



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

6th Session

10th Assembly

HANSARD  
Official Report

DAY 2

THURSDAY, OCTOBER 17, 1985

Pages 23 to 53

Speaker: The Honourable Donald M. Stewart, M.L.A.

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

## Speaker

The Hon. Donald M. Stewart, M.L.A.  
P.O. Box 1877  
Hay River, N.W.T., X0E 0R0  
Office (403) 874-2324  
Home (403) 874-6560  
Office (403) 873-7629 (Yellowknife)  
(Hay River)

Angottitauruq, Mr. Michael, M.L.A.  
Gjoa Haven, N.W.T.  
X0E 1J0  
Phone (403) 360-7141 (Hamlet Office)  
(Kitikmeot East)

Appaqaq, Mr. Moses, M.L.A.  
Sanikiluaq, N.W.T.  
X0A 0W0  
Office (819) 266-8860  
Home (819) 266-8931  
(Hudson Bay)

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

Ballantyne, Mr. Michael, M.L.A.  
P.O. Box 1091  
Yellowknife, N.W.T.  
X1A 2N8  
Office (403) 873-8093  
Home (403) 920-2963  
(Yellowknife North)

Butters, The Hon. Thomas H., M.L.A.  
P.O. Box 908  
Yellowknife, N.W.T.  
X1A 2N7  
Office (403) 873-7128  
Home (403) 920-4411 (Yellowknife)  
(403) 979-2373 (Inuvik)  
(Inuvik)  
Minister of Finance and Government  
Services

Cournoyea, The Hon. Nellie J., M.L.A.  
P.O. Box 156  
Tuktoyaktuk, N.W.T.  
X0E 1C0  
Office (403) 873-7959  
Home (403) 977-2405 (Tuktoyaktuk)  
(403) 873-8580 (Yellowknife)  
(Nunakput)  
Minister of Renewable Resources and  
Information  
Curley, The Hon. Tagak E.C., M.L.A.  
P.O. Box 36  
Rankin Inlet, N.W.T.  
X0C 0G0  
Office (403) 873-7139  
Home (819) 645-2951  
(Aivilik)  
Minister of Economic Development and  
Tourism

Erkloo, Mr. Elijah, M.L.A.  
Pond Inlet, N.W.T.  
X0A 0S0  
Phone (819) 899-8845  
(Foxye Basin)

Gargan, Mr. Samuel, M.L.A.  
P.O. Box 2131  
Yellowknife, N.W.T.  
X1A 2P6  
Office (403) 873-7999  
Home (403) 699-3171  
(Deh Cho)

Lawrence, Mrs. Eliza, M.L.A.  
P.O. Box 2053  
Yellowknife, N.W.T.  
X1A 1W9  
Office (403) 920-8052  
Home (403) 873-2457  
(Tu Nedhe)

MacQuarrie, Mr. Robert, M.L.A.  
P.O. Box 2895  
Yellowknife, N.W.T.  
X1A 2R2  
Office (403) 873-7918  
Home (403) 873-8857  
(Yellowknife Centre)

McCallum, Mr. Arnold, M.L.A.  
P.O. Box 454  
Fort Smith, N.W.T.  
X0E 0P0  
Phone (403) 872-2246  
(Slave River)

McLaughlin, The Hon. Bruce, M.L.A.  
P.O. Box 2637  
Yellowknife, N.W.T.  
X1A 2P9  
Office (403) 873-7113  
Home (403) 873-6200 (Yellowknife)  
(403) 393-2939 (Pine Point)  
(Pine Point)  
Minister of Health and Social Services

Nerysoo, The Hon. Richard W., M.L.A.  
Fort McPherson, N.W.T.  
X0E 0J0  
Office (403) 873-7112  
Home (403) 873-3182  
(Mackenzie Delta)  
Government Leader and Minister of Justice  
and Public Services

Paniloo, Mr. Pauloosie, M.L.A.  
Clyde River, N.W.T.  
X0A 0E0  
Phone (819) 924-6220 (Hamlet Office)  
(Baffin Central)

Patterson, The Hon. Dennis G., M.L.A.  
P.O. Box 310  
Frobisher Bay, N.W.T.  
X0A 0H0  
Office (819) 979-5941  
(403) 873-7123  
Home (819) 979-6618  
(Iqaluit)  
Minister of Education

Pedersen, Mr. Red, M.L.A.  
Coppermine, N.W.T.  
X0E 0E0  
Phone (403) 982-5221  
(Kitikmeot West)

Pudluk, Mr. Ludy, M.L.A.  
P.O. Box 240  
Resolute, N.W.T.  
X0A 0V0  
Home (819) 252-3719  
(High Arctic)

Richard, Mr. Ted, M.L.A.  
P.O. Box 1320  
Yellowknife, N.W.T.  
X1A 2L9  
Office (403) 873-7920  
Home (403) 873-3667  
(Yellowknife South)

Sibbeston, The Hon. Nick G., M.L.A.  
P.O. Box 560  
Fort Simpson, N.W.T.  
X0E 0N0  
Office (403) 873-7658  
Home (403) 695-2565  
(Deh Cho Gah)  
Minister of Local Government

T'Seleie, Mr. John, M.L.A.  
Fort Good Hope, N.W.T.  
X0E 0H0  
Phone (403) 598-2303  
(Sahtu)

Wah-Shee, Mr. James, M.L.A.  
P.O. Box 471  
Yellowknife, N.W.T.  
X1A 2N4  
Office (403) 873-8099  
Home (403) 873-8012  
(Rae-Lac La Martre)  
Deputy Speaker

Wray, The Hon. Gordon, M.L.A.  
Baker Lake, N.W.T.  
X0C 0A0  
Office (403) 873-7962  
Home (819) 793-2700  
(Kivallivik)  
Minister of Public Works and Highways

## Officers

Clerk Assistant  
Mr. Albert J. Canadien  
Yellowknife, N.W.T.

Clerk Assistant  
Mr. Henry Zoe  
Yellowknife, N.W.T.

Law Clerk  
Mr. Joel Fournier  
Yellowknife, N.W.T.

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

Sergeant-at-Arms  
Mr. David B. Sanguiez  
Yellowknife, N.W.T.

TABLE OF CONTENTS  
THURSDAY, OCTOBER 17, 1985

	<u>PAGE</u>
Prayer	23
Oral Questions	23
Written Questions	31
Petitions	31
Tabling of Documents	31
Consideration in Committee of the Whole of:	
- Report of the Standing Committee on Legislation on the NWT Elections Act	32
Report of Committee of the Whole of:	
- Report of the Standing Committee on Legislation on the NWT Elections Act	52
Orders of the Day	53

YELLOWKNIFE, NORTHWEST TERRITORIES

THURSDAY, OCTOBER 17, 1985

MEMBERS PRESENT

Mr. Angottitauruq, Mr. Ballantyne, Hon. Tom Butters, Hon. Nellie Cournoyea, Hon. Tagak Curley, Mr. Erkloo, Mr. Gargan, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Hon. Bruce McLaughlin, Hon. Richard Nerysoo, Mr. Paniloo, Hon. Dennis Patterson, Mr. Pedersen, Mr. Pudluk, Mr. Richard, Hon. Nick Sibbeston, Hon. Don Stewart, Mr. T'Seleie, Mr. Wah-Shee, Hon. Gordon Wray

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Thursday, October 17, 1985.

Item 2, Members' replies.

Item 3, Ministers' statements. Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Speaker. I had a Minister's statement but it is of particular concern to the Member for Tu Nedhe, so perhaps if she comes into the House I will ask for unanimous consent to return to Ministers' statements because I do not want to make it while she is not here.

MR. SPEAKER: Thank you, Mr. Wray. Ministers' statements. Item 4, oral questions. Mr. McCallum.

ITEM 4: ORAL QUESTIONS

Question 1-85(3): Investigation On Kill Of Wood Buffalo

MR. McCALLUM: Thank you, Mr. Speaker. Mr. Speaker, I have a question for the Minister of Renewable Resources. I wonder if the Minister could indicate to me what her department is doing about the kill of wood bison around the Parsons Lake road, approximately about, I think it was about a week to 10 days ago. Has there been an inquiry, or investigation, put under way? I would like some particulars. I may have some subsequent questions to that as well.

MR. SPEAKER: Thank you, Mr. McCallum. Ms Cournoyea.

Return To Question 1-85(3): Investigation On Kill Of Wood Buffalo

HON. NELLIE COURNOYEA: Mr. Speaker, I would say I appreciate the fact that the honourable Member has notified me that he would be asking a question on this matter. The renewable resources officers from our Fort Smith office responded last week to a complaint about bison hunting activities in the Parsons Lake road area and this was close to the boundary of Wood Buffalo National Park. They found a number of dead and wounded animals at the site, as well as some hunters. The individuals at the site and others were interviewed and a number of seizures were made. Further investigation led our officers to return some of the meat initially placed under seizure and this matter is still under active investigation by our officers and further comment at this time would not be appropriate. Thank you.

MR. SPEAKER: Thank you, Madam Minister. Oral questions. Mr. McCallum.

Supplementary To Question 1-85(3): Investigation On Kill Of Wood Buffalo

MR. McCALLUM: Thank you, Mr. Speaker. I have a supplementary question in dealing with this whole matter of bison and the resource management of it. Could the Minister indicate to me whether the department is contemplating establishment of a bison management board to get public involvement from all groups affected by bison management in the Territories, including resident hunters whose access to that particular sport or animal, if you like, was terminated some eight years ago?

MR. SPEAKER: Ms Cournoyea.

Further Return To Question 1-85(3): Investigation On Kill Of Wood Buffalo

HON. NELLIE COURNOYEA: Mr. Speaker, as the honourable Member is probably very well aware, the number of people who are interested in that particular herd are wide and varied. Over the last year and a half we have had several meetings in Fort Smith with the hunters and trappers association, the Metis Association, the band council, the conservation society and it appears at this time that in Fort Smith these various groups are willing to work together. We contemplate that and support that there should be a management plan. At this time we are very pleased to say that Fort Resolution in the last month has indicated that they would be willing finally to join together so that the whole complement of the people who are utilizing the herd and have special interests would be getting together at this level. In the past we had some problems in having everyone agree that they should actually sit down and do that.

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

Supplementary To Question 1-85(3): Investigation On Kill Of Wood Buffalo

MR. McCALLUM: Thank you, Mr. Speaker. Just a final question of the Minister. Does she contemplate that this inquiry or investigation that is going on now over the recent kill will take very much time? When does she see it being finalized and will she then make a statement in the House as to what really did occur with that particular kill? Or could she let me know in some other manner?

MR. SPEAKER: Madam Minister.

Further Return To Question 1-85(3): Investigation On Kill Of Wood Buffalo

HON. NELLIE COURNOYEA: Mr. Speaker, it does not appear that the investigation will take that long to conclude and I would be most pleased to deal with the honourable Member either in the House or personally. Thank you.

MR. SPEAKER: Thank you. Oral questions. Mr. Erkloo.

Question 2-85(3): Taxation Problems In Small Businesses

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. My question is to the Minister of Economic Development and Tourism, Tagak Curley. We travelled to Pond Inlet and Igloolik, concerning the businesses. They had a problem with paying taxes. Sometimes the businesses have to pay taxes to Winnipeg and other various provinces. James Britton was supposed to look into this matter. We were to be advised if there were any changes with this problem. Can you please advise me how this can be solved with the businesses? This has been a problem for quite a long time. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 2-85(3): Taxation Problems In Small Businesses

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Speaker. I have been aware of that in a lot of different communities and it is not just in the Baffin Region. There are quite a lot of businesses that are not aware of the tax revenue acts. When Jim Britton was deputy minister he was to advise on how to try and help the different businesses within the NWT; how they can get some help, how to make them understand the Revenue Canada act. There are different organizations or businesses that are increasing and we want to give some orientation to those. At the end of July the deputy minister and I were talking about this. I just started working with him in early August. I will



be advising him to proceed with what we were doing earlier and to try and get a solution to these problems for the businesses. We still have not gone through the process yet so we will try to proceed with it in the near future and I will advise you of the results.

MR. SPEAKER: Supplementary, Mr. Erkloo.

Supplementary To Question 2-85(3): Taxation Problems In Small Businesses

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. Supplementary to my comments. The businesses are well aware of the regulations or the policies about sending the different revenue taxes. It is just that the papers take a long time to go through the process of the taxation department. Sometimes they are delayed. When they have to send this on a certain date and they are delayed, they do not reach the taxation department. When they do not arrive there they start putting interest on the tax and I think that this has to be considered very closely.

MR. SPEAKER: Mr. Minister.

Further Return To Question 2-85(3): Taxation Problems In Small Businesses

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Speaker. Mr. Erkloo's comment is very true. In Arctic Bay when I was there last year the businesses were stating that the deadlines were too short a period of time. Sometimes when they have to send taxes to Revenue Canada their deadline is too short and we were going to look into this. I just want to advise you that we will be trying to look into this problem and we will be advising different businesses near the Baffin Region. We will be advising them of the procedures we are going through and get in touch with the taxation centre about these problems. Joshua Kango told us about this problem and I am quite aware of it and will try and get the taxation centre moved to a closer place. Thank you, and I will be telling you about this later on.

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

Question 3-85(3): Document On Sealing Industry

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Renewable Resources. I know that anti-trapping is quite an issue. There was supposed to be a final document with regard to the sealing industry done by the end of September I believe. I am just wondering if there was such a report done and what are the results of it? Has the government taken a position on such a report?

MR. SPEAKER: Ms Cournoyea.

Return To Question 3-85(3): Document On Sealing Industry

HON. NELLIE COURNOYEA: Mr. Speaker, I am aware of the attempt to finalize the document by the end of September. However, as you all know these delays take place, so I have not received the final copy or the tallying up of the results. We cannot respond at this time to something that we have not received. There has been a great deal of work done in terms of the lobby and the support toward trying to take some of the pressure off and redirect the anti-trapping groups to maybe something more supportive of a wise use of wildlife rather than totally going against the development of a livelihood, particularly for aboriginal people. I believe these things are actively being pursued and as soon as the report is made available we would be presenting a position here. However, Mr. Speaker, I plan before the end of this session to have a report on the activities that this government has been involved with and tabling that document at this session.

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

Question 4-85(3): Employment Potential, North Warning System

MR. BALLANTYNE: Thank you, Mr. Speaker. I have a question for the Government Leader. I believe yesterday the Commissioner in his Address mentioned the Government Leader had met with the appropriate federal committee, dealing with the north warning system. I wonder if perhaps the Leader could give us some indication of the potential for jobs, business opportunities for northerners. How would a northern company or person get in contact with the federal government in order to realize that potential?

MR. SPEAKER: Mr. Nerysoo.

Return To Question 4-85(3): Employment Potential, North Warning System

HON. RICHARD NERYSOO: Thank you, Mr. Speaker. I just signed a letter a few minutes ago to the Members of the Legislature indicating that I would like to set up a session in which I could give all those details to the Members of the Legislature. I just also want to indicate to the Member that I approved the expenditure of funds, in conjunction with the Minister of Economic Development and Tourism, to send some representatives of the business council to Ottawa to discuss with the Department of National Defence and the Department of Supply and Services, some of the requirements and criteria that would be utilized for such a project. We are hoping that we could have a larger briefing of a lot more business people here in the Northwest Territories.

Also, recently there have been other major contractors, who are interested in the large project itself that has come to the North, meeting with representatives of the business council to give them an indication of what ways they consider the northern business community could participate with them in any kind of contract submissions that they would be making. That is the extent at this particular time. We are going to be setting up a briefing session for all Members of the Legislature to have Economic Development and Tourism officials and other officials who have participated in the discussion over the past few months give a briefing to Members.

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

Question 5-85(3): Taxation Of Northern Benefits

MR. RICHARD: Mr. Speaker, my question is for the Minister of Finance and it relates to a matter that is of large concern to my constituents and to all northerners and that is the possibility that the federal Conservative government may tax what has been referred to as northern benefits or northern allowances. I am aware, Mr. Speaker, that the federal officials visited the Minister of Finance and his people earlier this year. I would ask if the Minister could advise the Assembly whether the Government of the Northwest Territories position has been put to the federal government on this issue and when is it anticipated that the federal government will advise northerners about the new tax regime?

MR. SPEAKER: Mr. Butters.

Return To Question 5-85(3): Taxation Of Northern Benefits

HON. TOM BUTTERS: Mr. Speaker, I thank the Member for giving me notice of this question yesterday. As the Member is aware the federal group from the Department of Finance was in Yellowknife early in September. At that time the territorial government co-ordinated with all agencies and organizations that have expressed an opinion on this subject in the past and set up a schedule by which they could meet with the federal consulting team. At that time the territorial government did make its position known to Henry Pawlak and his people, and it was the position that has been agreed upon in the past by this Assembly and the Assembly previous to this. The upshot of that meeting was that the group, I understand, heard three proposals made: tax deduction; tax credit; and some type of continuation of the status quo. The federal official indicated to the group that he would be presenting to his Minister an assessment of the three positions that were made known to him. Following that the team went to Whitehorse and consulted with agencies and organizations in Whitehorse.

I also arranged, since that visit, to have some consultative opportunity developed for Keewatin and the Eastern Arctic. I believe that has since occurred. Our expectation, in view of the commitment we received from Mr. Pawlak, is that there would be a feedback to the interested territories and the organizations from Mr. Pawlak and his group before the Minister made a final decision. So we would get an assessment and an opportunity to respond when we knew which way the Minister might be going. We are expecting that the consultations are still in process in the South and it is possible that they could be completed by early November. I would expect if that is the case we should be hearing something from Mr. Wilson before the end of November, as he has made known his intent to attempt to resolve that matter before the end of the year. So it is still very much in the consultative stage and we still expect, as do other organizations and agencies in the North, to have a second opportunity to look at the Minister's recommendation and position.

MR. SPEAKER: Thank you, Mr. Minister. I would like to at this time recognize in the gallery the Hon. David MacDonald, former Minister and now the person in charge of famine relief to Ethiopia for Canada. Mr. MacDonald.

---Applause

Thank you. Mr. Angottitauruq.

Question 6-85(3): Patient Escort Services, Edmonton

MR. ANGOTTITAUURUQ: (Translation) Thank you, Mr. Speaker. I am going to ask this question of the Minister of Health. In my constituency I was told by the patients who cannot speak any English that whenever they go to Edmonton they do not have any escort. One went to the hotel and the other one got stuck at the airport and she was not picked up by anybody. She had been at the airport for a while. I think this has to be solved because when any patients who cannot speak English have problems, they do not know what to do. So I am going to ask if they could get this resolved. Thank you.

MR. SPEAKER: Thank you. Mr. Minister.

Return To Question 6-85(3): Patient Escort Services, Edmonton

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. In Edmonton we have a unit in operation, in conjunction with Health and Welfare Canada. I believe they have four people in the office and we have one person, an employee of our government in the office to handle native patients who are status Indians or Inuit from northern Alberta and the NWT and the Yukon. There are taxi cabs -- specific individuals who own their own cabs have contracts to meet people at the airport. Obviously in this situation there must have been some breakdown. I personally visited this office and met with the staff there and went over the way in which they handle situations. I believe the system they have is the best you could have but obviously something went wrong on this particular day. If the Member would give me names of individuals, I will report back to him and find out specifically what happened in this particular case.

MR. SPEAKER: Is this satisfactory, Mr. Angottitauruq? Supplementary.

Supplementary To Question 6-85(3): Patient Escort Services, Edmonton

MR. ANGOTTITAUURUQ: (Translation) Thank you, Mr. Speaker. Sometimes the government employees are okay but the Inuit people usually say what they have problems with. This happened at two different times and it has to be solved. I know that the Minister of Health visited but the employees say that they do their work but sometimes they do not really do their work. When there are patients who go to the hospitals and they cannot speak English and when there are no hotels in the community they do not know what to do when they go down south. They should have somebody go with them. I would like to thank him because they have done something in Edmonton but I would like him to see that this does not happen again. Thank you.

MR. SPEAKER: Thank you. Mr. Minister.

HON. BRUCE McLAUGHLIN: Yes, Mr. Speaker. I am sorry that I did not realize that there was the translation question too. I do not believe that Health and Welfare Canada does have very much potential in Edmonton to provide services for people who do not speak English. I will undertake with my officials to find out if something could be done in the way of escorts in situations where the patients do not speak English.

MR. SPEAKER: I take it then, Mr. Minister, you are taking this question as notice and will give the Member a reply.

I would like also at this time to introduce a delegation from Fort Smith: His Worship, Harry Sudom, the mayor of Fort Smith; Raymond Beaver, chief of the Fitz Smith Native Band; and Don Webb, Chamber of Commerce for Fort Smith. Gentlemen, would you stand for a moment.

---Applause



I think I should tell Your Worship that the mayor of Hay River just left this morning with two suitcases full -- there is not much left.

---Laughter

Oral questions. Mr. Paniloo.

Question 7-85(3): New Schools For Pangnirtung And Broughton Island

MR. PANILOO: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Education. For two years now in my constituency, Pangnirtung and Broughton Island, we have had problems in the schools. The schools are old buildings. I would like to find out if they have any plans for new schools in 1987 and I would like to find this out during this session because I will have to report back to these communities.

MR. SPEAKER: Mr. Minister.

HON. DENNIS PATTERSON: (Translation) Thank you, Mr. Speaker. I will answer you tomorrow.

MR. SPEAKER: The Minister is taking the question under advisement and will reply tomorrow. Are there any further oral questions? Mr. Gargan.

Question 8-85(3): Status Of Egg Production Quota, Hay River Reserve

MR. GARGAN: (Translation) Thank you, Mr. Speaker. I am directing my question to the Minister of Economic Development. For the past two years the people from Hay River Reserve have made proposals for egg production. The last time we met in Rankin Inlet you stated that the egg marketing board would be challenged but since then there has been no reply to date, I do not know what has been happening. I wonder if the Minister could let me know the progress at this time?

MR. SPEAKER: Mr. Minister.

Return To Question 8-85(3): Status Of Egg Production Quota, Hay River Reserve

HON. TAGAK CURLEY: Thank you, Mr. Speaker. (Translation) I want him to understand that the answers I gave to the Minister were not revised. The Minister of Agriculture wrote to me in the summer that the Canadian Egg Marketing Corporation in Canada did not approve and they did not know what else to say. I will say this again in English. (Translation ends)

The situation has not changed. As I reported later during the session at Rankin Inlet the fact is that the federal Minister did try to provide a forum for us to see if we can get an agreement from the 33 member Canadian Egg Marketing Corporation. They volunteered to reject the NWT's right to establish a quota and they certainly did have the authority but since then, when they refused, the federal Minister reported to the government, to us, and stated that it was unfortunate that we were not able to get support from CEMA, the marketing corporation which has the authority to issue a set of quotas for egg production. Therefore, the course of action that he acknowledged, which I had asked about, was the possibility that we have to refer this question to the courts because we do not believe that the Canadian Egg Marketing Corporation is representing the interests of the North and therefore we believe it is unconstitutional. The Executive Council since then has approved that the case be put before the supreme court of the NWT and I believe the question is now being prepared by the Justice Department and it will be brought before the Supreme Court of Canada for ruling very shortly. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Mr. Gargan, it appears we still do not know who laid the egg. Mr. Erklou.

Question 9-85(3): Permit To Export Walrus, Igloodik

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I will be asking the Minister of Renewable Resources this question. I think you remember last winter in Igloodik when we were meeting there, they were talking about walrus and if they could send out fermented walrus. This was talked about for a long time as you probably remember and you said you were going to look into it. You said you were going to talk to or write to the Department of Health of the federal government. I would like to ask you how you did and what you came up with? Thank you.

MR. SPEAKER: Ms Cournoyea.

HON. NELLIE COURNOYEA: Mr. Speaker, yes, I am very well aware of the number of minutes that we spent on that item and I would have to take this under advisement because I do not have the report here at this time.

MR. SPEAKER: Thank you. You are taking the question as notice. Are there any further oral questions? Mr. Richard.

Question 10-85(3): Review Of Landlord And Tenant Act

MR. RICHARD: Mr. Speaker, my question is for the Minister of Justice and Public Services and it concerns the review that was to be done of the Landlord and Tenant Act. Recently, constituents who are tenants in my constituency, in one particular apartment complex, were given notice of a second rental increase this calendar year, 1985. They have formed a tenants group and met as recently as last evening with the landlord representative. The Minister is aware of the zero vacancy rate in this city, which has been in existence for some time. I believe the Minister indicated to the Assembly, Mr. Speaker -- because some people had called for a rental review board -- that any proposed amendments to the Landlord and Tenant Act would be tabled at this session. Can the Minister indicate whether the report that was made to his department by the consultant will be made public during this session and will any proposed amendments be made public during this session as well?

MR. SPEAKER: Mr. Nerysoo.

Return To Question 10-85(3): Review Of Landlord And Tenant Act

HON. RICHARD NERYSOO: Thank you, Mr. Speaker. I thank the honourable Member for giving me notice of the question. To reply positively, yes, the report will be tabled in the House and the recommendations made by the chairperson will be made available in this House and made public during this particular session.

MR. SPEAKER: Supplementary, Mr. Richard.

Supplementary To Question 10-85(3): Review Of Landlord And Tenant Act

MR. RICHARD: Thank you, Mr. Speaker. Regarding the process by which the report was prepared, I am aware that there were at least public advertisements, opportunities for citizens to appear before the contractor who did the report. However, Mr. Speaker, it has been pointed out to me that that process does not lend itself to a tenant coming forward in public to complain about the tenant's landlord in the circumstances that exist in this community, the zero vacancy rate. If the Minister is to table this report, will members of the public, particularly tenants groups, have an opportunity to put forward views to the government with a view to implementing some legislation?

MR. SPEAKER: Mr. Nerysoo.

Further Return To Question 10-85(3): Review Of Landlord And Tenant Act

HON. RICHARD NERYSOO: Thank you, Mr. Speaker. Yes, that is the intention of my making public the report so that the general public can review the recommendations that were made in anticipation of amending the legislation that now governs landlords and tenants of the NWT. I do hope that we can have that amended legislation for tabling and approval at the winter session.

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

Question 11-85(3): Arctic College Positions In Yellowknife

MR. McCALLUM: Thank you, Mr. Speaker. A question for the Minister of Education. I wonder if the Minister could indicate to me what positions are being set up for the Arctic College here in Yellowknife. What are the total number of positions? Are there one, two, three or how many?

MR. SPEAKER: Mr. Patterson.

Return To Question 11-85(3): Arctic College Positions In Yellowknife

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Now that the Arctic College has expanded to include an Eastern Arctic campus and planning is under way to establish a campus and expand college activities in the Inuvik Region, the Executive Council felt that it was time to place the president of the Arctic College close to the Ministry of Education so that he would have better contact with my ministry on financial policy and planning matters. Since the president will have overall responsibility for directing the Arctic College system as it develops in all parts of the NWT, it was felt that it would be desirable to move that officer to a location where he might not be confronted with day to day administrative matters relating to a particular campus, that is, the Thebacha campus.

I must stress that the presidency is a new position and that there will be no loss of positions to the Thebacha campus. There will be a new vice-president appointed to head that campus. In Yellowknife we are only establishing the positions of president and the secretary. Two in total. Thank you.

MR. SPEAKER: Supplementary, Mr. McCallum.

Supplementary To Question 11-85(3): Arctic College Positions In Yellowknife

MR. MCCALLUM: Thank you, Mr. Speaker. I appreciate the reply from the Minister. It is my understanding, however, that the Arctic College has transferred a recreation position to Yellowknife as well. Now, that may not be under the Minister -- maybe it is more properly addressed to the Department of Local Government under recreation, or the Department of Culture as I guess it is called now. It may be, but I just wonder if the Minister could comment on that. Is there a move to move a recreation position of Arctic College as well as a public affairs position and are there any others being contemplated, such as finance comptroller?

Further Return To Question 11-85(3): Arctic College Positions In Yellowknife

HON. DENNIS PATTERSON: Mr. Speaker, there was a public affairs position established recently in Thebacha College at Fort Smith. I believe that position has just been filled and I can assure the honourable Member that there is no intention of moving that position anywhere. Also with respect to the recreation officer position, I have never heard of any such movement. I will look into it but it certainly has nothing to do with the office of the president. I do not believe that such a move is taking place. Finally, as for the comptroller and the chief financial officer of the Thebacha campus, there is certainly no intention to move that position either. It is essential that the administration of Thebacha campus be located in Fort Smith. I hope that answers the Member's questions.

There is no net loss of positions in Fort Smith and to the best of my knowledge there are only two new positions being established in Yellowknife in connection with the new position of president of the Arctic College. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. I understand you are taking as notice the question with regard to the recreation part of the question. Are there any further oral questions? Mr. Pudluk.

Question 12-85(3): Adult Educator For Resolute

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. This is directed to the Minister of Education. I have received concerns from Resolute Bay. They have been requesting an adult educator and the Minister had written to them -- to John Ilupaalik who is the chairman of the Baffin Region Education Society. I believe the chairman had written to the Minister about this concern. I wonder if the Minister can look into this himself and see the problem.

In my community there are a lot of students who are drop-outs and they have no place to go. They have no employment to look forward to. We are very concerned about our young people who are dropping out of school. I have not received a reply to the letter I was stating earlier. I would like to get some more answers from the Minister of Education regarding my question. Thank you.

MR. SPEAKER: Thank you, Mr. Pudluk. Mr. Patterson.

Return To Question 12-85(3): Adult Educator For Resolute

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. This is one question I am glad to be asked because I am pleased to inform the Member that the Baffin Divisional Board has found a way of establishing a position in Resolute Bay and that position is now being advertised. The person hired will fulfil two functions. Firstly, to provide adult education services in Resolute Bay but secondly, the person will establish a community occupations program in conjunction with the school in Resolute Bay. This program has been highly successful in other parts of the NWT and it will be targeted at young people who may have dropped out of school or may not intend to pursue their education through to grade 12. I am pleased to inform the Member that I think the community's concerns will soon be dealt with and I thank him for his support for education. Thank you.

MR. SPEAKER: Oral questions. Item 5. Do we have any written questions for today? Mr. T'Seleie.

ITEM 5: WRITTEN QUESTIONS

Question 13-85(3): GNWT Office Of Devolution

MR. T'SELEIE: Thank you, Mr. Speaker. My question is for the Government Leader. Yesterday the Commissioner mentioned in his opening Address that the government has recently opened an office of devolution. Devolution issues such as prosecutions, forest fire suppression, water resource management, NCPC, highways, land use planning and resource management and revenue sharing were mentioned in very brief and general terms. Could the Government Leader provide a more detailed description of the operation of the office of devolution, including the planned time frame for devolution of each government service under consideration, and details regarding costs of transfer and impact of devolution on the operation of GNWT?

MR. SPEAKER: Thank you, Mr. T'Seleie. Written questions. Mr. T'Seleie.

Question 14-85(3): Trapper Incentive Grants

MR. T'SELEIE: Thank you, Mr. Speaker. I have a written question for the Minister of Renewable Resources. Could the Minister provide the following information regarding trapper incentive grants: 1) How many people received trapper incentive grants during the fiscal year 1984-85? 2) What criteria are used to determine eligibility for this grant? 3) What was the total value of trapper incentive grants paid out during the fiscal year 1984-85?

MR. SPEAKER: Thank you, Mr. T'Seleie. Written questions.

Item 6, returns. Item 7, petitions. Mr. Angottitauruq.

ITEM 7: PETITIONS

MR. ANGOTTITAUURUQ: (Translation) Thank you, Mr. Speaker. I have a petition from Gjoa Haven. This petition, Petition 1-85(3), is requesting a water lake and I have about 33 signatures on this petition. Thank you.

MR. SPEAKER: Thank you, Mr. Angottitauruq. Are there any other petitions?

Item 8, reports of standing and special committees. Item 9, tabling of documents. Mr. Pudluk.

ITEM 9: TABLING OF DOCUMENTS

MR. PUDLUK: Thank you, Mr. Speaker. At this time I would like to table Tabled Document 4-85(3), an ugly document because it is a clipping from a Montreal newspaper which was reported by William Marsden. In the ugly town -- there are three names that have been indicated in this article and I will not reveal these names at this time. I would just like the Members to see what this ugly town is. Thank you.

---Laughter



MR. SPEAKER: Thank you, Mr. Pudluk. Tabling of documents. Mr. McCallum.

MR. McCALLUM: Mr. Speaker, I would like to table two documents: Tabled Document 5-85(3), Second Report of the Standing Committee on Public Accounts and Tabled Document 6-85(3), Proceedings of the Standing Committee on Public Accounts.

MR. SPEAKER: Thank you, Mr. McCallum. Tabling of documents. Mr. Nerysoo.

HON. RICHARD NERYSOO: Thank you, Mr. Speaker. In accordance with section 39 of the Interpretation Act, I wish to report to the House on the orders, rules and regulations made pursuant to the acts of the Northwest Territories. I am therefore tabling the following document: Tabled Document 7-85(3), Numbers 4, 5 and 6 of Volume VI of Part I of the Northwest Territories Gazette; Numbers 1, 2, 3 and an Extraordinary Edition of Volume VI of Part II of the Northwest Territories Gazette; and Indices of All Regulations, Statutory Instruments and Non-statutory Instruments Made Pursuant to the Acts of the Northwest Territories for the Period from the 1st of June, 1985, to the 30th of September, 1985. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Tabling of documents. That appears to conclude tabling of documents for today.

Item 10, notices of motion.

Item 11, notices of motion for first reading of bills.

Item 12, motions.

Item 13, first reading of bills.

Item 14, second reading of bills. Item 15, consideration in committee of the whole of bills and other matters; item one, report of the standing committee on legislation on the Northwest Territories Elections Act, Bill 1-85(3), Bill 4-85(3), Bill 5-85(3), Bill 8-85(3), Bill 9-85(3), with Mr. Wah-Shee in the chair. The House will now resolve into committee of the whole.

ITEM 15: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER REPORT OF THE STANDING COMMITTEE ON LEGISLATION ON THE NWT ELECTIONS ACT

CHAIRMAN (Mr. Wah-Shee): The committee will now come to order. Mr. MacQuarrie, would you like to introduce the committee report at this time? Mr. MacQuarrie.

MR. MacQUARRIE: As soon as I have order, Mr. Chairman, I will.

CHAIRMAN (Mr. Wah-Shee): I would like to call the committee to order, please. Mr. MacQuarrie.

MR. MacQUARRIE: Okay, thank you, Mr. Chairman. Yes, the report Members are familiar with now...

MR. RICHARD: Have they been read?

Comments From Standing Committee On Legislation

MR. MacQUARRIE: I read it into the record yesterday afternoon, and I noticed that all Members were very intently listening as they are now, Mr. Chairman, to the report and therefore are very well aware of all of the recommendations. So, I will make if I may, Mr. Chairman, just a few preliminary remarks and then leave the way open to other Members to make general comments about the issues in the report. Then with the committee's permission I would start to proceed recommendation by recommendation. And by way of openers today, I need not say much more than what was said yesterday. I will just reiterate that this report came about because the House asked the standing committee on legislation to review the Elections Act, to consider problems that had been raised by a variety of people and to make some recommendations in respect of the Elections Act.

Having been given that mandate by the House and that responsibility the committee gathered together some opinions about the existing legislation. We did that by referring to the report of the chief electoral officer following the 1983 general election and by referring to comments that were made



by returning officers who had responsibilities in the 1983 general election. We also asked for input from Members of this House and from defeated candidates, all people who would have been familiar, more or less, with the existing legislation and who may have encountered problems with existing legislation. Having considered all of that input, the results are the report that you see before you today, Mr. Chairman, and I would only say in addition that in moving through the report I will try to answer what questions I can with respect to the recommendations but I will also rely on other Members of my committee to recall some of the discussion and considerations that led to these particular recommendations. That is all I have to say by way of opening remarks, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you, Mr. MacQuarrie. General comments from Members. Since there are no general comments, Mr. MacQuarrie, would you proceed with the recommendation 1, please?

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 1, that the Northwest Territories take over administration of elections in the Northwest Territories. As was pointed out yesterday, elections to this Assembly are now administered under our legislation but by the chief electoral officer's office in Ottawa; by Elections Canada, in other words. In its deliberations, the committee noted that on many fronts northern people feel that it is time to begin assuming...

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

MR. MacQUARRIE: Yes, Mr. Chairman?

CHAIRMAN (Mr. Wah-Shee): Would you be prepared to move recommendation 1, so we can discuss your motion?

Motion To Accept Recommendation 1 Of Report On NWT Elections Act

MR. MacQUARRIE: Oh, yes, okay. I move recommendation 1, that the Northwest Territories take over administration of elections in the Northwest Territories.

CHAIRMAN (Mr. Wah-Shee): Thank you. Would you like to...

MR. MacQUARRIE: ...and that I believe is seconded by -- you do not need a seconder in committee -- that is nice...

CHAIRMAN (Mr. Wah-Shee): Proceed with recommendation 1.

MR. MacQUARRIE: So I can resume legally now? Thank you, Mr. Chairman, for keeping me on the straight and narrow. The only concluding comment was that Members on the committee felt that this was an additional area where we should consider accepting responsibility, in running our own elections.

CHAIRMAN (Mr. Wah-Shee): To the motion. Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I was wondering if Mr. MacQuarrie's committee considered the financial implications. In order to do something like this we would have to have an adjustment to our base budget. Was that taken into consideration by the committee?

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

MR. MacQUARRIE: Yes, it was. That matter we recognized, that general elections, particularly, are quite expensive. We were given the figures at the time which I do not recall precisely now. However, the information that we were also given is that when new programs are assumed the opportunity is available to secure the funding for them at the same time. They would not come out of the budget as it exists now. If that is not correct then we were not given correct information but that is the way we understand it, anyway.

CHAIRMAN (Mr. Wah-Shee): To the motion. Mr. Nerysoo.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. I think if it is intended to take over this function, it is important that the tenure of the office of the chief electoral officer be guaranteed by legislation so that he has the necessary independence to conduct a free and impartial election without interference from anyone and this can only be done if his position is guaranteed by legislation. It is just a matter of adding to the recommendations made.

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

MR. MacQUARRIE: Yes, I would agree with the Minister that that would be necessary. Here we were just addressing the principle of doing it and I think we recognize that with the number of recommendations, we could not foresee, or even if we could foresee, we could not cover every exigency that would arise and -- that is a nice word -- every whatever, every detail that might arise as a result of our recommendations. So we know that further work would be required to actually implement them. That would be a very important consideration because an officer in that position would have to be independent and be seen to be independent and that will undoubtedly be a consideration, if the principle is accepted of taking over the elections. That is what is at issue right now, that the Members accept that.

CHAIRMAN (Mr. Wah-Shee): To the motion. Are you prepared for the question? To recommendation 1.

AN HON. MEMBER: Question.

Motion To Accept Recommendation 1 Of Report On NWT Elections Act, Carried

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Thank you. Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 2 Of Report On NWT Elections Act

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 2. I move that the Management and Services Board engage a chief electoral officer for the Northwest Territories and that the chief electoral officer develop a framework for running of elections in the Northwest Territories. We felt that if the principle is established -- oh, I guess I should wait until you receive the motion, Mr. Chairman, before I speak to it.

CHAIRMAN (Mr. Wah-Shee): Are you moving the recommendation 2?

MR. MacQUARRIE: Yes.

CHAIRMAN (Mr. Wah-Shee): Your motion is in order, please proceed.

MR. MacQUARRIE: Thank you, Mr. Chairman. We felt that if the principle is approved as it has been by this committee then the next necessary step is to begin the implementation process and there would have to be a chief electoral officer for the Northwest Territories and I suppose the nature of that position, whom he might or she might report to, would all have to be considered by the Management and Services Board. I assume that they would also consider at the same time the matter that was raised by the Government Leader a few minutes ago, that is with respect to guaranteeing that position in legislation. But all of those things could be considered by the Management and Services Board as they proceeded to establish this position.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I certainly support the Northwest Territories taking over the administration of elections. However, I wonder whether we should not first get a commitment from Elections Canada that we will be given this responsibility before we expend money in anticipation that the transfer will occur. I am wondering, Mr. Chairman, if we should not be recommending that the Management and Services Board solicit funds from the chief electoral officer so that a chief electoral officer for the Northwest Territories can be engaged or words to that effect. What I am questioning is whether or not we are putting the cart before the horse and really whether we might in fact prejudice our chances of getting funding from the Government of Canada to run elections if we start paying for these costs with our own funds now. So I would, perhaps through you, ask, Mr. Chairman, if the committee had considered seeking financial assistance immediately to begin this transition process and have it paid for by Canada. Thank you.

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

MR. MacQUARRIE: That does not appear specifically in the recommendations, hence Mr. Patterson has an excellent point. But I would say from the nature of the discussion that occurred that it was fairly clear that that was precisely what Members felt, that if we could not secure the funding to do this from the Government of Canada then we would not proceed. So perhaps I could invite the Member to move an amendment of the type that he suggested, that the Management and Services Board solicit funds from the Government of Canada to transfer the administration of elections to the Northwest Territories, and then engage a chief electoral officer, or something like that.

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

Motion To Amend Recommendation 2 Of Report On NWT Elections Act, Withdrawn

HON. DENNIS PATTERSON: Yes, Mr. Chairman, I will then move an amendment to recommendation 2, which would simply add, following "Management and Services Board", the words "solicit funds from the Government of Canada to" and then the text remains the same, "engage a chief electoral officer for the Northwest Territories to develop a framework for running of elections", etc. Do you want me to pass that up to you?

CHAIRMAN (Mr. Wah-Shee): No, that will not be necessary. Mr. Patterson, in regard to your amendment, the question is being raised whether the Management and Services Board has the authority to solicit funds but rather perhaps it should be the responsibility of the Government of the Northwest Territories. Mr. Patterson.

Motion To Amend Recommendation 2 Of Report On NWT Elections Act, Carried

HON. DENNIS PATTERSON: Mr. Chairman, I believe that makes sense and I would like to withdraw the amendment then and simply replace the words "Management and Services Board" with "Government of the Northwest Territories solicit funds from the Government of Canada to engage a chief electoral officer for the Northwest Territories". So the recommendation would read "That the Government of the Northwest Territories solicit funds from the Government of Canada to engage a chief electoral officer for the Northwest Territories and the chief electoral officer develop a framework for running elections in the Northwest Territories."

CHAIRMAN (Mr. Wah-Shee): Mr. Patterson, your amendment is in order. Mr. MacQuarrie, to the amendment.

MR. MacQUARRIE: Yes, trying very hard to co-operate, but there are still complications because we want funds for more than just the salary of the chief electoral officer. We would want funds for the administration of elections. So in some sense if it said that the Government of the Northwest Territories solicit funds from the Government of Canada for the transfer of the administration of elections in the Northwest Territories and then that the Management and Services Board engage a chief electoral officer, I think that would accomplish it. I am certainly not trying to put words in the mouth of the honourable Member, and there is no opposition to what he is saying but it is just trying to get something that works.

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

HON. DENNIS PATTERSON: I understand exactly what the honourable Member is suggesting, Mr. Chairman, I suppose I felt implicit in recommendation 1 is that we would seek the necessary funds and I guess I limit the request to money to engage a chief electoral officer to develop a scheme because I thought it would be easier to get money for one person than money for the whole election at this stage. I recognize that we have to go and ultimately have the money to run an election but I believe that the way the honourable Member has rephrased the amendment, we have to get all the money before we can start hiring a chief electoral officer and planning for the next election. That might be a lot harder than simply getting the money to start the planning. So that was what I had in mind in the way it was phrased, that we would go for a smaller amount initially, with the clear implication that it would lead to bigger things and more money. Thank you.

CHAIRMAN (Mr. Wah-Shee): To the amendment. Mr. MacQuarrie.

MR. MacQUARRIE: With respect to that kind of a transfer, I do not know if they are willing to transfer the money but it is clear that this is an area that federal bureaucrats are not trying to cling to. We had two high ranking officers from Elections Canada and it is clear that they are very willing to begin this transfer process as well. So I am sure that when it comes to the funds that they will be supportive in that respect.

CHAIRMAN (Mr. Wah-Shee): To the amendment. Are you ready for the question?

MR. MacQUARRIE: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour of the amendment? Opposed, if any? The amendment is carried.

---Carried

To the motion as amended.

SOME HON. MEMBERS: Question.

Motion To Accept Recommendation 2 Of Report On NWT Elections Act, Carried As Amended

CHAIRMAN (Mr. Wah-Shee): Question is being called. All those in favour? Opposed, if any? The motion as amended is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 3 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 3. I move, that the chief electoral officer receive training in Ottawa and that the next general election be run by the chief electoral officer for the NWT with support and advice from the chief electoral officer for Canada.

CHAIRMAN (Mr. Wah-Shee): Proceed, please. Your motion is in order.

MR. MacQUARRIE: Thank you. In support of it, it is clear that if we are going to make the move we should try to make it as soon as possible. There is a territorial election impending for sometime early in 1988 and it may be possible that a territorial chief electoral officer could be engaged and trained by that time. But it is clear that training would be necessary and Elections Canada indicated to us that they would be very happy to do that. If we were to select someone they would be welcome to visit Ottawa and work with Elections Canada officials on the running of a territorial election, and during the next election if that person were selected and running the election, they would still be happy to support in a variety of ways during a transition period.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Are you ready for the question?

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? Motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 4 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 4. I move that the election period in the NWT be reduced to 45 days.

CHAIRMAN (Mr. Wah-Shee): Thank you, Mr. MacQuarrie. Your motion is in order. Please proceed.

MR. MacQUARRIE: We have heard numerous comments over a period of time that the election period in the NWT as it is at present, 60 days, is simply too long. The longer it is I suppose the costlier it is. In some provinces it is as little as 30 days from the time the writ is issued to the election day. Members felt that we should attempt to reduce the period. We looked at schedules. I had asked that even the possibility of 30 days be looked at. That seemed impossible for the NWT when we examined it. However, Elections Canada officials plotted out a chart for us that showed



the framework in which various things would have to be done and it was their opinion that territorial elections could be handled in 45 days. After considering everything the committee decided that they would wish to recommend that it just be 45 days.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Are you ready for the question?

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Wah-Shee): Question is being called. All those in favour? Opposed, if any? Motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 5 Of Report On NWT Elections Act

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 5. I move that the appointment of returning officers be on a continuing basis.

CHAIRMAN (Mr. Wah-Shee): Your motion is in order. Please proceed.

MR. MacQUARRIE: Thank you, Mr. Chairman. The present act provides for returning officers to be appointed at least 180 days before the expiration of the four year term of each Legislative Assembly. If there have been vacancies they may be left until just prior to the election and over the years the problem has been that returning officers have lacked adequate training prior to an election, and when one has been lost, another has not been appointed until just before the election. So, Members felt that it would be desirable to designate people as returning officers and to retain them on a continuing basis. Of course they are paid only when they are working but they are designated in law as the returning officers for various constituencies and they hold that on a continuing basis unless -- there are the provisions for cause of dismissal and so on. But short of that, they hold it on a continuing basis and then if for some reason they need to be replaced, whether it is because they are not doing their jobs well or they resign or they die, then there is a later recommendation that we have that would speed up the process of replacing them. The first thing then is we feel that it is important to have returning officers on a continuing basis.

CHAIRMAN (Mr. Wah-Shee): Thank you, Mr. MacQuarrie. To the motion. Mr. Nerysoo.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. Just to indicate that it is a good recommendation but again any legislation developed should ensure that the returning officers be accountable only to the chief electoral officer, and to maintain an independence of this particular function as well.

CHAIRMAN (Mr. Wah-Shee): Before I go to Mr. MacQuarrie, the committee at this time would like to acknowledge the newly elected chief of Fort Simpson, Chief Gerry Antoine.

---Applause

Mr. MacQuarrie.

MR. MacQUARRIE: I thought the chairman would like also to acknowledge coffee break time.

CHAIRMAN (Mr. Wah-Shee): I have the impression the committee was wanting to...

MR. MacQUARRIE: On a roll he didn't want to stop me...

CHAIRMAN (Mr. Wah-Shee): ...continue to labour through this. However, I am quite pleased to call a coffee break.

---SHORT RECESS



CHAIRMAN (Mr. Wah-Shee): The House will now come to order. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. There was some issue when we left and I am afraid I have forgotten what it was. I had moved recommendation 5, and I cannot remember what point someone had made. Was there concern?

CHAIRMAN (Mr. Wah-Shee): To the motion. Are you ready for the question? Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I just remembered that Mr. Nerysoo had again pointed out that legislation should make sure that returning officers are accountable to the chief electoral officer. When we earlier recommended that the chief electoral officer should develop a framework for running elections, we absolutely assumed that that would be part of that type of thing that would be considered when you are setting up the regime, that they should be accountable to the chief electoral officer and not to somebody else. So if some Member feels that that needs to be stipulated specifically, okay, I think it need not be maybe. It has been referenced in the debate now and I am sure that it will be looked after.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Mr. Patterson.

HON. DENNIS PATTERSON: Do I understand, Mr. Chairman, that the committee intended simply that these people would stand by in readiness but not necessarily be paid? They would only get paid when they work?

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

MR. MacQUARRIE: That is correct. They retain the appointment all the time, unless they are removed for cause or death, or resignation or whatever. But they are paid when they work.

Motion To Accept Recommendation 5 Of Report On NWT Elections Act, Carried

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Question has been called. However there are only 11 Members and we do not have a quorum to vote. We require 13 for a quorum. I would like to ask the Sergeant-at-Arms to ring the bell for another 10 minutes. Five. Question has been called. All those in favour? To the motion. Thank you. Opposed if any? Motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 6 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 6. I move that in the case of a vacancy in a returning officer's position, that the Commissioner shall appoint a new returning officer forthwith if an election is imminent or within 60 days of the vacancy.

CHAIRMAN (Mr. Wah-Shee): Motion is in order. Mr. MacQuarrie.

MR. MacQUARRIE: The reason for the recommendation is, as has been pointed out earlier, a problem does exist with respect to the training of returning officers and their readiness for elections and if it is left too late then it is found that in certain constituencies you start to have difficulties because of inexperienced returning officers. So we want the legislation to require that when there is a vacancy the Commissioner will appoint a new returning officer within 60 days, or if there is a lesser time period than that until election, that it be done forthwith.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Mr. Paniloo.

MR. PANILOU: (Translation) Thank you, Mr. Chairman. I just want to ask, in our community there is no Commissioner. How would the Commissioner appoint a returning officer? Thank you.

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

MR. MacQUARRIE: I am sorry I did not hear the first part of the question but from the latter part it appeared to me that he was asking, if there is no Commissioner how can the appointment be made? The Deputy Commissioner is empowered to do things when the Commissioner is absent. If Mr. Paniloo was looking forward to a time when there will be no Commissioner at all, I do not have an answer for that right now except to say that may be some distance down the road.

CHAIRMAN (Mr. Wah-Shee): To the motion. Question has been called. All those in favour? Thank you. Opposed, if any? Motion is carried.

--Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 7 Of Report On NWT Elections Act

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 7. I move that section 6 be amended to make it clear that if a returning officer is not carrying out the duties or instructions of the chief electoral officer, that the Commissioner may remove the returning officer.

CHAIRMAN (Mr. Wah-Shee): Motion is in order. Please proceed, Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. This may seem like a strange one. In the existing legislation there is provision for circumstances where the returning officer is not handling the duties properly and so on. But it was pointed out to us by Elections Canada that there have been circumstances where someone who has been given the responsibility simply does not carry out the duties. Won't do them. And in that case there was not a specific provision that empowered their removal. This addresses that circumstance, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Do I hear a question? Mr. T'Seleie.

MR. T'SELEIE: Mr. Chairman, I wanted to ask for consent of the committee to go back to general comments. I do not know if that is proper.

CHAIRMAN (Mr. Wah-Shee): Are there any nays? Mr. T'Seleie, proceed with general comments.  
---Agreed

Timing Of Elections

MR. T'SELEIE: Mr. Chairman, one of the concerns I had with the Elections Act is that, at least in my constituency -- I do not know about the other ones but in my constituency the timing of territorial elections conflicted with the -- it happens at a time when a big group of people are on the land. It happened in November. I wrote a letter to the legislation committee. I outlined my concerns about residency requirements for voting in territorial elections but I cannot remember if I addressed in the letter the timing of the elections. I would like to ask the chairman of the legislation committee whether or not this concern about the timing of the elections came up and I would also like to ask the chairman under what authority is this timing of the territorial elections defined. I would like to know the authority from where it comes. Those are my questions to the chairman.

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

MR. MacQUARRIE: I am aware that Mr. T'Seleie informed the committee about his concerns about residency requirements and because of that, that matter was discussed by the standing committee in Frobisher Bay. With respect to the timing of elections, though, I am not aware that you had requested that be discussed and it was, in fact, not discussed. The answer to your question about what authority governs the timing comes from the fact that under the NWT Act we have set four year terms so that, for example, the 10th Assembly's term ends on December 22, 1987. Our mandate runs until that time. We were elected in November and by the time the writs are returned it is December or something, so four years from then is our term. We run out of time on December 22, so the election must take place sometime after that. By the time you issue writs for a new election, the next election will probably be February or March of 1988. The time lapse between the end of term and the election has some flexibility because the Commissioner can do it quickly after the term runs out or prolong it a little longer if he wishes, although I suspect that he would be reluctant to do that.

There could also be some flexibility in the fact that the Assembly Members could presumably agree, if they wanted to, if timing was a very big concern, they could agree as a whole to bring the term to an end prior to December 22, 1987, but even then we would have to request the Minister of Indian Affairs, I believe, to do that. It is not something that we could just decide ourselves. Maybe that does not fully answer your question but as I understand it that is how the timing of elections is now governed. We just do not have complete flexibility in it at all and you may notice that gradually election time is moving through the year. In 1979, the election was held in early October, I think it was. In 1983, it was held in mid to the third week of November and it appears that the next one will be held in January, February or March of 1988 and the next one after that would be another month or two further into the year. It seems that that is the way the timing goes.

CHAIRMAN (Mr. Wah-Shee): Thank you. Does anybody else want to make a general comment?  
Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, I just did not get an opportunity to say that I thought the committee did very good work generally and I attribute it to the healthy atmosphere of my constituency. It is a good place to have meetings and think clearly away from the distractions of the capital, the city, and I am grateful that the Members were able to meet in such a pleasant setting. Thank you.

CHAIRMAN (Mr. Gargan): Thank you. Mr. MacQuarrie, to the motion.

MR. MacQUARRIE: Where we had to stay, yes, deals, eh? I would just like to thank the Member for his gracious comments and certainly our Members enjoyed the meeting there very much and I do not know whether Mr. Patterson arranged it. I am aware that he has a great deal of power in the Baffin but I do not know if it extends to the weather or not but it was excellent weather when we were there and we were away from the distractions in the unholy city. So we just worked, I guess it was from 6:00 in the morning until midnight, I think -- something like that. Well, not quite that long...

MR. McCALLUM: They were long.

MR. MacQUARRIE: Yes, we did work hard.

CHAIRMAN (Mr. Gargan): Thank you, Mr. MacQuarrie. To the motion. Question has been called. All those in favour? This is recommendation -- where are we?

AN HON. MEMBER: I thought we were on recommendation 5.

CHAIRMAN (Mr. Gargan): Mr. Nerysoo.

HON. RICHARD NERYSOO: Sorry, Mr. Chairman, did we conclude recommendation 6?

CHAIRMAN (Mr. Gargan): Yes, recommendation 6 is concluded. We are on number 7 now. Mr. Nerysoo.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. I am wondering if we could return to recommendation 6?

CHAIRMAN (Mr. Gargan): Mr. Nerysoo, this motion has already been carried. Mr. Nerysoo.

HON. RICHARD NERYSOO: Well, I cannot make a general comment, Mr. Chairman, with regard to that recommendation. It has been dealt with.

CHAIRMAN (Mr. Gargan): All right, Mr. Nerysoo. We need unanimous consent. Is it agreed then?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Gargan): Mr. Nerysoo. Okay, we are on recommendation 7 and question has been called. All those in favour of recommendation 7? Mr. Nerysoo. To the motion.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. In this particular case, I think -- and I could refer to recommendation 6 since it says section 6 here -- that the appointment of returning officers should not be really the responsibility of the Commissioner. It should be the

responsibility of the chief electoral officer. In the case of the federal government it is the chief electoral officer that chooses the returning officers and as such it should not be the Commissioner that removes the returning officers but rather the chief electoral officer. It is just that point I wanted to raise.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Nerysoo. Mr. MacQuarrie.

MR. MacQUARRIE: Well, I am not sure of the legalities but it would seem to me that it may be required that the Commissioner appoint them but certainly their dis-appointment would be subject only to the chief electoral officer or something. But your comments are noted and I am certain will be taken into account in dealing with the recommendations, Mr. Minister.

Motion To Accept Recommendation 7 Of Report On NWT Elections Act, Carried

CHAIRMAN (Mr. Gargan): Thank you, Mr. MacQuarrie. Question has been called. All those in favour? Opposed, if any? Abstentions? This motion is carried.

---Carried

Mr. MacQuarrie.

Qualifications Of Electors

MR. MacQUARRIE: I am not sure how to deal with it at this point, Mr. Chairman, because I know that residency requirement was a concern of at least one Member and perhaps more and the committee did discuss the issue but we decided not to recommend it be changed. Therefore, there is no recommendation but I think the committee is not opposed to anyone discussing that matter but I am not sure whether the rules of the committee would allow it since we do not specifically have a recommendation. So I leave that in your hands as to whether at the end of it all somebody would want to come to that point or something. It is not that we want to avoid a discussion of it, it is just not a recommendation.

AN HON. MEMBER: Which one are you talking about?

MR. MacQUARRIE: The residency of one year. You see it is no recommendation. It just says "qualifications" and we are not recommending any changes to the residency requirements.

CHAIRMAN (Mr. Gargan): Mr. MacQuarrie, with regard to the report on the Elections Act, all the recommendations are up for discussion and if we do not require any discussion with this particular recommendation 8, then we will just go to the next recommendation.

MR. MacQUARRIE: So you want me to address...

CHAIRMAN (Mr. Gargan): If you want to, Mr. MacQuarrie. If not, we can skip it and go to recommendation 9.

MR. MacQUARRIE: What I am saying is that there is now in the body of the report, between recommendations 7 and 8, a title "qualifications of electors". Under this I state that my committee did discuss the question of residency requirements and came to the conclusion that we would not recommend a change in residency requirements. Hence there is no recommendation in the report about that but I do not want to try to prohibit Members from discussing that matter here if they would like to. My only question is, when would you like to do it? I am prepared to go on with recommendations 8, 9, 10, then at the end somebody may say "I still have another matter I want to discuss." Just whatever way you want to do it, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. MacQuarrie. Do any Members wish to discuss the qualifications of electors? Ms Cournoyea.

HON. NELLIE COURNOYEA: Mr. Chairman, the committee has stated that they would not make a recommendation to change the voting time to anything else but what it is today. I would like to support that in this instance we support the ongoing problem on residency.

CHAIRMAN (Mr. Gargan): Thank you. Is that agreed by the committee?



SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Gargan): Thank you. Recommendation 8.

Motion To Accept Recommendation 8 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 8. I move that the issue of whether judges and inmates should receive a vote should be discussed by the Legislature after the report of the federal privileges and elections committee has been tabled in Ottawa.

CHAIRMAN (Mr. Gargan): Your motion is in order. Question is being called. All those in favour? Opposed, if any? This motion is carried.

---Carried

Recommendation 9. Mr. MacQuarrie.

Motion To Accept Recommendation 9 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 9. I move that section 12(1) concerning "persons in receipt of pay disqualified" be deleted.

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

MR. MacQUARRIE: Just to explain. It is fairly short and I will read it. There is a section in existing legislation that says "Every person, except one legally employed as set out in subsection (2), who is employed by any person for pay or reward in reference to an election in the electoral district in which that person would otherwise be entitled to vote is disqualified from voting and shall not vote in the electoral district at that election." Now, if anybody here can tell me precisely what that means, I would be very happy. We discussed it in committee and it was not clear exactly what people are being alluded to. It seemed to us that it was attempting to ensure that the practice of buying votes was not acceptable, that this was an offence. We feel that that type of offence is covered adequately elsewhere and that this confuses the issue. We may be wrong about that but we could not sort it out any other way. So we are recommending that it be deleted, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. MacQuarrie. To the motion. Question is being called. All those in favour? Opposed, if any? Motion is carried.

---Carried

Recommendation 10. Mr. MacQuarrie.

Motion To Accept Recommendation 10 Of Report On NWT Elections Act

MR. MacQUARRIE: I move that section 15 be rewritten to look at the concern of temporary residence and if this concept is not necessary, to delete all sections dealing with temporary residence.

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

MR. MacQUARRIE: There may be many Members who are interested in this, so I will explain a little bit about the situation. You can have circumstances such as at Thebacha College in Fort Smith or Tuk Tech or wherever, where for a period of time -- and sometimes it can be a very short period of time, maybe two months -- students come to those communities to take a course. If an election falls at that time, the legislation seemed to be unclear in the past and it seemed to permit people in that circumstance to vote in the community where they were going to school, although they were clearly residents of another community and intended to return to another community. It seemed, in view of the small population in the Territories, that in fact circumstances like that could determine an election. So you would have an election being determined by non-resident voters in a constituency. It appeared to the committee that this situation may worsen in that there could be a spread of campuses where students are coming for a very short term.



The committee discussed for some period of time whether that was a problem, first of all. Should it be addressed and if it should be, how should it be addressed? In the end it seemed to be committee thinking that in fact the question of temporary residence is perhaps an invalid concept entirely and that is what is confusing the issue. It is clear that every eligible voter is entitled to claim a residence. So everybody who is 19 years of age, a citizen of Canada and has lived in the NWT for one year, is therefore eligible to vote and that person is entitled, in good conscience, to claim some community as his residence. What the committee felt then, was, if that person is going for a very short term to some other community, knowing that he will be returning to his own community, then the idea of temporary residence is not valid. He is still a resident of the community that he came from. We underlined that in another recommendation where we will try to make it as simple as possible for that person to proxy vote back where he came from.

We felt further that if you had a situation where somebody has just moved to a community when the election is called, even though he has been there a short time, if he has been a resident of the Northwest Territories, he is 19 and is qualified to vote, we believe that he is entitled to say that the new place he has moved to is his residence and that he ought to be entitled to vote there.

Consequently if you had a student going to Thebacha College for a 10 month course and that student had come, let's say, from Gjoa Haven, but he says "When I leave Fort Smith I am not going back to Gjoa Haven. I am not sure yet where I am going", then that person in good conscience could say Fort Smith is now his residence. He is entitled to a residence. Whereas in the case of another student who clearly was going back, he would not be able to say that in good conscience. So the committee in the end felt that perhaps a lawyer ought to examine this more carefully and see whether we can do away entirely with the concept of temporary residence; that you are a resident in one community or another and that is the end of it. Everybody is entitled to one residence. So that is what is behind this particular recommendation.

CHAIRMAN (Mr. Wah-Shee): Thank you, Mr. MacQuarrie. To the motion. Question has been called. All those in favour? Mr. Nerysoo.

HON. RICHARD NERYSOO: Thank you, Mr. Chairman, the only thing that I would do is caution the idea of, without a legal review, removing the idea of a temporary residence because these parts of the legislation were introduced to cover situations where NWT residents were away from home. To remove these sections would or could deprive these individuals of the right to vote. I think that in removing them and considering them, it is in our interest to ensure that it does not in any way conflict with the Canadian Charter of Rights and Freedoms. So any kind of amendment that might be introduced, I think, should be reflective of that particular charter as well.

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

MR. MacQUARRIE: Yes, I take note of the Minister's concerns and whoever is actually doing the review and rewriting ought to as well, I think. Certainly it was not the committee's intention, I want to make that very clear, to deny the vote to bona fide NWT residents who may be on a year's leave of absence at a university or something like that, who intend to return to the Northwest Territories. They are residents of the Territories and they by proxy ought to be entitled to vote in their communities. That was clear. It was only within the Territories, where you have people moving from one community to another on a very short term basis, where the problem was arising and it is to address that problem that this recommendation is made.

Motion To Accept Recommendation 10 Of Report On NWT Elections Act, Carried

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion. Question has been called. All those in favour? Thank you. Opposed, if any? Motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 11 Of Report On NWT Elections Act

MR. MacQUARRIE: Recommendation 11, Mr. Chairman. I move that section 19, concerning persons ineligible as candidates be given to a lawyer to be rewritten to make it less restrictive and in line with the Charter of Rights and Freedoms. The section should, however, include ineligibility where there is a clear danger to the public interest.

CHAIRMAN (Mr. Wah-Shee): Thank you, Mr. MacQuarrie. To the motion.

MR. MacQUARRIE: Thank you, Mr. Chairman. The section on persons ineligible as candidates, disqualifies as candidates a great many different people including those who may be engaged in certain business activities. If one were to read section 19, it becomes terribly convoluted with exceptions and exceptions to exceptions. The fact is that there is danger of disqualifying people who do not have a direct, clear, personal interest in a financial institution and yet who would be disqualified because in some way they are related to it. We feel again that for our small population we should not be arbitrarily disqualifying people from being candidates for technicalities. The real concern is that once someone is elected that he does not use the position in order to advance personal interests, and that can be addressed in another way, rather than just by arbitrarily preventing whole groups of people from running.

For example, I think the question could arise as to whether participants in a native development corporation in some way might be ineligible because they are shareholders in the corporation. I think the spirit of the legislation did not intend that people like that should be disqualified from being candidates. It is pulled from the Canada act again, applied to a different circumstance entirely. So we feel that it could be addressed without any jeopardy to the public interest, making it possible for more people to be candidates and just trying to safeguard the public interest should they be elected. That is all I have to say on that one, Mr. Chairman.

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

HON. RICHARD NERYSOO: Just to help the standing committee, we certainly would offer the assistance of our constitutional law section in the Department of Justice to deal with this particular situation.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Curley, to the motion.

HON. TAGAK CURLEY: Yes, Mr. Chairman, just to point out, the Member indicated that there is some concern with respect to some of the organizations, corporations. Is potential conflict what you are probably talking about? Why single out one type of corporation? Why not include all other professions, such as lawyers for instance, who are you know, profit oriented? I would just like to ask the Member why he refers to a single type of company or profession in the North in his remarks?

CHAIRMAN (Mr. Wah-Shee): Mr. MacQuarrie. Vice-chairman, Mr. McCallum.

MR. McCALLUM: Mr. Chairman, I think that Mr. MacQuarrie was just raising a concern, and used it as an example of what could happen. I do not think that there was anything untoward put forward in his remarks on it. What we are trying to do is to make it more applicable to the North, not to suggest that they are the only ones that could be affected. There are other groups, and he just raised it as an example. I do not think that there was anything untoward to it, so nothing was meant by it. If you want, there are other examples that could be brought forward, but I mean what we are trying to do here is to ensure that the act is appropriate to the Northwest Territories, not to cast aspersions on any particular group, whether it is a native development corporation or whatever. It could be any kind of a group.

We recognize that this particular section 19 is confusing to anybody, and we are only talking about those people being eligible to run as candidates, and we think that there were certain aspects of this that may be against the Charter of Rights and Freedoms as well. So, Mr. MacQuarrie was simply giving an example of the possibility that somebody who is involved with a corporation may be ruled ineligible to run as a candidate, and we think that that is wrong. But, there was nothing untoward being put forward by Mr. MacQuarrie's remarks.

Motion To Accept Recommendation 11 Of Report On NWT Elections Act, Carried

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

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 12 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 12, Mr. Chairman. I move that the conflict of interest section of the Legislative Assembly and Executive Council Act be reviewed by the Management and Services Board to ensure that the public interest is safeguarded.

CHAIRMAN (Mr. Wah-Shee): Mr. MacQuarrie, to the motion.

MR. MacQUARRIE: This one goes in tandem with recommendation 11, because in number 11 we were saying that it should be easier for people to become candidates. There should not be so many technical restrictions on people who can be candidates for office in territorial elections but then we recognize that there could be some danger to the public interest and therefore in number 12 we are saying, we would simply like, if recommendation 11 is accepted that recommendation 12 also be accepted so that we can assure the public that we are securing the public interest by ensuring that people who might have a conflict of interest are not able to serve themselves by virtue of holding public office.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 13 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 13. I move that the section on nomination of candidates be referred to Elections Canada to be cleaned up so as to make the process as fair and easily accomplished as possible while still safeguarding the candidate's candidacy.

CHAIRMAN (Mr. Wah-Shee): Mr. MacQuarrie, to the motion.

MR. MacQUARRIE: It was felt that there are, again, perhaps too many complications in the way of people who would wish to be candidates at an election and that was agreed to by Elections Canada officials as a matter of fact, and it is felt that a rewrite could be done so as to make sure that the process is fair and that a candidate's candidacy is secure but that the whole process is as easily accomplished as possible.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 14 Of Report On NWT Elections Act

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 14. I move that section 21(1) be amended to increase from 10 to 25 the number of persons required to nominate a candidate.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. MacQuarrie, to the motion.

MR. MacQUARRIE: Thank you, Mr. Chairman. The majority of the committee felt that there should be a stronger display of support before anyone is entitled to become a candidate. If I may just say -- and I run into this problem every once in a while, Mr. Chairman -- that is as the chairman of

the standing committee on legislation I am advancing this motion on behalf of the committee, yet I must say that it is not one that I support personally. I did not like to see this move made, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Pudluk, to the motion.

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. Recommendation 14. I cannot support this motion because with the smaller communities we have to travel to the communities only by air and it is very expensive to visit the other communities and sometimes in one small community there would not be 25 people at all nominating that candidate, perhaps if there were five, 10 nominations for the candidate -- there would not be 25 people nominating the candidate because I know of one community where that is so. If I were to go to speak with the public, I would have to visit the communities just trying to get nominations within my district. It would not be very fair to travel to the communities just to get nominations. The old section 21, the old "10" one, perhaps it might be increased by a few numbers but I think it is going to be impossible to get 25 nominations from a small community.

Motion To Amend Recommendation 14 Of Report On NWT Elections Act

I would like to amend the recommendation to delete that 10 nominations and to put in 15 nominations, that 15 nominations be required for a candidate. Thank you.

CHAIRMAN (Mr. Wah-Shee): Mr. Pudluk, just for a point of clarification, are you recommending in your amendment that instead of 25 it would be 10 to 15, is that correct?

MR. PUDLUK: Yes.

CHAIRMAN (Mr. Wah-Shee): Okay. Mr. Pudluk, your amendment is in order. To the amendment. Mr. MacQuarrie.

MR. MacQUARRIE: Okay, I have taken my hat off as chairman of the standing committee and as an ordinary Member I will support Mr. Pudluk's motion. I agree that in smaller communities, it could be hard to get 25. I also say that in trying to make it more, in a sense it contradicts another recommendation, that is, to try to make the process as easily accomplished as possible. My final point is that having names on a nomination paper is no proof of support anyway because I am well-aware of a circumstance in Yellowknife where a candidate must have had at least 10 names on a nomination form and yet wound up with three votes on the night of the election. So, it is not proof of support anyway and I will support Mr. Pudluk's amendment.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Erkloo, to the amendment.

MR. ERKLOO: (Translation) Thank you, Mr. Chairman. I am also a Member of that legislation committee and I supported it but I am feeling the same way as Mr. MacQuarrie is now and supporting Mr. Pudluk. For instance, in Sanikiluaq there were five candidates nominated. I think they would have a hard time in Sanikiluaq if this recommendation is not amended. Thank you.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the amendment. Mr. Butters.

HON. TOM BUTTERS: Just to say, Mr. Chairman, that I agree with Mr. MacQuarrie. I do not think the number of supporters on the nomination paper really means that much. In fact I would not see that there may be any reason for changing from the current number. I do not think there is any abuse of the system as it is currently composed and I would even see leaving it as it is. I notice that when the committee did discuss the matter that there was difference of opinion on this so I guess the amendment would be supported.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the amendment. Mr. Pudluk.

MR. PUDLUK: (Translation) I just wanted to add that when you try to talk to the people in Inuktitut sometimes the translation is a little bit different. Only ones that can read English are able to understand. I think people are just starting to understand about nomination of candidates. There are a lot of Inuit that have misunderstood and thought that if they nominate



that person they have to elect that person too. I know even if you put your name for the nomination you could elect somebody else. There are a lot of people that do not understand this. For this reason I wanted the number smaller than 25. Thank you.

CHAIRMAN (Mr. Wah-Shee): To the amendment. Question has been called. I gather question has been called but we lack a quorum to vote on this very important amendment. Sergeant-at-Arms, please ring the bell. For Members' memories in regard to House rules, when a vote is called, the Member has to be sitting in his or her chair in the event of a dispute.

---Laughter

Motion To Amend Recommendation 14 Of Report On NWT Elections Act, Carried

Question has been called. To the amendment. All those in favour? Opposed, if any? The amendment is carried.

---Carried

Motion To Accept Recommendation 14 Of Report On NWT Elections Act, Carried As Amended

The motion as amended. Question has been called. All those in favour? Opposed, if any? Motion as amended is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 15 Of Report On NWT Elections Act

MR. MacQUARRIE: Thank you, Mr. Chairman. Recommendation 15. I move that the section include a provision for candidates to be able to file nomination papers in any community.

CHAIRMAN (Mr. Wah-Shee): Thank you. Your motion is in order. Question has been called. All those in favour? Mr. Pudluk, to the motion.

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. I do not think I really understand this recommendation. There is just one returning officer in the communities. Would I have to go to the returning officer to file nomination papers or would the returning officer go to communities? I just want to get this clarified even though I agree with the recommendation.

CHAIRMAN (Mr. Wah-Shee): Point of clarification. Mr. MacQuarrie.

MR. MacQUARRIE: The intention is that the returning officer would designate someone in each community who would have the authority to receive nomination papers so that candidates in little communities do not have to try to get somewhere else in order to file their nomination papers. Mr. McCallum pointed out something to me and maybe I should clarify it. I do not think it requires an amendment but the way it is written it says "the section include a provision for candidates to be able to file nomination papers in any community". The clear intention was in any community in the constituency in which the candidate is running, that someone from Yellowknife could not file his nomination papers in Rankin Inlet or somewhere else. It has to be a community within the constituency but I think that is understood and probably does not require an amendment then, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): To the motion. Mrs. Lawrence.

MRS. LAWRENCE: Thank you, Mr. Chairman. I have a question regarding returning officers. We are able to file any nomination paper in any community. Does that mean then that we can file any nomination paper -- I am speaking for my community of Snowdrift; they do not have a returning officer there except in Fort Resolution. Does that mean then I can do it in Snowdrift? It does not necessarily have to be in Fort Res?

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

MR. MacQUARRIE: Thank you, Mr. Chairman. That is the intention, yes. That in the future perhaps the returning officer would still be in Fort Resolution but there should be a provision in the legislation that enables that returning officer to designate somebody in Snowdrift to have the authority to receive nomination papers so that someone in Snowdrift does not have to try to get to Resolution in order to file. That is the intention.

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

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I was just wondering and maybe the chairman of the legislation committee could clarify for me, does the existing legislation right now allow or would he contemplate new legislation allowing for the chief returning officer who would obviously be in Yellowknife, to accept nomination papers? For example, previous to an election Members might be here. For example, Ministers or other Members might live in Yellowknife and, you know, school might not be over or for some reason on a particular day when they have to get their papers in, they might want to do it in Yellowknife rather than with their constituency. For example, they could have students who are eligible to vote in their own riding actually nominate them when they are living at Akaitcho Hall. So, therefore, in other words, could a candidate have his papers filed with the chief returning officer in Yellowknife rather than with the returning officer in his constituency?

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

MR. MacQUARRIE: The answer to the question is that that matter was not considered by the committee. Whether it should be considered or not is certainly up to the Member although it might be said that successful candidates file their nomination papers in their constituency.

CHAIRMAN (Mr. Wah-Shee): To the motion.

AN HON. MEMBER: Question.

Motion To Accept Recommendation 15 Of Report On NWT Elections Act, Carried

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 16 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 16. I move that section 21(1) be amended to delete the requirement to include the occupation of those persons nominating a candidate.

CHAIRMAN (Mr. Wah-Shee): The motion is in order. To the motion, Mr. MacQuarrie.

MR. MacQUARRIE: We were simply looking for ways to simplify things as much as possible. We see no need to find out the occupation of the person nominating.

CHAIRMAN (Mr. Wah-Shee): To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 17 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 17. I move that section 21(1)(h) be amended to make Hudson's Bay and Co-op drafts legal tender for nomination fees.

CHAIRMAN (Mr. Wah-Shee): Your motion is in order. To the motion. Mr. Curley.

HON. TAGAK CURLEY: Mr. Chairman, would that include ACL?

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

MR. MacQUARRIE: (inaudible comment)

CHAIRMAN (Mr. Wah-Shee): To the motion. Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 18 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 18. I move that the section include a provision to allow for the option of individual witnesses, or for the official agent to serve as witness for all nominators.

CHAIRMAN (Mr. Wah-Shee): The motion is in order. Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 19 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 19. I move that proxy voting be opened up to permit any elector who will not be in his constituency on polling day, or one of the advance polling days, to be allowed to vote by proxy.

CHAIRMAN (Mr. Wah-Shee): The motion is in order. Question has been called. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. There are a few on proxy, so I will just give a little preliminary. Right now there are long categories of people who can vote by proxy and who cannot and to us it did not seem to make sense. We say every bona fide elector is entitled to vote. If they cannot be there on one of the polling days, we should make it possible for them to vote and so we are recommending that the proxy be opened up considerably.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. Pudluk. To the motion.

MR. PUDLUK: (Translation) Maybe it is because I do not really understand about this. What about the people who are in outpost camps?

MR. MacQUARRIE: I am not sure whether there are polls established in some outpost camps. I believe there are -- no, somebody is shaking his head saying, no, not at all. Then people in that category, it would be clear, would be entitled to vote by proxy if you opened it up. I am assuming that even though they are not living directly in a particular community that they are related to that community and from time to time may be living there and that they ought to be able to make arrangements to have someone vote by proxy for them from that particular community.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 20 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 20. I move that the method of voting by proxy be as simple as possible, concluding with a simple declaration before the deputy returning officer at the poll concerning one's eligibility to vote by proxy for another voter.

CHAIRMAN (Mr. Wah-Shee): The motion is in order, Mr. MacQuarrie. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 21 Of Report On NWT Elections Act, Carried

MR. MacQUARRIE: Recommendation 21. I move that there be a provision that persons voting by proxy must come from the constituency, but not necessarily from the same polling division, as the voter conferring the proxy.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Wah-Shee): Question has been called. Mr. T'Seleie.

MR. T'SELEIE: I wonder if I could ask Mr. MacQuarrie whether or not there is a section in the Elections Act that covers whether or not students and people like that who go to the South are allowed to vote by proxy?

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

MR. MacQUARRIE: There are provisions now that would enable that particular category but what we are changing would make it even broader than that; that anybody who is a bona fide elector -- by that I mean they are 19, they are residents of the Territories, they are Canadian citizens -- if they cannot be in a community for election day, can make arrangements to vote by proxy, just wherever. So, it would certainly include students who are bona fide residents and living elsewhere, but it would include many other people as well.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. T'Seleie.

MR. T'SELEIE: I wonder if I could ask Mr. MacQuarrie whether the committee knows whether or not this is a widespread practice that is being done. My feeling is that people should be in the Northwest Territories to vote. It is new to me.

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

MR. MacQUARRIE: The question as to whether it is a widespread practice or not, I cannot answer, Mr. Chairman. I do know that it was part of the legislation before and that there were restrictions on it but some of them seem to be rather arbitrary and so we have cleared away those restrictions but it does not change the ability of students to vote who are outside of the Territories. That was part of the legislation before and presumably the idea is that they are residents of the Northwest Territories because they intend to return to the Northwest Territories.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the motion.

AN HON. MEMBER: Question.



CHAIRMAN (Mr. Wah-Shee): Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 22 Of Report On NWT Elections Act

MR. MacQUARRIE: Recommendation 22. I move that there continue to be only one proxy per elector allowed.

CHAIRMAN (Mr. Wah-Shee): Thank you. The motion is in order. To the motion. Ms Cournoyea.

HON. NELLIE COURNOYEA: Mr. Chairman, in regard to some of the problems that we have with people in outpost camps. If you are going to cut down the period of time of election from 60 to 45 days, many times it makes it quite difficult if people are in the outpost program or on the land for a great deal of time and it seems to me that in some circumstances there should be more than one proxy per elector. In some of the outpost camps we have up to about 12 to 15 people and oftentimes it is not possible for these people to have one person come out to pick up each proxy individually. I feel that at this time in respect to people who are not staying in a given community and who are pursuing their livelihood on a more full-time basis on the land, there should be the opportunity to perhaps make it a little fairer.

Motion To Amend Recommendation 22 Of Report On NWT Elections Act, Carried

Perhaps it could be that there be three proxies per elector.

CHAIRMAN (Mr. Wah-Shee): Is that an amendment, Ms Cournoyea? To the amendment. The amendment is in order. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Chairman. I agree with the amendment. The only case in which I can envisage proxies being used in my constituency would be with respect to outpost camps. There are around four outpost camps in my constituency and some of them have up to six or more adults. What happens is that they would likely receive this information through a visit possibly by airplane. They would I think in most cases want to give a relative in Frobisher Bay the chance to vote on their behalf. I do agree that it would be a bit much to have up to 10 votes resting with one person but I think if we were to expand this to three as the Member for Nunakput has suggested, it would make it easier for people in an outpost camp to actually be allowed to vote.

I know that at the last election there were people in an outpost camp who found the procedure so complicated that they ended up not being able to vote. I think this is a good compromise and I think it would likely mean that you still have relatives or friends acting for groups of people in camps. I think it is probably also true they might tend to vote the same way since they are usually related. I would support the amendment and I do not really see that there are any dangers in making it that way. I think it simply would be more convenient for people who are isolated and cannot just pick up a phone or drop something in the mail. They usually would have to make a trip at considerable expense. I think this amendment will give them an opportunity to vote that they have not had up until now. Thank you.

CHAIRMAN (Mr. Wah-Shee): To the amendment. Mr. MacQuarrie.

MR. MacQUARRIE: Mr. Chairman, personally I have no problem with the amendment. I think that by including any kind of restriction it is merely a recognition that there could be a concern about the wholesale abuse of proxy voting, soliciting and so on. I do not think that three infringes that at all. You still have a reasonable limit on that and yet the purpose is to try to enable people who are entitled to vote to vote in fact. This perhaps will help to accomplish that so I can support that amendment.

CHAIRMAN (Mr. Wah-Shee): Thank you. To the amendment. Question has been called. All those in favour? Opposed, if any? The amendment is carried.

---Carried

Motion To Accept Recommendation 22 Of Report On NWT Elections Act, Carried As Amended

To the motion as amended. Question has been called. All those in favour? Opposed, if any? The motion as amended is carried.

---Carried

Mr. MacQuarrie.

Motion To Accept Recommendation 23 Of Report On NWT Elections Act

MR. MacQUARRIE: Recommendation 23. I move that a provision be included that it is an offence to solicit proxy votes but not an offence for candidates to provide information on the opportunity and the method of proxy voting.

CHAIRMAN (Mr. Wah-Shee): Your motion is in order. To the motion. Ms Cournoyea.

HON. NELLIE COURNOYEA: Mr. Chairman, just a matter of clarification. What would "solicit" really entail, with using that word. What would be the parameters of "solicit"?

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

MR. MacQUARRIE: Perhaps Ms Cournoyea would like to put that to the Law Clerk of the Assembly. To me, it would mean someone who attempts to persuade someone not to exercise their own vote but to put the vote in the hands of this particular person. Where the intent is merely to observe that someone will not be in a position to vote and that they might wish to vote by proxy and explaining what proxy means and how it can be done, that would not be soliciting proxy votes.

CHAIRMAN (Mr. Wah-Shee): We will take a 10 minute break now.

---SHORT RECESS

Order please. Mr. Paniloo.

MR. PANILOO: (Translation) I am making a motion to report progress. Thank you.

CHAIRMAN (Mr. Wah-Shee): A motion has been made to report progress, which is not debatable, but I require a quorum of 13 to proceed with the vote. There is a motion on the floor to report progress which is not debatable, but I would like to remind Members that in order to vote they have to be in their seats.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Wah-Shee): Do I hear progress? All those in favour to report progress, please put up your hands. Thank you. Opposed, if any? The motion is carried.

---Carried

We will now report progress.

ITEM 16: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: Mr. Wah-Shee.

REPORT OF COMMITTEE OF THE WHOLE OF REPORT OF THE STANDING COMMITTEE ON LEGISLATION ON THE NWT ELECTIONS ACT

MR. WAH-SHEE: Mr. Speaker, your committee has been considering the report of the standing committee on legislation on the Northwest Territories Elections Act. In the course of its deliberations, your committee has adopted 22 motions.

Motion To Accept Report Of Committee Of The Whole, Carried

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

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

SOME HON. MEMBERS: Agreed.

---Carried

MR. SPEAKER: Mr. Clerk, are there any announcements?

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a meeting of the eastern caucus immediately after adjournment in the caucus room. There will be a meeting of the western caucus in conference room C downstairs immediately after adjournment.

ITEM 17: ORDERS OF THE DAY

Orders of the day for Friday, October 18th, 1985.

1. Prayer
2. Members' Replies
3. Ministers' Statements
4. Oral Questions
5. Written Questions
6. Returns
7. Petitions
8. Reports of Standing and Special Committees
9. Tabling of Documents
10. Notices of Motion
11. Notices of Motion for First Reading Of Bills
12. Motions
13. First Reading of Bills
14. Second Reading of Bills
15. Consideration in Committee of the Whole of Bills and Other Matters: Report of the Standing Committee on Legislation on the NWT Elections Act; Bills 1-85(3), 4-85(3), 5-85(3), 8-85(3), 9-85(3)
16. Report of Committee of the Whole
17. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Friday, October 18th, at 9:30 a.m.

---ADJOURNMENT

Available from the  
Publications Clerk, Department of Information,  
Government of the Northwest Territories, Yellowknife, N.W.T.  
\$1.00 per day; \$30.00 for 1st session, \$20.00 for 2nd and 3rd session; or \$50.00 per year  
Published under the Authority of the Commissioner  
of the Northwest Territories