



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

Speaker

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

Angottitauruq, Mr. Michael, M.L.A.
Gjoa Haven, N.W.T.
X0E 1J0
Office (403) 360-6600
(Natilikmiot)

Appaqaq, Mr. Moses, M.L.A.
Sanikiluaq, N.W.T.
X0A 0W0
Home (819) 266-8808
(Hudson Bay)

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

Ballantyne, The Hon. Michael, M.L.A.
P.O. Box 1091
Yellowknife, N.W.T.
X1A 2N8
Office (403) 873-7658
Home (403) 920-2968
(Yellowknife North)
Minister of Justice and Housing

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

Cournoyea, Ms Nellie J., M.L.A.
P.O. Box 156
Tuktoyaktuk, N.W.T.
X0E 1C0
Office (403) 979-2737 (Inuvik)
Home (403) 977-2405
(Nunakput)

Curley, The Hon. Tagak E.C., M.L.A.
P.O. Box 36
Rankin Inlet, N.W.T.
X0C 0G0
Office (403) 873-7139
Home (819) 645-2951
(Aivilik)
Minister of Economic Development
& Tourism and Government Services

Erkloo, Mr. Elijah, M.L.A.
Pond Inlet, N.W.T.
X0A 0S0
Office (819) 899-8903
Home (819) 899-8845
(Amittuq)
Deputy Chairman, Committee of the
Whole

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

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

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

McCallum, Mr. Arnold, M.L.A.
P.O. Box 454
Fort Smith, N.W.T.
X0E 0P0
Office (403) 872-3224
Home (403) 872-2246
(Slave River)

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

Nerysoo, Mr. Richard W., M.L.A.
Fort McPherson, N.W.T.
X0E 0J0
Office (403) 979-7112 (Inuvik)
Home (403) 979-2668 (Inuvik)
(Mackenzie Delta)

Paniloo, Mr. Pauloosie, M.L.A.
Clyde River, N.W.T.
X0A 0E0
Office (819) 924-6336
Home (819) 924-6340
(Baffin Central)

Patterson, The Hon. Dennis G., M.L.A.
P.O. Box 310
Frobisher Bay, N.W.T.
X0A 0H0
Office (819) 979-5993 (Frobisher Bay)
(403) 873-7123
Home (819) 979-6618
(Iqaluit)
Minister of Education

Pedersen, The Hon. Red, M.L.A.
Coppermine, N.W.T.
X0E 0E0
Office (403) 873-7959
Home (403) 982-5221
(Kitikmeot West)
Minister of Renewable Resources and
Personnel

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

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

Sibbeston, The Hon. Nick G., M.L.A.
P.O. Box 560
Fort Simpson, N.W.T.
X0E 0N0
Office (403) 873-7112
Home (403) 695-2565
(Nahendeh)
Government Leader, Chairman of
Executive Council and Minister
of Culture & Communications

T'Seleie, Mr. John, M.L.A.
Fort Good Hope, N.W.T.
X0E 0H0
Home (403) 598-2325
(Sahtu)

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

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

Officers

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

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

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

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

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Yellowknife, N.W.T.

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YELLOWKNIFE, NORTHWEST TERRITORIES

FRIDAY, OCTOBER 17, 1986

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Hon. Tom Butters, Ms Cournoyea, Hon. Tagak Curley, Mr. Erkloo, Mr. Gargan, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Hon. Bruce McLaughlin, Mr. Nerysoo, Mr. Paniloo, Hon. Red Pedersen, Mr. Pudluk, Mr. Richard, Hon. Nick Sibbeston, Hon. Don Stewart, Mr. T'Seleie, Mr. Wah-Shee

ITEM 1: PRAYER

---Prayer

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

Item 2, Ministers' statements. I note there have been no Ministers' statements filed. Item 3, Members' statements. Members' statements. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Speaker. I do not rise to give a Member's statement, but I rise on a point of privilege.

MR. SPEAKER: Proceed with your point of privilege.

MR. NERYSOO: Thank you, Mr. Speaker. I would just like to correct, for the record, a news item that was on CJCD, which indicated that I had asked a question and immediately followed with a question being asked by Mr. T'Seleie. I know we all look the same here, but the reality is the question was asked by Mr. T'Seleie.

---Laughter

MR. SPEAKER: Thank you, Mr. Nerysoo. We return to Item 3, Members' statements. Mr. Richard.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Long Lake Beach

MR. RICHARD: Mr. Speaker, within the city of Yellowknife, at Long Lake there is a beautiful campground and beach area belonging to the Government of the Northwest Territories. Prior to the beautiful summer of 1986, this beach and campground area were operated by the city of Yellowknife under a contract with the government, using federal grants and subsidy programs to assist with the cost of providing staff, including lifeguards. This contract was not renewed for the summer of 1986. Although the territorial government contracted with the local hunters and trappers association to operate the campground, the government decided not to provide lifeguards or supervisory staff at Long Lake beach.

Residents of this city and visiting tourists expressed concern over the summer, regarding the lack of supervision and the deterioration of this beautiful and crowded beach area. In addition to the inherent risk related to the absence of qualified lifeguards, other complaints included broken

glass, bottle caps, garbage, unattended dogs and blaring music, not to mention the negative impact on our visiting tourists. Mr. Speaker, I am hopeful that the territorial government and the city council will be able to come to some agreement over the winter months to ensure that this beautiful beach area will be properly supervised with lifeguards in the summer of 1987 when we expect more beautiful weather. Thank you.

MR. SPEAKER: Thank you, Mr. Richard. Item 3, Members' statements. Mr. McCallum.

Member's Statement On Business Before The House

MR. McCALLUM: Mr. Speaker, I was, as I am sure other MLAs were, quite put out by the decision to delay the opening of this session. However, I am satisfied that the reasons justify the decision to give a delay on two occasions. In effect the government was given two additional weeks before we opened this House, as opposed to the collective decision of the House itself. But, be that as it may, I would have thought, as I am sure other MLAs would likewise think, that the government would then be better prepared to put before this House sufficient business to keep this House going. Constituents in my area are concerned about certain directions that the government is going to take, specifically in the area of the task force of the government, what it will be doing to offset any kind of economic downturn.

We had before us nine bills, one of which obviously is finished now, but there is no indication of other items that we were led to believe would be on the order paper at this time: Landlord and Tenant Act; Education Act; Financial Administration Act and other things. Nothing is going to be said, as far as I know, about NCPC and the status report...

MR. RICHARD: You will know next week.

MR. McCALLUM: ...about the Cotterill report of which I have some concern. There is the local government legislation as well. We have read reports of what the government and the Leader are going to do, or intend to do, regarding the actions to offset economic downturns. Mr. T'Seleie pointedly asked a question regarding it yesterday. We have no indication yet as to what the government is going to do by way of concrete steps to do this. I kind of fear that we are going to have this government run by the elite not by the Legislature. It must be obvious to the Government Leader and the Executive Council what we, as a Legislature, want.

MR. SPEAKER: Thank you, Mr. McCallum. Members' statements. Mr. Gargan.

Member's Statement On Tendering Of Public Works Projects

MR. GARGAN: Thank you, Mr. Speaker. During the Opening Address of the Commissioner, the Commissioner did indicate that there is a period of economic difficulties and perhaps this would be one way of addressing the economic decline in the communities. In the News/North article of October 10th, "Sibbeston Wants Debate on Tendering", Mr. Sibbeston suggested that good cases can be made for not tendering all Public Works projects. The northern preference and affirmative action policies implemented by the government have proven very positive for the people in the communities. Although the tendering process is effective in awarding contracts to larger communities, it may not always prove to be so effective in smaller communities where there is a high rate of unemployment. I want to tell this House that I support Mr. Sibbeston's initiative in this area and I believe that, where appropriate, a local contractor should be given the opportunity to negotiate with the government for capital projects. When this government feels a local company is capable of handling a project and such a project would create employment for local people, then the government should be able to forego the tendering process. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Gargan. Members' statements. That appears to conclude Members' statements for today.

Item 4, returns to oral questions. There do not appear to be any returns for today. Item 5, oral questions. Mr. McCallum.

ITEM 5: ORAL QUESTIONS

Question 015-86(2): Informing NWT Students In The South Of Available Jobs

MR. McCALLUM: Thank you, Mr. Speaker. I have a question to the Minister of Personnel. In his reply yesterday to a question that I asked, he indicated that advertising for positions in the papers outside the Territories would allow a number of people living in the South, who do qualify under the policy, to apply. They have not really said that; that we do have residents who qualify under the policy under the education program and that we will inform them of the jobs. I wonder if the Minister can indicate to me now whether, in fact, steps have been taken to ensure that those people who are attending educational institutions in the South are able to apply for jobs and that they will not be receiving form letters indicating to them that the government is not hiring people from the South as has been done in past?

MR. SPEAKER: Mr. Minister.

Return To Question 015-86(2): Informing NWT Students In The South Of Available Jobs

HON. RED PEDERSEN: Thank you, Mr. Speaker. We certainly do not wish to encourage students in the South to quit their studies for the purposes of applying for jobs before their education is finished. That is not the intent of it. My department does not have any plans to mail specific posters to people. What I indicated yesterday was that the people who are eligible for the native employment policy and who are residing temporarily in southern Canada, when this clause is included in a southern advertisement would, when they read it, be aware of the policy that would apply to them. Thank you.

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

Supplementary To Question 015-86(2): Informing NWT Students In The South Of Available Jobs

MR. McCALLUM: Thank you, Mr. Chairman. I was not under any impression that you were going to try to have people stop their education to apply. What I am concerned about is that in the past when Northwest Territories residents did apply from outside educational institutions while they were attending them, or just prior to finishing their year, there have been instances where people when they did apply for a job, would receive a form letter indicating to them, "Thanks very much for applying for the job but we are not hiring people from the South." I want to know from the Minister, has his department taken steps to ensure that they know who is attending those institutions and when those people do apply that they will not get these form letters?

MR. SPEAKER: Mr. Minister.

Further Return To Question 015-86(2): Informing NWT Students In The South Of Available Jobs

HON. RED PEDERSEN: Thank you, Mr. Speaker. I understand the question better now. The department will certainly make every effort they can so such letters will not be sent to people where they do not belong. We should be aware of them and we intend to be aware of who our northern residents in the South are.

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

Question 016-86(2): Wildlife Officer, Lake Harbour

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister of Renewable Resources, Hon. Red Pedersen. I am sorry that I have not asked him earlier concerning the question I am about to bring forward. The residents of Lake Harbour have been requesting a wildlife officer. I was told when we met in June that after April 1987 they would have a mandate set out for Lake Harbour. But at the present time I have been informed by the regional government that Lake Harbour will get the wildlife officer in 1987. I am wondering what happened after you told me we would be getting a wildlife officer in Lake Harbour? Thank you.

MR. SPEAKER: Mr. Minister.

HON. RED PEDERSEN: Thank you, Mr. Speaker. I would like to take the question as notice and give the Member a reply.

MR. SPEAKER: The question is being taken as notice. Oral questions. Mr. Nerysoo.

Question 017-86(2): Incentives To Petroleum Industry

MR. NERYSOO: Thank you, Mr. Speaker. This is a question to the Minister responsible for Energy, Mines and Resources. As this House probably knows, the Government of Canada has established a special initiatives committee and in conjunction with that, this government established a ministerial committee of its own. I am wondering, in the presentation with regard to dealing with the economic downturn in the petroleum industry, is the Government of the Northwest Territories going to consider, in its presentation, options for incentives to the petroleum industry to continue working in the Northwest Territories?

MR. SPEAKER: Mr. Minister.

Return To Question 017-86(2): Incentives To Petroleum Industry

HON. TOM BUTTERS: Mr. Speaker, the action force on Arctic initiatives established by the federal government has resulted in a similar body being put together in the Northwest Territories under the chairmanship of Mr. Curley and comprised of myself and my colleague, the Hon. Michael Ballantyne. At the present time the agenda for the first meeting between those two bodies has not been finalized. Earlier this week our key secretary to that committee was in Ottawa, going over a potential agenda with Ottawa officials. But we have not finalized that agenda and it will be done in consultation with our Executive colleagues. However, on the particular question, I would suggest that it is not in the possibility of this government to offer fiscal incentives to petroleum development companies at this time. However, I would imagine in the global sense, that is, in the federal sense, there might be some suggestions from our government as to what might be put in place to replace PIPs.

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

Question 018-86(2): Report On Whitehorse Meeting

MR. RICHARD: Mr. Speaker, my question is for the Government Leader. We have been advised that the reason this session of the Assembly was postponed by one week was so that the Members of our Executive Council could travel to Whitehorse to meet with the Executive Council of the Yukon government. Will the Government Leader be giving this Assembly a report on the results of those deliberations? Since we waited a week to start our work, can we get the benefit of the discussions of the Whitehorse meeting? Thank you, Mr. Speaker.

MR. SPEAKER: Mr. Government Leader.

Return To Question 018-86(2): Report On Whitehorse Meeting

HON. NICK SIBBESTON: Mr. Speaker, we did have a very good meeting with the Yukon cabinet and dealt with a variety of things; everything from a transboundary agreement to devolution, and things of that sort. I had not planned to provide the Assembly with a report but if the Member wishes, I could very well provide a written report of the meeting we had.

MR. SPEAKER: Thank you, Mr. Sibbeston. Oral questions. Supplementary, Mr. Richard.

Supplementary To Question 018-86(2): Report On Whitehorse Meeting

MR. RICHARD: Mr. Speaker, the Government Leader left the matter hanging. I, for one, would like a report. If the matter was important enough to postpone this session for one week, then I believe it is important enough for this Assembly to receive a report from the Executive Council. Thank you.

MR. SPEAKER: Mr. Minister.

Further Return To Question 018-86(2): Report On Whitehorse Meeting

HON. NICK SIBBESTON: Mr. Speaker, whereas the trip to Whitehorse was one of the reasons why we asked for a deferment of the starting of the Assembly, this was not the only reason for the request to delay the opening. I will be very pleased to provide a report to the Member on the subjects that were dealt with and the conclusions that we came to. I would be pleased to provide it in written form sometime during the session as a tabled document.

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

Question 019-86(2): Fort Smith Chamber Of Commerce Application For EDA Grant

MR. McCALLUM: Thank you, Mr. Speaker. I have a question for the Minister of Economic Development and Tourism. I have given him notification of the question. There is an application by the Fort Smith Chamber of Commerce for EDA funding. They have had a great deal of difficulty getting some kind of response to that. They seem to get a runaround by different officials. I wonder if the Minister could look into the application itself to see how that application can be put on the table for one of the subcommittee's meetings. They seem to be getting a runaround from one subcommittee to another and there is no response given to the group. I wonder if the Minister could look into that.

MR. SPEAKER: Mr. Minister.

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I have not got the details yet, but I would certainly be glad to table the parameters and report to the Member at a later time.

MR. SPEAKER: Thank you. You are taking the question as notice. Oral questions. Mrs. Lawrence.

Question 020-86(2): Transfer Of The Fort Resolution Nursing Station

MRS. LAWRENCE: Thank you, Mr. Speaker. I have a question for the Minister of Health. I am assuming it is funny rumours, and the people of Fort Resolution are very concerned, but it has been brought to my attention that the nursing station in Fort Resolution is being transferred to a Pentecostal group in Hay River. Could the Minister assure me that this is not so? Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 020-86(2): Transfer Of The Fort Resolution Nursing Station

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I thank the Member for giving me advance notice of this question. I have been unable to find through my officials any indication that the HH Williams Hospital or the Pentecostal church in Hay River will be operating a nursing station in Fort Resolution on a federal contract. The one thing that has occurred is that there are always several patients from Fort Resolution in Hay River and I have pursued with the HH Williams board of directors to have a resident of Fort Resolution put on the board of directors of HH Williams Hospital. This is Violet Beaulieu from Fort Resolution who was recently accepted by the HH Williams board. So that is the only thing that I know and if there is anything further on that once we pursue it with Health and Welfare Canada, I will get back to the Member.

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

Question 021-86(2): Driver's Licence Medical Examination Costs

MR. McCALLUM: Thank you, Mr. Speaker. I have a question to the Minister of Health and Social Services. It is in relation to the requirements for medical examination for classes 1, 2, 3 and 4 driver's licences. The Vehicles Act itself, the regulations, have been made governing the issuance of these licences, and that regulation has been made back some years. It specifies that the medical report shall be required of applicants for licences at different times.

Section 52 of the Vehicles Act says that the holder of a chauffeur's or operator's licence shall submit to an examination, including a medical one, if required. The registrar of the motor vehicles has altered the medical requirements for classes 3 and 4 licences to be identical to the requirements for classes 1 and 2. In the Medical Care Act, section 32, certain costs are not

covered. One of these costs is the cost of a medical examination. Given that there are different costs, depending upon where an individual has to take this medical examination, I wonder if the Minister would indicate to the House whether he would look into the possibility of including the cost, or an individual being able to get compensation as it were, or having that part covered under the Medical Care Act.

It presents a problem, obviously, for individuals the older they become. Because at 65 an individual has to submit to a medical examination every year. I think it is a means by which you are somehow putting an extra burden on the senior citizen. I wonder if the Minister would take a look at that and report back to the House about the advisability of taking care of those medical expenses.

MR. SPEAKER: Mr. Minister.

Return To Question 021-86(2): Driver's Licence Medical Examination Costs

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. The federal legislation governing this is the Canada Health Act and medical examinations for the purposes of motor vehicle permits are not covered under the Canada Health Act and therefore there are charges made by the medical practitioner directly to the person taking the test. I myself have a class 1 licence, and I am aware of that and was surprised myself that I had to pay when I had the medical examination. The people who are operating vehicles for commercial purposes, like highway transport truck drivers for example, are able to, in most cases, turn these in to their employer and their employer usually pays the medical costs for them. However, in the case of citizens who are disabled or who are elderly, there is a requirement and I will look into the situation for those people to see if something can be done to accommodate that situation. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. You are taking the question then as notice. Thank you, Mr. Minister. Oral questions. That appears to conclude oral questions for today. Item 6, written questions. Mr. Arlooktoo.

ITEM 6: WRITTEN QUESTIONS

Question W4-86(2): Aulatsivik Centre, Cape Dorset.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. My question is concerning the Aulatsivik Centre in Cape Dorset. This drug and alcohol abuse centre is lacking a larger activity room as well as office space. There is one building that would be suitable and very useful if only they could be helped by the Department of Social Services. Could the Minister of Health and Social Services see to this matter and if possible, pay for the building that is much needed?

MR. SPEAKER: Thank you, Mr. Arlooktoo. Written questions.

Item 7, returns to written questions.

Item 8, replies to Opening Address.

Item 9, petitions.

Item 10, reports of standing and special committees. Item 11, tabling of documents. Mr. Appaqaq.

ITEM 11: TABLING OF DOCUMENTS

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I would like to table Tabled Document 5-86(2), concerning RCMP officers in the hamlet of Sanikiluaq. We have two policemen in our community but they are both non-Inuit and they are not able to communicate with the residents of Sanikiluaq. We are wondering if we could be given an Inuk constable in our community as a policeman if possible. Thank you.

MR. SPEAKER: Thank you, Mr. Appaqaq. Tabling of documents. Mr. Sibbeston.

HON. NICK SIBBESTON: Mr. Speaker, I am pleased to table Tabled Document 6-86(2), a message sent to the Prime Minister with respect to the decision to resume cruise missile testing in the Northwest Territories.

MR. SPEAKER: Thank you, Mr. Government Leader. Are there any further tabling of documents? Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Speaker. In view of the fact that this is the International Year of Peace, I was asked by the Yellowknife Bahai community to table Tabled Document 7-86(2), The Promise of World Peace. It is addressed to the peoples of the world as a contribution of the Bahai community in observance of the International Year of Peace. It was written by the Universal House of Justice and I feel it contains a number of thoughtful ideas on the promotion of world peace.

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

MR. NERYSOO: Thank you, Mr. Speaker. In light of the so-called special initiative committee and our ministerial task force on economic initiatives, I wish to table Tabled Document 8-86(2), Summary, Economic Strategy and Development Plan, Mackenzie Delta Regional Council.

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

MR. NERYSOO: Thank you. Since we are going to be discussing the whole question of Arctic College, I would like to table Tabled Document 9-86(2), Creating Community Entrepreneurs, A Proposal for a Management Development and Training Program in the Mackenzie Delta. This is a document that was authored on behalf of the Mackenzie Delta Regional Council.

MR. SPEAKER: Thank you, Mr. Nerysoo. Tabling of documents. That appears to conclude tabling of documents for today. Item 12, notices of motion. Mr. Pudluk.

ITEM 12: NOTICES OF MOTION

MR. PUDLUK: Mr. Speaker, I do not know if this is going to be in order but I am going to give notice anyway.

---Laughter

Notice Of Motion 2-86(2): Rules Of Conduct

I give notice that I shall move on October 21, 1986 that a provision be added to the Rules of the Legislative Assembly to give the Speaker, the Deputy Speaker, and the deputy chairmen of committees the power to have removed any person who enters the House or the gallery in an intoxicated condition; and further that this rule become effective immediately. Thank you.

MR. SPEAKER: Thank you, Mr. Pudluk. Item 12, notices of motion.

Item 13, notices of motion for first reading of bills.

Item 14, motions. Item 15, first reading of bills. Bill 5-86(2). Mr. Pedersen.

ITEM 15: FIRST READING OF BILLS

First Reading Of Bill 5-86(2): Public Service Act

HON. RED PEDERSEN: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Pine Point, that Bill 5-86(2), An Act to Amend the Public Service Act, be read for the first time.

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

---Carried

Bill 5-86(2) has had first reading. First reading of bills. Bill 8-86(2). Mr. McLaughlin.

First Reading Of Bill 8-86(2): Workers' Compensation Act

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Inuvik, that Bill 8-86(2), An Act to Amend the Workers' Compensation Act, be read for the first time.

MR. SPEAKER: I have a motion on the floor. To the motion. Are you ready for the question? All those in favour? Opposed, if any? The motion is carried.

---Carried

Bill 8-86(2) has had first reading. First reading of bills. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, yesterday I gave notice that I would be moving Bill 4-86(2) on Monday, October 20th. In view of the fact this bill has had examination by the standing committee on finance, I wonder if I may have unanimous consent to give it first reading this morning.

MR. SPEAKER: Do I have unanimous consent to give Bill 4-86(2) first reading today? Are there any nays? Mr. Butters, you have the floor.

First Reading Of Bill 4-86(2): Income Tax Act

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Nahendeh, that Bill 4-86(2), An Act to Amend the Income Tax Act, be read for the first time.

MR. SPEAKER: I have a motion on the floor. Are you ready for the question? All those in favour? Opposed, if any? The motion is carried.

---Carried

Bill 4-86(2) has had first reading. First reading of bills. Item 16, second reading of bills. Mr. McLaughlin.

ITEM 16: SECOND READING OF BILLS

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I would like to request unanimous consent to move the second reading of Bill 8-86(2) which has been cleared through the standing committee on finance. I would make it available for committee of the whole this afternoon.

MR. SPEAKER: Unanimous consent is being requested for second reading of Bill 8-86(2). Are there any nays? Proceed, Mr. McLaughlin.

Second Reading Of Bill 8-86(2): Workers' Compensation Act

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Inuvik, that Bill 8-86(2), An Act to Amend the Workers' Compensation Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to amend the Workers' Compensation Act to change the expression "year's maximum assessable remuneration" to "year's maximum insurable remuneration"; to increase the year's maximum insurable remuneration from \$30,400 to \$36,800; and to change the maximum amount of compensation that a worker may be paid for a disability from 75 per cent of average monthly remuneration to 90 per cent of net monthly remuneration. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. To the principle of the bill. Question being called. All those in favour? Opposed, if any? Bill 8-86(2) has had second reading.

---Carried

Mr. Clerk, will you move Bill 8-86(2) under the orders of the day for today? Second reading of bills. Mr. Pedersen.

HON. RED PEDERSEN: Thank you, Mr. Speaker. I request unanimous consent to give second reading to Bill 5-86(2), An Act to Amend the Public Service Act.

MR. SPEAKER: Unanimous consent is being requested for second reading of Bill 5-86(2). Are there any nays? Bill 5-86(2), second reading. It appears there are no nays. You have the floor, Mr. Pedersen.

Second Reading Of Bill 5-86(2): Public Service Act

HON. RED PEDERSEN: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Pine Point, that Bill 5-86(2), An Act to Amend the Public Service Act, be read for the second time. The purpose of this bill, Mr. Speaker, is to amend the Public Service Act to require Executive Council approval only for direct appointments from within or outside the public service.

MR. SPEAKER: Thank you, Mr. Minister. Bill 5-86(2). To the principle of the bill. Question being called. All those in favour? Opposed, if any? Bill 5-86(2) has had second reading.

---Carried

Mr. Clerk, will you enter this into the orders of the day for today? Second reading of bills. That appears to conclude second reading of bills. Item 17, consideration in committee of the whole of bills and other matters: Bill 1-86(2), Bill 8-86(2), Bill 5-86(2) with Mr. Gargan in the chair. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Speaker. On a point of order, I am wondering if the legislation that was given second reading, not be discussed yet because of the standing committee on finance not having filed a report, nor is their report ready for filing in the House today.

MR. SPEAKER: That point could have been taken on denying permission to proceed with second reading so it is now in the committee's hands by normal procedure of this House. So you can bring your point of order up in committee at which time the committee will decide what course of action they wish to take.

Mr. Gargan, would you take the chair, please?

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

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-86(2), ARCTIC COLLEGE ACT; BILL 5-86(2), PUBLIC SERVICE ACT

Bill 1-86(2), Arctic College Act

CHAIRMAN (Mr. Gargan): The committee will now come to order. We are on Bill 1-86(2), An Act to Establish the Arctic College, and Mr. McLaughlin is acting on behalf of Mr. Patterson. Do you have any general comments? Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, the business the government would be putting before the House this morning would be the Arctic College Act, which has already been introduced, and if committee consideration of that act is concluded, then we would suggest that we look at the Public Service Act. The government recognizes the concern advanced by the chairman of the standing committee on finance in the formal session and would accede to his request.

CHAIRMAN (Mr. Gargan): On Bill 1-86(2), Mr. MacQuarrie. Mr. MacQuarrie, we are on Bill 1-86(2). Do you wish to make an opening statement?

HON. BRUCE McLAUGHLIN: Mr. Chairman.

CHAIRMAN (Mr. Gargan): Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Since Mr. Patterson is still in Ottawa at the aboriginal rights planning meeting, I will be fielding the questions on this but I will need the help of officials from the Department of Education. I would like to have permission to ask Mr. Ken Lovely, the acting deputy minister of Education, to come into the chamber.

CHAIRMAN (Mr. Gargan): Does the committee agree to have the Minister bring in his witness?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): For the record, would the Minister introduce his witness?

HON. BRUCE McLAUGHLIN: Mr. Chairman, the witness is Mr. Ken Lovely, who is the acting deputy minister of Education.

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

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. This bill had been tabled in the June session. Following that, as the chairman of the standing committee on legislation I had it sent to various parties that I thought might be interested in commenting on the provisions of the bill. But the committee did not receive any feedback or any interventions. So we went ahead with the review of the bill at our meeting in early September.

Development Of Adult And Post-Secondary Education At Arm's Length From Government

At that time Mr. Lovely was also a witness and he gave a brief statement as to the intent of the bill, which was largely that there be a mechanism to allow the development of adult and post-secondary education at arm's length from government. That was to say that the educational facility ought to exist in an atmosphere that lets the educators provide direction, administration, etc., but allows for the government to have a greater input than it would have with private institutions.

The purpose of this act, particularly, is in essence to create in law the college system which is to be called Arctic College. In reviewing it, the committee did not have major concerns, but there were a number of points that were raised as we proceeded through the bill. I will allude to those as we go through the bill clause by clause.

In response to some of the matters that the committee raised, the government has prepared a letter of response indicating changes that they have made and also pointing out that the department itself has initiated some changes since my committee reviewed the bill in September, and also pointing out that there are a third set of changes that arise as a result of making this act compatible with the new Financial Administration Act. So as we proceed through the bill, I will note where the government has indicated to me that changes have occurred since the September review.

CHAIRMAN (Mr. Gargan): Thank you, Mr. MacQuarrie. Does the chairman of the finance committee wish to make an opening statement? Mr. Nerysoo.

Comments From Standing Committee On Finance

MR. NERYSOO: Thank you, Mr. Chairman. Just to indicate that while this particular legislation was not reviewed by the standing committee on finance -- I should say considered under detailed review -- there were still some significant financial questions as a result of this particular legislation. There has been really no indication of the costs of the implementation of this particular act. There has been no indication of the financial implications to creating a number of campuses throughout the NWT. I do not think you will hear anyone in the standing committee on finance arguing the case for the establishment of a college throughout the NWT, but there still is a need to seriously review and to consider the financial consequences of establishing a number of campuses and the size of the campuses, throughout the NWT, as well as the types of programs and the costs of those programs and the services to the college system throughout the North.

We have not to date had any idea of the financial implications. As such it makes it very difficult to review it in that sense. So I would hope that at some time the government can bring forward their plan for the implementation of the act, their plan with regard to the development of a college program throughout the NWT and their forecast with regard to the financial resources required to implement the plan as outlined by the government.

I just raise that as a point from the standing committee on finance, because it is an important factor in how successful this government will be, or future governments will be, in implementing a proper college program and facilities to ensure that the programs are implemented properly. That would include the facilities and the human resources required to implement the program. That, to date, has not been really brought forward to the standing committee on finance, and for that matter, to this Assembly.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Nerysoo. Are there any further comments on Bill 1-86(2)? Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. I just want to make a few brief comments concerning the manner in which the legislation has been brought up. The Arctic College system has been talked about for some time, and since I am a Member of the standing committee on legislation -- we did go over it, but I have to say that I was very concerned with the legislation as it came to the committee itself.

The legislation was tabled in June of this past year. But it is not the first time that this legislation has been talked about. In our review -- I am not sure whether the chairman of the committee indicated this -- but in our review we made numerous suggestions but we did not make recommendations to change the legislation. As a result, there were a great number of changes from what was proposed to the legislation committee and what now is the bill. I guess my concern is that since the department has had this in the works for some time prior to the tabling of the legislation, and certainly since the tabling of the legislation, I am quite concerned with the work that was done with the bill itself. I do not want to get into specific concerns because they will come up as we deal with the bill clause by clause.

Original Draft Of Bill Not Well Thought Out

There were particular aspects of the bill where the department was proposing something in legislation, in law, but to my way of thinking these suggestions or proposals were not well thought out.

I do not want to speak for other Members of the committee, but it seems to me that we were all concerned with the proposed legislation as it came to us. Certainly I am concerned with how well the department was prepared at that particular review of the bill at that time. I do not think the department was well prepared for it, otherwise the suggestions we made would not have been so numerous and, I think in a lot of cases, so readily accepted. I do not know if that is because the department has many other things to do, whether they do not have enough people to go through with it, or what the problem is. I was very much concerned with how well prepared the department was at that particular time in putting forth the bill. I appreciate very much that the department has responded and the government has responded to the numerous suggestions that were made about particular aspects of the bill itself.

I readily would congratulate the Minister and his people for taking consideration of these and making changes so that the bill is much better. But it would seem to me that the department could have been better prepared at the time. It is not that they did not have the opportunity, because they have had their own particular viewpoints of what this legislation should do in order to establish a college system to be known as the Arctic College, what its purpose was to be: to deliver adult and post-secondary education and to give it an arm's length status, if you like, from government, but to ensure that government, because of our unique situation where government would be involved with it, to provide for the appointment of a board of governors and to give them something to do.

But even then the duties and the role of a board of governors or an administrator, or if you like, the administration of the college was not clear, it seemed to me at the time, to the department itself, as to who was going to do something. So there were suggestions made and they have taken these suggestions. I just want to indicate, as I say briefly, Mr. Chairman, that I do not think the department in the time that they had to put something together did a very good job in presenting this legislation to our committee at the time. I want to again indicate that I am pleased that the department did take the suggestions that we made and looked at them and for the most part, I believe, have accepted those recommendations.

As we go along, Mr. Chairman, you will see that a number of points or a number of clauses in the bill that we previously saw have either been drastically changed or have in fact been deleted. I appreciate, again, as I say, the department taking the concerns of the legislation committee into account. That speaks well for the system that we have where the committee does have advance notice, because we would be going through this long drawn out process now. I would hope that when we get legislation coming into a legislative committee it is well thought out legislation and not simply legislation put together to give us something to do.

I do not have any further comments, Mr. Chairman, but I wanted to make those comments known at this meeting rather than at our committee meeting.

CHAIRMAN (Mr. Gargan): Thank you, Mr. McCallum. Mr. McLaughlin.

Intent Of Legislation Put Before Public In First Draft

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. Just on Mr. McCallum's comments, I think I should say something. Oftentimes the intent of what a department wants done and how the first draft of what they want done looks when it comes out of the Department of Justice are two different worlds, sometimes. In this case, the people in Justice were put under quite a bit of pressure to produce something fairly quickly for the Executive Council, and when it did come forth we realized it was imperfect, but there was a desire on the Minister's part to have the bill tabled so that at least the main intent of the legislation would be before the public. Though I agree with the Member that that is not the best situation, we as an Executive did put the drafters in the Department of Justice under quite a bit of pressure to produce a document fairly quickly. Some of what the department itself initially intended may not have been in perfect wording, but it was the desire of the Minister and our Executive Council to get the draft document before the Assembly so that the general public would know what the general intent of the legislation was.

So we did know at the time that we were putting an imperfect draft before the Assembly and that is, in fact, why it was called a draft piece of legislation. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. McLaughlin. Mr. McCallum.

Role Of Executive Council's Subcommittee On Legislation

MR. McCALLUM: Thank you, Mr. Chairman. I appreciate what the Minister is indicating but it raises some concern in my mind even at that. It is my understanding that the Executive Council has a subcommittee on legislation; that the Executive Council subcommittee would review this legislation before it came to the standing committee on legislation. If it was so imperfect, I would have thought that that would have been the time that you may very well have picked up some of these things. But if you gave it a cursory review by your own Executive Council's committee and did not go into it, then the blame is not so much with the department but maybe with the Executive Council's committee.

Just for an example -- it may be raised again as we come to it -- one of the areas of concern that was raised was this whole topic of academic councils -- what they were. Those Members who were at that standing committee on legislation will recall -- I am not too sure whether anybody still knows what an academic council is, including the government, because it was not defined. As a result, any reference, save one, has now been deleted from the bill, regarding academic councils. There is still within the bill, under the duties as to what the board may do -- powers of the board under 17(1): the board may establish one or more academic councils for the Arctic College or a campus of the Arctic College.

When it comes time, I am going to ask again what an academic council is, but surely in a preview of a bill by the committee of the Executive Council, they would have had some idea of what an academic council was itself. But if the Executive Council did not put the time into the bill and you wanted to get some draft copy for the committee, then we were faced with making these recommendations.

I appreciate what you have said. You wanted to get something going to show that, since the time of the special committee on education when it was talked about four years ago, you were going to get something done. But it still seems to me, and again I do not want to put words into the mouths of other Members of the standing committee on legislation, but it was done slipshoddily, in my estimation. I am glad to see it is better now. But it still raises questions.

CHAIRMAN (Mr. Gargan): Thank you, Mr. McCallum. Mr. Richard.

Local Control Of Adult Education

MR. RICHARD: Mr. Chairman, I had just one concern expressed to me about this coming legislation and that was in the area of adult education. It was indicated to me that currently adult education programs are being administered throughout the NWT to the satisfaction of local communities and

that the local communities very much have a hand in and control of the delivery of adult education programs. The concern was expressed to me that by placing adult education within the Arctic College Act, there may be some of that local control taken away and centralized, taken from the communities, to the detriment of the program delivery in the communities. I would ask that whoever is standing in for the Minister of Education respond to that concern, because it has been raised to me by a number of individuals. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. Mr. McLaughlin.

Link Sought Between Adult Educator And Post-Secondary Institutions

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I know that when the special committee on education looked at adult education and was concerned about where it should be, one thing we did realize at the time is that often the principal in the school, who had a liaison with the local education committee or society, had virtually nothing to do with the adult educator, who in fact might have been in another building. We felt that the adult educators were isolated. We also realized that they probably should not be tied in with the principal of the school as they were dealing with a different and older human resource. And in each community they had a different relationship with the local education community than the principal did. But there was a lot of inconsistency; there were a lot of new adult educators who did not know what was offered at, for example, AVTC, and we felt that one of the important things that the adult educator had to do was to put the adult in the community who needed upgrading, or whatever, in line for further training which would lead to a job. So there had to be a link between the adult educator and the post-secondary institutions. I would ask Mr. Lovely to elaborate on what the department's position is on that right now.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. Lovely.

Potential Transfer Of Adult Educators To Arctic College

MR. LOVELY: Thank you, Mr. Chairman. With regard to some of the concerns of communities relating to a lessening of authority in the area of adult education, this is something that has been considered quite extensively by the department, because we have felt that community adult education has not really received the priority that it might have received had it been part of a system of adult education, as opposed to part of a system which is primarily involved in the administration of schools. We have felt that there is a need for a stronger link between the community adult educators and Arctic College and that one of the ways of handling that would be to establish an Arctic College with campuses close to arctic communities and to provide reporting links between adult educators and the college. That is under consideration now in the Baffin Region since the establishment of the Baffin Divisional Board of Education, which has responsibility for both adult education and schools.

The college has been dealing with the board with regard to the potential transfer of adult educators. That is something which the board is considering now, and the decision will be made in the next month or two on that. We expect that tying the adult educators into the college will provide the sort of links that are missing at this point at the community level.

One thing that is not available for the consideration of the Members is the plan that Mr. Nerysoo referred to earlier. The college has developed a college development plan, which is before Executive Council for consideration. It provides the kind of detail, which is really important background information, to get an overall picture of the college, its plans, and the financial and personnel implications of the changes which are being recommended. Some of those changes relate to community adult education and would give a lot of the detail and would help to make this clearer.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Lovely. General comments. Mr. Richard.

MR. RICHARD: Mr. Chairman, might I ask one of the Ministers, when might we lowly MLAs see a copy of the plan that is really going to take this legislation and put it into effect? My colleague, Mr. Nerysoo, alluded to the financial implications. There is a total absence of any reference to the financial implications in the introductory remarks for this legislation and we are now told by one of the officials that there is a plan that is written down somewhere. Can the Minister indicate when we might see that plan? Is it a long-range plan? Is it more than six months or a year or is it a five year, 10 year plan? Is this not something that we should be told when being asked to create this new system?

CHAIRMAN (Mr. Gargan): Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I think as Members know, the history of post-secondary education facilities of the Northwest Territories has basically been the acquisition of buildings which had been abandoned by other departments or governments. Basically in Fort Smith there were buildings available, I believe primarily when the transfer of government occurred from Fort Smith to Yellowknife. Those buildings were utilized to start up AVTC. In Frobisher Bay, the federal building there was taken over partially by the Iqaluit campus. In Inuvik, we now have available to us the headquarters building and residence that was abandoned by the Canadian Armed Forces.

So the history of the college is that it has been expanded when buildings have become available. There has not been a major plan to build institutions because the demands on this government for kindergarten to grade 12 facilities, community halls, social-type housing and buildings for social services, for example, have been more in demand by the communities, so that that has been the history of the expansion of the college so far. I have not seen anything coming to us as a government, from the Department of Education, outlining a grand capital plan to build facilities, although I believe in Rankin Inlet there is some discussion of the residence that was built there. If it is not fully utilized by the region or if the other communities in the Keewatin get kindergarten to grade 12, there will then be room to put something into Rankin Inlet. That is all I know as a Member of Executive Council. I would like to ask Mr. Lovely to maybe add to that. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. Lovely.

Detailed Five Year Capital Plan

MR. LOVELY: Thank you, Mr. Chairman. The college development plan that I referred to may not have been distributed to Executive Council Members at this point. It is true that the Department of Education has not recommended a lot of capital expenditures, the building of huge facilities and the addition of a large infrastructure. We have taken advantage of the acquisition of the Canadian Forces Base, as an example, rather than constructing a new facility there. Because the demands of the school system are extensive, it is simply not possible at this time. The plan I referred to, though, which I hope will be considered in the near future, does provide a detailed capital plan, it does provide detailed proposed expenditures and it is a five year plan which covers the entire Northwest Territories. It was hoped when the legislation was being discussed that the plan would also be available for distribution but time caught up to us. Unfortunately the two processes did not mesh and therefore the plan was not available with the legislation.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Lovely. General comments. Mr. Richard.

MR. RICHARD: Mr. Chairman, I will leave the matter of the financial implications, because my point simply is that I think we should have some indication from the government of what the implications are.

Mr. Chairman, I would like to return to this issue of adult education. Mr. Lovely has indicated that in one area, in the Baffin, I understand his statement to be that the Baffin Divisional Board of Education is currently very much involved in the delivery of adult education in that region and yet this legislation we are being asked to approve calls on the Arctic College to fulfil that mandate. There is to be a meeting, Mr. Lovely indicates, between the current transitional board of the Arctic College and divisional board in Baffin as to whether the college is going to take on that function. That is my point. We are being asked as an Assembly to agree that the adult education function is given to Arctic College. Do the communities agree? Or do they want to have it themselves? Mr. Lovely has indicated to me that at least one region does not necessarily agree. Presumably the divisional board represents the Baffin communities, but can someone from the government not indicate what is the reaction of the communities, those involved in adult education, to a takeover, if you will, by Arctic College?

CHAIRMAN (Mr. Gargan): Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I would have to ask Mr. Lovely what communication has been made between the department and the communities, which caused the department to make this proposal. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Mr. Lovely.

MR. LOVELY: Thank you, Mr. Chairman. The legislation was written in such a way that it did not provide exclusive responsibility for the Arctic College for the delivery of adult education programs. When the legislation was brought before the legislation subcommittee, it was worded in a slightly different fashion, which made it appear as though Arctic College would deliver all adult education. It has been slightly reworded now to provide them with a mandate for delivering that sort of service but it does not exclude other agencies or organizations from doing so. In fact, at the community level today, most, or a large proportion of adult education is being delivered under the authority of the regional superintendent of education by community adult educators. The discussions which I referred to with the Baffin Divisional Board are exclusive to the board at this point because they deliver advanced education services as part of a contract. The board was established to manage a school system, more than they were to deliver adult education. So, the funding for the Baffin Divisional Board in the area of advanced education is under a contractual arrangement.

There have been extensive discussions over the last six months with all regional education authorities about the possibility of transferring community adult educators to Arctic College. The response has been mixed thus far. In some regions it does not appear to be a major issue, in other regions there is strong support for that sort of move and in other regions people want to think about it a little bit more before any action is taken. We have instructed our superintendents of education and representatives of Arctic College to consult thoroughly before any decision is made. In the meantime, adult education at the community level will continue to be delivered by community adult educators under the jurisdiction of the superintendents of education.

Authority At Local Level Will Continue

I should also mention that if a decision is made to proceed with a transfer of adult educators, the authority which local education authorities have now for community adult education will not be lessened. The money can continue to be provided as a contribution in the same way that it is provided now through our superintendents. So, in any event, the authority at the local level will continue to be with the committees, societies and councils. Thank you, Mr. Chairman.

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

MR. NERYSOO: Thank you, Mr. Chairman. Just a couple concerns I have with regard to the comments made. First, with regard to the financing of post-secondary education programs, if I could ask the Minister, is there presently an agreement with the Government of Canada similar to that of the provinces, which commits the Government of Canada to provide finances for post-secondary education and includes capital finances for the development of our college system?

CHAIRMAN (Mr. Gargan): Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Mr. Chairman, I think it is called EPF, established programs financing. The arrangement between the federal government and the provincial governments also gives money to the territorial government but I would have to ask Mr. Lovely if that is for O and M or if it can be used for capital. I know in the Maritimes apparently it is sometimes used to pave roads. I believe the EPF is primarily for health and education funding but there has been some controversy over what it is really being used for by some provinces. So I will have to ask Mr. Lovely what that transfer payment is allowed to be used for.

CHAIRMAN (Mr. Gargan): Mr. Lovely.

MR. LOVELY: Thank you, Mr. Chairman. The established programs financing arrangements do provide funding to the Government of the Northwest Territories for post-secondary education and student financial assistance. No capital funding is available and I guess the Northwest Territories is in a bit of a negative situation in that our college system is developing after the federal government provided capital funding to set up institutions in the provinces. This was available in the 1960s. Institutions such as NAIT were provided with capital funding to set up their facilities. Unfortunately the federal government, through the established programs financing arrangements, no longer provides those resources. Thank you, Mr. Chairman.

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

Development Of Agreement On Capital Funding

MR. NERYSOO: It is unfortunate that the Minister of Education is not here because I would like to have asked him, directly, some of the questions. Again, to the Minister who is responsible for this particular presentation today, is the government in the process of developing an agreement on capital expenditures with the development of the Arctic College program or have they to date developed an agreement that would be negotiated with the federal government?

CHAIRMAN (Mr. Richard): Thank you, Mr. Nerysoo. Mr. Minister.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. No such thing has come to the Financial Management Board of the government from Department of Education, but the department itself may be dealing with the federal government directly, initially, so I would have to defer again to Mr. Lovely to advise Members on that.

CHAIRMAN (Mr. Richard): Mr. Lovely.

MR. LOVELY: Thank you, Mr. Chairman. The Minister was involved in discussions with Canada Employment and Immigration Commission and Indian Affairs with regard to the potential for capital funding. Part of the pressure which the Minister was able to exert resulted in the acquisition of the Canadian Forces Base in Inuvik. I should emphasize that there has been a fairly substantial infusion of money into the Thebacha campus. Employment and Immigration Canada provided \$1.8 million for an addition to the trades complex in Fort Smith, and that is likely to be opened in January of this year. But in view of the directions we are taking at the community level which will not require huge facilities, it was not felt that there was a need to go any further with these negotiations on capital, which did not appear as though they were going to bear any fruit, based on the discussions we had with the federal government. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. Lovely. General comments. Mr. Nerysoo.

MR. NERYSOO: I have a concern with that particular statement because I think that continued negotiations, whether or not they are successful immediately, do not necessarily mean that in future they will not be successful in obtaining the necessary capital finances to develop our campuses. So in that sense I would urge the government to continue to consider negotiations for additional financial support because what you will find is that even with regard to the Thebacha campus you are still short of student accommodation. You still do not have the facilities that you require the board to implement under the recreational responsibilities. You have a program in Fort Smith that will be run, the recreational leadership program, that presently does not have the necessary facilities that you require to run that program properly.

Negotiations For Funding Should Continue

So I would hope that the discussions and the negotiations for the financial support, particularly capital, continue because I think that what you are going to find is that your requirements for capital expenditure in future will not decrease but in fact will increase. If that is the result of this particular legislation as such, that the requests come from every region, then you as a government will have to respond in some way to those requests from each particular region. I can tell you right now that even with regard to the implementation of the so-called adult educational programs, you do not have the facilities necessary to implement those programs. I think it is to your detriment as a government not to continue to seek those capital funds, so I urge the government to continue those negotiations and not to stop on the basis that the Government of Canada says, "The program is over and it ended in the 1960s." The reality is that we are now prepared to implement the college program in the North, post-secondary program, and we should continue to negotiate wherever possible the necessary finances to implement the program. Because I certainly know that within the government we are not going to have the finances to implement the type of program that we are considering right now.

If I could get on to another point, Mr. Chairman. It happens to be the point that you raised, which is adult education. I must say that in the recent meetings of the Inuvik regional education committees conference, they were concerned about the relationship between the adult education instructors and the responsibility of the Inuvik campus, and the present relationships that now exist, where the local education authorities were basically developing and approving the programs that were to be offered in the communities and they had control, you might say, over the adult

educator. It was their responsibility generally to ensure that the programs that were being offered were being offered properly and this in fact might not continue to exist under the so-called mandate being given to the Arctic College program and the Arctic College generally. I think that is still a concern that requires, as Mr. Lovely indicated, more consultation as to that particular relationship. If it is not clear, then the uncertainty and the lack of support will not come from the regions and certainly will not come from the communities, because presently they are under the impression and have the feeling that the relationship between the adult education supervisors in the regional offices is at its best and they do not want to in any way destroy their working relationship with the Department of Education.

CHAIRMAN (Mr. Richard): Thank you, Mr. Nerysoo. General comments. You were not finished, Mr. Nerysoo?

Reporting Relationship Of Board

MR. NERYSOO: Thank you, Mr. Chairman. There is also a question of the reporting relationship of the Arctic College Board, or a member of the board, to the regional education authority. I refer to authorities not in the context of just being an authority but the committees, the council, the boards, the societies. Presently under the legislation there is no requirement on the part of the board to in any way report to the regional educational authorities. There was a concern expressed at the Inuvik Region education committee's conference that they were unaware as to what the Arctic College Board was deciding with regard to programs, with regard to policies, and with regard to growth of a campus. Particularly since it was the regional education authority that was developing the students that would in fact utilize the post-secondary institution. The legislation gives no requirement on the part of the board or the board member to report to the educational authority in that particular region. I am wondering if there is a situation where we might be able to ensure that there is that reporting relationship. I do not mean accountability, as opposed to reporting. There is a difference. I think it is important that the educational authorities at the regional level become aware of the program and services being offered by the college program, and it is not in existence in this legislation at the moment.

CHAIRMAN (Mr. Richard): Thank you, Mr. Nerysoo. Mr. Minister.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I know, in a related thing having to do with Thebacha College campus, that the community of Fort Smith itself felt there was not very good communication between the institution and the community. The Minister resolved that by, I believe, establishing that one of the people of the board from the community would have that as one of his responsibilities, to liaise with the community of Fort Smith. I think that Mr. Patterson would agree with Mr. Nerysoo that a good reporting relationship between the Arctic College system through its board to the various boards in the communities and regions would be an important thing. I think that could be established, as a policy of the board that the Minister could subscribe to. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. McLaughlin. Mr. Pudluk.

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. Yes, a brief comment. The Arctic College needs to be established in the North and this has been a concern. However, there have been problems encountered. The graduates from secondary schools are not able to be enrolled in these campuses or the Arctic College. I think one of the main reasons is that the tests that are undertaken, TABE tests, are from America. This is a concern in the communities as the GED tests, or TABE tests, are quite different from those courses they have taken in the schools. I know of one person that had a problem with this. The person graduated in Frobisher Bay and that person wanted to enrol in one of the universities or colleges. However, the test results that he got were not high enough marks. Now these TABE tests should not be used as they have the American content.

Problem Of Babysitters

Also, it was mentioned about adult education. Right now, the way I see the adults or those that have dropped out of school, they would like to see more of these programs in the adult education centres. However, there is a problem. These adults who have families to look after sometimes have problems getting babysitters, even though they would like to attend classes. That is a problem. Although they would like to get into classes these people have problems because they are not getting any babysitters. I would like to bring this up, on the topic of education, that it is

needed more and more in the North and the regulations or the policies are being used even in the smaller communities. It is clear to us Inuit that we need education and without education it is almost impossible to get a job. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. Pudluk. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. With regard to this act I just wanted to point out that in a number of places in the act it refers to appointments of administrators and presidents and it also indicates that these people would be appointed within the public service. It also has not said anything about the type of roles the local communities might have or the region might have, with regard to the operation of such a college, if and when it is established. I would like to ask the Minister or Mr. Lovely, what is the case in these areas? Is it that all these people within the employ of the college are going to be public servants or are they also looking outside the public service for appointments to these high profile positions?

CHAIRMAN (Mr. Richard): Thank you, Mr. Gargan. Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Mr. Chairman, on one general question, the intent of the legislation is to establish a college up here with similar types of officials as would be in post-secondary education in a university in a province. Those people would be appointed, some of them for their administrative expertise and others on the board to represent the people of the Northwest Territories. Those, in most cases, would be lay people who had an interest in education. In the same way that other boards of this government are appointed with the regions in mind and the different ethnic groups in mind, it would be the intent of the Minister, whoever the Minister is at the time, I am sure, to make sure that for political reasons all the different regions and ethnic groups and interest groups in the Territories would be represented on the board of the college.

I believe that it is the intent of the legislation to have the public service continue to be the situation that the employees would be in. I would ask Mr. Lovely to maybe elaborate on the public service part of the relationship, as to what employees would be in, as opposed to NWTTA or NWTPSA.

CHAIRMAN (Mr. Richard): Thank you, Mr. Minister. Mr. Lovely.

Status Of Employees

MR. LOVELY: Thank you, Mr. Chairman. It is the intent that the employees of Arctic College would be public servants, as they are today, but the legislation also allows the board to hire staff to provide support to the board who would not be public servants. So there is that distinction between the staff of the college and the staff that the board would hire to provide support directly to them. So there would be two groups but the main body would be public servants and there would be perhaps a small support body who would not be. Thank you.

CHAIRMAN (Mr. Richard): Thank you, Mr. Lovely. General comments. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. Again just referring to this act, I would like to find out why it does say that appointments would be made within the public service. Why is it that they do not have within this act any other appointments other than the public service? I am just wondering whether it would be appropriate to have something in there that says that people other than public servants could be appointed.

CHAIRMAN (Mr. Richard): Thank you, Mr. Gargan. Mr. McLaughlin, do you care to respond to that?

HON. BRUCE McLAUGHLIN: I guess there are three levels to address. On the board, obviously people from the general public would be appointed to the board itself. On appointments to positions, people from outside of the public service could be appointed and hired to do jobs either for the administration of the board or to work within the college system itself. But the intent is that those employees, once they became employees, would belong to the NWTPSA.

CHAIRMAN (Mr. Richard): Thank you, Mr. McLaughlin. Mr. Lovely, would you like to add to that?

MR. LOVELY: Thank you, Mr. Chairman. Sections 23 and 24 I think are the sections that the Member is referring to. Subsection 24(2) indicates that officers and employees who are appointed by the board are not public servants. So it is fairly specific in allowing the board to hire non-public servants. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. Lovely. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. The other concern I have is with regard to regional high schools. I would like to get an indication from this government what effect it would have, if any, on the establishment of regional high schools in the regions. I am referring specifically to the Deh Cho Region, whether the establishment of an Arctic College would affect the establishment of regional high schools. Or does this act also accommodate regional high schools as part of an Arctic College program?

CHAIRMAN (Mr. Richard): Thank you, Mr. Gargan. Mr. McLaughlin.

Process Of Establishing High Schools

HON. BRUCE McLAUGHLIN: Mr. Chairman, I think the kindergarten to grade 12 system would still be entirely within the Department of Education and separate from the Arctic College system. The history of achieving high school status in communities has primarily been determined by the number of students. For example, when a community achieves having, say, 30 students in grade nine, as opposed to seven students, it then becomes financially feasible for the department to put grade 10 into the community. If those students continue to stay in the school system, then it is financially possible to continue to raise the grades to 11 through to 12. I know that happened in my own constituency about seven or eight years ago. They established a high school because they had a very large class in grade nine and slowly moved it up. I know that the Minister has done that in several other communities where there was a large grade nine class. He extended grade 10 into the communities.

So that is basically how high schools have been achieved in the past. When there was a large group of students that were staying in school and being sent away to school, it became then financially feasible to increase the grades in the particular communities. I do not believe that the Arctic College would have anything to do with this other than the possibility that in the demand for capital funds the Arctic College might be competing with Education for funds in the total capital process. Other than that there would not be a relationship under this act. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. McLaughlin. General comments. Mr. Nerysoo.

MR. NERYSOO: Thank you. I have all these comments because I was not part of the standing committee on legislation. Just with regard to the legislation, is there a clause that would give the authority of the board to enter into agreements with regional bodies -- and I refer to such regional bodies as education authorities, regional councils -- on programs that could be offered in a particular campus? I think it is probably under section 17(b) but it is not clear that that gives the board the authority.

HON. BRUCE McLAUGHLIN: Mr. Chairman, one of the reasons...

CHAIRMAN (Mr. Richard): Thank you, Mr. Nerysoo. Mr. McLaughlin, go ahead.

HON. BRUCE McLAUGHLIN: Sorry, Mr. Chairman. Thank you. One of the intents of the legislation is to allow the Arctic College system to be sort of more versatile and able to enter into contracts and agreements with other parties for sources of funding and to develop programs that may be encumbered right now and not able to be done. Some organizations I know that have funding are not willing to give that funding directly to governments but would give it to universities. So that is an example of receiving funds through a contract. However, I have to ask Mr. Lovely if the colleges could enter into contracts. I believe it could from what I have heard of Mr. Patterson's description of what he wants to do. But I would ask Mr. Lovely to point out the specific areas where this would be allowed. Thank you.

CHAIRMAN (Mr. Richard): Thank you, Mr. Minister. Mr. Lovely, would you like to clarify on this issue for Mr. Nerysoo?

MR. LOVELY: Thank you, Mr. Chairman. Clause 17(b) is the appropriate clause and it was intended that the clause would allow Arctic College to enter into agreements with associations and organizations such as education authorities, as well to allow them to take advantage of funding as Mr. McLaughlin indicated, which perhaps would not be available to a strictly government institution. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. Lovely. General comments. Mr. Nerysoo.

MR. NERYSOO: Thank you. The only concern I have with regard to the authority that is being given to the board is the so-called possibly overriding authority that the administrator might have, with regard to an agreement, of not implementing that particular agreement. It may not be in the legislation, but as much as the authority being identified in the legislation, it is just a matter of instituting the agreement. Some administrators may not be prepared to implement a particular agreement, or may take his time, to the detriment of and ensuring failure of that particular agreement. I say that because I guess that is one reason why I tabled the document this morning entitled "Creating Community Entrepreneurs". It is a document that outlines a college program for the development of community entrepreneurs who recognize the interests and the concerns of the region and the communities of the region. We have had some difficulty in convincing the Department of Education and the college system, including the administrator and the president, that this is a program that should be offered in spite of the fact that we have received support from the Minister and in fact support from the Board of Governors for the college. In spite of that, we are not receiving the type of support that is necessary to implement the program. I raise this particular concern because of that particular situation. While the idea of the legislation is to ensure that the board can enter into agreements, the problem rests then with the administrator or the president and the administration of the college to implement that agreement, and if there is no support by the administrator or the president then the program is doomed to failure. That is a concern that I have. I hope that the legislation somehow can reflect the legality of the agreement between the Board of Governors and the regional bodies of authority.

CHAIRMAN (Mr. Richard): Thank you, Mr. Nerysoo. General comments. Is the committee agreed that we will go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 2, definitions. Mr. MacQuarrie.

Academic Council

MR. MACQUARRIE: Thank you, Mr. Chairman. In this interpretation section, at one point, there was a definition of "academic council" and it has been deleted. As Mr. McCallum pointed out earlier, during the committee's review the matter of these academic councils was raised. It was not at all clear, I think, to the majority of committee Members, quite what these academic councils were or what they were to do. I guess the committee was not quite sure that it was satisfied that the government was clear on what they were and what they were to do as well. So, we had asked the government to look further at this and it appears that they have deleted the definition and, as the government says, the reason it was deleted was because the Department of Education was of the opinion that academic councils are too prominent in the draft act and that it should simply be up to the board to establish an academic council and to fix their powers and duties and their remuneration. The government points out, then, that therefore sections 24, 25 and 26 of the earlier draft were also deleted. But as Mr. McCallum pointed out earlier today, there is still at least the reference that enables the board to establish them, and he may have further questions as to precisely what is intended.

CHAIRMAN (Mr. Richard): Thank you, Mr. MacQuarrie. Mr. McCallum.

MR. MCCALLUM: Mr. Chairman, again I would like to just raise this business of an academic council. The reference to it is later on in another particular clause and I may raise it again at that time. But in the definitions, there is, as Mr. MacQuarrie says, no definition of an academic council and yet there are references to it in clause 17 under the powers of the board; that it may establish one or more of them for the college or a campus, that the board can fix the powers and duties of that council and that it can fix the payment and expenses of a member of this academic council who is not a member of the public service. So I wonder if I can get a definition of what an academic council is because again, I will reiterate what Mr. MacQuarrie said, I do not understand what an academic council will be, how it is going to be set up by people outside of the academic institution and why it should be made up of people who are outside of the academic institution itself. And what is the purpose of an academic council for the Board of Governors or any one of the present or proposed campuses? So, I would like to get some idea of what an academic council is.

CHAIRMAN (Mr. Richard): Thank you, Mr. McCallum. Mr. McLaughlin, would you indicate for Mr. McCallum what an academic council is.

Role Of Academic Councils

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. As I said earlier, in the intent of who would be appointed to be the board, it would be primarily lay people in the Northwest Territories who would not necessarily be professionals in education. They would have an interest in it but not necessarily be professionals. I think the idea of an academic council was considered in order to be sure that the integrity of courses and everything was maintained, that the institution did not slump and that it maintained standards which were nationally recognized. To have it made up of outside people makes sense because if you made it up of academics working for the institution they would not necessarily be unbiased in their opinions as to how well the institution was in fact maintaining its standards. So the idea of having an academic council not connected with the faculty would ensure that an unbiased assessment of the integrity of the academic courses being offered was well-founded. I would ask Mr. Lovely to maybe elaborate on that. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Mr. Lovely.

MR. LOVELY: Thank you, Mr. Chairman. The academic councils were placed in the legislation as advisory bodies to the Board of Governors. This is a mechanism that is fairly common in community colleges and universities and is generally established to provide the board with an outside body which can look at matters which it does not necessarily have the expertise to deal with. It is felt as well that there is a need for them to have the ability to appoint non-institutional representatives to the academic councils, as well as members of the staff, to deal with issues such as whether or not the programs are still relevant to the public. The non-government representatives are in a good position to determine that, as well as to deal with strictly academic matters such as how we maintain consistent standards in similar programs between one campus of the college and another. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. Lovely. General comments on clause 2. Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. I do not want to get into an argument about whether one is required or not. I wanted to know what these academic councils were and, if you are making reference to something that is new or different, then why is there not a definition of what it is supposed to be?

Just in relation to what has been said, if you are talking about the integrity of the institution or the integrity of the courses to make sure that one campus is doing what the other campus is doing in relation to a particular program, I would expect that that would be one of the duties of the president of the Arctic College, to ensure that things are going right in each place. I would expect that it is a duty of the vice-president of a particular campus to know what is going on in a particular campus as to the courses. You also have, within the Arctic College system, deans of instruction for particular programs -- business administration for one. I am not sure what you call the head of the teacher education program, wherever that is now and wherever it is going to be. You also have advisory councils for the trades made up of the kind of people you are talking about. Each trade, as I understand it, has an advisory council made up of the people outside of the institution who have a hands-on approach to the particular trade as it is used in everyday life and business -- everything from repairing small engines to mechanical trades.

Those are the people I would expect would indicate to the college system or to the powers within the college system what should be taught in a particular course so that there is some kind of check and balance and so that they are relevant. It seems to me what you are doing is tacking on more of this advice and whether it is going to be provided to the board -- at least that is what was said at first -- I do not see now that it is going to be to the board itself. It says that the board may establish one or more academic councils for the college. It does not say that they are going to help the Board of Governors.

Duplication Of Role Of Existing Advisory Groups

You are going to have one or more academic councils for the college or one or more academic councils for a campus of the Arctic College. Does this mean that you are going to get rid of the advisory councils? Or are you going to have advisory councils that you fix payments for or you

provide an honorarium to them, you pay their expenses to come together to meet? They must meet quite often to make sure that the course content is applicable to everyday situations in 1986 and hopefully beyond that. Are you going to have these advisory councils and now you are going to have academic councils too, or is one taking the place of the other? It just seems to me that you have so many people involved with it -- and I know that everybody is involved with education and everybody knows something about education because everybody has gone to school at some time or other. It just seems to me that you are adding something in here or you are allowing something to occur that is going to confuse the issue. You are going to have so many cooks putting the broth together, the broth is going to be diluted.

I do not know if you want to get academic advice. It would seem to me that within the institutions or campuses themselves, you have the academic brains there to do it, to make sure that the programs are properly set up, that they are properly taught and that they are relevant. I am not sure that I would agree with Mr. Lovely that this is the prevalent phenomena in a lot of institutions. There may be institutions that have it but there certainly are academic groups within a college or a university that look after and provide advice -- to the dean of education, for example, in the education school of a university. They are made up usually of people within the department. That is not to say that other people do not know anything about it but I just think that you are putting something in that is going to be costly and I do not see any reason for it.

However, if you are going to do it, why do you not tell us what they are? It is not good enough as it was in the first bill that we saw, that an academic council in the definition is set up under such-and-such a section, because there is nothing here other than that it is in the power of a board to establish them.

CHAIRMAN (Mr. Richard): Thank you, Mr. McCallum. Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I will have to defer to Mr. Lovely on the role of trades advisory boards in relation to these academic councils. Thank you.

CHAIRMAN (Mr. Richard): Mr. Lovely.

MR. LOVELY: Thank you, Mr. Chairman. There are a number of advisory groups established within the college system now, primarily to provide programs with feedback on whether or not the skills which are being taught are those which are in demand in the market place. The trades advisory boards are pretty good examples of that and are provided for under the Apprentices and Tradesmen Act. It is not intended that these bodies would be done away with as a result of the inclusion of academic councils in the legislation. The academic councils are not intended to be standing bodies. They are intended to be established to respond to specific problems and to provide a level of advice to the board and to management which requires that a number of people with a variety of skills pool their intelligence and their experience to come up with answers. I do not believe it would be difficult to provide such a definition in the legislation, and I would not have any problem looking at that. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. Lovely. Clause 2. Mr. Nerysoo.

Motion To Defer Discussion Of Bill 1-86(2), Carried

MR. NERYSOO: Thank you, Mr. Chairman. Not to refer to clause 2, but I certainly think that this bill is important enough to have the Minister here and if I may, I would move that this committee defer further discussion on this bill until the Minister is in the House.

CHAIRMAN (Mr. Richard): Once everyone takes their seats, the motion is in order. We will need a quorum to deal with the motion. The motion is in order. Mr. Nerysoo, to the motion. Question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

This bill is deferred.

Bill 5-86(2), Public Service Act

We are now dealing with Bill 5-86(2), Public Service Act. Which of the Ministers is going to introduce this? Mr. Pedersen.

Minister's Opening Remarks

HON. RED PEDERSEN: Thank you, Mr. Chairman. The bill before you is intended to correct an error in intent which, I believe, was made when a motion was carried at the last Assembly to amend clause 23 of Bill 20-86(1). The Member who made that motion, the honourable Bob MacQuarrie, made a statement in the House, and I quote: "This" -- meaning clause 23 -- "merely refers to appointments from outside the public service without competition as the previous one referred to appointments within." Clause 23 of Bill 20-86(1), section 17 of the Public Service Act, refers to appointments from outside the public service both by competition and without competition. The effect of the amended clause therefore was to require the Executive Council to recommend appointments made by competition as well as those made without competition.

The bill you have before you amends section 17 to require the recommendation of the Executive Council for appointments without competition only. Appointments from outside the public service by competition should not require involvement by the Executive Council. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Richard): Thank you, Mr. Pedersen. Bill 5-86(2), general comments. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. With regard to the appointment of persons other than public servants, the Minister may appoint from outside the public service if they cannot find a suitable candidate within the public service. I do not understand what the rationale of this amendment is, because in order to be a public servant, you have to be capable and able to accomplish a task or duty designated to you. I just do not see where this particular amendment would serve any purpose. I mean, within the public service, I am sure you will always find a suitable candidate. That is just common sense because these people are there because of their qualifications and I just do not see how this would serve anybody's purpose. I do not know because if it was to say that, in the opinion of the Minister, it is suitable to look outside the public service then maybe I would understand it but to say that they cannot find a suitable candidate within the public service, I do not think that is facing reality because you will always find someone. In fact, the way it reads we will never give a person outside the public service a chance to ever get a job within -- because of that particular clause.

CHAIRMAN (Mr. Richard): Thank you, Mr. Gargan. Mr. Pedersen, do you care to respond?

HON. RED PEDERSEN: Mr. Chairman, I really did not catch the gist of what Mr. Gargan was at. Could you rephrase it, please?

CHAIRMAN (Mr. Richard): Mr. Gargan.

MR. GARGAN: The way the amendment reads it would mean that a person outside the public service will never have a chance to get employment within government. What I am saying is that you will never run into a situation where you are not going to find a suitable candidate within the public service. That is what I am saying. If that is the case then this act is sort of telling people outside the public service that you never have a hope of a chance of ever getting a position because within the public service you will always be able to find a suitable candidate. I do not think you would run into a situation where you are not going to.

CHAIRMAN (Mr. Richard): Thank you, Mr. Gargan. Mr. Pedersen, do you understand the question now?

HON. RED PEDERSEN: Thank you, Mr. Chairman. Yes, I think I do. I do not agree with the honourable Member. I think there are many times when we cannot find suitable people within the public service. For one thing, there has to be a desire by the public servant who is working for us right now, to apply for a certain job, to want that job. And we do, for instance, fill positions such as junior social workers and first time teachers. The people within our public service now are probably more interested in the senior social worker positions because they have already been through the other stage. They certainly may be qualified for it, but there is a difference between being qualified and wishing the position. So there are indeed many cases where we have to hire from outside the public service. There is also the matter of quantity, of numbers. We have a PY total within the government and if people leave the government, if we fill the positions, from within, we also have to add to it from outside to bring it up to the standard. So I do not think that this should be a problem. What this amendment does is simply removes the necessity for the Executive Council to approve appointments to the public service that are made as a result of a direct appointment and also appointments made as a result of competition would not require that Executive approval.

CHAIRMAN (Mr. Richard): Thank you, Mr. Pedersen. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. I was under the impression that this particular clause was for the appointment of high profile positions because I do believe we do have a policy in place called the affirmative action policy which addresses what Mr. Pedersen was just referring to, with regard to training positions and level one social workers. I was referring more or less to the higher positions within the public service where they will always be able to find suitable candidates because affirmative action already addresses what Mr. Pedersen was just referring to.

CHAIRMAN (Mr. Richard): Thank you, Mr. Gargan. General comments. Is the committee agreed we go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Mr. MacQuarrie.

Amendment Effects Intent Of Standing Committee On Legislation

MR. MacQUARRIE: Thank you. Just a brief general comment. I want to make it clear first of all that this bill was not reviewed by the standing committee on legislation because the bill was not ready when the committee met in early September, so I leave it to individual Members to decide the importance of that fact to themselves. For my own part I see that it is a small amendment and I am willing to proceed with it. But I must say that it is true that this became necessary because a faulty amendment was put in place at our last session. But I will also say that the faulty amendment was put in place at the last session because of what had transpired just previously to that and that is that during a standing committee meeting the standing committee had recommended to the government precisely what you see in this bill before you today. The government decided not to accept the advice of the standing committee and did not include that recommendation in the bill that they brought in. That left standing committee Members scrambling to decide how important it was, and whether something needed to be done. So the decision was made by some Members to introduce an amendment that effected the purpose that the committee had expressed. Unfortunately we introduced an amendment that did more than what we intended. So I do agree that the bill that is before us now does effect the original intent of the standing committee, it does ensure that the Executive Council is consulted where there are certain types of appointments and it narrows the requirement for the Executive Council to review many kinds of appointments. So I am satisfied with the bill as it stands.

MR. McCALLUM: So all of us are not infallible.

CHAIRMAN (Mr. Richard): Thank you, Mr. MacQuarrie. We are on general comments still. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. I would like to ask the Minister if it is common practice that a competition is given for level one civil servants or a training position. Is this common practice within the public service that these are opened up for competition and if they cannot find a suitable candidate that they do make an appointment?

CHAIRMAN (Mr. Richard): Thank you, Mr. Gargan. Mr. Minister.

HON. RED PEDERSEN: Just to confirm, is that training positions you are referring to, Mr. Gargan?

CHAIRMAN (Mr. Richard): Mr. Gargan, your question of the Minister, could you just explain it again, please?

MR. GARGAN: Thank you, Mr. Chairman. All I am asking the Minister is whether it is common practice that -- when the Minister replied to me about not finding suitable candidates, because these positions are not senior positions but rather like a level one social worker position or a training position -- is it common practice that the government does go through the competition process for these low profile positions within the public service?

CHAIRMAN (Mr. Richard): Mr. Minister.

HON. RED PEDERSEN: Yes, Mr. Chairman. That is common practice.

CHAIRMAN (Mr. Richard): Mr. Gargan.

MR. GARGAN: It is just in section 17(2) there with regard to making an appointment by competition, I do not know what that means. What does that mean? If you are going to have a competition you do not appoint. What does this line refer to, "make an appointment by competition"? What does that mean?

CHAIRMAN (Mr. Richard): Mr. Minister.

HON. RED PEDERSEN: Thank you, Mr. Chairman. The word "appointment" in that line refers to when we hold a competition we select the candidates who, according to their applications, are the most suitable for interviews. They are interviewed. Based on the interview committee, the appropriate department head makes the offer of appointment to the successful candidate.

CHAIRMAN (Mr. Richard): Thank you, Mr. Minister. Does the committee agree we go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 1, appointments from outside the public service by competition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Is the committee agreed that Bill 5-86(2) is ready to report for third reading?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): That concludes the items on the committee's agenda for today. Is the committee agreed that we report progress?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Then I will do so.

MR. SPEAKER: Mr. Richard.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF BILL 1-86(2), ARCTIC COLLEGE ACT; BILL 5-86(2), PUBLIC SERVICE ACT

MR. RICHARD: Mr. Speaker, your committee has been considering Bills 1-86(2), 8-86(2) and 5-86(2) and wishes to report that Bill 5-86(2) is now ready for third reading, that Bill 1-86(2) was deferred and also that Bill 8-86(2) requires further consideration.

Motion To Accept Report Of Committee Of the Whole, Carried

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

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

SOME HON. MEMBERS: Agreed.

---Carried

MR. SPEAKER: The balance of the orders of the day, Item 19, orders of the day and announcements. Mr. Clerk.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. Members are reminded of the city of Yellowknife's invitation for this evening at 7:30 p.m.

ITEM 19: ORDERS OF THE DAY

Orders of the day for Monday, October 20th, at 1:00 p.m.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Tabling of Documents
12. Notices of Motion
13. Notices of Motion for First Reading of Bills
14. Motions
15. First Reading of Bills
16. Second Reading of Bills
17. Consideration in Committee of the Whole of Bills and Other Matters: Bill 1-86(2); Bill 8-86(2)
18. Report of Committee of the Whole
19. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Monday, October 20th at 1:00 p.m.

---ADJOURNMENT

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