reasonable. In order to ensure that rate changes are made gradually, the government and the Power Corporation will develop guidelines which place a limit of five per cent on annual rate increases. Together, these guidelines will ensure that the Public Utilities Board and the Power Corporation treat customers fairly during the seven-year implementation period. In addition, customers and other interested parties will have the opportunity to participate in regular PUB reviews of the Power Corporation's rates. Public participation will provide added assurance that customers are treated fairly during the implementation period and in the years beyond.

Mr. Chairman, the government is committed to assisting domestic customers with the very high costs of diesel-produced electricity. As a result, consumers will continue to receive support for the payment of their monthly bills. However, some of the current subsidy programs remove all, or most, of the responsibility for electricity costs from customers. Most customers will only use electricity efficiently if they are paying for it. If electricity is provided free, or far below cost, it will be over-used. The present subsidy programs are encouraging customers to waste electricity.

The present subsidy programs also create the unfair situations noted earlier where similar domestic customers are paying vastly different electricity bills simply because they qualify for different subsidies. The government will continue to assist consumers but wants to increase fairness and encourage more efficient electricity use by providing customers with more direct responsibility for electricity costs.

Conservation Programs

Mr. Chairman, revised subsidy programs and rates which are based on costs will effectively transfer more responsibility for electricity costs to customers, providing them with stronger incentives to eliminate wasteful use. However, customers can only use electricity more efficiently if they have adequate conservation information and hardware. At the present time, many customers are not well informed about their electricity conservation options. Furthermore, even informed and motivated customers are limited by the availability of energy-saving hardware such as hot water heater blankets, timer switches, furnace nozzles and appliances in their communities.

During the PUB hearings, participants identified the need for the Government of the Northwest Territories to set an example of careful electricity use by its departments. This requirement was also noted in the standing committee on finance report on the budget which did recommend that the Department of Energy, Mines and Petroleum Resources develop a 10-year plan for the supply and use of energy resources throughout the Northwest Territories which sets aggressive goals for energy conservation, among other things.

More efficient electricity use by GNWT departments would not only help to motivate private customers but could also result

in significant cost savings and in reduced generator emissions. As a result, the development of a plan as suggested by SCOF will be a priority for the coming year.

The amendments to the Power Corporation Act are the first step in a long process which will lead to fairer and more efficient electricity prices. It will take a long period of time to bring about all of the changes discussed here. Our goal is to balance the interests of consumers, the Power Corporation and the government. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Madam Minister. The chairman of the standing committee on legislation, Mr. Ernerk.

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you very much, Mr. Chairperson. The standing committee on legislation considered this bill at its pre-session meeting on January 16, 1991. We were assisted in this process by the Minister of Energy, Mines and Petroleum Resources, who was able to provide a very thorough presentation and a comprehensive response to Members' queries. This bill would transfer authority for regulating the Northwest Territories Power Corporation to the Public Utilities Board. This would put it on an equal basis with other utilities in the Northwest Territories.

Members of the standing committee noted that this bill would create a greater arm's-length relationship between the operation of the corporation and the Executive Council. This was seen as a positive development. For this reason, Mr. Chairperson, the standing committee on legislation agreed on January 16th to recommend this bill to the Legislative Assembly today. Thank you very much.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Chairman. Bill 15, An Act to Amend the Northwest Territories Power Corporation Act. General comments.

AN HON. MEMBER: Clause by clause.

CHAIRMAN (Mr. Gargan): Does the committee agree that we go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 9. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 10. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 11. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 12. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 13. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that Bill 15, An Act to Amend the Northwest Territories Power Corporation Act, is now ready for third reading? Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Thank you. What is the wish of the House? We have completed all the bills on the order paper that were agreed to by Mr. Zoe. Mr. Allooooloo.

HON. TITUS ALLOOLOO: Thank you, Mr. Chairman. The government would like to proceed, with the concurrence of the

committee, with Bills 18, 16, 25, 10, 32 and 24.

CHAIRMAN (Mr. Gargan): Thank you. The government is requesting that we consider further bills in that order: Bills 18, 16, 25, 10, 32 and 24. Does the committee agree? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 18: Boilers And Pressure Vessels Act

CHAIRMAN (Mr. Gargan): Then let us turn to Bill 18, An Act to Amend the Boilers and Pressure Vessels Act and to Amend an Act to Amend the Boilers and Pressure Vessels Act. Madam Minister.

Minister's Opening Remarks

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. Mr. Chairman, this legislation amends sections of the Boilers and Pressure Vessels Act which are stated in imperial measurement and restates them in metric measurement. As well, section 25 of the act, which is redundant, will be rescinded. These changes enable the act to conform with the consequent technical requirements which already exist in the regulations made pursuant to this act and will bring the NWT legislation into conformance with national technical standards. As all of the equipment currently in service in the NWT possesses gauges and other measurement devices in metric measures, there will be no additional costs to the public or private sector. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Madam Minister. Chairman of the standing committee on legislation, Mr. Ernerk.

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairperson. This bill was considered by the standing committee on legislation at its meeting on February 25, 1991. Members were particularly grateful to the Minister of Safety and Public Services, the Hon. Jeannie Marie-Jewell, and her officials for attending the meeting to present the bill.

The standing committee felt that this bill would bring legislation governing the use of boilers and pressure vessels into conformity with technical standards across the country. Standards included in the bill before us are substantially the same as in existing legislation but are restated in the metric system of measurement.

Mr. Chairperson, at its February 25th meeting, the standing committee on legislation agreed to recommend this bill to the House for today. Thank you, Mr. Chairperson.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Ernerk. General comments. Do we have any general comments? Does the committee agree we go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Thank you. Bill 18, An Act to Amend the Boilers and Pressure Vessels Act and to Amend an Act to Amend the Boilers and Pressure Vessels Act. Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 5, commencement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that Bill 18, An Act to Amend the Boilers and Pressure Vessels Act and to Amend an Act to Amend the Boilers and Pressure Vessels Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 16: Locksmiths, Security Guards And Other Security Occupations Act

CHAIRMAN (Mr. Gargan): Thank you. We will now go to Bill 16, Locksmiths, Security Guards and Other Security Occupations Act, with the Minister, Mrs. Marie-Jewell.

Minister's Opening Remarks

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. Mr. Chairman, the purpose of the Locksmiths, Security Guards and Other Security Occupations Act is to regulate individuals and companies carrying on the business of alarm services, armoured car services, locksmiths, private investigators, security consultants and security guards.

The act is intended to better protect the public by requiring applicants for licensing to undergo police checks for convictions under the Criminal Code; the Income Tax Act, Canada; the Food and Drug Act; and the Narcotics Act. In addition, applicants for a security business licence will be required to furnish a bond.

The act sets out eligibility criteria and bonding requirements for obtaining a security business licence and a security employee licence. The act provides for the appointment of a registrar who will be responsible for the administration of the act. The registrar has the authority to deny, suspend or cancel a licence for cause. The registrar is given the power to investigate the character and financial position of any applicant or licensee when determining whether to issue, renew, suspend or cancel a licence.

If the registrar proposes to refuse to issue or renew a licence, or proposes to suspend or cancel a licence, an applicant or licensee must be given written notice of the reasons for the proposal and informed of his or her entitlement to a hearing. A decision of the registrar to refuse to issue or renew a licence or to suspend or cancel a licence may be appealed to the Supreme Court of the Northwest Territories.

The act sets out various reporting requirements for both types of licensee. The act also provides for regulations to be made for the efficient administration of the act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you. Chairman for the standing committee on legislation, Mr. Ernerk.

Comments From The Standing Committee On Legislation

MR. ERNERK: Thank you, Mr. Chairman. The Locksmiths, Security Guards and Other Security Occupations Act would regulate one area of the Northwest Territories workplace for the first time. The bill would have direct implications for locksmiths, private investigators and security guards. The new legislation would also deal with security alarm agents and with businesses that sell alarms or employ security personnel. Requirements for registration and licensing would be introduced and regulations would be placed on the sorts of activities that would be considered acceptable.

The position of registrar would be created and empowered with the authority to make inquiries and conduct investigations of applicants and licensees.

This bill was first considered by the standing committee on legislation during the seventh session, when it was first submitted under the title "Security Occupations Act". A number of concerns were identified during the committee's initial consultations with the Minister. As a result, the bill was tabled prior to the conclusion of the fall session in order to allow any interested groups to make comments and to provide the standing committee and Minister with an additional opportunity to review certain aspects of the legislation. The Minister resubmitted a revised bill to the standing committee on legislation for consideration at our pre-session meeting in January.

The title of the bill had been changed to Locksmiths, Security Guards and Other Security Occupations Act to avoid confusion with financial securities. Other changes, particularly to clauses which dealt with licence applications and review procedures and with provisions regulating the use of firearms, were recommended by the standing committee. These have now been made by the Minister.

The Minister attended the committee review of this bill on January 15, 1991. She outlined the substance and purpose of the proposed act and commented on the revisions made in response to our initial consultations. Mr. Chairman, I would like to acknowledge the additional work which the Minister has undertaken to remedy standing committee concerns about this bill. We have also appreciated the open approach taken by her legislative counsel and her departmental officials in consumer affairs in working with the committee staff to review options for revising this bill. I would also like to commend the bill to table the proposed legislation during our previous session of the Legislative Assembly. Mr. Chairman, at its pre-session meeting on January 15, 1991, the standing committee on legislation agreed to recommend this bill to the House. Thank you very much.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Ernerk. Bill 16, general comments. Does the committee agree we go clause by clause?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Bill 16, Locksmiths, Security Guards and Other Security Occupations Act. Clause 1, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 2, exemption from act. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 3, security business licence. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 4, security employee licence. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 5, investigation or inquiry only partly in the Territories. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 6, application for security business licence. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. Back on item 4, there is one thing I want to get on the record. I think it is very important that people should understand that when they advertise themselves to be locksmiths or security alarm agents or any other of these listed people, that they are going to have to have a licence. I think the public wants to know that when they hire a locksmith to change locks in the house, that the person is going to be competent to do it; that the person is not going to be a criminal or have an immediately previous criminal record; and that if a person advertises himself as being capable of installing an electrical alarm system to protect the building, in fact they are going to be qualified to carry out the technical job that is required. We discussed this during the committee meetings, and I would like to revisit this and ask the Minister to comment on how we can be assured that these people are, in fact, qualified once they have their licence -- that there is also something in regulations or somewhere else that will specify exactly what qualifications they will have to have.

CHAIRMAN (Mr. Gargan): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, I believe, in

respect to the concern that the Member has posed, that this is taken care of in regulations. I am just trying to determine what part of the act it would be, but I know that when the Member did raise the concern at the committee level, we did, if I recall correctly, indicate to him that the issue would be addressed through regulations.

CHAIRMAN (Mr. Gargan): Would that be in section 34, Madam Minister, under "Regulations"?

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, that sounds correct.

CHAIRMAN (Mr. Gargan): Mr. McLaughlin.

MR. McLAUGHLIN: Yes, that is fine. So, what the Minister is saying is that the detailed specifications that will be required for these different professionals will be outlined in the regulations, then. Thank you.

CHAIRMAN (Mr. Gargan): Thank you. Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 6. Mr. McLaughlin.

Security Guards With Criminal Convictions

MR. McLAUGHLIN: Just one other thing similarly in assuring the general public. Clause 6, subsection (2), talks about criminal convictions, and I know that we brought this up in the committee, and the Minister has been unable to resolve it at this stage.

One of the things that we pointed out during the committee meetings is that quite a few security guards are under the age of 17, which means that if they did have any sort of criminal convictions, it would have been under the Young Offenders Act, and federal legislation does not allow any type of government or any other organization to get that information from the youth corrections system or from the youths themselves. Therefore, the possibility exists that a young offender could, in fact, get a job as a security guard shortly after serving time in a young offender secure custody facility.

I would just like to make that comment, and I know that the way federal legislation is set up, and I know of the fact that there are young people doing these jobs, and we certainly do not want to take these jobs away from them, but I would be interested in asking the Minister if she could just do one thing for us later on, if she could just have her officials do a bit of a survey of the various security organizations that hire guards for buildings at night and on weekends, et cetera just to find out how many of these people are, in fact, under the age of 17, so that we can determine whether or not there are a lot of them involved and maybe we can re-look at the idea that certain security jobs might require people to be a certain age. However, I would not want to do that or make any efforts in that direction until we have more information about just how many people this would affect.

So, I guess I would just like to ask the Minister if she and her officials could try and find out how many security guards there are who are under the age of 17 that this situation would apply to. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. McLaughlin. Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, just to indicate to the Member that we can probably get the age groups that security companies use in recruiting employment, but in respect to determining whether security guards are young offenders, federal legislation prevents this type of information from being released about young offenders. Therefore, it would be difficult to obtain this type of information. The other suggestion that I have made, if this appears to be a problem, is that the regulations can possibly indicate that the hiring of security guards be restricted to those persons who are not less than 18 or 19. That is one option that could be considered.

But, I do want to indicate to the Members that, unfortunately, federal legislation prohibits us from being able to determine information in respect to young offenders. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Madam Minister. Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 9. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 10. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 11. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 12. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 13. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 14. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 15. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 16. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 17. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 18. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 19. Mr. Zoe.

MR. ZOE: Mr. Chairman, on clause 19, could I ask the Minister why this section is included here in regard to "report the change or occurrences in writing to the registrar". What happens if that person does not? What is the big deal about, if a person that holds a security business licence and moves to a different house within the same town or changes the location of the business, why is it in the act? Why could not it have been done under the regulations? What happens if they do not comply with section 19?

CHAIRMAN (Mr. Gargan): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, I do not think anything particularly happens if they do not comply, but specifically as to the question as to why licensees have to report to the registrar a change of residential or business address, I believe it is probably to be able to obtain the information on where the security business licence shall be. But for any particular reason other than that, I would have to just confirm for the Member, if I could be just given a moment.

CHAIRMAN (Mr. Gargan): Can Madam Minister have a moment?

SOME HON. MEMBERS: Agreed.

---Agreed

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, they are basically just for administrative purposes and to keep documents in the registrar's office in order, with respect to indicating the specific location or residence of the business. I believe, in section 33 of the act, it indicates that every person who contravenes a provision of this act or the regulation is guilty of an offence and liable on summary conviction.

CHAIRMAN (Mr. Gargan): Thank you. Clause 19. Mr. Zoe.

MR. ZOE: Mr. Chairman, I have a concern on clause 19. If the security business licensee has to do all these things, it is a headache for that particular person. It is an administrative headache. I know section 33 states that they can be

convicted on a summary conviction, but we are making more work for ourselves. I do not see any great need for this type of section in the act, and if it is going to be an act, I would suggest that maybe they expend the 14-day period, because it is making it too restrictive.

CHAIRMAN (Mr. Gargan): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, I guess the purpose of this being placed in the act is to ensure, for one thing, that we are protecting the general public as a whole. I can understand to a degree his concern. I do not believe they are going to be very regimental on the 14 days. But the concern I want to bring to the Member is that if you look at paragraphs 19.(1)(b),(c) and (d), this would allow the department to determine whether a change of ownership, whether the security requirements are adhered to with respect to getting police checks, and whether all these different provisions of the act are upheld.

To determine the time frame in respect to reporting to the registrar, this clause has been placed in, not only to keep the registrar's records up to date, but for assurance to the public for security reasons, assuring them that the security type of businesses have followed and passed the test of criminal record checks and they are not criminals.

CHAIRMAN (Mr. Gargan): Mr. Zoe.

MR. ZOE: Mr. Chairman, on section 19, in subsection (1) and paragraph (a), they are getting too technical and limit it to 14 days. If you do not report within 14 days, if you change your residential or business address, you can be fined; under section 33 it says up to a maximum of \$2000 or six months in jail or both. That is getting a little too technical just for changing a business or residential address. I wonder if the Minister could take another look at this technical problem that I am looking at now, on paragraph 19.(1)(a). I do not think that is required.

CHAIRMAN (Mr. Gargan): Thank you. Clause 19. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 20, investigation and inquiry by registrar. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 21. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 22, confidentiality. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 23, display of licence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 24, identification. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 25. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 26. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 27, service. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 28, evidence. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 29, prohibition. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 30, employees licensed. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 31, prohibited forms of identification. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 32, firearms. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. On clause 32 pertaining to the possession and use of firearms on the job, I would like to thank the Minister and her officials for making the changes that the committee was concerned about. The way the wording was before, it basically implied that some of the security people could carry guns. The wording was set out in such a way that it looked as if this act would allow it. There is a federal regulation governing firearms, so the Minister has made the changes although the wording still does point out that a security employee who guards or transports valuable property in an armoured vehicle can carry a weapon, a firearm. I think what I would like to do here is point out that -- just to make it clear -- this legislation does not supersede the federal legislation. You have to get a federal permit to carry a firearm. I would not want anyone to think, upon reading this, that this legislation alone allows that the person can carry a gun. I hope that once regulations are put out, hopefully in the regulations or, at least, an information document that goes out to all these companies, she will make very clear that any carrying of firearms by any security people

is subject to federal gun regulations. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you. Madam Minister, do you wish to respond?

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, the best way the Member suggested would be to do it by an information item as he indicated in his comments.

CHAIRMAN (Mr. Gargan): Thank you. Clause 32. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Thank you. Clause 33, offence and penalty. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 34, regulations. Agreed? Mr. Zoe.

MR. ZOE: Mr. Chairman, I want to ask the Minister if they have already established any regulations pertaining to 34(a) to 34(k)? Have they done anything yet?

CHAIRMAN (Mr. Gargan): Madam Minister.

HON. JEANNIE MARIE-JEWELL: No, Mr. Chairman. No regulations have been formulated as yet.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Zoe.

MR. ZOE: Could the Minister provide those and table them in the House whenever they are completed?

CHAIRMAN (Mr. Gargan): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, we would be willing to table them as an information item, but I have been advised that regulations would probably be formulated in the latter part of this year. So it would probably be the new government that would table that. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Madam Minister. Clause 34, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Clause 35, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Do Members agree that Bill 16, Locksmiths, Security Guards and Other Security Occupations Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

--Agreed

Bill 25: Marriage Act

CHAIRMAN (Mr. Gargan): We will now go to Bill 25, An Act to Amend the Marriage Act. Madam Minister.

Minister's Opening Remarks

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. Mr. Chairman, a request for an amendment to the Marriage Act was received in May of last year from the spiritual assembly of the Bahai's of Yellowknife. This amendment will make sure that the ceremonies, customs and traditions of all established religions, including the Bahai's, are valid under Northwest Territories legislation.

Mr. Chairman, in the case of religious beliefs which do not recognize that a marriage requires formality, the Minister may register an individual designated by a religious body as a clergyman to carry out all functions imposed upon clergymen by the act other than the formalization of a marriage.

We have also taken this opportunity to transfer administration of the act from the Commissioner to the Minister. All other amendments are companion amendments to ensure consistency throughout the act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you. Chairman of the standing committee on legislation, Mr. Ernerk.

Comments From The Standing Committee On Legislation

MR. ERNERK: Just give me a moment, please, Mr. Chairman. Thank you. Mr. Chairman, this bill would amend the Marriage Act so that duties for which the Commissioner of the Northwest Territories is now responsible would be transferred to the authority of the Minister.

The bill would also amend the Marriage Act so that valid marriages could be performed within religious organizations where the members do not believe it is necessary to have a registered clergyman to marry two consenting people. Presently, each religious body, which could be a church, religious denomination, sect, a congregation or religious society, must register a list of clergymen who can perform valid marriages. These people not only perform the activities which their faith might require to solemnize the marriage but they also have a responsibility to administer the requirements of the act.

Some religious organizations do not require a clergyman to perform a marriage. This bill would make it possible for these sorts of religious organizations to perform marriages according to their own system of beliefs by allowing the registration of a lay member of the religious organization to perform the administrative duties set out in the act.

The existing legislation also allows two people to get married by the publication of banns and by a marriage commissioner. This will remain unchanged.

Mr. Chairperson, the standing committee on legislation considered this draft bill at its meeting on March 11, 1991. Members of the standing committee felt that this bill would extend freedoms for individuals to become married under the customs and traditions of their own faith. If people belong to churches or religious organizations that do not accept the fact that a clergyman has to perform the wedding, this allows them to be legally married within that belief system. Upon reviewing the bill, the standing committee agreed to recommend these amendments to the House.

I should note, Mr. Chairperson, that as we reviewed the bill, Members expressed concern about other areas of our existing legislation dealing with marriage. Certain sections appeared to reflect values and concepts that may not be in line with current social attitudes. It is likely that other sections might well fall to a court challenge if the government ever tried to enforce them. The standing committee on legislation was of the opinion that the entire Marriage Act is in need of a complete review and reform. Because it is not possible at the present time to determine how long such a review process would take, the amendments before us should not be delayed, and we are recommending that the House deal with them today.

Mr. Chairperson, that concludes the report of the standing committee on legislation dealing with Bill 25. I wonder if you would entertain a motion from the standing committee dealing with referral of the Marriage Act for review.

CHAIRMAN (Mr. Ningark): Proceed.

Motion To Recommend The Law Reform Committee Comprehensively Review The Marriage Act, Carried

MR. ERNERK: Thank you, Mr. Chairperson. I move that this committee of the whole recommends to the Minister of Justice that the existing Marriage Act be referred to the law reform committee within the Department of Justice for a comprehensive review; and further, that the law reform committee be asked to carefully consider ways in which the existing legislation could be amended to more accurately reflect customary marital practices among the people of the Northwest Territories. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark): Mr. Ernerk, your motion is in order. To the motion, Mr. Ernerk.

MR. ERNERK: Thank you, Mr. Chairperson. The bill before us today is a very straightforward one, dealing with transferring authority from the Commissioner to the Minister, and also with the performance of marriages in religious organizations that do not require the involvement of a clergyman. These would both be positive amendments to the Marriage Act. I want to be very clear that the standing committee on legislation did not intend this motion to affect our recommendation of Bill 25 to the committee of the whole today. Members were generally in favour of passing this bill.

This motion does arise from Members' related examination of the nature of the existing Marriage Act. When we were reviewing it in light of the amendments proposed in Bill 25, we found several areas that caused us concern. Prohibitions to marriage when one of the parties is suffering a communicable disease, prohibitions relating to the hours when a couple may be married, and sections dealing with the marriage of minors are all areas that the standing committee felt would benefit from a further review, Mr. Chairperson.

There was a lot of discussion during our standing committee meeting that the existing legislation does not provide for a complete acceptance of customs which have traditionally defined married within the culture of aboriginal peoples. At the same time, several Members also felt that the legislation does not accurately reflect many of the important values held by people in community settings throughout the Northwest Territories. It is not our intent to deal with these complicated issues at the present time. However, the standing committee on legislation felt that the current Marriage Act could benefit from a thorough process of review and recommended that it be considered by the law reform committee within the Department of Justice. We would look forward to seeing amendments, or perhaps new legislation, dealing with the

institution of marriage, following the law reform committee's review. Thank you very much, Mr. Chairperson.

CHAIRMAN (Mr. Zoe): To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Zoe): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

General comments on Bill 25. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. Just one comment I would like to make here and I hope the Minister can give some reassurance. What I think the committee was concerned about was making sure that when we did this, that this would not be misunderstood by the general public or anybody that basically any religious sect that decided they were suddenly an organization could go around and hold marriage ceremonies. The general public would also have to be secure in the knowledge that once they were married by a religious organization recognized under this act, that even though they subsequently left that religious organization their marriage certificate would still be recognized by the government, whether they both left that religious organization or just one of them. Madam Minister, what does this government basically define as a religious body, which would be given the right to issue marriage certificates under this act?

CHAIRMAN (Mr. Zoe): Thank you. Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, a religious body would appear to be a church or a religious denomination with respect to a congregation of society. The registrar general of vital statistics determines whether or not a group is a religious body. Vital statistics basically confirms or denies such a request. There are mechanisms in place to ensure that groups, such as a church, know that a congregation of society is, in fact, a religious body or not. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. Member for Pine Point.

MR. McLAUGHLIN: Thank you, Mr. Chairman. So in the most, of what you can call, bizarre of circumstances then, if a religious sect formed up and was accepted as a religious organization and was given the right to certify marriages and then the religious sect suddenly just disappeared since they lost their membership in the Territories, the people who would have been married by certificates they issued, would still leave those people married, whether one or both of the people in the marriage left that religion. In fact, if that religious organization broke up and no longer existed in the NWT, the people who were married by that religious sect would still hold valid marriage certificates.

CHAIRMAN (Mr. Zoe): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, yes, as long as the group is registered with the registrar general of vital statistics, then they would deem those marriages validated.

CHAIRMAN (Mr. Zoe): Member for Yellowknife South.

MR. WHITFORD: Mr. Chairman, I would be puzzled as to why a religious organization or sect choose to seek this kind of approval in a different manner than what is already there. I think that upon approval that any member of a religious body or the general public, if they apply and meet the needs or criteria for being a marriage commissioner, could obtain such an appointment.

If this amendment is made now that allows that broadening of the criteria for religious bodies, it still has to be someone specific that signs all the documentation. It cannot be just anybody within the congregation. There are certain requirements that everybody who belongs to that particular religious denomination, cannot just sign the documentation and perform the marriage. It has to be someone specific. It is like a justice of the peace or a marriage commissioner as they exist today. It is someone specific who conducts the ceremony in a given fashion, that is the only difference, I guess, in what is said and what symbolism is attached from either religious or some body of that nature, the symbolism that is attached to it. But there still are legalities that require someone to be authorized to perform a marriage.

Does this leave the door open to just anybody who belongs to a religious body to perform a marriage and sign the papers? Or do they still have to go and be certified according to vital statistics if the section is broadened to include those denominations who are not presently recognized?

For example, many years ago I used to be a justice of the peace and I was asked to do a wedding because the people of the religious body were not yet recognized; it was the Bahai faith. Bahai's were not, at that time, able to perform marriages in the NWT. That has subsequently changed, I understand, but as a justice of the peace I would have to perform that wedding according to the laws of the NWT. All the documentation was signed by the justice of the peace but the words could have been Anglican or Catholic words or Bahai words. But it was only a justice of the peace who could sign the papers.

There will still have to be a registry kept of the people within that group, that religious group, that would be able to sign the documentation. Not just anybody who belonged to that faith.

CHAIRMAN (Mr. Zoe): Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, as I indicated in my opening remarks, in the case of a religious belief which does not recognize that a marriage requires formality, the Minister may register an individual designated by a religious body as a clergyman to carry out all functions imposed upon clergymen by the act. So this is the area that would take care of an individual to be able to perform the marriages.

CHAIRMAN (Mr. Zoe): Mr. Whitford.

MR. WHITFORD: But the question I have is that there still has to be a designated individual performing that marriage, within that faith. They have to be duly registered and a certificate issued by the Commissioner to allow them to perform that. They have a number. Do they still have to have that?

CHAIRMAN (Mr. Zoe): Madam Minister.

HON. JEANNIE MARIE-JEWELL: That is correct and I thought I made myself clear when I indicated that.

CHAIRMAN (Mr. Zoe): Mr. Whitford.

MR. WHITFORD: Thank you, Mr. Chairman. I wanted this to be absolutely clear. You did indicate it and it was clear enough for most people, but it was not clear enough for me. So that is why I had to beg your indulgence on this.

As I understand it, there is nothing specific about -- I think the territorial law requires that the documentation be complied with

within a given time and a certain order, the registration, the permit, the authority that signs -- the officiator. What is said at the wedding is not in the act and I do not think it should be. It is whatever those persons within that denomination choose to say, with the exception of the authority given to them by the Government of the NWT. But whatever else they choose to say is not really an issue here. There is no requirement to say any specific words at a marriage ceremony to make it legal within the context of the law. It is only within that religious body that wishes to solemnize the marriage within that religion. That is what I would refer to as optional. What is required by the act is that these legal functions be performed in accordance with the act. It is an extension of what I was asking, whether just anyone within that religious organization could perform the marriage and I think I have the answer.

CHAIRMAN (Mr. Zoe): General comments. While I have the attention of the committee I would like to bring to your attention visitors from northern Labrador, I have two Innu visitors, Rose Gregoire and Martha Hurley who are promoting the film, Hunters and Bombers. Welcome to the Legislative Assembly.

---Applause

Mahsi cho. Is the committee ready to go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Bill 25, An Act to Amend the Marriage Act. Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 9. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 10. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 11. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 12. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 13. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 14. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 15. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 16. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 17. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 18. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 19. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Schedule. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 25, An Act to Amend the Marriage Act is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 10: Insurance Act

CHAIRMAN (Mr. Zoe): Thank you. We will now proceed to deal with Bill 10, An Act to Amend the Insurance Act. Madam Minister, are you prepared to make you opening remarks?

Minister's Opening Remarks

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. Mr. Chairman, this bill contains two separate amendments to the Insurance Act as follows. The first amendment in the Insurance Act was first amended in 1987 to permit the Northwest Territories to enter into agreements with compensation associations. The purpose of the associations is to administer consumer protection plans and ensure that policy holders and other claimants will receive compensation if their insurance company becomes bankrupt.

The life compensation plan is the second plan to be entered into by the Northwest Territories. The first plan was put into place in 1988 with the property and casualty insurance compensation association. These associations are both federally incorporated non-profit associations and are financed by the insurance industry through assessments. The initial amendment of 1987 only dealt with the first plan and did not take into account the classes of insurance and policies which would be covered under the life plan.

An amendment in 1989 was passed which was intended to enable our participation in the life plan. Unfortunately, the amendment did not take into account that certain insurance companies are not eligible for membership of the plan under the by-laws of the compensation corporation which administers the plan.

This amendment will limit the section deeming insurance companies to be members of the plan to those companies who are eligible for membership. The insurance companies excluded from membership of the plan include fraternal associations, an example is Knights of Columbus. Associations of this type only sell insurance to their members, not to the public at large. The same applies to mutual benefit societies whose members share profits and/or losses. The other group would include non-profit prepaid hospital, medical and dental organizations, an example is Blue Cross.

The second amendment, Mr. Chairman, will enable the Northwest Territories to participate in a national automobile insurance claims tracking service to be established by the Insurance Bureau of Canada. It permits the superintendent of insurance to collect and distribute information respecting

automobile insurance claims. Insurance companies are presently required to submit statistical information. This amendment will expand the statistical information to include some personal information on the drivers.

When an individual applies for an automobile policy, he completes and signs an application form which contains an authorization for an insurance company to obtain personal, credit or driver record information from any source. Obtaining this information by manual methods is difficult, time-consuming and expensive as insurance companies must contact all companies that have provided insurance to the applicant over the past six years or so. A comprehensive driver information service will provide a high-speed, inexpensive, one-stop alternative to the current procedure.

The superintendent is limited to whom she can distribute the information. The statistical agency designated to receive the information will operate under strict controls regarding confidentiality and security. Information about an individual can only be retrieved from the data base by an insurance company holding a signed application for insurance or by the individual himself. These are my comments, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. Before I recognize the chairman of the standing committee on legislation, the Chair would like to recognize Her Worship Pat McMahon in the gallery. Welcome to the House.

---Applause

Mr. Ernerk. Does the committee have any comments on Bill 10?

Comments From The Standing Committee On Legislation

MR. ERNERK: Yes, Mr. Chairperson. The standing committee on legislation reviewed this bill at its meeting on Tuesday, January 15, 1991. We were grateful to the Minister of Safety and Public Services, the Honourable Jeannie Marie-Jewell and her officials from the consumer and corporate affairs division for participating in the review.

The standing committee agrees that this bill would clarify membership requirements in compensation associations within the insurance industry. These bodies provide protection for consumers in the event that an insurance firm becomes bankrupt.

Currently, it is unclear which sorts of insurers are required to participate in their respective compensation associations. This bill would limit provisions of the act only to those insurers that are eligible for membership under the compensation association's by-laws.

The bill would also introduce a requirement for all insurers carrying on the business of automobile insurance to file information about claims resulting from accidents. This information would be made available to other insurers, to auditors and to the insured person.

Mr. Chairman, the standing committee on legislation views these changes as positive ones. The proposed amendments will provide protection to consumers and insurance businesses alike by improving procedural clarity and data gathering resources within the industry.

Mr. Chairman, clauses 4 and 5 of this bill would also increase the premiums which must be paid by each insurance company to the territorial superintendent of insurance. Currently, every insurance company pays a tax equal to two per cent of its adjusted gross premiums. This amendment

would increase the rate to three per cent. There is an additional tax then applied on adjusted gross which will increase from 0.5 per cent to one per cent.

The bill has been referred to the standing committee on finance for a review of these taxation implications. Mr. Pollard may have some additional comments to pass along from the finance committee's consideration of these amendments. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. General comments. Member for Hay River.

MR. POLLARD: Thank you, Mr. Chairman. Mr. Chairman, if the superintendent is going to gather the information, how much is it going to cost us that it is not costing us right now to keep this data bank?

CHAIRMAN (Mr. Zoe): Thank you. Madam Minister.

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, it is not going to cost the government anything because of it being an industry to retain a data base.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Pollard.

MR. POLLARD: Mr. Chairman, whose computer would the data base be on and who would input the information into the computer? Who would analyse the information before it is put in? Where would the computer be situated? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Madam Minister.

HON. JEANNIE MARIE-JEWELL: The information in the data base is with the Insurance Bureau of Canada. I would have to take a moment to find out exactly where it is located.

CHAIRMAN (Mr. Zoe): Thank you. Maybe you could clarify what you were saying. Mr. Pollard.

MR. POLLARD: Mr. Chairman, I talked to somebody in the insurance business and they seemed to think the government was going to set up the data base and operate it, and that they would request information from the government. I am just trying to ascertain who is going to have the data base, who is going to operate and how much is it going to cost our government?

CHAIRMAN (Mr. Zoe): Thank you. A tax evasion. That was your question. Madam Minister.

---Laughter

HON. JEANNIE MARIE-JEWELL: It is my understanding that the Insurance Bureau of Canada head office is in Toronto as is the data base. Any information would be retained in that particular data base and not by the government.

CHAIRMAN (Mr. Zoe): Thank you. General comments. The Member for the High Arctic.

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. Insurance has been a concern of mine for a long time. Insurance on vehicles and other things that we have to insure is also a concern. I would like to speak on behalf of my constituents regarding vehicles that have to be insured. In the cities and the smaller communities the way they deal with insurance is the same. For example, the smaller communities pay for insurance on vehicles and I think this will be a problem in the future because the smaller communities have fewer roads and the roads are shorter and the bigger communities or cities have longer roads. I think the act

should be written differently because of this.

Also, when you try to apply for insurance it should be clearer for the people and for the elders in the communities because they could be brought to court because they do not understand the law regarding insurance. I know a lot of the elders do not know that they have to send their applications out. A lot of the elders use the three-wheel Hondas in the communities and they have to get insurance for them. I think they should be clearer and translated. I think it should be different with the smaller communities as compared to the bigger communities. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. I would like to remind Members to speak to the item that is under consideration. General comments on the item under consideration. General comments on Bill 10? Is the committee ready to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Bill 10, An Act to Amend the Insurance Act. Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 3, information respecting automobile insurance claims. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 10, An Act to Amend the Insurance Act, is now ready for third reading.

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 32: Corrections Act

CHAIRMAN (Mr. Zoe): Thank you. The committee will now proceed to deal with Bill 32, An Act to Amend the Corrections Act. Madam Minister, are you ready to make your opening remarks?

Minister's Opening Remarks

HON. JEANNIE MARIE-JEWELL: Mr. Chairman, there are two amendments that are being proposed to the Corrections Act. The first amendment is to discontinue the position of superintendent of corrections and the second is to allow the Minister to delegate to the deputy minister the authority to appoint persons to investigate matters connected with or

affecting the administration of the corrections service or any correctional centre.

The original intent of designating a superintendent of corrections was to bring legislative references to certain public officers in line with titles used by the department. Designating a superintendent in the Corrections Act separated delegation authority from the operational responsibility exercised by the director of corrections. Experience has shown that this separation is not required and greater operational efficiency will be enhanced by combining the authority of the two positions into one.

The second amendment arises from a recommendation made by a review panel examining the co-corrections programs in August 1989. As the Corrections Act now reads, only the Minister can appoint persons to investigate and inquire into any matter connected with the corrections service. The review panel suggested that this power be delegated so that in those matters which are less serious, the deputy minister of the department could authorize investigations to review the administration and operation of the corrections service and appoint persons to a board of investigation. These conclude my opening remarks, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. The standing committee on legislation, Mr. Ernerk, does your committee have any comments on this bill?

Comments From The Standing Committee On Legislation

MR. ERNERK: Yes, I do, Mr. Chairman. This bill would change the Corrections Act in two ways. First, it would remove reference to the role of a superintendent of corrections. This is an outdated position title, not related to current specific roles in the administration of our territorial corrections system. In recent years, authority for the administration of the corrections division has fallen to the director of corrections, who reports to an assistant deputy minister in the Department of Social Services. The amendment in this bill will make the Corrections Act more closely reflect actual operational and administrative procedures within the department.

Secondly, the bill would also alter some of the procedures through which internal investigations can be carried out in the corrections system. Right now, the Minister is able to appoint a person, or groups of people, to carry out an inquiry or investigation of matters within the division, or within a correctional facility. This bill would allow the Minister, if she wanted, to delegate the authority to appoint these investigators to her deputy minister. The final report from the investigators would go to the Minister.

Some Members of the standing committee on legislation believed it was important to note that this amendment does not require the Minister to delegate any investigative authority to her deputy. It only gives her the flexibility to do so in situations where she believes it will enhance the inquiry and leaves the decision to delegate as completely discretionary. This is very appropriate. It is likely this authority would only be used in situations where inquiries dealt with relatively minor issues.

Mr. Chairperson, the standing committee on legislation reviewed this legislation at its meeting on March 20, 1991. We would like to thank the Minister of Social Services, the Hon. Jeannie Marie-Jewell, for attending the meeting and discussing details of her bill with us. Following this review, the standing committee on legislation agreed to recommend this bill to the House. That is my report, sir, thank you.

CHAIRMAN (Mr. Zoe): Mahsi cho. General comments. Is

the committee ready to go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Bill 32, An Act to Amend the Corrections Act. Clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 4. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 5. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 6. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 7. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 9. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Clause 10. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 32, An Act To Amend the Corrections Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 24: Social Assistance Act

CHAIRMAN (Mr. Zoe): Thank you. The committee will now proceed to Bill 24, An Act to Amend the Social Assistance Act. Madam Minister, please introduce the act.

Minister's Opening Remarks

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Chairman. I am proposing an amendment to the Social Assistance Act which allows forgiveness of minor social assistance debts and overpayments. The observation was made by the Auditor General in his report to the Legislative Assembly of the Northwest Territories for the year ending March 31, 1988 that the department forgave minor social assistance overpayments without the required approval.

This amendment will provide an improved approved method to forgive social assistance debts and overpayments under \$500. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Pollard, does the standing committee on finance have any comments on Bill 24?

MR. POLLARD: Mr. Chairman, the standing committee on finance reviewed the bill on March 7th and recommends it to the House. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Zoe): Thank you. Is the committee ready to go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Bill 24, An Act to Amend the Social Assistance Act, clause 1. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. The bill as a whole. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Does the committee agree that Bill 24, An Act to Amend the Social Assistance Act, is now ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Thank you. Could the Chair have direction from the committee as to which bills they would like to deal with? Does the Chair get direction? Mr. Ningark.

MR. NINGARK: Mr. Chairman, I move that we report progress.

CHAIRMAN (Mr. Zoe): Thank you. I have a motion which

is not debatable. All those in favour? All those opposed? The motion is carried.

---Carried

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: I would like to call the House back to order. The honourable Member for Rae-Lac la Martre.

MR. ZOE: Thank you. Mr. Speaker, your committee has been considering Committee Report 2-91(1) and Bills 8, 9, 2, 5, 29, 3, 23, 4, 15, 18, 16, 25, 10, 32 and 24 and wishes to report that Committee Report 2-91(1) is concluded and that Bills 8, 9, 2, 5, 29, 23, 4, 15, 18, 16, 25, 10, 32 and 24 are now ready for third reading. Mr. Speaker, I move that the report of the chairman of committee of the whole be concurred with.

MR. SPEAKER: Thank you. Is there a seconder to the motion? The honourable Member for Aivilik. The motion is in order. To the motion. Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Item 19, third reading of bills. Mr. Clerk, Item 20, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, there will be a meeting of the standing committee on legislation immediately after adjournment this evening. Meetings for tomorrow morning: at 9:00 a.m., ajuqtit; at 10:00 a.m., the standing committee on finance; at 11:00 a.m., the management and services board; and 11:30 a.m., caucus.

ITEM 20: ORDERS OF THE DAY

Orders of the day for Wednesday, April 17th.

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 Motions
13. Notices of Motions 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 22-91(1); Bills 3, 26;
Committee Report 6-91(1); Bills 30, 31 and 6.

18. Report of Committee of the Whole

19. Third Reading of Bills

20. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands
adjourned until 1:30 p.m., Wednesday, April 17th, 1991.

---ADJOURNMENT

Available from the
Publications Clerk, Department of Culture and Communications
Government of the Northwest Territories, Yellowknife, N.W.T.
\$35.00 for 1st session, \$25.00 for 2nd and 3rd session; or \$75.00 per year
Published under the Authority of the Speaker of the Legislative Assembly
of the Northwest Territories