



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

6th Session

10th Assembly

HANSARD
Official Report

DAY 9

MONDAY, OCTOBER 28, 1985

Pages 256 to 309

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

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YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, OCTOBER 28, 1985

MEMBERS PRESENT

Mr. Angottitauruq, Mr. Appaqaq, Mr. Arlooktoo, 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. Wah-Shee, Hon. Gordon Wray

ITEM 1: PRAYER

SPEAKER (Hon. Don Stewart): O God, if Your Spirit be in us; if our minds be ready; our hands strong; we will work together, leaving behind every small and selfish motive, to care for this good land and to build a just and peaceful society to Thy glory. Amen.

Orders of the day for Monday, October 28th. Item 2, Members' replies. Mr. Butters.

ITEM 2: MEMBERS' REPLIES

Mr. Butters' Reply

HON. TOM BUTTERS: Mr. Speaker, I congratulate the Hon. Nick Sibbeston on being selected by caucus as Government Leader. I pledge to him my support and co-operation during the remainder of the mandate of the Executive Council of the 10th Assembly. I congratulate Michael Ballantyne and Red Pedersen on their elevation to Executive responsibility and I look forward to working with them over the next two years. I also congratulate Members of the Assembly who have been named to positions of responsibility and service on the Legislature's standing and special committees.

I wish also to commend and express my very real appreciation and gratitude for the opportunity I have had to serve on the Executive Council of the Northwest Territories of the 10th Assembly with Richard Nerysoo and Nellie Cournoyea. I am proud of being a part of that Executive Council and to claim a share or a small portion of the credit or recognition for the many achievements it realized during its short life. The people of the Territories, this Assembly and your Executive colleagues owe you both a deep and abiding debt of gratitude for your dedicated service as Ministers. While your advice and counsel will be sorely missed at Executive Council meetings, I am sure we will not be deprived of your insights and recommendations in your new roles and responsibilities.

While not wishing to engage in a fruitless or prolonged post-mortem of the Executive review just completed, I must frankly state that I still cannot comprehend what we have accomplished. It seems that we may have acted to clip a troublesome hangnail and in some way removed an arm. I respectfully suggest that with this situation we should recommend to the 11th Assembly that while an Executive review mid-term in that Assembly's Executive Council mandate may have justification to assess the Executive responses and the productivity, that it should not be used as an occasion to remove people who are demonstrably and in fact performing effectively and competently. It is apparent under our present arrangement that good enough is not good enough. Therefore, I suggest that we consider recommending to the 11th Assembly that if circumstances require it to function on our model, that the Members take a bit more time in choosing their Executive Members so that no unseemly or unexpected change of mind or reshuffle of responsibilities is made in mid-term or mid-stream.

Before briefly raising constituency concerns, I wish to congratulate the Hon. Bruce McLaughlin on his and his staff's organization of the very successful youth conference just concluded and to commend the youth delegates who addressed us this morning. I wish also to express my gratitude to the federal Minister with responsibility for Youth, the Hon. Andree Champagne, for travelling to the Northwest Territories and participating with us and our youth in a most meaningful and memorable occasion.

Constituency Concerns

My constituency concerns I have already discussed with the Ministers responsible but I wish to use this forum and opportunity to give them wider public exposure. Workers in the Inuvik parka factory have advised me of their fear that the disappearance of the Arctic Co-operatives Limited from the Territories will have detrimental and far-reaching effects on their employment and the enterprise and activity that has contributed so much to the economic life of our community for a generation or more. When agreement was reached some four years ago to sell the Inuvik parka factory to the ACL, I believe a commitment was made by this government to me as the Member for Inuvik and to the employees of the Inuvik parka factory that if the project should fail or suffer economic setbacks under the new management then the government would not leave the workers or their project at risk, but would step in and offer advice and assistance. The GNWT I charge, Mr. Speaker, has a very real and continuing obligation and commitment to the workers of the Inuvik parka factory.

Members are aware of the federal Department of National Defence's decision to withdraw its presence from Canada's western Arctic and close its Inuvik base in December of 1986. CFS, Inuvik and before that Aklavik and its personnel have long been an important feature and fixture in the Mackenzie Delta. Military staff and dependants have made valuable and lasting contributions to the Inuvik community in social, educational, recreational and cultural areas. They have been active in our community and have made Inuvik their home. Their presence and contribution will be missed.

Before leaving this subject I wish to raise a concern I have with the proposed withdrawal of the military presence from the western Arctic. Under the north warning system, Canada has designated as advance bases for CF-18 fighter aircraft, Norman Wells, Yellowknife, Rankin Inlet, Frobisher Bay. It is interesting to note that the ground miles from Yellowknife, as this has been named the Canadian advanced air base, to the farthest reaches of the northern islands at Alert is 1600 miles.

Members will recall that last March Brigadier General David Battye briefed Members of the Legislative Assembly regarding developments proposed for the north warning system. During that briefing Brigadier General Battye indicated that CF-18 advance operating bases were proposed for four NWT communities, Frobisher Bay, Rankin Inlet, Yellowknife and Norman Wells. Inuvik with its existing military presence, its excellent runway and support facilities was not designated as one of those bases. The reason for omitting Inuvik, Brigadier General Battye advised me when I questioned him on that point, was that Canadian fighter pilots responding to alert would prefer to meet incoming cruise missiles rather than to participate in the "tail chase" action. In other words left unspoken is that the contact zone between our advance based CF-18s and intruders would most probably be in the air space over Mackenzie Delta in the western Arctic if that horrible situation should in any outside expectation occur. So the question begs and it pleads for an answer. Why has Canada apparently already offered up its western Arctic and High Arctic to a potential aggressor? How can Canada claim political sovereignty over lands for which it has already surrendered military sovereignty?

Support For Development Of Northern Accord

I have one last concern and a fervent wish to place on the record today and that is to indicate my support for the Hon. Tagak Curley's initiative in developing a northern accord with the federal government and the Hon. Pat Carney, which when implemented to replace PIP grants will continue to encourage the exploration and development activity that is currently occurring in the NWT. To see such activity withdraw to the Prairies or the Alberta Tar Sands would create an economic dislocation in the NWT of major proportions. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Butters. Members' replies. Mr. Richard.

Mr. Richard's Reply

MR. RICHARD: Thank you, Mr. Speaker. Mr. Speaker, I was pleased to hear in the Commissioner's Address the government's continued emphasis on the establishment of the devolution office and the move toward devolving more and more powers to our government from the federal government. The Commissioner, Mr. Speaker, throughout his Address mentioned various government funded facilities having been opened during the summer months or since our last session. He did not mention, Mr. Speaker, the placing of four portable classrooms in Frame Lake South. I want to again thank the Hon. Dennis Patterson, Minister of Education, for obtaining the funding from the FMB for those units. They are very much appreciated and I do hope the Minister in his busy schedule will get an opportunity to visit those classrooms, as well as the new addition at St. Joseph's School in Education District No. 2.

Mr. Speaker, I also want to thank that Minister, Mr. Patterson, for continuing to address some of the remaining education issues in the city of Yellowknife. These are, the possibility of a transfer of jurisdiction of Sir John Franklin High School and the need to move the construction date of the new school facility in Frame Lake South forward, so that Education District No. 1 can cope with the ever increasing enrolment.

Mr. Speaker, education of our young people is very important to my constituents, as it is to constituents of other Members. We are blessed with some very dedicated people serving on the boards of the two school districts, Education Districts No. 1 and No. 2, as well as the community education society in Education District No. 4. I believe that the Minister of Education has met most of those people and is aware of their dedication. Regarding the discussion last week, Mr. Speaker, on compulsory attendance in schools, I did not speak at length on that issue as, by and large, poor attendance is not a major problem in Yellowknife as it is in some other communities throughout the NWT. But I was pleased to see that virtually all Members of this Assembly support the Minister of Education in his efforts to improve school attendance.

SOME HON. MEMBER: Hear, hear!

MR. RICHARD: I recall, Mr. Speaker, when we went to Rankin Inlet in June, some of us had an opportunity to meet with a group of parents there and talked about many things involving young people, but particularly absenteeism from school. We were given a copy of a survey that had been done in the Keewatin. In that report, young people had been interviewed and the results of the interview and surveys were set out in the report. It is interesting, Mr. Speaker, that there was a consensus among the young people -- these were drop-outs that were interviewed -- and they with hindsight wondered why they had not been forced to go to school. I recall in one part of the report, eight out of 10 students who were interviewed were in agreement with compulsory attendance. I therefore, Mr. Speaker, am pleased that the Minister of Education received the support for this initiative that he brought forward in legislation last week.

I want to take this opportunity, Mr. Speaker, to thank the Minister of Local Government for making a prompt decision on the application of the home-owners property tax rebate legislation for members of the Borealis Co-op in my constituency. Also Mr. Speaker, to thank that Minister for meeting with Yellowknife MLAs and the mayor of the city on his decision about implementing a "lease only" policy on municipal lands. I would urge the Minister or perhaps his successor in that portfolio, to maintain the two time limits or one year deadlines that are set out in that policy, as those deadlines are aspects that were the positive aspects as seen from the view of the municipal leaders in Yellowknife. I would urge the Minister or successor to continue to consult, with diplomacy, the municipal leaders in our city.

Turning to housing, Mr. Speaker, I wish to publicly thank Mr. Wray for his undertaking to seek the O and M funding from the Financial Management Board, to allow the Housing Corporation through the Yellowknife housing authority to offer 34 additional units of public housing to those in need in this city. The Minister is well aware that there is a long waiting list and I appreciate, Mr. Speaker, his efforts, leading to his announcement last week.

Finally, Mr. Speaker, I too wish to publicly and personally congratulate my colleague, Mr. Ballantyne, Member for Yellowknife North and Mr. Pedersen for Kitikmeot West on their recent appointments and also the honourable Member for Nahendeh on being appointed Government Leader. And I as well, want to thank the honourable Members, Ms Cournoyea and Mr. Nerysoo for their efforts on the Executive Council and their service to Members of this Assembly. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Richard. Members' replies. Mr. Patterson.

Mr. Patterson's Reply

HON. DENNIS PATTERSON: Yes, thank you, Mr. Speaker. I am very pleased to have this opportunity to express to this House some concerns I have with respect to my constituency of Iqaluit.

My constituents are very concerned, Mr. Speaker, about the cost of prescription drugs in Frobisher Bay. A drugstore has recently opened in the community with assistance from public funds through the economic development agreement. And while I welcome this expansion of services in Iqaluit, which provides local employment, I must report there is a strong feeling in the community that there is a need for review of the prices charged at this new store. A petition was sent to the Minister of Health asking for a review of pricing policies at this store, based on numerous complaints. I believe that Mr. McLaughlin, as well, has been flooded with complaints. I am only going to cite one recent example, although there are many.

Cost Of Prescription Drugs In Frobisher Bay

One of my constituents recently asked for a quotation from the local druggist, Mr. Barsoum, for 240 pills of a prescription drug. Mr. Barsoum quoted a price of \$127.80. My constituent fortunately had an opportunity to go to Montreal on other business and was able to check with a druggist there. She was able to purchase twice as many pills, a total of 480 pills for only \$45.05. Now, Mr. Speaker, when you can buy pills for nine cents a piece in Montreal and the same pill costs 53 cents in Frobisher Bay, something is wrong. We know the cost of living in Frobisher Bay is higher than Montreal, we know that food costs over 80 per cent more in Frobisher Bay than purchased in Montreal, but this price is some 600 per cent higher on a commodity which surely does not cost that much in freight charges.

I am confident, Mr. Speaker, that the Minister of Health will be looking into this and will do something to ensure that fair prices are charged. The way to do this, I believe, is to review prices paid to Mr. Barsoum by this government under the NWT pharmacare program. It may be that the price differential allowed between what is paid to druggists in more remote locations, like Frobisher Bay and Inuvik, should be reviewed and compared to what is paid under the pharmacare plan to druggists in Yellowknife.

Once that is done in consultation with and on the advice of the NWT Pharmaceutical Association and a fair price is determined, which will take into account extra costs of operating a business in Frobisher Bay, then the local druggist should be encouraged to charge reasonable prices to the people of Frobisher Bay. After all, most of his customers are people whose prescriptions are paid for by the federal government because they are native persons or by our government through the pharmacare plan. However, not everybody in Frobisher Bay fits into either of these two plans. Many of my constituents feel that Mr. Barsoum is gouging people who have to pay their own costs for drugs because he is not satisfied with the prices paid by government plans.

Therefore once this review takes place, I earnestly hope that he will substantially reduce his prices. If he does not, then many of my constituents will call for the reopening of the hospital pharmacy. I am confident that this problem can be worked out following an objective review by the Minister of Health and a corresponding reduction in prices by Mr. Barsoum.

Mr. Speaker, I feel I must make one comment here respecting this issue. It has caused a great deal of controversy in my constituency of Iqaluit. Undoubtedly, there are arguments on both sides but I must express my disgust with the tone of comments by this particular businessman, Mr. Speaker, who has written letters to the Minister of Indian Affairs and the Prime Minister in which he queries, and I will quote a recent letter that unfortunately was sent to the Minister of Indian Affairs by my constituent, "I am wondering if there is any money being exchanged under the table in order to initiate and allow this contract to continue until this moment. It is the duty of the federal government to protect this poison from spreading into our beautiful Canadian society." Well, it has not spread into the North, Mr. Speaker, and I would like to say that that kind of accusation has no place in the Northwest Territories, I am confident.

AN HON. MEMBER: Hear, hear!

Housing Projects, Qaqqajaq

HON. DENNIS PATTERSON: Mr. Speaker, I would like to just turn briefly to an issue that has greatly aggrieved a number of my constituents in the Iqaluit neighbourhood of Frobisher Bay and I believe I tabled a petition from some 143 residents of the neighbourhood of Iqaluit in Frobisher Bay. They were very distressed when the town of Frobisher Bay recently approved a development on a rock in Frobisher Bay that has been used by hunters for centuries to look at the weather and see what the climate looks like down the bay. It is a place called "Qaqqajaq", and the residents were very distressed, Mr. Speaker, because they were not given a chance to have any kind of a hearing when a development permit was granted by the town recently for quite a high density housing project.

I would like to quote from one of my constituents who expressed his concern in a letter to the local newspaper much better than I can. "Turning Frobisher Bay into a glorified twin of Sudbury may seem attractive to the small business minority but it is asking far too much of the majority who prefer something different. The administration is trying to saddle one neighbourhood with an extremely unpopular development so that council can put off expanding the town for one more year. We have outgrown the boundaries of the old town plan and council is trying to put off the inevitable. Mayor Pearson gratefully heaped praise on George D'Aoust last year for his contribution to the restoration of the IODE hall in Apex, a project very dear to His Worship. Unfortunately, Mr. D'Aoust's long-term intentions have turned out to be bitterly resented in a neighbourhood which has been one of the most loyal to the mayor. Judging from the reactions of residents in Iqaluit, it could spell an electoral slaughter in December if this project goes ahead. Mayor Pearson has worked long and hard to preserve the open space in his own neighbourhood which is one of the glories of Frobisher Bay, a spiritual retreat and visual feast for the whole town. Why won't he do the same for us?"

Mr. Speaker, I am not terribly interested in getting involved in the decisions made by a lesser order of government. I think once, as a government, we hand over powers to a municipality then there is no cause whatsoever for interference by a higher order of government, such as the territorial government. We give them powers in matters of planning and development permits which includes the right to make mistakes for which they may pay like any politician at the next election and this project is now well under way. But I would like to, on behalf of my constituents who wanted the matter raised in this House, point out that I think it is desirable in every possible instance, that there be public hearings when major development and zoning decisions are taken.

Extension Of The Utilidor

I cannot help but comment, Mr. Speaker, as is my wont during replies to the Commissioner's Address, that this takes us back to the utilidor. I am afraid that this high density project which the town administration felt had to be located in that particular place because it was accessible to the utilidor, is another monument to the utilidor. Mr. Speaker, I have said for many years that while I do favour the utilidor being gradually expanded in Frobisher Bay, particularly where there are high density users and high volumes of water -- I do thank the Minister of Local Government for the works that were undertaken this summer to extend the utilidor to some of the major hotels and the major high density users of water in the community -- but there is another side to that question. Private homes can be served by trucks. They are clean and efficient. They can be locally maintained without the need for stationary engineers or other high tech experts to be brought in. You do not have to dig in mid-January through eight feet of rock to fix a water truck, the way you have to work on a pipe. I think there is a need for a balanced approach to water system in Iqaluit.

I would just like to recite some of the problems that have been visited on my constituents due to this utilidor. Recently the town of Frobisher Bay has enacted a by-law which requires private home-owners to hook up to the utilidor. They have no choice now but to follow this law. However, one of my constituents, when he found out that the cost of "heat-tracing" the section between his house and the utilidor was going to amount to a minimum of over \$400 a year, dutifully completed and paid for the hook-up but instructed the contractor to turn the pipe off at the source. He simply could not afford the cost of this dubious benefit. So Mr. Speaker, I hope that in future there will be a more balanced approach to the question of water delivery in Frobisher Bay. I would like to assure my constituents again that I think there is a lot of merit in providing trucked services and the jobs that flow from those services.

Mr. Speaker, another great concern in my constituency has to do simply with the cost of doing business in Frobisher Bay. You may know, Mr. Speaker, that there has been a very healthy growth in the economy of Frobisher Bay in recent years. Housing constructions, new businesses, have been encouraging in the rate of acceleration and they have provided new employment opportunities. I would like to say that I think for the first time in many years, the Department of Economic Development has been working closely to really try to respond to the needs of the small businessman in my constituency. There is a new climate of co-operation with government. I recently got some correspondence from the Minister of Economic Development which showed the significant number of loans and grants and even Special ARDA applications, which have traditionally gone to western communities, in my constituency of Iqaluit, all of which I am very grateful for.

Frustrations Due To Remoteness Of Registry Services

However, Mr. Speaker, there are serious frustrations that local businessmen have to deal with. It has to do with the distance of essential services from my constituency, in particular the fact that the lands registry and the court registry is so far from Iqaluit. It is not just the distance of some 1500 miles, it is a matter of nine days, if you are lucky, for mail service. Now when companies are depending on the registration of mortgages and the registration of leases in order to get advances so that they can continue with construction, they are forced to send people to Yellowknife at a minimum cost of \$1600 return fare plus a week's accommodation because there is no closer registry and they cannot wait on the mails.

The same problem applies with registrations when it comes to taking court action. I am encouraged, Mr. Speaker, that the Minister of Justice has, I believe, planned the location of a territorial court in Iqaluit, which has long been urged by residents of the Eastern Arctic generally. I would think, Mr. Speaker, that with this decision, should it be approved in the coming fiscal year there will be serious consideration as well given to establishing in connection with that territorial court, a supreme court registry and a land registry so that documents can be registered much closer to home because it is just increasing enormously the cost of doing business and the frustrations of doing business in my constituency.

Mr. Speaker, I hate to pick on His Worship the Mayor of Frobisher Bay but I am afraid I just cannot let him get away...

HON. TAGAK CURLEY: We understand.

---Laughter

SLOWPOKE Reactors In Northern Communities

HON. DENNIS PATTERSON: I can't let him get away with some of the statements that have been made on behalf of the people in Frobisher Bay. I want to make it clear to this House and to the people of the NWT that I regard several recent statements from His Worship Mayor Pearson as not representing the views of my constituents and certainly not representing my views. Recently, Mr. Speaker, His Worship wrote extolling the virtues of nuclear power and the SLOWPOKE reactor. He said, "Atomic energy has been in constant use in the United Kingdom since the early 50s without fuss or accident." He talked about air pollution and he also talked about another source of energy. "Of course, there is still one area that does have a lot of potential, the territorial council. All the hot air they produce can well be harnessed to drive some turbines."

HON. TAGAK CURLEY: Good idea.

---Applause

AN HON. MEMBER: Keep talking, Dennis.

HON. DENNIS PATTERSON: "SLOWPOKE reactors..."

---Laughter

Thank you. "SLOWPOKE reactors make sense. Dennis Patterson doesn't."

---Laughter

Obviously, Mr. Speaker, I have to disagree with both those statements.

---Laughter

Since there is such a wonderful audience here today I hope you will bear with me while I just read a very lucid reply that I gave to His Worship on this subject. "It was with profound dismay that I noted recent media reports suggesting that NWT municipalities should support nuclear power and heat generation if only on an experimental basis. You, yourself, stated publicly in a June 1985 letter to the editor of Business North that our home community of Iqaluit would be an ideal place to test the practicality of a SLOWPOKE-4 nuclear reactor. While I cannot speak for other constituencies, as MLA for Iqaluit I must object to your proposal. It seems to me you are trading off the hope of economic benefits which are as yet unproven for potential risks to human health, safety and peace.

"You state that atomic energy has been in use in the United Kingdom since the early 50s without fuss or accident and without pollution. I do not know what you would consider fuss, but I would consider the creation of a special constabulary in 1976 in the United Kingdom whose sole duty is to maintain security around nuclear plants a substantial fuss. These are the only police in Britain who are allowed to carry guns. They also have search and seizure powers. As for accidents, in 1957 in the UK a serious fire occurred at the Windscale experimental reactor. Radio-active fall-out was carried by the wind over the North Sea to Europe. Dairy herds had to be seized and slaughtered because of radio-active contamination. The Scandinavian nations formally complained to the government of Great Britain. This is still considered one of the worse nuclear accidents world wide. Only a year ago it was revealed that radio-active waste from the Sellafield nuclear processing plant in the north of England was washing back up on the beach. Housewives on the coast of the Irish Sea faced the unpleasant discovery that there was toxic plutonium in the dust in their vacuum cleaner bags. The surrounding communities were found to have six times the normal incidence of cancer.

"You also appear to believe that the peaceful use of nuclear energy for heat and power generation has nothing to do with its use in nuclear weapons but a United States government report prepared after a special investigation by the US general accounting office has confirmed that spent atomic fuel shipped from Canadian research reactors, including those of Atomic Energy of Canada Limited, has been used to produce new US nuclear warhead material in violation of a Canada/US nuclear safeguards treaty. It seems there is a little bit of Canada in every bomb the US produces.

"You mention the cost and the risk of spill in using oil to heat Iqaluit. How, with what cost, and at what risk will spent nuclear fuel be transported from Iqaluit? SLOWPOKE is the last desperate gasp of a dying, state funded, white elephant in Canada -- Atomic Energy of Canada Limited. To give it credibility in the North is propping up an aspect of our nation repugnant to most northerners including most northern businessmen, I suspect.

"It is, further, the firm wish of the Inuit Circumpolar Conference and the Dene Nation that the North be nuclear free.

"In conclusion, I believe that your enthusiasm for SLOWPOKE-4 for Iqaluit is irresponsibly premature. The Science Institute of the NWT has recently commissioned a study to discover the potential economic costs and benefits of this untried concept. You have invited AECL to visit and talk with the citizens of Iqaluit about the dangers and benefits of SLOWPOKE. I believe you should also invite them to engage in a public debate with outside experts in the field such as Dr. Gordon Edwards of the Canadian Coalition for Nuclear Responsibility."

I went on, Mr. Speaker, to say I was heartened by the fact that not all NWT municipalities favour SLOWPOKE-4 and I have challenged the mayor to demonstrate the extent of public support for SLOWPOKE in Iqaluit by putting the question to referendum in the next civic election.

Mayor's Comments On Voyage Of The Polar Sea

Mr. Speaker, another matter that caused me even more distress and these remarks were again made without consultation with me nor were they made with consultation from the town council, let alone the people of...

AN HON. MEMBER: (Inaudible comment)

HON. DENNIS PATTERSON: ...people of Iqaluit. What was most serious about these remarks was that they were made on national television by His Worship. I do not expect to be able to reach that kind of an audience with my humble reply to the Commissioner's Address here today. I was very concerned, Mr. Speaker, when the mayor of Frobisher Bay said, with reference to the Polar Sea voyage this summer, that we should welcome the Americans with open arms. He accused protestors who protested the federal government's reaction to the voyage of the US icebreaker Polar Sea of being hypocritical about the North. Well, Mr. Speaker, I do not think we should welcome the voyage of the Polar Sea with open arms because these are Canadian waters, because northern indigenous people have established sovereignty for Canada over these waters, because if it becomes an international passage over which the US can voyage with impunity and without asking our permission then so can the Russians have the same right.

So, Mr. Speaker, I would like to clarify that the mayor of Frobisher Bay was not representing me when he made those remarks and I suspect he was not representing most northerners, not to mention the Tungavik Federation of Nunavut, the Inuit Tapirisat of Canada, the Inuit Circumpolar Conference. Even the PC party seemed to change their attitude following that voyage.

AN HON. MEMBER: Bruce, did you change your mind?

HON. BRUCE McLAUGHLIN: Never.

HON. DENNIS PATTERSON: Mr. Speaker, I would like to turn to a little bit more positive tone and sincerely thank the Minister of Renewable Resources, Ms Cournoyea, for prompt action in responding to requests from my constituents and also communities in Baffin Island for the establishment of a commercial quota for caribou. It was only at the Baffin Regional Council meeting last winter that this request was formally made to Ms Cournoyea. Delegates suggested that the herd was in very good shape and that tourism and sport hunting was an excellent source of employment for northern people. So, I was delighted with the prompt response and I can assure this House that that was the right decision. It will allow my constituents to become just a little bit more self-sufficient and it will also give the profession of hunting and trapping a little bit more dignity and a little bit more credibility in the North, so I was grateful for that prompt action to our response. I must say, Mr. Speaker, that characterizes the thorough, conscientious approach that Ms Cournoyea took to her duties.

Deregulation Of Air Services

Mr. Speaker, one other matter of great concern to my constituents has to do with the recent Ministry of Transport policy proposal entitled "Freedom to Move" which contemplates the complete deregulation of commercial air services in all regions of Canada. The Northwest Territories relies heavily on commercial air services as its primary mode of transportation, and take it from me, where we do not have roads and we have a very limited shipping season, we rely almost exclusively on air services for transportation. The air markets in the Northwest Territories, Mr. Speaker, are relatively immature and difficult to serve. The Air Transport Committee of the Canadian Transport Commission conducted extensive public hearings in 1984 to determine which changes should be made to the regulatory structure governing commercial air services in our region. Recognizing that the provision of adequate and stable year-round air services to communities within the NWT is absolutely essential, the committee released a final report in March 1985 recommending the retention of regulatory control on commercial air services to, from and within the Northwest Territories in a modified fashion.

I would like to emphasize, Mr. Speaker, that the report did advocate the benefits of limited competition and I was very pleased that the transport commission, using that principle, did recently grant a licence to First Air to provide an alternative north/south service between Frobisher Bay and Ottawa to give Nordair a little bit of competition. I applaud that decision. I advocated it for some years and I want to make it clear to honourable Members that I am not, in expressing concern about this policy paper, advocating that there should be no competition whatsoever. But, Mr. Speaker, I am concerned that the report in recommending absolute and complete deregulation, is going to cause potentially very serious risks in the fragile and volatile northern market. I am worried about safety. I am worried about reliability and consistency and I think the report of the Air Transport Committee, after considering all the evidence of northern people, recommended a cautious approach. They took into account all the factors affecting the requirement for commercial air service in the NWT and they extensively consulted northerners.

Mr. Speaker, I know that in the Freedom to Move paper it suggested that a subsidy program for northern air services might be put in place should difficulties emerge following deregulation. Well, Mr. Speaker, I believe that a subsidy program would be expensive, very difficult to administer and not in the interests of continued evolution of the existing commercial air services in the NWT. Therefore, I am very concerned, Mr. Speaker, and would like to state here, that I believe the federal Minister of Transport should alter the proposed new air policy to, from and within the Northwest Territories to accord with the recommendations, the careful recommendations, of the special committee that looked into northern air services. Deregulation may be fine for some parts of Canada but I think complete deregulation could pose very serious risks for us in the Northwest Territories and I recognize, Mr. Speaker, that there are people in various parts of the Northwest Territories who may not be quite as well served by commercial air services as we happen to be in Baffin.

I do know that there are frustrations with other carriers that are causing certain honourable Members to advocate that complete deregulation is the way to go. Well, I think that is an extreme reaction. I think we have to proceed more cautiously and I think the special report on northern air transport recommended a more moderate approach and a more cautious approach that will be in the best interest of all northern peoples.

Nunavut Conference In Coppermine

Mr. Speaker, just one final comment I would like to make since it has not been mentioned in this House. There was a major conference held in Coppermine last month of all the political leaders of Nunavut which was attended by every Nunavut MLA of this Legislative Assembly and I would just briefly like to report to this Assembly, Mr. Speaker, that the Coppermine conference was an opportunity for residents of the coastal communities in the Northwest Territories to express their solidarity for a way of life and an economy that needs to be enhanced and preserved, and reaffirm their commitment to division of the Northwest Territories and the creation of a Nunavut territory.

Much has been made, Mr. Speaker, of the resolution of that conference that communities in the Nunavut area should be consulted for their opinions on Nunavut and for their opinions on the tree line boundary. There were fears expressed that this was an effort to by-pass the Constitutional Alliance process and that the results of this vote would be used to seek direct intervention with the federal government. Mr. Speaker, I would like to clarify that I was part of that conference and very proud to be part of that conference. The purpose of the proposed plebiscite is to do something that we have so far not received the support of the Western Constitutional Forum to do, and that is to let those people democratically express their views on Nunavut and the proposed western territory. I think that the Constitutional Alliance will be able to solve the issue of division. I think it has been healthy that there has been a bit of a pause between their meetings. I look forward to the meeting coming up next weekend, where they will get back to the challenge of resolving the boundary issue. I think it is going to be helpful in the long run, Mr. Speaker, if the will of the people who wish to be part of the Nunavut territory is on record, demonstrable evidence of who wants to be with us and perhaps who does not want to be with us.

So, Mr. Speaker, this was a decision that was taken which I think will provide evidence of what we have known all along, that Beaufort communities and the Inuvialuit are anxious to be part of Nunavut. I am very much looking forward to the results of that vote, because I think they will assist in the resolution of this complicated process. I would also say, Mr. Speaker, on the subject of constitutional development, that I am very much looking forward to the soon to be released, I believe, report of the Western Constitutional Forum on the new government for the western territory. This has been long awaited and I know that members of the Western Constitutional Forum have worked hard on it. I am very encouraged at the progress that has been made and very anxious to see this document, Mr. Speaker, because I think it is going to make people in the western territory feel a lot more comfortable about going their own way. I am sure that the model of government that has been prepared by the Western Constitutional Forum is going to have a place for everyone. It is going to provide guarantees for the aboriginal people who are going to need protection and special consideration for their indigenous status and the need for survival of their language and culture and their need for continued representation in a public government. I look forward very much to the release of that document because I think it is going to help move us along to the desired goal of achieving a resolution of the division of the Northwest Territories and getting on with the business of providing better government closer to home.

So, with those comments Mr. Speaker, I thank you and Members for your patience and I will see you next winter. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Patterson. Members' replies. Mr. MacQuarrie.

Mr. MacQuarrie's Reply

MR. MacQUARRIE: Thank you, Mr. Speaker. I had not intended to give a reply, and some would say, well, let it go at that, but I was provoked to do so by some of the comments that were made a little earlier. Not by the Member from Frobisher Bay, as you might think, but by the honourable Member for Inuvik, with respect to the Executive Council review.

I feel that the comments that were made by that honourable Member were serious ones and I feel that there is another attitude and opinion with respect to that, and that it ought to be put on the record as well, at the same time as that honourable Member's opinions were put on the record. The implication seemed to be that we had embarked on a pointless review and arrived at unsatisfactory results, and I certainly take issue with that assessment. It is my belief that it is important to have provision for Executive Council review. And in attempting to undertake that review, judgments must be made and they are made and justifiably made I believe, for many different reasons. It is not easy to comprehend why in the mind of each individual Member he decides finally what will persuade him to support here and withhold support there. The fact is that there are many reasons that are brought to bear in this exercise. They include not only the matter of whether someone is competent in an administrative sense, has administrative and organizational abilities, or has a grasp of the issues that are presented to our society at this time and its history, or has just a willingness to work, or has a disposition to industry; those are important things but they are not the only things.

In each Member's mind, I am sure questions arise as to the philosophy of other Members, as to what motivates them generally and what they do, and as to the objectives that they seem to have in mind for themselves and for other groups of people. It also involves methods of operation that people use in trying to attain those objectives. All of these things must be included as well. Indeed, if you look at the federal government example, when cabinets are shuffled and Members are chosen, you see very well there that such other matters as ethnic origin and language, and in the federal case even religion, are taken into account when selections are made. All of these things are brought to bear and I am not saying which should be the more important and which the less important, but they all have some bearing. And so, as a matter of fact, do leadership aspirations. That may very well colour some Member's attitude toward another. For example, how many have heard of Jean Chretien, lately, or anything that he is doing? And certainly part of that you have...

SOME HON. MEMBERS: Yes.

---Laughter

MR. MacQUARRIE: ...and he has. All the Liberals have, I see.

---Laughter

No, but I am just saying that that is another thing that can be considered when Members are making these kinds of decisions. And they have the right to consider all of these things.

I also feel that the position that the honourable Member took seemed to imply that the initial decision, that was made in 1983, was the correct decision and the only correct decision. But I take issue with that. I happen to believe that some rather competent people were left sitting on the sidelines in 1983. And who knows for what reasons. It certainly wasn't for the reason that they had showed themselves unable to organize and administer. They never got the chance to do so, so it must have been for some other kinds of reasons that they never got on to the Executive Council in the first place.

Executive Council Is Answerable To The Membership

There may very well be changes in portfolios today. We do not know whether there will be or not. But if there are, we should not assume that if someone is removed from one portfolio and put into another, that it is because he was incompetent to do the job in that portfolio. Again, there may be many reasons why such a change occurs. So, I simply say that I really believe that an Executive review is something that ought to be done and it has been done. I would say let it go at that, accept the results and give the new Ministers and those who have assumed new positions, such as Mr. Sibbeston, the opportunity to show that they can do the job and that in fact we weren't embarking on an exercise of clipping off a hangnail. We had agreed together that we would lay the Executive Council body to rest at this time and that that body has been reborn and come into the room revitalized with a new arm and a new leg. Let's accept that and go with it. And I say, if we are going to recommend something to the 11th Assembly, let's recommend that the 11th must continue to uphold the authority of this Assembly to make decisions like that and that the idea of the Executive Council is indeed answerable to the membership here as a whole.

SOME HON. MEMBERS: Hear, hear!

---Applause

MR. SPEAKER: Thank you, Mr. MacQuarrie. I would like to recognize the grade eight class from William McDonald school and their teacher Alex Demello in the gallery. Oh, they are not in the gallery. Well, I will try another one here; Mr. McAuliffe and grade 10s from St. Pat's.

---Applause

Are there any further replies? There appear to be no further replies. This concludes this matter, it will not be on the order paper tomorrow morning. Item 3, Ministers' statements. Mr. Sibbeston.

ITEM 3: MINISTERS' STATEMENTS

Ministers' Statement 5-85(3): Executive Council Appointments

HON. NICK SIBBESTON: Mr. Speaker, I am pleased today as Leader-elect to announce the appointments of Ministers to the various departments and agencies. I consider the matter to be a red ribbon type of affair. Since the designations were made on the weekend I had them wrapped in red ribbons. I am pleased today to unwrap it and give you the decisions that have been made.

Mr. Speaker, let me say that in dealing with the task I have taken the view that the Executive Council to date has been successful. I felt that there was no need to make major changes. Four Ministers will retain their portfolios. Going back to the envelope, the first award is for Mr. Curley. Mr. Curley will continue as Minister of Economic Development and Tourism. As well, he will be responsible for the Energy, Mines and Resources Secretariat. I think since his appointment two years ago, Mr. Curley has championed private enterprise and business in the North. As well, he has been very active in recent years in discussions with the federal Minister of Energy with respect to energy matters in the North. So, Mr. Curley for your consideration.

---Applause

Mr. McLaughlin will continue as Minister of Health and of Social Services. Mr. McLaughlin has had the responsibility of dealing with young offenders among other matters. He has had the difficult task of implementing the court system facilities and programs that are associated with young offenders in the North. His success in this portfolio is exemplified in the good work he has done this past week and this weekend with respect to the Youth Forum. I have asked him to continue in his portfolio. Mr. McLaughlin.

---Applause

Education and Mr. Patterson have become synonymous with one another in the North for the past few years -- in fact five years. I think it is a winning combination. Mr. Patterson will continue as Minister of Education and he will also still be responsible for Aboriginal Rights and Constitutional Development. Mr. Patterson has been very successful in implementing the recommendations of the special committee on education. He has brought the Arctic College to all

parts of the North, notably the Eastern Arctic. Mr. Patterson has also recently appointed a new deputy minister and he is anxious to do even greater things for the people of the North in education in the next couple of years.

---Applause

The Department of Finance will continue in the able hands of Mr. Butters. Mr. Butters successfully negotiated the finance formula agreement between our government and the federal government. Having done all this hard work I would wish him to enjoy the fruits of his labours in the next couple of years. Mr. Butters is the dean of this Assembly. He has been an MLA for 15 years and he has also been a Minister the longest of any one of us. For this important portfolio I have asked that he stay as Minister of Finance and I say our money is safe in his hands. Mr. Butters.

---Applause

I will now get to the changes. Mr. Pedersen is given the responsibility of the Department of Renewable Resources and the new Department of Culture and Communications. Mr. Pedersen's life and experience will serve him in good stead in both the important areas of wildlife and culture. Mr. Pedersen.

---Applause

Mr. Wray will be the Minister of Local Government and Minister of Public Works and Highways. I have decided to lump the Department of Local Government and the Department of Public Works together as they are compatible with one another. Mr. Wray will provide co-ordination between the two departments. As Local Government has the largest capital budget and Public Works has the task of carrying out its projects, I believe that this will result in greater efficiency and co-ordination for our government. Mr. Wray.

---Applause

Finally, Mr. Ballantyne comes to the Executive Council with considerable abilities and energy. Mr. Ballantyne will be the Minister of Justice and the Minister responsible for the Housing Corporation. Mr. Ballantyne's experience with the special committee on housing I think will stand him in good stead. He was an active Member on the housing committee and he will now have the chance to implement many of the good recommendations of the committee. The responsibility for housing is one of the more onerous tasks of our government and the Department of Justice I think will add a different dimension to his responsibilities. Mr. Ballantyne.

---Applause

Finally, I as Leader will be the Minister responsible for Personnel and I will also be the associate Minister for Aboriginal Rights and Constitutional Development with Mr. Patterson. I purposely left myself with a lesser departmental responsibility so I can concentrate more on the roles and responsibility of the Leader. I will be taking over as chairman of the Executive Council in the next few weeks and I intend to do a great deal of travel throughout the North. I will also be dealing with new priorities and relations with federal and provincial governments.

Before closing, Mr. Speaker, I wish to pay special tribute to both the Commissioner and to you. Mr. Parker in the last few days has been very co-operative and helpful in the changes that are happening. While as the federal representative in the North he could have resisted the changes that are coming he has actually been encouraging and fostering change. He is a friend of democracy and he is a friend of responsible government. Mr. Parker.

---Applause

I wish to also pay special tribute to you, Mr. Speaker. I understand that you gave an excellent and inspiring speech to the youth delegates Friday night. I have heard many comments from the youth and adults at the forum and I wanted to compliment you on your forthright and sincere speech that you gave to the Youth Forum.

---Applause

I must also say that your wife is an excellent dancer. I found this out Friday night.

So Mr. Speaker, this is the new Executive Council and their responsibilities. The job of assigning Ministers to the various portfolios has been a challenging one. While the end result has not given way to major changes, the process of matching Ministers with departments, did over the course of days, take some interesting twists and turns along the way. I have the work sheet which I used throughout all of the exercise. Some of the departments actually had five different names by them by the time I was finished. So for some departments, many persons were considered.

I think the result of the exercise of appointing Ministers to portfolios has been encouraging, interesting and challenging. All of the Ministers are happy with their portfolios I am pleased to say and we are starting our work with a great deal of enthusiasm and determination to make this government the best government for all peoples of the North. Thank you very much.

MR. SPEAKER: Thank you, Mr. Sibbeston. Item 3, Ministers' statements. Mr. McLaughlin.

Minister's Statement

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. My Minister's statement does not have the content and impact that that one did on different people, but I would like to make an announcement on behalf of all my colleagues on the Executive Council, especially those of us who serve on the legislation and House planning subcommittee. As Executive Council Members we realize the important contribution that many Members make during standing committee meetings and committee of the whole sessions. We would not be able to create legislation or programs that take all things into consideration without the constructive criticism that exists in our consensus style of government. On occasion Executive Members may appear unbending in our determination to pass our legislation without being tripped up by amendments by other Members during committee. But in the end we realize the importance of the Members putting their stamp on government legislation. Some Members have shown dogged determination in plugging their agenda items into government bills.

Today the Executive Council would like to recognize one of those Members and a special warrant was recently approved to award this Member. Members will recall that in Rankin Inlet, I was trying to amend the NWT Health Act to establish a more enlightened treatment of the rights of our residents who require mental health services. Mr. Gargan kept us going for an extra day or two in his determination to amend one particular section of that bill. So Mr. Speaker, I was authorized to purchase this gift in recognition of Mr. Gargan's contribution in the area of constructive legislative amendments.

Mr. Speaker, it says "I supported the Mental Health Section 8 Amendment. Sam Gargan, First Involuntary Committal."

---Laughter and Applause

Mr. Speaker, this cost \$50 in Rankin Inlet.

---Laughter

MR. SPEAKER: It is good that we are coming close to the end of the session, Mr. McLaughlin. Mr. Patterson.

Ministers' Statement 6-85(3): Response From Pangnirtung To Bill 3-85(3)

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. Mr. Speaker, it has been reported in the press that the mayor of Pangnirtung and one of his councillors has called for my resignation in connection with the bill before this House on compulsory education. Apparently the mayor feels that there should have been better consultation before this bill was enacted. I would like to inform this House that since the bill was tabled in the Legislative Assembly last May, the Pangnirtung education council has been consulted. The local education authority stated their belief that all children between the ages of six and 15 should regularly attend school. The local education authority did not agree that parents should be taken to court if all other efforts to get children to attend regularly have failed. But the education council did recommend that if a parent interferes with a child attending school or gives false information, the parent should be taken to court. The Pangnirtung education council also recommended that an attendance officer be hired to deal with children who do not attend school.

I took these comments to provide general support to the bill from the persons elected to deal with education from Pangnirtung. I will also point out again, Mr. Speaker, that the enforcement provisions of this legislation will not apply unless a local education authority requests them and unless I, as Minister of Education, approve the request. I will certainly take the views of the hamlet council into account should I receive such a request from the Pangnirtung education council. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Ministers' statements. Mr. Nerysoo.

Ministers' Statement 7-85(3): Inquiry Into The Death Of Gordon Davidson

HON. RICHARD NERYSOO: Thank you, Mr. Speaker. Mr. Speaker, I wish to make a statement on the issue of the death of Gordon Lyle Davidson, to inform the House and the public of the circumstances leading up to the inquiry. I believe that the press coverage, in my view, has been extremely biased and misleading, as a brief review of the facts will show.

Firstly, I wanted to indicate and it should be remembered that there was no call for a public inquiry into this matter until the inquest into the death of Mr. Davidson was completed in late January of 1985. There was no prior request, not from the union, not from the individuals or this government until that particular investigation was completed. There has been a suggestion that a request had been made prior to January 1985. Now subsequent to the inquest, the Member of the Legislative Assembly for Yellowknife Centre, Mr. Bob MacQuarrie, requested an inquiry to which I agreed. The question that I had raised at that particular time was the type of inquiry that would be held. I responded at the time that I concluded agreement or at least concluded in my own mind, that an inquiry would be held and I would indicate to the Legislature what that inquiry would be.

Further, I then met at least twice with Mr. Bob Robertson, president of Local 802, the United Steelworkers of America; Mr. Fern Denault and Mr. Dave Johnston who is the president of the NWT Federation of Labour, to discuss the issue of a public inquiry. As a result of those meetings, I made a commitment to the unions to convene a public inquiry into Mr. Davidson's death and also to discuss safety matters with senior officials of Cominco Ltd. I also requested from those three individuals a suggestion as to a name of an individual who would be, in their eyes, compatible to carry out an investigation and inquiry. They recommended to me Mr. Tom Berger who at that time was dealing with the question of the native land claims in Alaska and was unable to participate in any inquiry. I immediately acted to meet these commitments by initiating a search for a competent person to chair the board of inquiry and by meeting with Cominco management to discuss safety issues at Con Mine. I also sought and obtained their co-operation with regard to the proposed inquiry. The company responded in a positive manner with regard to both issues and co-operated throughout the board of inquiry. I would point out that the terms of reference under which the board of inquiry was held were very broad and enabled a thorough investigation of all relevant facts.

These terms of reference had my approval as did all other arrangements which were made to ensure that the board of inquiry could fully address this task. Throughout this period the union was kept fully informed of the developments and its representatives were consulted in respect to the appointment of the board of inquiry. In fact the union made suggestions about the appointment of the board of inquiry which I mentioned a few minutes ago, which was Mr. Tom Berger for the judge. Before I even had the opportunity to announce the result of my consultations with the unions and management, however, the union went public in a manner that did not conform to the spirit of co-operation we had agreed upon in our meetings. Their conduct was, in my view, most unprofessional in this regard. This is regrettable since I had met in full all my commitments and the union representatives were aware of this.

Local Press Coverage Of Events

The most notable thing with regard to the local press coverage of events leading to the inquiry and of the inquiry itself has been a total lack of objectivity. Neither the task of the board nor the public interests were well served by the articles and the editorials which did not hesitate to suggest that evidence of corruption had been uncovered and suggested that the government had in some manner been a party to murder. Such reporting in editorial comment is irresponsible to say the least and shows an unbecoming lack of respect for the board of inquiry by prejudging its findings, a practice I do not intend to follow.

The serious deficiencies in local press coverage referred to are unseemly and unnecessary and certainly not in the spirit of open, frank and unbiased co-operation with which the inquiry was convened and the public hearings carried out. The people of the NWT deserve far better coverage of an event of this importance than this. Hopefully, the media will in future be more considerate, accurate and objective. In my view, if a newspaper wishes to enjoy any credibility then it must ensure that its reporting is credible. In the case of the Yellowknifer and the News/North, I regret that this was not the case. Before my term expires I feel it is my duty to let the people of the NWT know the truth about this matter so they can judge for themselves.

Mr. Speaker, by concluding, I do not wish to in any way place any individual in a position where they feel I have been attacking their character. But in this particular case, I must say that the reporter and I can name names here, LuAnn Lovlin, knowing a personal relationship that she had with one of the individuals involved in this inquiry, knowing that, continued to report professionally as a reporter in the newspaper, and did not in any way express publicly that situation. We as politicians and as leaders have to at all times try to be objective here and we are criticized in the papers for not dealing with conflicts of interest or personal connections. Yet when we have a very important process, for the media not to indicate publicly that relationship and not take the necessary steps to deal with that situation I think is irresponsible. I just wanted to say that because this is the final day, you might say, that I respond as Minister responsible for Justice in this particular area. I did not want the honourable Member opposite, Mr. Ballantyne, to be saddled with the kind of press coverage that this government has had over this particular issue.

AN HON. MEMBER: Hear, hear!

HON. RICHARD NERYSOO: I do suggest to the honourable Member that he should make available to the people in the union and to the family the information that I have tabled as well as making it public in the papers. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Nerysoo. Ministers' statements. Mr. Curley.

Ministers' Statement 8-85(3): Update On Expo '86 Project

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I know we are running short of time but I would like to make an important announcement with respect to Expo '86. First of all, I would like to thank you for the opportunity to provide the Assembly with a brief update on our Expo '86 project.

Since my last major presentation to our caucus and the Legislative Assembly in February of this year, the Expo '86 project team has made significant progress in a number of key areas. I would personally like to congratulate again Mr. Braden and Alan Vaughan who have been working very hard in trying to keep up with the schedule and supervising all the commitments for which we have been charged with responsibility.

First, work on the pavilion shell is virtually complete with work already under way on interior exhibit displays and other facilities. I expect that some staff will begin working out of the pavilion in February and that we will be fully operational and ready for our first press tours by April 1, 1986.

On the matter of our pavilion's audio-visual programs, a northern firm, Yellowknife Films Limited, was contracted last spring to produce our feature film. The value of the contract with Yellowknife Films Limited is in the order of \$140,000. I expect that the shooting for the film will be completed by December and it will be ready for a special northern preview, in April 1986.

Mr. Speaker, you will also recall that our pavilion will have two retail outlets for the purpose of marketing and promoting northern arts and crafts. Our retail sales manager, Mr. George Ferrand, who is sitting out in the gallery today, expects to contract for the supply of about \$850,000 of truly unique and exciting products. I am informed that the following represents a breakdown of arts and crafts purchases to date by region. Baffin, \$117,000; Keewatin, \$174,000; Kitikmeot, \$196,000; Inuvik, \$110,000; Fort Smith, \$132,000. In addition, Mr. Ferrand will be handling certain high cost items on a consignment basis and he has also been successful in obtaining retail space in an Expo '86 boutique. That is giving us a total of three outlets on the World's Fair site.

Mr. Speaker, we have adopted a design for our staff uniforms that was prepared by Ms Sydney Sproule, a resident of Yellowknife and I look forward to having prototypes modelled in the January session. Expo will provide us with a chance to introduce the world to northern fashions. Northern seamstresses and craftsmen will receive contracts worth about \$40,000 to actually produce the uniforms.

With respect to our pavilion restaurant, the design has been completed as well as the menu, seating and staff requirements. Mr. Don Anderson, the former manager of the Explorer Hotel, has been contracted to serve as a restaurant manager. To date we have made a commitment for the purchase of northern country food in the amount of \$250,000 and expect to place additional orders in the coming months for \$70,000 more of the country food. I have asked my staff that they not buy any tuna from anywhere on the part of the North.

Fifth, you will recall, Mr. Speaker, that our government wishes to use the pavilion as a means to promote tourism in the NWT. To this end, we have been successful in working with the NWT Travel Industry Association to secure approval in principle for an EDA grant in the amount of \$100,000. The grant will be used to construct a tourism promotion desk within the pavilion. I am most pleased that under the leadership of TIA president, Bette Palfrey, an agreement has been reached to incorporate tourism into our pavilion exhibits.

You will also recall, Mr. Speaker, that live entertainment, demonstrations and presentations will be an important element of our pavilion. In addition to those performers who will be sponsored by our corporate partners, our Expo '86 project group is targeting to expend an estimated \$160,000 to ensure that northerners have the opportunity to present their skills to Expo's national and international audience. To date, our entertainment manager, Mr. Pat Buckna is negotiating contracts with groups such as NWT Metis Reelers; Northern Haze Band of Igloolik; Manisee Akpaliapik; Fort Rae Traditional Performers; the fiddle of the Arctic, Colin Adjun; Richard Lafferty; and the Fort Good Hope Drummers. To enhance our entertainment and live demonstration programs, we hope to raise an additional \$150,000 in cash from businesses and agencies and about \$150,000 in donated services. If we are successful in increasing the available funds through sponsorships and contributions, 200 northerners will participate in our various on-site performances.

Moving on to the matter of our Expo '86 employment program, I am informed that our employment co-ordinator, Sharon Firth, has travelled to all regional administrative centres and other communities where high schools are located. To date, 2500 employment application packages have been distributed throughout the North. Ms Firth and other Expo '86 managers have already begun the process of reviewing applications and interviewing prospective employees for the 115 positions that project will create. I expect that we will have a full complement of staff hired by the end of 1985.

Promotion Of Expo '86 Project

With respect to promotion of our Expo '86 project, our pavilion staff have undertaken a number of initiatives over the past 10 months. For example, presentations have been made to a number of zone tourism association meetings last winter. Speaking engagements were booked with a number of organizations including the TIA, Association of Municipalities, Chambers of Commerce, Rotary Clubs and so forth. Our project group attended the Beaufort Industry Group Conference held this summer in Inuvik and more recently, we participated in Mack Travel's tourism promotion shows in both Yellowknife and Inuvik.

In terms of southern exposure, a number of my colleagues and I would very much like to thank the media for their assistance and support and will recall our very successful construction kick-off ceremony where we hosted over 300 national and international journalists touring the Expo '86 site in late April of this year. Finally, Mr. Speaker, we will be hosting 18 northern media and travel agents next month to further raise the profile of Expo '86 and our pavilion.

Contributors To Pavilion Project

On the matter of corporate participation, the following firms have formally announced their involvement in our pavilion project: The Bay, Cominco, Hawkins Taxidermy of Winnipeg, Petro-Canada, Esso Resources, Gulf Canada, NorthwesTel, Yamaha, the Yellowknife branch of the Toronto-Dominion Bank, Polar Gas and Northwest Territorial Airways. The estimated cash contributions from corporations which have officially announced their participation is about \$635,000. During the

next six months, additional corporate sponsors will announce their participation, bringing the total cash contribution prior to opening to approximately \$850,000. In addition, we expect to receive a variety of donated services with a conservative value of \$400,000.

Mr. Speaker, as I have noted on many occasions, I am most impressed with this demonstration of support from our corporate partners. Their level of participation truly reflects one of the project's main themes; that is, government and industry working together as "Partners in Progress".

Many residents of the North, past and present, have also expressed an interest in contributing to the pavilion operations. Having volunteers will permit us to significantly increase the amount of personal attention that visitors to our pavilion will receive. Our visitors will experience northern hospitality first-hand thanks to the efforts of the volunteer corps. Details concerning the program will be announced in the next few days.

Mr. Speaker, I would also like to acknowledge the assistance of a number of NWT government departments, in headquarters and the regions. For example DPW has assisted right from the start in helping us make design decisions. Government Services have been most helpful in putting into place communications and office infrastructure. Renewable Resources and the Northern Heritage Centre have assisted on matters respecting historical exhibits and resource harvesting demonstrations. The Department of Information has helped to develop and launch a most effective promotional campaign and lastly, I would like to thank all the members of my Department of Economic Development and Tourism and the TravelArctic group for helping and advising and supporting any decision that we have had to make.

In conclusion, Mr. Speaker, we will be opening our doors to the public in 185 days.

AN HON. MEMBER: Count down.

HON. TAGAK CURLEY: Count down. I am told that our pavilion is attracting a great deal of attention in Vancouver. This summer, for example, over 600,000 visitors toured that section of the Expo '86 site where our pavilion is located. Our majestic Inukshuk sculpture and of course, the unique design of our pavilion building served to establish our presence on site. In the North, we have attempted to involve northerners in the initial planning and development phases of our project. We have made significant expenditures on northern arts, crafts and food products to stimulate these sectors of our economy and we will, in the near future, be undertaking what will be one of 1986's largest employment programs, that is the hiring of over 100 northerners to work in our pavilion at Expo '86.

Mr. Speaker, I am satisfied that we are well on our way to achieving the major objectives, which the previous Executive Council decided, which have guided the development of our Expo '86 project. I will address the Assembly once more on Expo '86 during our budget session next year. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Curley. Item 3, Ministers' statements. Ms Cournoyea.

Ministers' Statement 9-85(3): Porcupine Caribou Management Agreement

HON. NELLIE COURNOYEA: Mr. Speaker, it is with great pleasure that I inform this House that an agreement to protect the Porcupine caribou herd and its habitat in northern Canada was signed on Saturday, October 26th, 1985, by representatives of the federal and territorial governments and several native associations. This agreement is the culmination of 10 years of negotiations and the historic signing of the Porcupine caribou management agreement was held in Old Crow, Yukon's most northerly settlement. Parties to that agreement, in addition to the Government of the Northwest Territories, include the federal government Department of Indian and Northern Affairs and the Department of Environment; the Yukon Department of Renewable Resources; the Council of Yukon Indians; the Inuvialuit Game Council; the Dene Nation; the Metis Association of the Northwest Territories.

The co-operative agreement developed by government and traditional users of this important renewable resource ensures the continued protection and well-being of the Porcupine caribou herd and its habitat in Canada. It establishes a management board, including representatives from the three governments and native communities involved. Those communities are: Old Crow; Dawson; Mayo;

Aklavik; Fort McPherson; Arctic Red River; Inuvik and Tuktoyaktuk. The board will advise governments on all matters relating to the management of the herd in Canada, such as annual quantities of caribou to be harvested, land-use issues and research studies. The Porcupine herd migrates across territorial and international boundaries from north-east Alaska across Yukon and into the northern part of the Northwest Territories. This agreement is particularly important as it will provide a basis for negotiations with the United States on international agreement for the management of Porcupine caribou. Thank you.

---Applause

MR. SPEAKER: Thank you, Ms Cournoyea. Item 3, Ministers' statements. Mr. Curley.

Ministers' Statement 10-85(3): Privatization Policy For NWT

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I know the Members are anxious to go for coffee break. Mr. Speaker, I would like to say that I am pleased as the Minister of Economic Development to announce the approval of the first privatization policy for the Northwest Territories. The underlying premise of this policy is that we feel the private sector is, in many cases, better and more efficiently equipped to supply goods and services to the government than the government is itself. Clearly, our government does not see itself in competition with private businesses.

SOME HON. MEMBERS: Hear, hear!

HON. TAGAK CURLEY: Through this policy the government is committed toward a gradual transfer of supply and service functions to the private sector. Indeed, I see the privatization policy as a major step toward creating new business opportunities for northerners and it is one which I hope will create new jobs, especially for such young people as we have seen today.

Under the privatization policy, all departments and government agencies are to prepare action plans outlining which of their programs or services can and should be privatized according to certain guidelines. These plans are to be ready by the end of this November. I should note, Mr. Speaker, that in order to introduce this measure with the least disruption and with as much fairness as possible to government staff that might be affected by the privatization plan, we have incorporated two very important guidelines to be followed: 1) All government employees will be treated fairly and with respect in implementation of these measures; 2) To ensure that adequate levels of service are met, programs and service requirements will be stipulated in the privatization plans. In closing, Mr. Speaker, I would like to say that the privatization policies and other economic measures introduced by this government, we are proud of. I believe it is a major accomplishment that will encourage the growth of the private sector. Matna.

MR. SPEAKER: Thank you, Mr. Curley. Are there any further Ministers' statements? Ms Cournoyea.

Ministers' Statement 11-85(3): Honorary Degree To Agnes Goose

HON. NELLIE COURNOYEA: Mr. Speaker, I would appreciate at this time, to have an opportunity to share a very honored occasion. Agnes Goose, has been awarded an honorary degree, a doctor's degree, by the University of Mount St. Vincent in Halifax on October 20, 1985. Her honorary degree in humanities is dedicated to her talent, artistic talent through which she built a community co-operative in Holman Island with her prints. Many of the items of her artistic ability are the basis of many of the awards that have been given in Ottawa by the Arts Council. Thank you.

---Applause

MR. SPEAKER: Thank you, Madam Minister. Are there any further Ministers' statements? Mr. Sibbeston.

Ministers' Statement 12-85(3): Role Of News Reporters

HON. NICK SIBBESTON: Mr. Speaker, Mr. Nerysoo, as outgoing Government Leader, made a statement with respect to press. I guess as an incoming Leader, I want to say something about the press as well. The press -- both newspaper and the CBC -- has a very important role in informing the public of the North about the events that occur. I consider it to be an extremely important responsibility which must be done intelligently and informatively. The next few years will see quite a number of important events; land claims, division, more responsible government and evolution of our Executive Council to full control of our government.

I say this because over the weekend I received a phone call from a CBC news reporter. I was asked about the assignments of the new portfolios. I stated clearly that I would be making the announcement at the regular sitting of the Assembly and that at the first coffee break after that, we would be having a press conference where all the Ministers would be in attendance. It seems like this was a simple enough statement and that it ought to have been reported as such. But this morning on the CBC news at 8:30, it was stated that I would be announcing the appointments at a news conference and further that the decision of appointments was made in consultation with the Commissioner.

These are not the facts. The assignment of portfolios was made by myself in consultation with all of the Ministers. The Commissioner was told of the final decision as a matter of courtesy. He was not involved at all in this matter. But the impression is given that the Commissioner is still involved in this very political process. Such reporting, in my view, is inaccurate, ill-informed, and just generally sloppy. I am sorry to say this to the CBC reporter in question, but I do consider that the years ahead of us are critical and good reporting is essential to an informed public. I say, we, on our part in the next few years will provide good government and we ask the news reporters to in turn do a good job of reporting, to be accurate and to do a good job. I think that is all we can ask.

---Applause.

MR. SPEAKER: Thank you, Mr. Minister. Item 3, Ministers' statements. Mr. Curley.

Supplement To Ministers' Statement 8-85(3)

HON. TAGAK CURLEY: Mr. Speaker, I neglected to announce at the conclusion of my statement on Expo '86, that we have today opened a display of a number of the arts and crafts materials that my officials will be sending to the site shortly. The view is available for Members, Members only, in the Gold Room. So if the Members would like to take a look, they can see some of the samples that we will be shipping over to Vancouver shortly. Thank you.

MR. SPEAKER: Thank you, Mr. Curley. Ministers' statements. Item 4, oral questions. Mr. Paniloo.

ITEM 4: ORAL QUESTIONS

Question 94-85(3): Implementation Of Education Act Amendment, Pangnirtung

MR. PANILOO: (Translation) Thank you, Mr. Speaker. This is regarding the statement that was made earlier by the Minister of Education regarding a piece of legislation that was tabled in May, the Education Act. I have informed him earlier about this. I had told him that I had not been able to get in touch with my constituents and I thought I asked him if I could get back to him about this certain concern after I talked with my constituents. I have not been able to get in touch with my constituents about this problem because I had a lot of other meetings to attend. I am wondering if you are going to follow up with the idea that local education authorities have the option of following this act or not following the act. Thank you.

MR. SPEAKER: Mr. Patterson.

Return To Question 94-85(3): Implementation Of Education Act Amendment, Pangnirtung

HON. DENNIS PATTERSON: Yes, thank you, Mr. Speaker. The bill that is now before this House will give each community the choice as to whether or not it wishes to take advantage of this new scheme for enforcing compulsory education. It will be completely up to the community of Pangnirtung whether they want this new law applied to their community or not. So, Mr. Speaker, if the community has not had the time to consider it or the Member has not had the time to discuss it with that community, then there will be lots of time. The bill need not be implemented in Pangnirtung until they are ready. If they are not ready then it need never be implemented there. I thank the Member for that question and I hope that it is now better understood in Pangnirtung that this law will not apply unless it is asked for in the community. Thank you.

MR. SPEAKER: Supplementary, Mr. Paniloo.

Question 95-85(3): Awarding Of Contract For Reservoir In Pangnirtung

MR. PANILOO: (Translation) Thank you, Mr. Speaker. My question does not have anything to do with education. I am not sure who I am going to direct it to, perhaps to the Government Leader or to the Minister responsible for DPW. It is going to be about the water reservoir in Pangnirtung. They were not too sure who was going to be contracted for this water reservoir. Recently they have awarded the contract. I would like to find out how these contracts were awarded. Why and how they were awarded, and under what basis for water delivery? Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 95-85(3): Awarding Of Contract For Reservoir In Pangnirtung

HON. GORDON WRAY: Thank you, Mr. Speaker. I will give a brief reply to the Member and I think that the type of question that he is asking and the detail that he has asked for are probably better followed up in writing because he has asked for a lot of detail. However, Tower Arctic of Frobisher Bay was awarded the contract for a total amount of \$4,666,640. Special provisions regarding local involvement have been developed for this project. The prime contractor, which is Tower Arctic, is establishing a new heavy equipment leasing company in Pangnirtung. The heavy equipment to be used for the project and the new maintenance garage will become assets of a new company. The newly established business and its equipment will remain as a permanent business in Pangnirtung and shares in the company will be available to local residents. This was done in conjunction with the hamlet council, the Department of Economic Development, the Department of Public Works and Highways and the Department of Local Government.

The contract was awarded, not only on the basis of the price that was bid, but it was awarded on the basis of the local involvement that Tower Arctic proposed. Tower Arctic and CanaDrill, which is going to perform the bulk of the earth work in Pangnirtung, were the contractors who proposed the best utilization of local labour and local equipment and offered the most benefits to the residents of Pangnirtung. I will however, follow up to the Member in writing with more details, because it is an extremely complicated contract, and it is not one that can be easily answered in the House, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Mr. Paniloo, is that satisfactory? Are there any further oral questions? Mr. Erklou.

Question 96-85(3): Clarification Of Provisions Of Education Act Amendment

MR. ERKLOO: Thank you, Mr. Speaker. My question will be directed to the Minister responsible for Education. I think my question has already been answered by the Minister, but on October 23rd, I asked the same question as Paniloo asked a few minutes ago. When I asked that question my understanding was that the communities have a choice, whether they want to have compulsory attendance or not. Later on, following my question to you, after you said my assumption was correct, you said that leaving compulsory attendance up to communities would be unconstitutional. Therefore, it will have to be enforced throughout the Northwest Territories. Because of that, those two answers, a lot of people in Baffin Island are confused, including me. I wonder if the Minister could make a statement or information to the newspapers and radio, to make sure that the people know what exactly it is, because I had a lot of phone calls this week including one from Joe Enook, who is the chairman of the divisional board of Baffin. Apparently he also had a lot of phone calls concerning this. I would appreciate it if the Minister of Education could make a statement to tell the people exactly what it is, because at the moment everybody is confused. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 96-85(3): Clarification Of Provisions Of Education Act Amendment

HON. DENNIS PATTERSON: Yes, thank you, Mr. Speaker. I am very sorry about that confusion, especially since it resulted in the mayor of Pangnirtung calling for my resignation. Mr. Speaker, when I referred to the need to have equal provisions across the Northwest Territories, I was responding to the honourable Member's question about whether there could be different penalties in each community should someone be taken to court. And I was responding to what I believed was a question about the amount of the fine. If compulsory education is implemented in a community, the

fine has to be the same. That will apply the same in every community where compulsory education is implemented. But I was only talking about the need for a uniform fine in answering the honourable Member's question.

However, let me state it as clearly as I can. If this bill is given third reading, compulsory education will not apply across the Northwest Territories. It will only apply where there is a petition to have it applied by a local education authority and where the Minister of Education grants that petition and implements compulsory education in that community. It is not going to be applied automatically throughout the Baffin or throughout the Northwest Territories.

In fact, Mr. Speaker, I have only had something like about six requests in all parts of the Northwest Territories for this law to be implemented, so I cannot anticipate more than one out of 10 communities at the moment even making a request for this legislation. Certainly, a key provision in the legislation is community choice and I will try to clarify that with the Baffin Region as soon as I can. It is an option just like alcohol controls, and I will have to say that in Inuktitut on the CBC clearly, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you. Mr. Erkloo, are you satisfied with that or would you like the Minister to give you a written statement so that you could clarify the matter? Are you satisfied with that answer? Are you clear now on what it is, Mr. Erkloo?

MR. ERKLOO: Thank you, Mr. Speaker. Yes, I am. However, I would still like to get a written answer so that I can show it to the people because I am sure that they will still keep phoning me. If the Minister could do that I would appreciate it very much. Thank you.

MR. SPEAKER: Thank you. Mr. Minister, would you take that as a written question and give a written reply? Mr. Patterson.

HON. DENNIS PATTERSON: Yes, Mr. Speaker, I will be glad to do so. Thank you.

MR. SPEAKER: Thank you. Are there any further oral questions? Mr. Erkloo.

Question 97-85(3): Pilot Project For Preschool Children, Pond Inlet

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I still have a question for the Minister of Education. In Pond Inlet, there is a pilot project for students up to age six or seven. The teachers were being instructed in April by visiting the residents of Pond Inlet and the funding came from Social Services, but those instructors are on contract and the contract stated that Social Services wanted the names of students and what they are learning. They wanted them to report but those people on contract did not want to have to report to Social Services until the parents of those children agreed they were able to do that. I got a call on Friday. Social Services who have been funding that project are no longer going to fund that project any more. I think that pilot project might be useful in the future. Perhaps the Minister of Education or the Social Services Minister can tell me what will be happening to that pilot project in the future.

MR. SPEAKER: Mr. McLaughlin.

Return To Question 97-85(3): Pilot Project For Preschool Children, Pond Inlet

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. In the Baffin Region, during the last fiscal year, my department became involved in the funding of some projects started by LEAs and a few other local groups which related to education because we could identify some money that we had within the region which we could reallocate to that. So, we helped out the shortage that the Minister had in this region. Most of those programs were involved with special education and we stretched the meaning of special education to such things as dealing with children in the school that had family problems and personal problems and were difficult to deal with and we funded the position in a local LEA in order to do this. This year with the funding that was given for special education, the Department of Education picked up all of those areas and my department no longer was involved. The situation in Pond Inlet was a special case where we provided funding and continued to do so but it is not really within our mandate and at this present time we do not intend to continue funding that as it is not really within the area of Social Services programs. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLaughlin. Mr. Patterson, is your department going to be able to pick this up?

HON. DENNIS PATTERSON: I do not know if I should say thanks, with all respect, Mr. Speaker.

AN HON. MEMBER: It was coming anyway.

Further Return To Question 97-85(3): Pilot Project For Preschool Children, Pond Inlet

HON. DENNIS PATTERSON: Mr. Speaker, frankly, I am aware of the project. I think it is a worth-while project. The honourable Member should know that this was an experimental project that has to be evaluated and as far as I know an evaluation has not yet taken place because the project is just under way, so I am not in a position at the moment to say whether it will continue or not, but I expect I will have an answer certainly by the next session, if not before. I can tell the Member that I think these kinds of programs which are directed at preparing preschool children for school can be very important to the success of a child in school. So, we will be looking very closely at the success of the project and if, as I suspect, it does prove to have merit particularly for children in a cross-cultural situation, then I would hope that not only it but other similar projects could be supported in future. So, I will have to take the question as notice, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you for the abbreviation, Mr. Patterson. Are there any further oral questions? If there are more oral questions, we will recess for 15 minutes for coffee.

---SHORT RECESS

The House will come to order. Oral questions. Mr. Richard.

Question 98-85(3): Action Plan Of Interdepartmental Committee On Mental Health

MR. RICHARD: Thank you, Mr. Speaker. My question is for the Minister of Health, past and future and present. Earlier this year, Mr. Speaker, this Assembly passed a motion recommending to the government that a directorate of mental health be established within the Minister's department. Last month, Mr. Speaker, the Minister wrote to me indicating that since that motion had been passed by the Assembly, an interdepartmental committee had been formed to draw up terms of reference, etc., and the Minister indicated, Mr. Speaker, that this interdepartmental committee would be able to provide an action plan which would be tabled at the session of the Legislative Assembly scheduled for October -- this session. Can the Minister indicate whether the action plan has been developed and if he will be tabling it at this session? Thank you.

MR. SPEAKER: Thank you. Mr. McLaughlin.

Return To Question 98-85(3): Action Plan Of Interdepartmental Committee On Mental Health

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. The action plan referred to in my letter has not yet been passed on to me by this committee. They met for only the second time a couple of weeks ago, so my answer is, no, the interdepartmental committee has not reported to me with an action plan but I will not have the Members waiting until next session. Once the action plan comes forward to me I will use some means to make Members and the general public aware of what the proposed action plan is. I should, Mr. Speaker, at the same time indicate, as the Member alluded to the motion that was made previously in the year, that I did write the Hon. Jake Epp asking for him to consider a transfer to this government of mental health and he indicated that he did not want to do that, so the GNWT is not in a position of having any funds or the mandate to hire people in this area. All we can do is push Health and Welfare Canada and I did have some success in this area as there are five person years being established by Health and Welfare Canada to have a mental health person in each region. All I can do, Mr. Speaker, is say that is what we have done in the area so far and the action plan, as soon as it is available to me, I will make it available to Members and to the general public. Thank you.

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

Question 99-85(3): Update On Construction Of School, Pelly Bay

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I have asked a number of questions of the Minister of Education but I would like to have an opportunity since I have been asking him a lot of questions, I would like an update right now to find out what is the poor story of the Pelly Bay school at this time?

MR. PEDERSEN: Didn't you hear? It was finished yesterday.

MR. SPEAKER: Mr. Minister.

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I have been working on the problem and I have a possible solution in mind which I will be discussing with the Executive Council. Probably in the latter part of November, it can be resolved one way or the other. I am sorry I cannot give a definite answer at this time because the decision is not up to me alone but it involves the Financial Management Board. But I am hopeful that I can solve the problem to the honourable Member's satisfaction in the next short while. Thank you.

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

Question 100-85(3): Informational Material Available At Expo '86

MR. MacQUARRIE: Thank you, Mr. Speaker. I have a question for the present and future Minister of Economic Development and Tourism, spurred by the report on Expo that the Minister gave earlier. Could I ask the Minister what factual material with respect to the Northwest Territories and its people and the activities that go on in the Northwest Territories will visitors to Expo be able to take away with them when they leave Expo, whether it is printed material or video or tapes or whatever? I have heard that there may be comic books that will be available to people and I do not belittle that. In their own way they may be very valuable but it makes me wonder what other attractive informational material that may stimulate investment or just provide an interest for people of the South in the North or perhaps inspire them to visit the North -- what will be available?

MR. McCALLUM: Captain Al Cohol.

MR. SPEAKER: Mr. Minister.

Return To Question 100-85(3): Informational Material Available At Expo '86

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I appreciate the full information that we have provided on the comic book side of the situation. I am informed by my officials that there will be factual printed material, particularly related to the people of the North, the Dene, the Inuit and so on. As well I saw some of the material that is available with respect to women who are interested in northern food, cookbooks for instance. I am also informed that on a consignment basis, Outcrop will be making available to Expo a number of printed items but what categories they are in at the moment I do not know but I am sure that the northern magazines that are produced right now will be available. I would like to take further the question and provide again, if possible tomorrow, a more factual report so that I will not be giving you an incomplete answer. But from what I gather, we will have a cross section of the northern factual literature available for visitors around the world. Thank you.

MR. SPEAKER: Mr. MacQuarrie.

Supplementary To Question 100-85(3): Informational Material Available At Expo '86

MR. MacQUARRIE: Yes, thank you. I appreciate the Minister's answer and I will look forward to further information tomorrow. It is just a question, I notice, that at one point the Minister said "on consignment", there may be materials produced by independent sources and I am just wondering whether the Minister has considered -- I know it is always a delicate question when you suggest that a government initiate some of these things because people are suspicious of a government propagandizing, but I ask the Minister in this case might it not be desirable for the government to, not just leave it to others but to initiate some specific project that would ensure that people in the South do hear certain things about the North that would awaken their interest or provide them with factual information?

MR. SPEAKER: Mr. Minister.

HON. TAGAK CURLEY: Mr. Speaker, I think that is a very good suggestion. I am, at the moment, not fully up to date as to what the possibilities are. I know that the amount of funds that the Executive Council and the Assembly have approved are getting pretty tight and if there is any

possibility of that happening I would like to be able to take that information and consult with my Expo co-ordinators and see whether or not we should be thinking about the kind of thing you are suggesting. But again, we are working within the budget and if the budget would allow I would certainly like to make that commitment to you but I will take it as notice and see whether or not it is possible. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Are there any written questions for today? Mr. Wah-Shee.

ITEM 5: WRITTEN QUESTIONS

Question 101-85(3): Grants And Loans In Support Of Tourism

MR. WAH-SHEE: Thank you, Mr. Speaker. I have a written question to the Minister of Economic Development and Tourism. Could the Minister provide detailed information regarding grants and loans given to individuals, organizations in my constituency in support of tourism activities? Specifically, I would like to know for the past four fiscal years a) who has received funding; b) what was the amount of this funding; c) was this funding in the form of a loan or a grant; d) how many of these individuals and organizations were given funding on the recommendation of the tourist zone association? Mr. Speaker, I am referring to the tourist operators or tourist lodge operators in this area that belong to the Northern Frontier Visitors Association. Thank you.

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

Question 102-85(3): Dental Care In Sanikiluaq

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Social Services. I have to ask about dental care in Sanikiluaq, especially concerning younger children in school. Right now, I am told that they are getting toothaches with swelling around the mouth, and that a year has passed since their last dental checkups. I have heard that, in 1986, they will be taught to take proper care of their teeth in school, but this is not proper dental care compared to dental checkups. Because of this, we probably will not get a dentist for another two years.

Our nurse in Sanikiluaq has requested that a dentist come in from Great Whale River, but has been turned down a number of times. I feel it is very serious that dental care is not being taught. I am asking the Minister if he could get a dentist to Sanikiluaq as soon as he can. I would like a written response when I am home.

MR. SPEAKER: Thank you. Are there any returns? Mr. Sibbeston.

ITEM 6: RETURNS

Return To Question 84-85(3): Hamlet Office, Sanikiluaq

HON. NICK SIBBESTON: Mr. Speaker, I have a number of returns. I will start with Question 84-85(3), asked by Mr. Appaqaq on October 24th regarding Sanikiluaq office space. The present hamlet office is large enough to meet the hamlet's needs. However, there is inadequate office space in the community for government purposes. At present the field service officer, social services worker and housing manager all have offices in the hamlet facility which has led to overcrowding. I understand that the regional director in the Baffin Region is reviewing the government's need for office space in all communities. Mr. Appaqaq may wish to seek further information from the Minister of Public Works and Highways as it is his department that is responsible for providing government office space.

Return To Question 83-85(3): Loader For Sanikiluaq

With regard to Mr. Appaqaq's Question 83-85(3) concerning a loader in Sanikiluaq, the response is that under the present policy for providing mobile equipment to communities, Sanikiluaq is entitled to one loader for the purpose of maintaining their roads. There have been difficulties experienced in maintaining the community's present equipment. Recently, my officials in the Baffin Region went to Sanikiluaq to inspect the loader and determine what repairs were needed. The hamlet is in the process of hiring a journeyman mechanic who will upgrade their equipment and provide ongoing

maintenance also. The hamlet's loader is scheduled to be replaced in 1988-89 at a cost of \$108,000. If the community wishes to have a second loader to carry out construction projects or contracts they can retain their present loader as an unfunded piece of equipment when the new one arrives in 1988. Alternatively, the hamlet can use its own funds to advance the purchase of a loader or buy their own equipment.

Return To Question 66-85(3): Development On Frobisher Bay Hillside

The last return deals with Question 66-85(3) by Mr. Arlooktoo asked with respect to the Qaqqajaq Frobisher Bay development. Historically, Qaqqajaq Hill has been an important lookout for local hunters to view conditions on Frobisher Bay and look for returning hunters. However, the hill has also been zoned for residential use in the town's zoning by-law and no objections to that have ever been raised until this fall. In approving the development, the town council acted correctly in that the project met all the requirements of their present zoning by-law. If council had refused the development, there could have been legal implications. Council did make a mistake in not providing 14 days notice of their approval before permitting construction to proceed, but this procedural error is not sufficient grounds for overturning their decision.

The council has reviewed the petition submitted to them and they have agreed with recommendation number four. They will change their by-law to provide greater public input into development decisions. Because the development on Qaqqajaq Hill has progressed quite far, the town does not feel that they can halt it at this time. However, there is a part of lot 602 on the hillside that is as yet undeveloped. The town will amend their zoning by-law for this lot from residential to open-reserve so that it can be used for its traditional use as a lookout for hunters and people in Frobisher Bay. Under present legislation, the town has jurisdiction over planning, zoning and development. Except for the minor procedural error, the council acted properly and in accordance with their by-laws so our department is not able to change what they have done. Thank you.

MR. SPEAKER: Are there any further returns? That appears to conclude returns for today. Item 7, petitions. Mr. Curley.

ITEM 7: PETITIONS

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I have Petition 5-85(3) from the home-owners of Rankin Inlet with about 34 signatures on the petition. This petition is addressed to the government by the home-owners of Rankin Inlet requesting the government to ensure that the utilidor system is incorporated into one major agency rather than a number of agencies, the hamlet and the home-owners themselves trying to manage for the good of the community. Therefore, along with the preamble, I think this petition would be good guidance to the government to ensure that the utilidor is put in the proper place. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Are there any further petitions? Item 8, reports of standing and special committees. Mr. McCallum.

ITEM 8: REPORTS OF STANDING AND SPECIAL COMMITTEES

Report Of Special Committee On Housing In Response To Tabled Document 8-85(3)

MR. McCALLUM: Thank you, Mr. Speaker. On behalf of my co-chairman, Mr. Ludy Pudluk, and Members of the special committee on housing, I am pleased to respond to the statement made last week by the Minister responsible for Housing, as part of a report of our committee. At that time, the Minister tabled a publication entitled "A New Era in Housing, Planning Together for the Future" which outlined the Minister's response to the 82 recommendations made by the special committee in their final report. The 82 recommendations made by the committee were developed through a very lengthy process of public consultation which involved visits to some 40 NWT communities by committee Members. After the numerous problems were documented the difficult process of hammering out possible solutions began. This process required committee Members to address many diverse issues and to arrive at consensus and finally to agree to the recommendations that were contained in the report. So it was, Mr. Speaker, with considerable interest that the special committee Members anticipated the Minister's response to the report.

We are very pleased to note that the Minister's response is overwhelmingly positive. Most of the recommendations have been endorsed and their implementation is either under way or imminent. Furthermore, the Minister has provided a timetable of both implementation and reporting of progress

which ensures accountability and proves his commitment to achieving these objectives. We note that implementation of some of the recommendations will be outlined as part of the NWT Housing Corporation's proposed corporate plan, which is to be completed by May, 1986. We also note that in addition to the recommended comprehensive audit by the Auditor General, the Minister has directed the Housing Corporation to undertake a number of internal reviews. In the course of these reviews, the special committee's recommendations in regard to the role of the housing association and regional councils vis-a-vis the corporation's board of directors will be addressed.

We find much then, Mr. Speaker, to support and indeed applaud in the Minister's response to the special committee's recommendations. We want to commend the Minister, not only for his role in securing increased funding for the new housing starts over the past two years, but also for addressing the problems of funding to housing associations. The initial positions allocated to the housing associations and increased funding for salaries of the employees, will have a positive and significant impact on the level of service housing associations are able to provide in the communities. The proposed consolidation of maintenance activities whereby the corporation will maintain all staff housing of the government in the communities, therefore both government staff and housing associations' staff, is also supported.

Special committee Members will look forward to the outcome of the corporation's review of its rental scales. The review process as outlined involves the housing associations and/or authorities and other interested bodies. By this, we hope that the Minister will include, not only the bodies in this room, but this old body as well. The rental scale issue is extremely difficult and the consultation process is essential for successful resolution.

Mr. Speaker, I cannot believe that I said all those nice things about the Minister. So, I will simply say that the corporation's needs study continues to be a source of concern. Although the methodology has been refined, the data that it produces is, in our opinion, still insufficient for some communities, especially in the area of income reporting. Although a completely objective data base is difficult to achieve, an issue paper that is contained in his report on allocation of housing, indicates that it is essential that the needs of all communities be measured and addressed in terms of relative need. To this end then, Mr. Speaker, the committee would ask the Minister to urgently pursue the objective of developing methods of market communities. The problem of allocation of housing or of limited dollars for housing proceeds directly from the issue of assessing the relative needs of communities. The lack of long-term planning on the part of the Housing Corporation has hampered, in our view, community development, and we will all await the release of the five year capital plan with a great deal of interest. Without this long-term perspective, Mr. Speaker, which must be developed for home-ownership programs, as well as for public housing, it is difficult for MLAs to approve the proposed allocation, let alone explain the rationale to our constituents. Thank you.

MR. SPEAKER: Thank you, Mr. McCallum. I too am concerned. I suggest possibly a visit to Dr. Igoe would be in order tomorrow.

---Laughter

MR. McCALLUM: (Inaudible comment)

MR. SPEAKER: Are there any further reports of standing and special committees? Item 9, tabling of documents. Mr. Sibbeston.

ITEM 9: TABLING OF DOCUMENTS

HON. NICK SIBBESTON: Mr. Speaker, I wish to table the following document: Tabled Document 17-85(3), draft legislation entitled Local Authorities Elections Act.

MR. SPEAKER: Thank you. Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I wish to table the following document: Tabled Document 18-85(3), Department of Health, Government of the Northwest Territories, Report on the "Smoking Survey Among Government Employees", June 1985.

MR. SPEAKER: Thank you, Mr. Minister. Tabling of documents. Item 10, notices of motion. Ms Cournoyea.

ITEM 10: NOTICES OF MOTION

Notice Of Motion 18-85(3): Appointment To NWT Water Board

HON. NELLIE COURNOYEA: Mr. Speaker, I wish to give notice that on Monday, October 28, I will be asking for unanimous consent to deal with a motion concerning recommendations for an appointment to the Northwest Territories Water Board by the Commissioner in Council to the Minister of Indian Affairs and Northern Development.

MR. SPEAKER: Thank you. Notices of motion. Are there any other notices of motion? Mr. Richard.

Notice Of Motion 19-85(3): Youth Forum Recommendations

MR. RICHARD: Mr. Speaker, I give notice that on Wednesday, October 30, I will move the following motion: Now therefore, I move, seconded by the honourable Member for Slave River, that this Legislative Assembly recommend that the Executive Council review the recommendations made to this Assembly by the youth representatives on October 28, 1985, and prepare a formal response to these recommendations for consideration by this Legislative Assembly at the next session. And, Mr. Speaker, I will ask for unanimous consent later, to deal with this motion today. Thank you.

MR. SPEAKER: Thank you, Mr. Richard. Mr. McCallum.

Notice Of Motion 20-85(3): National Junior Curling Championships

MR. McCALLUM: Thank you, Mr. Speaker. I give notice that I will be asking for unanimous consent later today to move the following motion: That the Legislative Assembly recommend to the Executive Council that it urge the federal Minister responsible for CBC to reconsider the corporation's decision not to provide television coverage of the proposed national junior curling championships to be held in Yellowknife in the Northwest Territories in 1988.

MR. SPEAKER: Thank you, Mr. McCallum. Mr. Richard.

Notice Of Motion 21-85(3): Special Committee On Rules, Procedures, And Privileges

MR. RICHARD: Mr. Speaker, I give notice that on Wednesday, October 30, I will move the following motion: Now therefore, I move, seconded by the honourable Member for Inuvik, that the following terms of reference be approved for the special committee on rules, procedures and privileges. Mr. Speaker, I will read the lengthy terms of reference when we come to the motions, and I will seek unanimous consent to deal with the motion today, Mr. Speaker. Thank you.

MR. SPEAKER: Are there any further notices of motion? Item 12, Motions.

ITEM 12: MOTIONS

Ms Cournoyea, I understand you are seeking unanimous consent for your motion. Are there any nays? Ms Cournoyea, you have unanimous consent.

Motion 18-85(3): Appointment To The NWT Water Board, Carried

HON. NELLIE COURNOYEA: Mr. Speaker:

WHEREAS because of a recent vacancy to the membership of the Northwest Territories Water Board;

AND WHEREAS certain appointments to the Water Board are to be made by the Minister of Indian Affairs and Northern Development on the recommendation of the Commissioner in Council;

NOW THEREFORE, I move, seconded by the honourable Member for Kivallivik, that Mr. Frank Ikpakohak, of Coppermine, be recommended for a two year term by this House to the Minister of Indian Affairs and Northern Development, for appointment to the Northwest Territories Water Board.

AN HON. MEMBER: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Mr. Richard, I understand you are requesting unanimous consent for your first motion that you gave today. Do I have unanimous consent? Are there any nays? Proceed, Mr. Richard.

Motion 19-85(3): Youth Forum Recommendations

MR. RICHARD: Thank you, Mr. Speaker.

WHEREAS the Legislative Assembly has received a number of submissions and recommendations from the representatives of the territorial Youth Forum held on October 25 to 28, 1985;

AND WHEREAS the youth representatives have stated that the youth wish to continue to work together, now and in the future, and have stated a commitment to be involved in the development of a positive lifestyle for youth in the Northwest Territories;

NOW THEREFORE, I move, seconded by the honourable Member for Slave River, that this Legislative Assembly recommend that the Executive Council review the recommendations made by the youth representatives on October 28, 1985, and prepare a formal response to these recommendations for consideration by this Legislative Assembly at the next session.

MR. SPEAKER: Your motion is in order. To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Question being called. Mr. McCallum.

MR. McCALLUM: Mr. Speaker, I seconded the motion. During this morning I know Members had an opportunity to talk to the presentation of the youth. Now, I recognize that I was not able to be here. I do not want to go into the rationale of why not. Regardless, I would like to maybe make a comment on one aspect of the presentation. That is that part of the presentation dealing with the youth employment, especially when youth of the Territories are trained and educated, or more especially, when this government provides the wherewithal for giving that training, the assistance to gain that training and in effect, forgives a student loans and grants upon returning to the Northwest Territories for employment, if they can get the employment, or perhaps more to the point, if the youth want to return.

I just want to say simply, that I would hope that the youth in their discussions when they have their council started -- I am sure the government will have them go along with it -- that the youth will recognize that government represents people. It is not only for the people and by the people but it is of the people, and here I would expect that youth would recognize that by people we mean them, that government is the youth. I would hope that the youth, that were represented at their forum, will take their place and run in the government, not only in the political arena but in the bureaucratic arm of the government. I looked around at the attendance over the past week of the youth here and I simply want to say that to those who have talked about the educational system of the Northwest Territories and its deficiencies, I hope that they have looked around at the youth that were represented. Their minds should be set at ease now, the critics of the educational system, because education is alive and well in the Northwest Territories. We simply have to look at the youth that were here, read their deliberations and listen to the articulation that they had. I guess that I would simply like to say that, literally and I guess figuratively, I swell with a little bit of pride to think that I, as well as other people in the government, had the opportunity to be involved with education, especially when I have met those people that were here this past week. I think here is the opportunity for them to make government a career and if it is honourable, or if it does not have the honour now, then this is an opportunity for the youth of the Northwest Territories to make government and politics even more honourable than it is.

Responsibility To Involve Youth In Government

I would charge the Minister responsible for Personnel, who in his public press statements said that he wanted to take on the role of being responsible for that department so that native people could get involved with government, that I hope by that he means the youth of the Northwest Territories regardless of whether they are native or not, but because they are youth of the Territories, because this government puts a lot of money where their intentions are. They provide the education both in school and out of school and for training, so the Minister responsible now for Personnel, the Leader of this government and his Executive Council Members will now recognize that one of the things that they have to do if they are going to make government in these, our Territories, work is to get the youth interested in government, by making sure that belonging to the government is an honourable profession. I charge the Minister with that particular responsibility; that the youth, if they are going to be involved with what goes on in this government, have to be part of it. So I not only charge the Minister with it, I guess I charge the youth of the Territories as well. They have to get involved. Again, I simply want to say, Mr. Speaker, that I hope that means all youth of the Territories because all youth were represented here and represented very well. Again, I think that Members in this House certainly should recognize that our educational system has done very well. We simply had to see what the youth were able to come up with over this past week. Thank you.

---Applause

Motion 19-85(3), Carried

MR. SPEAKER: Thank you, Mr. McCallum. To the motion. Question being called. Mr. Richard, do you wish to close debate? Question. All those in favour? Opposed, if any? Let the record show that the motion was passed unanimously.

---Carried

Mr. Richard.

MR. RICHARD: Mr. Speaker, I request unanimous consent to deal with my motion on the terms of reference of the rules, procedures and privileges committee.

MR. SPEAKER: Are there any nays? Proceed, Mr. Richard.

Motion 21-85(3): Special Committee On Rules, Procedures, And Privileges

MR. RICHARD: Thank you, Mr. Speaker.

WHEREAS this Assembly has, by Motion 11-85(3), established a special committee on rules, procedures and privileges;

AND WHEREAS Rule 93(2) requires that the terms of reference of the special committee shall be approved by this Assembly;

NOW THEREFORE, I move, seconded by the honourable Member for Inuvik, that the following terms of reference be approved for the special committee on rules, procedures and privileges.

Special Committee On Rules, Procedures And Privileges

Terms Of Reference

1) That the special committee may, on its own authority, examine the powers, rules, procedures, practices and organization of the Legislative Assembly; such examination to include but not limited to the following matters:

- a) the Rules of the Legislative Assembly;
- b) the accountability of the Executive Council to the Legislative Assembly;
- c) the legislative process;
- d) the question of privilege;
- e) the role, procedures and powers of committees of the Legislative Assembly;

- f) the provisions for conflict of interest;
 - g) the role of the media;
 - h) the use of television in the Legislative Assembly; and
 - i) the role of the private Member.
- 2) That the special committee shall inquire into such matters as may be referred to it by the Legislative Assembly or the Management and Services Board.
 - 3) That the special committee have all the powers provided to committees by Rule 93.
 - 4) That the special committee shall appoint a chairman to chair the affairs of the special committee on rules, procedures and privileges.
 - 5) That three Members, including the chairman, shall form a quorum.
 - 6) That the special committee have the power to call for such persons, papers and records and to examine witnesses as, in its opinion, are necessary to the conduct of its business.
 - 7) That the Legislative Assembly shall provide the necessary funds to the special committee required to carry out the assigned responsibilities of the special committee.
 - 8) That the special committee shall have the power to retain expert, professional, technical staff.
 - 9) That the special committee as a whole, or individual Members, may undertake such travel as is required to carry out its responsibilities.
 - 10) That the special committee shall have the power to sit during sessions, adjournments and prorogations of the Legislative Assembly.
 - 11) That the necessary administrative support should be provided by the office of the Legislative Assembly.
 - 12) That the special committee may, from time to time, present interim reports to the Legislative Assembly.
 - 13) That the special committee shall make its final report to the Legislative Assembly by the first session in 1987.

Motion 21-85(3), Carried

MR. SPEAKER: The motion is in order. To the motion. Question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

I missed an item here, Item 11, notices of motion for first reading of bills. I did not think there were any, but I am never sure. Motions. Mr. McCallum. Are you asking for unanimous consent on your motion?

MR. McCALLUM: Mr. Speaker, I would ask for unanimous consent to move my motion tomorrow.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: In this business there may be no tomorrow.

---Laughter

AN HON. MEMBER: You may rest assured there will be a tomorrow.

MR. SPEAKER: Item 13, first reading of bills. Mr. Nerysoo.

ITEM 13: FIRST READING OF BILLS

First Reading Of Bill 10-85(3): Statute Law (Canadian Charter Of Rights And Freedoms) Amendment Act

HON. RICHARD NERYSOO: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 10-85(3), An Act to Amend and Repeal Certain Acts Having Regard to the Canadian Charter of Rights and Freedoms, be read for the first time.

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

---Carried

MR. SPEAKER: Item 14, second reading of bills. Mr. Nerysoo.

ITEM 14: SECOND READING OF BILLS

HON. RICHARD NERYSOO: Thank you, Mr. Speaker. I would like to seek unanimous consent to proceed with second reading of Bill 10-85(3).

MR. SPEAKER: Unanimous consent is being requested for second reading of Bill 10-85(3). Are there any nays? Proceed, Mr. Nerysoo.

Second Reading Of Bill 10-85(3): Statute Law (Canadian Charter Of Rights And Freedoms) Amendment Act

HON. RICHARD NERYSOO: Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 10-85(3), An Act to Amend and Repeal Certain Acts Having Regard to the Canadian Charter of Rights and Freedoms, be read for the second time. The purpose of this bill, Mr. Speaker, is to amend and repeal certain acts in order to comply with the Canadian Charter of Rights and Freedoms.

MR. SPEAKER: Thank you, Mr. Nerysoo. To the principle of the bill.

AN HON. MEMBER: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed, if any? Bill 10-85(3) has had second reading.

---Carried

Mr. Clerk, would you move Bill 10-85(3) into the committee of the whole for today?

Item 15, consideration in committee of the whole of bills and other matters: Bill 11-85(3), Bill 12-85(3), Bill 10-85(3). I am sorry I understand that the government has requested that Bill 10-85(3) be the first bill on the order paper. Does anybody have any objection? I will need unanimous consent to change the order paper.

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Change the record then. Consideration in committee of the whole of bills and other matters: Bill 10-85(3), Bill 11-85(3) and Bill 12-85(3), with Mr. Wah-Shee in the chair.

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

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 10-85(3), STATUTE LAW (CANADIAN CHARTER OF RIGHTS AND FREEDOMS) AMENDMENT ACT

CHAIRMAN (Mr. Wah-Shee): We are dealing with Bill 10-85(3), An Act to Amend and Repeal Certain Acts Having Regard to the Canadian Charter of Rights and Freedoms. Mr. Nerysoo, would you like to introduce this bill, please?

Minister's Opening Remarks

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. I am pleased to introduce the Statute Law Amendment Act. This bill proposes amendments to 32 acts of the Northwest Territories to bring them into greater conformity with the Canadian Charter of Rights and Freedoms. The Government of the Northwest Territories is committed to ensuring that the rights and freedoms guaranteed in the charter are respected by the government in all its legislation and policies. The protection of human rights is the basis for a free and democratic society which we are all striving to obtain.

The bill is the result of an extensive review of the acts of the Northwest Territories by the lawyers in the Department of Justice and Public Services. Ten lawyers made detailed reviews of the acts and singled out areas of legislation that might conflict with the Charter of Rights. These areas were then reviewed by the constitutional lawyers who recommended that certain legislation be

amended or repealed since it was contrary to the Charter of Rights. These decisions were made on the basis of an extensive study of case law and legal writing as well as on a study of the legislation of other Canadian and foreign jurisdictions. At this stage the Department of Justice and Public Services entered into consultations with the various government departments and other organizations to discuss the effect of the proposed changes to legislation. This process of consultation was beneficial and necessary since at this stage many concerns were raised about the limitations that might be placed on government action. It is to be noted that the Charter of Rights and Freedoms states that rights and freedoms can only be subject to such limits as are demonstrably justifiable in a free and democratic society.

The bill before you today is the first of a series of bills that the government plans to introduce. The Canadian Charter of Rights and Freedoms is a mere three years old. It will take many years of court challenges and legislative change before the Canadian community will know the limits of their rights and freedoms. The Government of the Northwest Territories will make every effort to ensure that the territorial legislation and policy complies with the rulings of the judicial system in determining individual's rights. The Department of Justice and Public Services is currently working on bills to amend other legislation due to conflicts with the charter. One in particular is a bill regarding inspections, searches and seizures, an area of the law where individual and public rights come face to face. The Supreme Court of Canada, in the Southam decision, set forth the rights of individuals in a search and seizure situation and territorial legislation must be amended to comply with that decision.

The constitutional lawyers in the Department of Justice and Public Services have met with federal and provincial representatives to discuss problems with legislation and exchange information regarding approaches to take with respect to numerous issues, such as mandatory retirement, affirmative action and search and seizure. This process of discussion will continue in order that there may be consistency, to a certain degree, amongst the various jurisdictions in the country. However, the Northwest Territories must make its own decisions that take into account our northern location and cultural diversity. On April 17th of this year, section 15 of the charter came into force. Section 15 is the equality rights section and is the provision of the charter which will have the most profound effect on Canadian society. The section prohibits discrimination on the basis of race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.

Major Changes To Acts

The bill before you today contains numerous amendments to ensure compliance with section 15. With some exceptions the majority of the amendments in the bill have been made retroactive to April 17th, 1985, to coincide with the coming into force of section 15. A few of the major changes in the bill are as follows: 1) a section has been added to the Judicature Act to give married women full independent legal status, thus removing the last remnants of dependent legal status of a married woman; 2) extensive changes to the Domestic Relations Act to give equal rights to both males and females, including the repeal of antiquated concepts of restitution of conjugal rights and damages for adultery; 3) changes to the Change of Name Act and the Vital Statistics Act to eliminate sex discrimination in those areas; 4) repeal of the Lord's Day Act to conform with the Supreme Court of Canada decision in Regina vs. Big M Drugmart, which struck down the federal Lord's Day Act, thus making the territorial Lord's Day Act superfluous; and 5) by repeal of the Seduction Act.

These are a few of the items contained in this bill. As I said before, this bill is the first step toward a goal of respecting the rights and freedoms of the charter, where there are problems. I invite individuals and groups to consult with the government. The government would rather legislate to solve problems than to litigate against individuals and groups with respect to the Charter of Rights. The Government of the Northwest Territories remains committed to the principles of equality and freedom of individuals. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. Mr. MacQuarrie, do you have any comments on behalf of your committee?

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Yes, thank you, Mr. Chairman. Just before embarking on them, I would like to note that it is enlightenment attained through education and information, coupled with intelligent decision making in the assemblies of the nation, that is the foundation of free and democratic societies.

There is, notwithstanding that, a Charter of Rights and Freedoms that has been entrenched in the Constitution of Canada, and that does have important implications for the legislation for the Northwest Territories. This bill reflects changes that are required by that charter, and the standing committee on legislation met on two occasions to review this bill. The committee noted that the bill contained amendments to many major pieces of legislation to correct what in many cases, is discriminatory language and, in doing that, will ensure that our legislation complies with the Canadian Charter of Rights and Freedoms.

The committee also noted that while in the bill, there are many significant changes to territorial legislation, nevertheless we, the Assembly, are faced with complying with the demands of the charter and so, from time to time, it will be noted that various Members had concerns about some of the changes that were being made and yet the changes must be made, in order to comply with the charter, and I am sure those Members will, from time to time, indicate when they had concerns.

The committee noted that two acts, namely the Lord's Day Act and the Seduction Act will be repealed when this bill is passed. In reviewing the legislation, the committee dealt with a written submission that they had received from the Member for Yellowknife South, expressing concerns that the NWT Dental Association had, and also a submission from the same Member on behalf of the concern that Member himself had with existing legislation. In addition, the committee heard a presentation from the vice-chairman of the Advisory Council for the Status of Women, and, in respect of that submission, in a general way, the advisory council are pleased with the positive changes in the bill.

As I said, Members had concerns, from time to time, as did those who presented submissions, and there are a few points during the review on specific clauses where I will comment on some of the concerns that were raised and how they have been dealt with or will be dealt with. Thank you, Mr. Chairman.

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Business Licence Act, clause 2. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Change Of Name Act

CHAIRMAN (Mr. Wah-Shee): Change of Name Act, clause 3, exception. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

MR. MACQUARRIE: Yes, Mr. Chairman. The Advisory Council on the Status of Women indicated, with respect to the Change of Name Act, that they had noted that a child had to be 14 years of age in order to consent to a change of name, but only 12 years of age to consent to adoption, and they expressed the thought that, of the two, adoption seemed to be much more important, and if a 12 year old could offer consent there, they thought that the age should be consistent for change of name. The government has indicated, and I will say that again for Members who are not Members of my

committee, it is clear that this type of bill will appear in this House again in future sessions, because there is a general review of territorial legislation, and from time to time, as it appears evident that changes are needed in various bills, the government will bring forth further amendments. In respect of that age for consent, the government has indicated that it will address that issue in a future change.

With respect to that same act, the advisory council asked that consideration be given to the situation where one parent has applied for a name change for a child. In those circumstances, they felt that some process of public notification should be included, so as to enable the other parent the opportunity to respond. They felt that there should be some time limit and in the absence of any response, then the government can go ahead. Again, the government has agreed to at least look at this matter for future consideration.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 3. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 4, who may apply. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 7, application by a married person. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

Child Welfare Act

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

MR. MacQUARRIE: Mr. Chairman, again the advisory council raised what the committee felt, and I think the government felt was an important matter with respect to the Child Welfare Act, and that is the council would like to see a general review of family law. The government has indicated that it has embarked on that review already. One of the points the council particularly mentioned in that type of review was, they feel that in general in legislation, there is discriminatory approach to children who are deemed to be illegitimate. They felt that there should be no such discrimination in our legislation at all, and have asked that that matter be addressed in a review of legislation. And, in fact, they also asked that the very term "illegitimate" be replaced with something more acceptable. Again the government has taken note of these concerns, indeed may have already begun to address those concerns, and so we may see, in the future, legislation that will address those matters. And that is it on that section, Mr. Chairman.

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

Review Of Family Law

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. Just to inform the Members of the committee some information that I revealed to the standing committee on legislation, that we have done a fairly detailed review of family law in the Northwest Territories. That particular report was conducted by Mr. Wilkins, who was a former employee of the Government of the Northwest Territories, through a contract. We have received the report and are in the process of reviewing that particular report. The government will be recommending the appropriate major changes, and I believe introduction of new family law in the Northwest Territories to reflect the kinds of changes that are necessary to either conform with the Charter of Rights or to update the manner in which we conduct our family law in the Northwest Territories. We have responded already and are in the process of responding to amend our family law legislation in the Northwest Territories.

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 12. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Contributory Negligence Act, clause 14, limitation to interspousal immunity. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Criminal Injuries Compensation Act, clause 15. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

Dental Profession Act

CHAIRMAN (Mr. Wah-Shee): Dental Profession Act, clause 18, persons entitled to be registered. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, with respect, Mr. Chairman, to the amendments that are to be made to the Dental Profession Act, the committee had received, as I said earlier, a letter indicating that the dental profession had concerns in this matter. They indicated that they would wish to be consulted at the point where the government is determining professional ability and proficiency and evaluating qualifications and so on. The government has redrafted the bill. Members will note that in clause 20 under 5.1(2) that there is a provision now enabling specifically the Commissioner to obtain the advice and assistance of the Northwest Territories Dental Association by consulting with a person designated by that association for the purposes mentioned.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 18. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 20, determining professional ability and proficiency and evaluating qualifications. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 22, reinstatement and renewal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 23, eligibility. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 24, persons entitled to be registered. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 25, reinstatement and renewal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Dependants Relief Act, clause 26. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 27. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 28. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Devolution of Real Property Act. Clause 29, mentally incompetent person. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 30, sale where infant or mentally incompetent person interested. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 31, distribution or division. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 32, mortgage where infant or mentally incompetent person interested. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Domestic Relations Act

CHAIRMAN (Mr. Wah-Shee): Domestic Relations Act. Clause 33, no action for restitution of conjugal rights. Mr. Richard.

MR. RICHARD: Mr. Chairman, with respect to the proposed amendments to the Domestic Relations Act, I did have one observation as I looked at these proposals here. These proposals have the effect of deleting references to court actions which would compel restitution of conjugal rights or deleting references to court actions for damages arising out of adultery, removing the reference to husband or wife rather than spouse. Also removing, on custody disputes, any preference to the wishes of one parent of either sex. But there is one item of discrimination in the Domestic Relations Act, Mr. Chairman, that is not addressed in these proposals.

This is the matter that I raised with the Minister and Mr. MacQuarrie. Section 28 of the present Domestic Relations Act provides that the mother of an illegitimate child is the sole guardian of that child. If one of the purposes of this bill is to clean up the discrimination from our statutes so to speak, it occurs to me that that should have been addressed. Mr. MacQuarrie, the chairman of the standing committee on legislation, has indicated to me that the Minister has given some sort of undertaking that this will be looked at in the next go around of reviews of our statutes. I take it that is the type of amendment that the Minister in his introductory remarks indicated that they would be looking at. I wonder if the Minister is aware of that particular recommendation, if he would undertake to include that in the next set of amendments. Thank you.

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

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. Just to indicate through you, Mr. Chairman, to the honourable Member that particular issue was raised by the chairman of the standing committee on legislation. I want to indicate to you that it is already intentioned to introduce the appropriate amendments but that particular section also affects other pieces of legislation that we have in the Northwest Territories and as such requires a bit more study and a bit more review in relation to other pieces of legislation that we have in the Northwest Territories as well.

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

MR. MacQUARRIE: For the honourable Member's information, I do have a letter from the Hon. Tom Butters, the chairman of the legislation and House planning committee of the Executive Council and it refers to changes, "The Domestic Relations Act will be taken into account when the next charter bill is drafted and Mr. Richard's letter concerning section 28 of the Domestic Relations Act will also be taken into account at that time." That is the undertaking that the committee was given, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 33. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 34. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 35. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 36. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 37, jurisdiction of court to hear actions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 38, effect of judgment of judicial separation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 39, necessities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 40, damages for adultery. Mr. MacQuarrie.

MR. MacQUARRIE: It was noted in committee, Mr. Chairman, that this clause correlates with those other changes that have been made that recognize it as offensive to women to be regarded as the property of their husbands and that serious concern is noted and has been dealt with in this bill. This particular clause, the one that is being substituted for what is being repealed, says "No action shall be brought for damages resulting from adultery." It was noted in committee that, although at one time this was considered to be the right of a husband to bring such an action in court quite apart from other court proceedings, that in fact for many years now such an action has not been brought in the courts. Nevertheless there were some Members on the committee who had a concern about this type of change, feeling that perhaps in some way it would contribute to a greater incidence of adultery. The committee generally felt that it supported the government's point of view in changing this legislation but I make note of the concern that was raised by some Members and perhaps they themselves would want to express their concerns at this time.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 40. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 41. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 42, alimony. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 43, interim order for alimony. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 44, no interim order for alimony. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 45, necessary disbursements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 46, order for payment of alimony after judicial separation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 47, liability for necessaries. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 48, settlement of property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 49, payments to spouse after judgment of nullity. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 50. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 51, variation of order for alimony or maintenance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 52. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 53. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Evidence Act

CHAIRMAN (Mr. Wah-Shee): Evidence Act, clause 54, evidence not to be used. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 55, action by or against a person who is mentally disordered. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 56, form of affirmation. Mr. MacQuarrie.

MR. MacQUARRIE: This provision has been included to ensure that in the eyes of the law in the Northwest Territories that the giving of an oath or affirmation are equally valid in front of the law of the Northwest Territories, Mr. Chairman.

CHAIRMAN (Mr. Wah-Shee): Clause 56. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 57, affirmations instead of affidavits. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 58. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 59. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Exemptions Act

CHAIRMAN (Mr. Wah-Shee): Exemptions Act, clause 60, deceased debtor. Mr. Richard.

MR. RICHARD: Mr. Chairman, reading this clause caused me to chuckle initially. The result of us taking these discriminatory phrases out of our legislation combined with the tradition of using the masculine gender in legislation results in reading this provision that a male person dies and leaves a surviving male spouse. I am not sure if this is an implied attempt to assist homosexuals who have debts owing to them when they die but, Mr. Chairman, I am going to suggest it troubled me just for a few days and I thought that there must be a way to reword it.

Motion To Amend Clause 60, Bill 10-85(3), Carried

Without claiming to be a legislative draftsman, I am going to suggest, Mr. Chairman, that perhaps I should say I am going to move that in line five of the proposed section 7 that the words "himself and his family" be deleted and that the words be replaced with "the surviving spouse and family of the surviving spouse".

CHAIRMAN (Mr. Wah-Shee): The amendment is in order. To the amendment.

SOME HON. MEMBERS: Question.

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

---Carried

Clause 60, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 61, right of selection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 62. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Insurance Act, clause 63, limitation to exception from liability. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Interpretation Act, clause 64. Mr. MacQuarrie.

MR. MacQUARRIE: Mr. Chairman, Members may be happy to note that at 6:10 p.m. no one in the Territories will be able to be sentenced to hard labour any longer. Some of us may feel we are anyway, but it is illegal now.

SOME HON. MEMBERS: (Inaudible comments)

CHAIRMAN (Mr. Wah-Shee): Clause 64. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Judicature Act, clause 65, independent spousal personality. Mr. MacQuarrie.

MR. MacQUARRIE: Mr. Chairman, this whole section, clause 65, includes amendments to the common law and since the common law has prevailed throughout the history of Canada, I think the changes that are included in here are important at least to take note of. They appear to be necessary. They appear to be desirable but nevertheless it is a very significant thing to make "amendments to the common law" and perhaps, just noting a couple of them. Section 19.1(1) puts in the independency of the spousal personality and this means that both a married man and his wife will, in the law, each have a legal personality that is independent, separate and distinct from each other. So, I just did not want that section, Mr. Chairman, to go by without specifically calling the attention of Members that that is what is being done in this section.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 65. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Jury Act, clause 66. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 67, saving provision. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 68. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Landlord and Tenant Act, clause 69. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 70. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 71. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 72. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Limitation of Actions Act, clause 73, trespass to person. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Liquor Act, clause 74, special audit. Mr. MacQuarrie.

Liquor Act

MR. MacQUARRIE: It was noted in committee that this appears to be an improvement over existing legislation in the sense that existing legislation empowered agents authorized by the Liquor Licensing Board to enter private residences without a warrant in order to search and seize if necessary and the amendment removes that right in respect of a residence. Nevertheless, the concern was still raised that the wording appears to leave the matter quite broad, in that "the board may authorize and appoint a representative of the board a) to enter at any reasonable time the premises where books, accounts or records..." and so on, are kept. It was felt that this clause does not limit the entering to premises that are owned by the licensee or the place of business but in fact it seems to leave it open to entering other premises as well where records might be kept and, although the committee did not make any specific recommendation in respect of this, the government did indicate that in future reviews it will at least look at this matter to see whether there could be some improvement in the law.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 74. Mr. Richard.

Member's Difficulty With Sections On Search And Seizure

MR. RICHARD: Mr. Chairman, even though I agree with Mr. MacQuarrie that this is an improvement over the existing legislation, I have some difficulty with this section and just so that I am on the record and that Members know what we are voting for, these provisions in this section and the ones that follow provide for the powers of the Liquor Licensing Board to search and seize and, as Mr. MacQuarrie has indicated, to enter one's home to search and seize.

The difficulty that I have with the proposed section 10.1, is that the board is authorized to enter business premises or one's home to search for and seize any books or records or accounts, presumably having to do with the liquor business that the licence relates to, and I believe it is the most recent amendment that provides that when the search is to be conducted in a residence, the board has to go before a JP and get a warrant. So someone has to swear under oath that they have reasonable grounds to believe that there are books or records there available for seizure. I note that that is done, on what is called an ex parte application. They do not even tell the home-owner that you are going to the JP and asking for this warrant.

The difficulty that I have with it, Mr. Chairman, is that there is no alleged offence here. You could have a licensee who is filing all the necessary returns with the liquor board, is obeying all of the liquor laws in his establishment and yet this law allows the liquor board to send someone into his business establishment or into his home just to see if there are any records there. I say, Mr. Chairman, that at a minimum, there should be an allegation that they are likely to uncover evidence of an offence, and later on in this act, and I believe it is section 17, there is just that provision. The board can go before a JP and ask for a warrant to search any premises, if someone swears under oath before the JP that they have reasonable grounds to believe that an offence has been committed and that the searching will likely result in the uncovering of evidence. Section 17, therefore, I have no difficulty with. I think that the board has to have investigation powers.

But this section 10.1, allowing entry into premises including residences, simply to look for records when there is no indication that anything has gone wrong, I have some difficulty with. I have not looked, but I doubt very much if we do this to other businesses. Do we do this to a drugstore? Presumably those who sell petroleum products have to remit taxes to the government. Do we authorize government officials or board officials to go into private residences to search for records just to see if the records are there, and to look at them? I doubt that we do that with other types of businesses. Now maybe there is something drastically bad about those who hold liquor licences, but I have some difficulty with -- and I can say to the Minister that the undesirable part of the legislation that I am referring to is already in the legislation, and that this is just tinkering with it in a minor way. But, I guess I was not around when they passed the first piece of legislation.

I just wanted to put on the record, Mr. Chairman, that I have some difficulty with it. Perhaps the Minister could indicate if there is some reason why we have to give the board the power to go in and take records. Or should there not be some allegation of wrongdoing before you go to a JP, without telling the home-owner, and say, "I want to go into this person's home simply because I believe that he has some records there?" Thank you, Mr. Chairman.

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

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. Just to indicate to the honourable Member, that the decision is a board decision, which represents the public. Clearly their decision will be reflective of a concern they would have in applying the legislation itself. So, I do not think that there is an attempt on our part to create a situation where an application or a warrant being issued, would be without justification to the board, because they are publicly answerable for their particular actions.

The other issue with regard to concerns, as much as the honourable Member might have concerns that we should be protecting the individual, I think that we have a right, as a government, to be assured that the actions and the obligations that are part of an agreement are being lived up to by that particular individual. The other thing is that the Member is absolutely correct, the sections are already in legislation. It is just that we are trying to clarify the situation, except that, I should say, section 10.1 is new.

Review Of Application Of Search And Seizure

But, the honourable Member must be aware that we are doing a review of the application of search and seizure. We will be coming back in the winter session with a review of that particular section and while these amendments are coming in, at this particular time we feel that it is necessary to have them introduced. If the case is that they are unconstitutional, then upon our interpretation of the charter, without question we will reduce them, but at this particular time our assessment is that we do require those powers to be available to the board.

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

MR. RICHARD: I take it from that, Mr. Chairman, the Minister, who will not be a Minister next week, is committing his department to look at this particular provision when you are doing the search and seizure review.

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

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. Yes, and all other pieces of legislation that allow us to partake in search and seizure will be a part of that particular review.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 74. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 75, powers of inspector. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 76, warrant necessary. Mr. Richard.

MR. RICHARD: Mr. Chairman, under clause 76, these are amendments to section 17 and I believe this, by and large, is the procedure that should be followed when one obtains a search warrant. If you look in subsection (4), it provides that someone must appear before a JP and satisfy the JP under oath that there are reasonable grounds to believe that there will be evidence uncovered by the search and seizure. My difficulty, Mr. Chairman, is that even with that provision there is an override in the proposed subsection (5) where it states essentially that notwithstanding the provision above the inspector can exercise the search and seizure powers without a warrant and then the words are "if the conditions for obtaining the warrant under subsection (4) exist but by reason of exigent circumstances it would not be practicable to obtain the warrant".

Now, the first note I made to myself when I read that, was, in whose opinion, in the inspector's opinion presumably, is it not practicable to get a warrant or that the conditions exist? Who, then, is to be satisfied on the reasonable grounds? That is why I have difficulty with it. Justices of the peace, notwithstanding that the Minister does not want to appoint a lot of them -- this Minister -- JPs are always available and I have some difficulty with that overriding subsection (5) and again, with a view to moving on here, I would simply ask that the Minister undertake to look specifically at that provision when doing this next review.

AN HON. MEMBER: That's easy.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 76. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 77. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 78. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 79. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 80. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 81, powers of justice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 82, search warrant. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 83, officer may demand name and address. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Lord's Day Act

CHAIRMAN (Mr. Wah-Shee): Lord's Day Act, clause 84. Mr. MacQuarrie.

MR. MACQUARRIE: This clause, Mr. Chairman, says the Lord's Day Act is repealed. Some Members of the committee were concerned about the repeal of the Lord's Day Act. Nevertheless, the committee was made aware that the Supreme Court of Canada has already ruled the Lord's Day Act unconstitutional. In that sense, the Northwest Territories has no option but to repeal this act. I suppose it could have the option of leaving the act on the books but because it is inconsistent with the charter as determined by the Supreme Court of Canada it would be a law which would have no effect or force in any event. Again, as I said, there were Members who expressed that concern. Perhaps they wish to comment again. In addition, in committee, the matter was raised as to whether this government would, in any event, look at perhaps introducing other legislation that would be aimed at providing a common day of rest in the Northwest Territories and the Minister indicated that the government is looking at that. I had the impression that it was in the very early stages because there are still some cases in other parts of Canada in respect of this that are outstanding but that the government will intend perhaps at some point to move on this. Perhaps the Minister could elaborate a little on this.

AN HON. MEMBER: Monday is a good day.

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

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. Just to indicate to Members of this House, yes, we are considering the idea of introducing legislation that would indicate a day of rest but there are still some outstanding questions we have to consider. One of those questions would be the consistency of application to all businesses or to the people of the Northwest Territories. It should not be construed to be a piece of legislation that is founded on the basis of some religious holiday. But by saying that it is certainly not our intention as well to do away with the religious day recognized by I guess the Anglicans or the Christians but to avoid negating or offending those other religions that are now part of Canadian society and also the Northwest Territories. It is certainly our intention to review that option that would be available to us but, as I said, it has to be consistent, it has to apply to everyone, all businesses, so that it would not be seen to be unequal or inconsistent with the Canadian Charter of Rights.

CHAIRMAN (Mr. Wah-Shee): Thank you. Clause 84. Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. The Lord's Day Act, we were talking about this in the committee. I did not really like what we talked about when the act was discussed. Since then I have had concerns about it. I think we have a right to say as we please. I was not too happy when the Lord's Day Act was repealed. I would have preferred that they leave this up to the communities. It seems that they are trying to enforce this and let everybody else follow the same kind of procedures. For example, if it is repealed then it has to apply to the NWT. I am just trying to tell you that I did not like the way the discussions went when we were meeting about this in the standing committee on legislation. Thank you.

CHAIRMAN (Mr. Wah-Shee): Clause 84, Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I had one other note that I should have read. I did not so I will do it now. That is that it was noted in the committee as well that the Municipal Act still has provisions dealing with the licensing of businesses and the regulation of business hours. The repealing of the Lord's Day Act does not have any impact on the Municipal Act at all. So those provisions are still in place.

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

HON. RICHARD NERYSOO: Thank you. The chairman of the standing committee on legislation is correct. The Municipal Act still is intact and we have not removed the responsibilities of the municipality to set the time, the days, for a business establishment operating in a particular community.

CHAIRMAN (Mr. Wah-Shee): Clause 84. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Maintenance Act, clause 85, duty to provide maintenance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 86, liability. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 87, pledging credit for necessities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Maintenance Orders (Facilities for Enforcement) Act, clause 88, maintenance order. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Marriage Act, clause 89, consent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Married Women's Property Act, clause 90. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 91. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 92, saving provisions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 93. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 94. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 95. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Mechanics' Lien Act, clause 96, estate of spouse. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Municipal Act, clause 97. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Partnership Act, clause 98. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Pharmacy Act, clause 99. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 100, saving provision. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 101. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 102, reinstatement and renewal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Public Service Act, clause 103, qualifications. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Public Trustee Act, clause 104. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Seduction Act, clause 105. Mr. MacQuarrie.

MR. MacQUARRIE: I should just note, Mr. Chairman, that this is another clause that provides for the repealing of an existing act. The Seduction Act is repealed with the passage of this clause. I suspect that seduction itself will still occur from time to time, however.

MR. RICHARD: The act of seduction is not repealed.

---Laughter

MR. MacQUARRIE: That is right, very good.

CHAIRMAN (Mr. Wah-Shee): Mr. Richard, are you declaring a conflict of interest?

---Laughter

MR. RICHARD: Mr. Chairman, I can say a conflict of interest, but you would not know whether I was on the receiving end or the seducing end. But for the record, I think it is fair that the Seduction Act is being repealed, with a capital A, but surely not the act of seduction.

---Laughter

CHAIRMAN (Mr. Wah-Shee): Clause 105. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Trustee Act, clause 106. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 107, breach of trust. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Vital Statistics Act, clause 108, child of married woman. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 109, idem. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 110, child of unmarried woman. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 111, consent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 112, no consent. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 113, amendment of registration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Clause 114. Mr. MacQuarrie.

MR. MacQUARRIE: The committee noted that the coming into force section cites the date 17th day of April 1985, for many of the sections. Of course, that was the day on which the equality provisions of the Charter of Rights and Freedoms came into effect and, in general then, I could say that the committee took this bill very seriously and reviewed thoroughly and recognizes that other such bills will be coming forward in the future. Other Members will be aware that they can expect to see similar bills in the future.

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

HON. RICHARD NERYSOO: Thank you, Mr. Chairman. This is really the last bill that I am introducing as Minister of Justice, during this particular House. Hopefully without question, somebody else as Minister of Justice will introduce them in my next cabinet, but...

AN HON. MEMBER: Your what?

HON. GORDON WRAY: You have got them all worried now.

Minister's Appreciation

HON. RICHARD NERYSOO: Mr. Chairman, let me say a few words of appreciation to Mr. Lal, Deborah Meldazy, the staff of the Department of Justice, and in particular, the legislation division. I think that they have been extremely supportive of the kinds of things, pieces of legislation and the work, requested by the Members of the Legislature and particularly the Executive Council. I think they have also been extremely responsive to the standing committee on legislation on some of the changes that have been requested, not always easily but none the less we have been able to recognize the concerns that they have raised. For that I think I would like to publicly express my personal appreciation to them.

AN HON. MEMBER: (Inaudible comment)

HON. RICHARD NERYSOO: Ted has another conflict of interest. But I just think I would like to recognize the work of the chairman of the standing committee on legislation as well over the past couple of years and also Members of the standing committee on legislation. I think that it is their efforts that have allowed us to present pieces of legislation and receive approval, of course, again, with a lot of discussion and critique. I do believe that the new government, the Government Leader, will be following the direction that has been laid out by my government and in responding to the Canadian Charter of Rights and taking the initiative to implement the appropriate amendments to legislation we have in the Northwest Territories so that we can apply the Canadian Charter of Rights and Freedoms. I think that they have been extremely supportive of me in trying to deal with the implementation of the Canadian Constitution, the charter, and for that let me express to the Executive Council my appreciation for their support. Also, my appreciation to the government House Leader, and the chairman, Mr. Tom Butters, for his work during his tenure as the chairman for House planning and legislation for the Executive. Thank you, Mr. Chairman.

---Applause

CHAIRMAN (Mr. Wah-Shee): We are still on clause 114 -- you realize that? Mr. Richard.

MR. RICHARD: Mr. Chairman, have we finished with clause 114?

SOME HON. MEMBERS: No.

CHAIRMAN (Mr. Wah-Shee): Clause 114. Agreed? Mr. MacQuarrie.

MR. MacQUARRIE: Yes, with the coming into force of this legislation, I take note that the word "lunatic" will disappear from our legislation and I would just like it as a matter of public record that if I should ever go off the deep edge, and some may think that I have already, but if I should ever, I would just like to express the personal preference that I would like to be called a "lunatic" rather than a "mentally disordered person".

---Laughter

MR. RICHARD: Agreed.

CHAIRMAN (Mr. Wah-Shee): Clause 114. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Bill as a whole as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Order, please. Mr. Richard.

MR. RICHARD: Mr. Chairman, I would like to go back to clause 60. It has been brought to my attention that in my haste to be a legislative draftsman, I went too quickly and I would like to -- what is the legislative term -- redo, the amendment that I suggested to the clause 60.

SOME HON. MEMBERS: Agreed.

---Agreed

Revert To Clause 60, Bill 10-85(3)

CHAIRMAN (Mr. Wah-Shee): Just as a matter of procedure, you will have to have unanimous consent to go back to the clause. Is it agreed that we go back to clause 60?

SOME HON. MEMBERS: Agreed.

---Agreed

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

MR. McCALLUM: Is this important?

Further Amendment To Clause 60, Bill 10-85(3), Carried

MR. RICHARD: To me, Arnold, it is, yes. Mr. Chairman, it was a technical error that I made in proposing the amendment. The words were changed from "himself and his family" to "the surviving spouse and the family of the surviving spouse" which is incorrect. It should read "the surviving spouse and the family of the debtor", so I would now move, Mr. Chairman, that clause 60, as amended, be further amended to delete on line five, as amended, the words "and the family of the surviving spouse" and insert the words "and the family of the debtor". Thank you.

CHAIRMAN (Mr. Wah-Shee): The amendment is in order. To the amendment.

AN HON. MEMBER: Question.

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

---Carried

Clause 60, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): Does the committee agree that Bill 10-85(3), as amended, is ready for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Wah-Shee): There is no short title. It is coming from you people.

HON. TOM BUTTERS: Mr. Chairman, I move progress.

CHAIRMAN (Mr. Wah-Shee): I do not know if your motion is in order, Mr. Butters. I will have a look at it. All those in favour? Opposed, if any? The motion is carried.

---Carried

I shall report progress.

MR. SPEAKER: Mr. Wah-Shee.

ITEM 16: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF BILL 10-85(3), STATUTE LAW (CANADIAN CHARTER OF RIGHTS AND FREEDOMS) AMENDMENT ACT

MR. WAH-SHEE: Mr. Speaker, your committee has been considering Bills 10-85(3), 11-85(3) and 12-85(3) and wishes to report that Bill 10-85(3), as amended, is recommended for third reading.

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. Members have heard the report of the chairman of the committee of the whole. Are you agreed?

SOME HON. MEMBERS: Agreed.

---Carried

MR. SPEAKER: A new rule has been established today, that you could amend your own amendment.

SOME HON. MEMBERS: Agreed.

AN HON. MEMBER: You were paying attention.

---Laughter

MR. SPEAKER: I do believe that you might check that out, but anyway, I just wanted you to know that I was listening. Are there any announcements from the floor?

MR. McCALLUM: The soap opera is all over, eh?

MR. SPEAKER: You still have a motion to get through, Mr. McCallum. I would be a little more careful. Mr. Clerk, announcements and orders of the day, please.

ITEM 19: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton): Orders of the day for Tuesday, October 29th, at 9:30 a.m.

1. Prayer
2. Ministers' Statements
3. Oral Questions
4. Written Questions
5. Returns
6. Petitions
7. Reports of Standing and Special Committees
8. Tabling of Documents
9. Notices of Motion
10. Notices of Motion for First Reading of Bills
11. Motions: Motion 20-85(3)
12. First Reading of Bills
13. Second Reading of Bills
14. Consideration in Committee of the Whole of Bills and Other Matters: Bill 11-85(3); Bill 12-85(3)
15. Report of Committee of the Whole
16. Third Reading of Bills

17. Assent to Bills

18. Prorogation

MR. SPEAKER: Thank you, Mr. Clerk, this House stands adjourned until 9:30 a.m., Tuesday, October 29th.

---ADJOURNMENT

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Published under the Authority of the Commissioner
of the Northwest Territories