



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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Pages 65 to 90

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

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YELLOWKNIFE, NORTHWEST TERRITORIES

FRIDAY, FEBRUARY 13, 1987

MEMBERS PRESENT

Mr. Angottitauruq, Mr. Appaqaq, Mr. Arlooktoo, Hon. Tom Butters, Hon. Michael Ballantyne, Ms Cournoyea, Hon. Tagak Curley, Mr. Gargan, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Mr. Nerysoo, Mr. Paniloo, Hon. Red Pedersen, Mr. Pudluk, Mr. Richard, Hon. Nick Sibbeston, Hon. Don Stewart, Mr. T'Seleie, Hon. Gordon Wray

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Friday, February 13th.

Item 2, Ministers' statements.

Item 3, Members' statements.

Item 4, returns to oral questions. Item 5, oral questions. Mr. Paniloo.

ITEM 5: ORAL QUESTIONS

Question 014-87(1): Funding For Meeting Of Baffin Regional Corporation

MR. PANILOO: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Economic Development. I think he is already aware of this. The Baffin Regional Corporation is just establishing right now and they have requested funding for their meeting. I would like to know if they are going to be granted some funding for 1987 for the Arctic co-operatives. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 014-87(1): Funding For Meeting Of Baffin Regional Corporation

HON. TAGAK CURLEY: Thank you, Mr. Speaker. I think he is already aware that one of the speakers for Baffin Regional Council -- as they were having a meeting in Baffin Island in September we were given some suggestions on how development can be helped and we had a meeting with them and also with the Baffin business people. Also, a few days ago in Keewatin Region, we held a meeting and also gave them the reasons -- if they have any suggestions, this is available. However, for the companies we do not have any source of funding at the present time. If they would like to speak to us as to how to develop some businesses in the communities we can speak to them. Thank you.

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

Question 015-87(1): Trade-Off Of Timber Management Positions, Fort Smith

MR. MCCALLUM: Thank you, Mr. Speaker. I have a question for the Minister responsible for Renewable Resources. Given that the forestry transfer is on its way and that there is a proposed trade-off of timber management positions from the federal government, now in Fort Smith, to come to

headquarters and to be replaced by the area operations personnel from headquarters, can the Minister indicate to me how many positions are involved in this trade-off, and if there are secretarial positions involved with it, why would these have to take place?

MR. SPEAKER: Mr. Minister.

Return To Question 015-87(1): Trade-Off Of Timber Management Positions, Fort Smith

HON. RED PEDERSEN: Thank you, Mr. Speaker. I have just in the last week been in correspondence with both the mayor and the president of the Chamber of Commerce in Fort Smith and advised them of the situation as the Member outlines. The timber management positions will be transferring to headquarters in order to allow our intent of integrating the forestry service with Renewable Resources to become a renewable resource management team. And if they are to have any significant, day-to-day, efficient impact on the management decisions, we feel the management should be in one location. The number of positions is three or four, Mr. Chairman. I can look and give the exact number. The secretarial positions to my knowledge should not be involved in the transfer. It would be strictly the management positions. I have assured the Member and the mayor and the president of the Chamber of Commerce, and we still stand by that, that there will be no net decrease in positions in Fort Smith as a result of the forestry transfer from the federal government to our government. Thank you.

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

Question 016-87(1): Use Of Old School Building By Co-op, Resolute

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. My question is directed to the Ministers of Economic Development, DPW and Education. In Resolute Bay they are trying to get a school but they have not been able to resolve this. They have even written a document about this. Perhaps if the Minister of Economic Development agrees with them, I wonder if we can move this old co-op building. When this building was assessed it was really terrible, so the co-op would like to move into the old school building over there. I was wondering if you can deal with this sometime in the near future. Thank you.

MR. SPEAKER: Mr. Minister.

HON. TAGAK CURLEY: (Translation) Thank you, Mr. Speaker. You outlined this situation in Resolute Bay when I was up there with Dennis Patterson, and we have discussed this. I just want you to be aware that the ACL has jurisdiction over this. They are the people who prioritize the items. They have considered removing the co-op development fund and they have to follow this co-op development fund. Perhaps after they have reviewed this I will be able to give you an appropriate answer to your question. Thank you.

MR. SPEAKER: You are taking the question as notice. Oral questions. That appears to conclude this item for today.

Item 6, written questions.

Item 7, returns to written questions.

Item 8, replies to Opening Address. Item 9, petitions. Mr. Paniloo.

ITEM 9: PETITIONS

MR. PANILOO: (Translation) Thank you, Mr. Speaker. This is Petition 2-87(1), from Pangnirtung residents requesting a hotel. This letter is very short and there are 160 signatures on it. Thank you.

MR. SPEAKER: Thank you, Mr. Paniloo. Item 9, petitions.

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

ITEM 11: TABLING OF DOCUMENTS

I would like to table the following statement in accordance with section 22 of the Legislative Assembly Retiring Allowances Act. I have laid on the table Tabled Document 5-87(1), the Report of the Auditor General of Canada on the Examination of the Accounts and Financial Statements of the Legislative Assembly Retiring Allowances Fund for the Year Ended March 31, 1986.

In accordance with Rule 56(10) of the Rules of the Legislative Assembly, I have laid on the table Tabled Document 6-87(1), responses to Petitions 1-86(2), 2-86(2), 3-86(2), 4-86(2), 5-86(2), 6-86(2) and 7-86(2) received from the Executive Council. Item 11, tabling of documents. There does not appear to be any further tabling of documents for today.

Item 12, notices of motion.

Item 13, notices of motion for first reading of bills. Item 14, motions.

ITEM 14: MOTIONS

Motion 1-87(1). Mr. MacQuarrie.

Motion 1-87(1): Tabled Document 1-87(1) To Committee Of The Whole, Carried

MR. MACQUARRIE: Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for High Arctic, that Tabled Document 1-87(1), entitled "Boundary and Constitutional Agreement for the Implementation of Division of the Northwest Territories between the Western Constitutional Forum and the Nunavut Constitutional Forum", be moved into committee of the whole for discussion only, as the first item of business on Tuesday, February 24th.

AND FURTHER, that Mr. Steve Kakfwi and Mr. John Amagoalik be invited to appear as witnesses in committee of the whole when the document is discussed.

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

MR. MACQUARRIE: Yes, just very briefly, Mr. Speaker. Members of this Assembly had been assigned to the constitutional forums and asked to undertake certain work. The Members along with others on the Constitutional Alliance have reached an agreement pertaining to a boundary to divide the Northwest Territories and on constitutional development initiatives in each of the territories. That agreement has been tabled and I expect, in accordance with the motion, that Members will wish to discuss the results of that and I am confident that it will be passed, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. MacQuarrie. Mr. Pudluk, as seconder.

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I am very happy about Mr. MacQuarrie's motion. We have worked very hard toward this in the past and when we could not agree with each other last fall during our session -- John Amagoalik wanted to have a meeting privately with the chairman of each constitutional forum and that is the only way we were able to come up with an agreement.

A few weeks ago, in January, we were able to sign the agreement. Our agreement does not mean that that is how it is going to be but we will not be able to know if the boundary is what the people want until there is a petition. The day we choose for the discussion of the boundary -- perhaps, on that day, I want all the Members to point out their views about the agreement. I do not have much to say, Mr. Speaker, on this. I just want to thank you.

MR. SPEAKER: Thank you, Mr. Pudluk. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. Mr. MacQuarrie, you have passed up your option to summarize, to speak last. All those in favour? Opposed, if any? The motion is carried.

---Carried

Item 15, first reading of bills: Bill 1-87(1), Appropriation Act, 1987-88. Mr. Butters.

ITEM 15: FIRST READING OF BILLS

First Reading Of Bill 1-87(1): Appropriation Act, 1987-88

HON. TOM BUTTERS: Mr. Speaker, I move, seconded by the honourable Member for Nahendeh, that Bill 1-87(1), An Act Respecting Appropriations for the Government of the Northwest Territories for the Fiscal Year Ending the 31st Day of March, 1988, be read for the first time.

MR. SPEAKER: I have a motion on the floor. Are you ready for the question?

SOME HON. MEMBERS: Question.

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

---Carried

First reading of Bill 7-87(1), Education Act. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, in view of the fact that the government has put these on the order paper, I should explain that in the case of Bill 7-87(1), Education Act, translation has not been concluded. Therefore, it could not be put in the Members' books and I will not be moving first reading today. In the case of Bill 9-87(1), Financial Administration Act, it will be returned to the joint committees of finance and legislation of this House for examination of one or two particular items and therefore I will not be moving first reading of this bill today. Nor will we be moving first reading of Bill 24-87(1), Student Financial Assistance Act.

MR. SPEAKER: Thank you, Mr. Minister. That concludes Item 15.

Item 16, second reading of bills. Second reading of bills. Item 17, consideration in committee of the whole of bills and other matters: Third Report of the Special Committee on Rules, Procedures and Privileges and Bill 13-87(1), Legislative Assembly and Executive Council Act, with Mr. Gargan in the chair.

Before I turn the matter into committee of the whole, I would like to advise the House that on Monday we will have Speaker Carter from the Alberta government present for our session. He is basically here, I believe, to see the operation of our Assembly and the many languages that are used. I would like to request that Members make use of their system on Monday, in particular, and that native dress, where appropriate, would be in order. We will move into committee of the whole with Mr. Gargan in the chair.

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

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER THIRD REPORT OF THE SPECIAL COMMITTEE ON RULES, PROCEDURES AND PRIVILEGES; BILL 13-87(1), LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL ACT

CHAIRMAN (Mr. Gargan): The committee will come to order.

Third Report Of The Special Committee On Rules, Procedures And Privileges

Mr. Butters.

HON. TOM BUTTERS: Thank you, Mr. Chairman. I wish to extend an apology to the honourable Member for Nunakput as a result of comments I made last night and an opportunity that I have had to review such comments over the evening. The honourable Member mentioned that material that had been examined by the caucus had been referred to the Executive Council but had not yet been returned. That is correct. The only difference from that presentation was that it was referred to the task force on program review and the amended material has not yet been returned to the caucus. So I apologize to the honourable Member for suggesting that the process which she described was not as she described it.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Butters. We are on page 13. Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. One of the items that was brought to the committee's attention was some potential problem in our rules with respect to the motion in the Assembly to have the Assembly concur in the report of the committee of the whole. It first came up on the issue of whether or not there should be a seconder and as the discussion ensued in the special committee, there was further debate on the form of the motion that is used when a chairman of the committee of the whole is reporting back to the House on the business that had been conducted. There was a concern that if a motion to concur with the report was ever defeated, it is uncertain as to the meaning of such a defeat of a motion.

The question was asked: Would it mean that the House was now rejecting each item of business that had been concluded in the committee of the whole? And if so, did that mean that that was the end of the matter in so far as that session of the Assembly was concerned? Members of the committee felt that on occasion Members in the House might disagree with a decision that had been made in committee of the whole on one particular item and because of that might be able to convince enough Members in the House to reject the motion to concur. That would have the unfortunate consequence of rejecting all items that were included in the motion to concur.

For example, if a bill had been discussed in committee of the whole, among other items, Members of the House at the time of considering the motion to concur might disagree that the bill should advance any further to third reading, but in rejecting the motion to concur would also reject other, perhaps meritorious motions that had been passed in the committee of the whole. Conversely if Members in the Assembly disagree on some minor motion of little consequence, relatively speaking, that carried in the committee of the whole and was therefore included in the motion to concur, if Members who disagreed with that minor item in the House by convincing others to defeat the motion to concur, would that mean that bills which had been approved in committee of the whole would also be halted in their advance on the road to third reading?

Our committee, Mr. Chairman, struggled with that and although we do not purport to have the perfect answer, we feel that some of these problems could be avoided by separating bills from other matters when the chairman of the committee of the whole is reporting to the Assembly. What we are recommending is that we write a rule in the rules of the Assembly that would provide for the report of progress from the committee of the whole to be divided into two parts. One dealing with bills that had been under consideration in the committee of the whole, the other part dealing with other matters that have been under consideration in committee of the whole, and the two parts of the chairman's report would be voted on separately without debate. It is an attempt, Mr. Chairman, to refine that process. It seems, to some Members of the committee anyway, that it is too much up in the air to lump everything into one motion to concur. So with that background, Mr. Chairman, I would invite comments from other Members.

Motion To Replace Rule 82 Of Rules Of The Legislative Assembly

I would move that a new rule be adopted as follows: "82(1) The report of progress from the committee of the whole to the Assembly shall be in two parts: a) a report of progress regarding bills under consideration, and b) a report of progress regarding other matters considered by the committee of the whole. 82(2) Following each report of progress the Speaker shall call for a motion to concur and for a seconder to that motion. The motion shall be put and decided without debate or amendment." Thank you.

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

MR. MacQUARRIE: Mr. Chairman, the committee's recommendation points up a very interesting question and one that, to me, is not answered, at least in my own mind. What is the nature of the report? Is it just a report of what has proceeded in the committee, like minutes of the committee, that is being reported to the formal House? If that is the case, then a motion to concur has nothing whatsoever to do with the substance of the report but rather merely the accuracy of the report. If that is the case, I think there is not any need for this kind of motion or recommendation from the committee. But I am not sure that it is the case, so I have a question that I will want the Clerk to answer after some serious consideration. Are we being told that, in fact, the committee of the whole in a sense is extra-parliamentary and that, therefore, actions undertaken in the committee and motions adopted in the committee are not really parliamentary actions and can only become so by having them adopted or concurred with by the House in formal session?

The reason I raise that question is, of course, it should be quite obvious that if we adopt this recommendation and accept the thought that is behind it, what it means is that all Members get an extra crack at items. For example, for bills, let us say, traditionally there have been three readings and three votes. With this, what is implied is that there are four votes. Four opportunities to prevent the passage of a bill. I do not think, personally, that that is what is intended.

Question On Whether Report Is Convenient Summary Or Not

It would seem to me that because we sit in the same chamber, are the same Members in committee of the whole and in formal session, that in fact, in a very real way what we do in committee of the whole is parliamentary in nature and that the report from committee of the whole is a convenient summary of what has occurred and we agree with it in order to -- or disagree if we feel it is inaccurate in some way, but just as with minutes of a meeting, you know, someone who did not like what transpired at the meeting would still be compelled to adopt the minutes if the minutes truly reflected what had occurred at the meeting. And so, Mr. Chairman, I would ask for a response from the Clerk and perhaps the Speaker, if necessary, on what I consider to be a very important matter.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Richard, would you like the Clerk or the Speaker to respond to this particular point? Mr. Richard.

MR. RICHARD: Mr. Chairman, yes. I appreciate the query raised by Mr. MacQuarrie. I do not have the answer to his question but let me say this, that whatever it means in the current rules, we are just dividing it in two. I do not think we are recommending any substantive change. But I would ask you, sir, to invite the Clerk, Mr. Hamilton, to respond or comment on Mr. MacQuarrie's observation.

CHAIRMAN (Mr. Gargan): Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I acknowledge the accuracy of what Mr. Richard has said. In truth I am about two years late because when I was first elected to this House, there was quite a different procedure and it was in rule changes about two years ago that a sort of formal motion of concurrence was introduced. Perhaps at that time I just did not see the implications of it all and it went by at that time. But now I see them clearly and that is why I am raising the question. So, I say, I agree with Mr. Richard; they have not caused the problem and in fact they are trying to address it. They recognize the very same problem in the existence of the present rule and they are trying to ameliorate it. I guess what I am saying is that present rule ought to be different than it is but I do not have the answer for sure.

CHAIRMAN (Mr. Gargan): Thank you, Mr. MacQuarrie. Mr. Clerk, would you like to give your opinion? Mr. Ballantyne.

HON. MICHAEL BALLANTYNE: While he is coming in, to echo Mr. MacQuarrie's comments, I think that Mr. MacQuarrie is right that the committee has not caused this problem whatsoever. They are dealing with existing reality. But what brought it to our attention, when you talked about the concept of a vote of non-confidence, could non-concurrence in a government bill be considered, under our present rules, a vote of non-confidence in the government? It has other implications. So, I think that maybe we should look at the whole concept, rather than what the committee was doing in trying to rationalize the existing wording. Maybe we should look at the fundamental concept. Thank you. Maybe the Clerk could think about some of that too.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Ballantyne. I will now ask the Clerk to give us his opinion.

Clerk's Opinion On Motion To Concur With Report Of Committee Of The Whole

CLERK OF THE HOUSE (Mr. Hamilton): Thank you, Mr. Chairman. The purpose of the report to the House is to advise the House, because the House is not aware of what happened in committee of the whole. It is a committee of the House; similarly reports come from standing committees of the House. In other jurisdictions you find that there are committees of ways and means, or committees of supply. In our House we only have a committee of the whole House and it is a report to the House advising them what happened in committee. The suggested reason for a motion to concur, is to concur with the report of the committee, what happened during committee. Maybe not necessarily to

again approve the substance or what happened in committee, the idea is to advise the House and approve as, perhaps, as Mr. MacQuarrie indicated, the minutes of what happened. So it is a report to the whole House advising what happened in the committee. And it is a motion to concur with that report. It should not be seen, I feel, that we are again given another chance of a vote on what happened already in committee.

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

MR. RICHARD: Well, Mr. Chairman. The topic came up in the committee, on, I guess two issues. One was whether a seconder should be required, because it is a motion in the Assembly. The other was on the issue of what is the result of the motion to concur being defeated. If we use the analogy that Mr. MacQuarrie and Mr. Hamilton have just given of approving the minutes, my recollection is if one is at a meeting where the chairman seeks to approve the minutes of an earlier meeting, someone moves to amend the minutes as not being accurate, there is a motion on that and in due course the minutes are approved. Now in our case, I guess, we have never had a situation when the motion to concur was defeated.

I recall this, Mr. Chairman, the committee was concerned that it is entirely possible on numbers in a small Assembly such as this, and also because motions to concur are late in the day, that the make-up of the Assembly is different on the occasion of the taking of the vote on the motion to concur than it might have been three hours earlier during a vote in committee of the whole on something that was controversial. Mr. Chairman, the desire of the special committee was to clarify what would happen if the motion to concur was defeated. I guess we have not done that, we are now simply posing two questions instead of one. I acknowledge that that is perhaps the result of what we are recommending and we are not addressing, as Mr. MacQuarrie calls it, the original problem from maybe two years ago. So, perhaps, Mr. Chairman, we could ask the Clerk to expand on his knowledge of this by indicating if he knows what the result is of a motion to concur being defeated.

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

Clerk's Opinion On Consequences Of Defeat Of Motion To Concur

CLERK OF THE HOUSE (Mr. Hamilton): To my knowledge, Mr. Chairman, it has not happened in many Houses because the fact is, when it comes back into the House, the government would have enough to carry any vote anyway. So, this would only probably occur in this type of consensus government that we have in this House. So normally it never has happened in other jurisdictions. Some advice that I have received from other jurisdictions is that what would happen if it was defeated is, the matter could be then referred back to committee for further discussion. If the House did not like what the committee had agreed on, it could be referred back again for further discussion. It could involve a lot of procedural problems if this did happen. But it does not happen in many other jurisdictions.

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

MR. McCALLUM: Thank you, Mr. Chairman. I guess it resolves itself to the question of whether there is a real requirement for a motion of concurrence, leaving aside the idea of a seconder. I think if there is a need for a motion of concurrence, in formal session, then there is a need for a seconder. But it raises the basic question of whether there is a need for a motion of concurrence with what occurred in the committee.

As has been explained by the chairman of the committee and other Members have noted it, we looked at Rule 82 and whether or not there is a need here to concur or to have what occurred in committee ratified. There are some problems involved. First and foremost, the Speaker never asks for a seconder and the rule specifically states that there has to be a seconder of formal motions. And this motion of concurrence is made in formal session.

Secondly, if there is a motion of concurrence made, it could possibly be defeated, for whatever reasons. What we are looking at is not to try to delay the work of the House in passing certain necessary things for something that may not be of such importance; the reverse of that may occur, as Mr. Richard indicated.

So I guess this whole business of trying to break the present Rule 82 down into two parts hinges upon the requirement for a motion of concurrence. I am not sure whether the Clerk has indicated that need. Obviously there must have been something put up by a previous rules committee to have that there, but if it can be ascertained whether there is a need for this motion of concurrence or whether there was a simple reporting out of committee of the whole to the House itself -- if it is simply a requirement to report out, then I am not too sure that you need that motion of concurrence. But I think this is where the difficulty occurs. It seems to me that we have, in previous years, simply reported out of the committee of the whole and asked for agreement. Now we have the business of not only reporting out but this motion that the House itself agrees with what went on. If you did not agree with what occurred within committee of the whole, why would you then agree again when the motion is made? Perhaps, as has been suggested, there may be more Members who are in the full Assembly who disagree with what goes on. That raises a question -- disagreement with only one particular item that is reported out of committee of the whole -- it may not be with four or five bills, it may be with the paper, it may be with some other document that is being put in and rather than go into the business of always reporting one bill and then going back and reporting another, of trying to make it workable.

But again, Mr. Chairman, it may be whether we require this motion of concurrence to report the working of the committee of the whole or whether it is simply satisfactory to report it out and have Members voice an audible agreement, and that may do it. For this particular session, although the rule would not yet be in, as we know we are now working on this one, Rule 82, we would have the appropriation bill, other bills and supplementary bills, we will have the motion that will now come into committee of the whole on what was done today and if somebody does not agree with those things in committee of the whole, when the motion comes up to concur with what went on, if I do not agree with the boundary, for example, in committee of the whole, do I then acquiesce to the motion of concurrence? I think that is where the question arises. The situation can occur with the appropriations as well. If I do not agree with the appropriations and the majority of the committee does, what do I do? That is where the difficulty is.

Maybe, it has been said, we approached it in the wrong manner but we recognize that this could occur. What we were trying to do is say "All right, if something occurs in committee of the whole and the people agree with it and other things they do not, then you simply move a motion of concurrence." If something goes against the government, the government is not going to concur with a motion of concurrence if it is to its detriment. I think this may hinge on whether we require a motion of concurrence, duly seconded in formal session, or whether there can simply be a reporting out of the committee of the whole to the House itself, saying that this is what occurred and we have moved out without the motion of concurrence. Then in that case we would simply delete or move to delete Rule 82.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Gargan): Mr. Richard.

MR. RICHARD: Mr. Chairman, I appreciate the fact that Mr. MacQuarrie has raised this matter and I think I for one am in agreement that it needs further clarification. I am going to ask Members to accept this recommendation of the committee because I think it does not make any substantive change to the current rule. It would replace, as Mr. McCallum says, current Rule 82, although the motion is not specifically worded that way. So I would ask that Members accept the recommendation of the committee and I would invite Mr. MacQuarrie to follow it up with a motion recommending that the new rules committee study the motion of concurrence and let us clarify whether it is just adopting minutes or doing something more substantive. I do not see any harm in us changing Rule 82 as suggested, but it does not answer the basic question, I agree, that Mr. MacQuarrie has raised. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): To the motion.

AN HON. MEMBER: Question.

Motion To Replace Rule 82 Of Rules Of The Legislative Assembly, Carried

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

---Carried

Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. The motion may be a little clumsy but in the light of the discussion that has gone on before I am sure it will be understood.

Motion To Recommend That Standing Committee Examine Requirement For Motion Of Concurrence, Carried

Mr. Chairman, I move that it be recommended that the proposed standing committee on rules, procedures and privileges examine the question as to whether a motion is required following the report of progress of the chairman of the committee of the whole.

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

MR. MacQUARRIE: Just very briefly. It is a critical question. In other words, is the report a report that is to be judged on its substance or a report that is to be judged on its accuracy? And that very much determines whether or not a formal motion is required. I know it has been observed by some that whenever other committees make reports to the Assembly, they are evaluated and voted upon, but myself I feel that the committee of the whole is somewhat different than those other committees. It is indeed the committee of the whole and the Members are able all to be present and to participate. If they do not, that is their problem, but they are able to participate and therefore, I feel that what is conducted in the committee of the whole is parliamentary and need only be reported on to the formal session. At any rate, the motion suggests that those weighty questions be addressed to the proposed standing committee on rules, procedures and privileges.

MR. McCALLUM: ...usually the committee of the whole...

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

MR. MacQUARRIE: Well, I just observed one other point and that is that motions in committee of the whole cannot be voted upon unless there is a quorum. If that rule were not in place it might be a different matter, but that is a rule.

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

HON. TOM BUTTERS: Mr. Chairman, I support the motion. As the motion is to refer to the standing committee on rules, I would like to just provide my answer to the question. I believe that the past practice has been quite clearly enunciated by the honourable Member, the mover of the motion and the intent of the practice has been enunciated by our Clerk. My feeling would be and, my reference would be, such a motion to concur relates only to the accuracy of the report of the chairman of the committee of the whole and has nothing to do with the substance whatsoever.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Butters. To the motion. We do not have a quorum. Would the Sergeant-at-Arms ring our buzzer?

Thank you. We have a quorum now. All those in favour? Opposed, if any? This motion is carried.

---Carried

Ms Cournoyea.

Question On Selection Of Executive Council During Committee Of The Whole

MS COURNOYEA: I have a question to the chairman of the committee on rules and procedures. It is in regard to some discussion over the past couple of years on the selection of the Members to the Executive Council. Normally the selection or voting in of the Executive Members is done in caucus, although from time to time there has been discussion that perhaps the rules and procedures should allow that particular exercise to be done in committee of the whole. I am just wondering, because there is an absence of addressing that, did the committee not feel that they had enough direction to entertain and bring forward a recommendation on this matter?

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

MR. RICHARD: Mr. Chairman, unless my memory is failing me in my old age, that matter was not raised by anyone or referred to the special committee for consideration. It is certainly a topic that was within the mandate of the special committee when reviewing the rules. I guess now that Ms

Cournoyea mentions it, I have heard some comment in the public about the fact that Executive Members are chosen behind closed doors and not in public. In answer to the question, it was not posed to our committee for consideration and, therefore, was not considered.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. We are on page 14. Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. Before moving to the topic on page 14, just as a follow-up to Ms Cournoyea's point. I think it would be open for any Member of the committee of the whole now to make a motion or recommendation, as Mr. MacQuarrie did, to put it on the agenda for next year's rules committee for something like that. And perhaps since it is in Hansard anyway, they will discuss it.

Media Coverage

Mr. Chairman, the next area that the special committee dealt with was that of the whole notion of the relationship of Members of the Assembly with representatives of the media. The committee did invite representatives of the media to comment on the notion of a press gallery, a formalized press gallery which would be organized by the media themselves. They would establish their own rules for the conduct of their own members and a manner in which the Assembly would recognize accredited, if you will, members of the media through something like a press club or press gallery, and establish a structural system for opportunities for members of the media to meet and question Members rather than the unorganized, unstructured system which exists at present. The committee initially was of the view that this might provide better or easier access for the media to MLAs. However, the response from the media, as a group, was in the nature of expressing satisfaction with the current arrangements; particularly the informality and ad hoc or spontaneous nature were seen as positive aspects of the current arrangement. So with that, Mr. Chairman, the special committee was certainly not interested in imposing a structural or press gallery arrangement on members of the media. Our committee felt then there was no necessity to make any recommendations or changes in so far as this relates to our own procedures. So unless Members have any comment on that non-recommendation, Mr. Chairman, I would move to page 15.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. We will go on to page 15. Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. Just a few miscellaneous notes prior to concluding the report. There is a note on page 15 that the special committee had referred to a specific matter last session regarding Members in the House who appear to be intoxicated. That matter was dealt with by our committee, reported to the House in October or November, and that matter was concluded.

There is also a reference, Mr. Chairman, on page 15 to some typographical errors regarding Rule 55. Members could simply make a note of it and the fact that the Speaker has recently, last fall, made a ruling on the interpretation of Rule 55 and the committee, "concur" is a good word, the committee concurs in the Speaker's interpretation.

Finally, Mr. Chairman, the committee was of the view that the recommendations contained in this third and final report were of such a nature that they should be brought into force not during the balance of this Assembly but at the beginning of the 11th Assembly. Members will recall that when the committee first brought in its first report there were changes that we felt should be brought into effect immediately and perhaps we could experiment with them during the balance of this, the 10th Assembly, and I am thinking specifically of the introduction of the concept of Members' statements and the no smoking rule, things like that were brought, with this Assembly's approval, into effect immediately. However, with these recommendations we are suggesting that no changes be made until the 11th Assembly and I think given the discussion yesterday on writing rules for motions of non-confidence or motions of censure, I think that is only wise and cautious that we put that change, the effective date of that change off until the beginning of the next Assembly.

Motion That Recommendations And Changes From Third Report Of Committee Be Effective At Commencement Of 11th Assembly

I would move, Mr. Chairman, that the recommendations and rule changes resulting from this third report of the special committee on rules, procedures and privileges come into effect with the commencement of the 11th Assembly. Thank you.

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

HON. MICHAEL BALLANTYNE: I have a little problem with it because in our discussion yesterday it was generally agreed that these recommendations would be given to the new committee in the new session. The way this is worded, right at the commencement of the next session, some of these things will come into effect. I did not think that was the intent of the chairman. Maybe I could get some clarification of that.

CHAIRMAN (Mr. Gargan): Mr. Richard.

MR. RICHARD: Mr. Chairman, I will have to use examples. I would say Mr. Chairman, that for example on page four at the bottom, our committee has made a recommendation that Rule 86 be changed and that has been approved by the committee of the whole. I would say that on opening day of the 11th Assembly that rule will be in place. The recommendations calling for the adoption of two new standing committees -- I would say, sir, that given the voting on those recommendations yesterday that those will be in place in the new rules on opening day of the 11th Assembly. However, there are recommendations, and specifically the two controversial ones yesterday recommending that rules be drafted in the areas of motions of censure and motions of non-confidence, that the new standing committee on rules will have to start work on and, as a standing committee, bring to the committee of the whole its recommended draft of new rules regarding motions of non-confidence and motions of censure. So those two, specifically, will not be in effect on the opening day of the 11th Assembly. I hope, Mr. Chairman, that clarifies the issue for Mr. Ballantyne.

Members should also not forget that although these rules will be in effect on the opening day of the next Assembly, that day or the day after or any day thereafter, that Assembly can change the rules as it sees fit. We cannot bind those much more intelligent people who are going to form the next Assembly, nor should we.

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

HON. MICHAEL BALLANTYNE: I would like to thank Mr. Richard for his comments. I understand it then, but just to make sure this is clarified, you are saying that the recommendations on pages four and five will become rules of the House, the recommendations on pages six, seven and eight will go to the new committee. Let us clarify it, Mr. Richard.

CHAIRMAN (Mr. Gargan): Mr. Richard.

Clarification Of Rule Changes And Effective Dates

MR. RICHARD: Mr. Chairman, I can go through them if you like, one at a time. I would have thought they were fairly clear. On page three, Rule 19 is being changed. On page four at the bottom, Rule 86 is being changed. On page five the creation of a standing committee on rules -- that will be in place on opening day. On page six at the bottom, the rule regarding motions of censure is not yet drafted so it will not be in place on opening day. Are you writing this down, Mr. Ballantyne? On page seven at the top, the rule regarding motions of non-confidence is not drafted so it will not be in place on opening day of the 11th Assembly. The series of motions which follow, which were all carried as I recall yesterday, call on the Executive Council to bring in an amendment to the Legislative Assembly and Executive Council Act; call on the Executive Council to seek advice on constitutional items; call on the Assembly to request changes in the Northwest Territories Act. Those have all been carried and they should be adhered to because it is the will of this House. Motion nine on page eight calls on the Executive Council to take the role of follow-up. Number 10 of page eight was withdrawn. The motion regarding conflict of interest on page 10 was carried and the MSB should follow the direction given. The motion on page 11 to create a new standing committee was carried and this will be written into the new rules, it will be here on opening day of the next Assembly. There is a recommendation on that page regarding what the terms of reference of that standing committee should be. On page 12, Rule 31 has been changed and that will be in the rule book on opening day of the next Assembly. On page 13, Rule 82 has been changed. I would say then, Mr. Chairman, the only exceptions are the two on motions of censure and motions of non-confidence and I expect those are the ones that Mr. Ballantyne is concerned with anyway. So he should lobby to get himself assigned to the new standing committee on rules in November 1987.

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

HON. MICHAEL BALLANTYNE: It is good, all joking aside, it is good that it is clarified for the record. I still have a little problem because from the way that I look at it, we had some discussion, and I think this has been my problem from the very beginning. Some of these concepts put forward, depending on what information we find in some, others might not be the path down which we want to go. I think that basically what you are saying is that we have to put together a constitutional approach. You have outlined here a constitutional approach, but as we sit down and look at it, there might be other ways to follow it. If you are saying, as a government in the next six months that we have to go exactly with recommendations four to nine and I asked you, for example, if we deal with Parliament in recommendation nine and we say sure, then we go and talk to 285 MPs -- we will never be able to amend the NWT Act.

I just want to get a feeling in this. It is still really open-ended. I see the intent here and I have no problem with the specific rule changes that are going to come into effect in the beginning of the next Assembly, the ones that you outlined. That is very reasonable to me. I do have some problems, and maybe I misunderstood yesterday, especially in recommendations three to nine, and that is the timing of that and how we are going to organize that. I thought because some of these issues need more study that some of these issues will be going to the new committee. Now what you are saying is that the government should start working on this and bring a report back. I have no problem with that. But I just want some clarification if this is passed, of the perception of our role as government. We can specifically do exactly as is recommended but I am not sure if they will all logically flow.

CHAIRMAN (Mr. Gargan): Mr. Richard. To the motion.

MR. RICHARD: I want to assist Mr. Ballantyne because the motion simply talks about an effective date. He is concerned about recommendations three through nine on pages seven and eight and I do not think they are really related. Those motions carried and this Assembly is now to request the senior Parliament to change the federal legislation -- if you look at motions five through eight. And then in number nine because we have an Executive government, constitutionally formed, we hope there is a follow-up role. I would hope that that would happen over the course of the summer months and they will not wait or they will not bring back a report debating whether this should happen or not. Those motions carried in the Assembly.

I am not sure what the problem is. Number four is straightforward. The motion carried. The Executive Council should seek advice on our own act, what we did in 1985. That is clear. Number three is recommending the Executive Council to come in with an amendment to that act. That wording is also different than what appears in the bold type in the book.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. To the motion. Question has been called. All those in favour? Mr. Pudluk.

MR. PUDLUK: (Translation) I am not in favour of Rule 55. Our rule was adequate, the media has to be present during debate, especially for responses given. The replies should be written, they should be read.

CHAIRMAN (Mr. Gargan): The motion right now is that Rule 55 is not contained in this report. Perhaps it would be appropriate after this motion to address this particular rule that you have concerns over. Mr. Pudluk.

MR. PUDLUK: On page 15, other business, are we dealing with number one first and number two later?

CHAIRMAN (Mr. Gargan): Perhaps we should deal with this motion to adopt the report to bring it into force and then deal with your concerns. Those are not recommendations. They are just information items. Mr. Pudluk.

MR. PUDLUK: Mr. Chairman. Should we accept this report first and then I can make remarks on page 15?

CHAIRMAN (Mr. Gargan): The motion is not to close out the report, it is to have the report come into force for the 11th Assembly. If you have difficulty with another rule you can bring it up after the motion is dealt with.

Motion That Recommendations And Changes From Third Report Of Committee Be Effective At Commencement Of The 11th Assembly, Carried

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

---Carried

Mr. Pudluk.

MR. PUDLUK: The question is: Who is going to be here in the 11th Assembly?

CHAIRMAN (Mr. Gargan): Any further concerns with the report? Mr. Pudluk.

MR. PUDLUK: I changed my mind. I may not be here.

CHAIRMAN (Mr. Gargan): Ms Cournoyea.

Motion To Consider Selection Of Executive Council In Committee Of The Whole

MS COURNOYEA: Mr. Chairman, I would like to recommend to the standing committee on rules, procedures and privileges, that they consider a new rule, that the selection of the Executive Members be dealt with in committee of the whole rather than in caucus.

CHAIRMAN (Mr. Gargan): Is that a motion? Your motion is in order. To the motion.

MS COURNOYEA: Mr. Chairman, I do not propose to say a lot about this issue. However, I believe that the process is very important to the people who have elected the Members to this Legislative Assembly. I feel if this motion is in order and accepted that I am only asking that it be considered. I think formalizing this process is very important. I support the process and the selection and I support the arguments from the various sectors of the Northwest Territories in trying to develop an electoral system that responds to the needs of people from all areas of the Northwest Territories rather than adopting something that has been put in place and is probably inappropriate for a period of time in the future. I understand there may be a number of reasons why this can or cannot be accomplished. However, if the standing committee does take the recommendation and deals with it, I believe then we can have, formally, a reply and possibly a process where this can be dealt with where the general electorate can better understand and appreciate the process. The Executive Members of the Legislative Assembly are people that we put our trust in and I believe it would be very informative for the general public to know how we select these people. It is difficult to explain when names are put forward, whether it is your name or anyone else's name. I attempt to say to people that this is a very fair process and it is a good process and I feel that the public should be apprized and involved in how this process takes place. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Ms Cournoyea. Mr. Butters.

HON. TOM BUTTERS: A question to the mover, Mr. Chairman, please. Does the mover expect that the existing standing committee on rules and procedures would be required to act and respond to the motion? Is that her intent? And to report back, say, within the life of this Assembly?

CHAIRMAN (Mr. Gargan): Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I do not know whether the present standing committee on rules and procedures would have the time to do that but it is my anticipation that they would do that before the end of the life of this Legislative Assembly. If they cannot, I would expect that they would recommend that they do not. Thank you.

CHAIRMAN (Mr. Gargan): Thank you. To the motion. Mr. Richard.

MR. RICHARD: Mr. Chairman, I am not one to shy away from either hard work or controversy, but it was the...

MR. McCALLUM: You are strong-kneed.

MR. RICHARD: Yes, I am not timid and weak-kneed, to coin a phrase.

MR. McCALLUM: It is a cliché now.

MR. RICHARD: Mr. Chairman, it certainly had been the intention of the special committee to conclude its work. In fact, I do not have the terms of reference in front of me but I recall sometime the deadline that was given to the special committee to do its work was the winter session, 1987. In any event, I clearly had the committee's views on concluding its work with the presentation of this third report and I indicated, I think yesterday, that the drafting of the rule regarding censure and the rule regarding non-confidence motions would be done by the new standing committee next Assembly. This motion, Mr. Chairman, as I recall Ms Cournoyea moving it, was to make this recommendation to the standing committee on rules of which there is not one at this present time -- we are a special committee of this House. So I took her motion when she read it to mean that the new standing committee formed by the next Assembly would take that matter into consideration and come back to the 11th Assembly with a recommendation. Now, if Members of the Assembly want that work to be done during the life of this Assembly, I believe there should be a specific motion to that effect. I know my committee had intended to go and party after today.

---Laughter

Process Decided By Newly Elected Assembly

We felt our work was done, Mr. Chairman, and so I think I would simply ask that it be clarified as to how this is to be dealt with. I guess, my sense of it is that in the past, maybe the past two Assemblies, those that have been elected at a general election have decided the process that they would be governed by in selecting among themselves the Ministers and Government Leader. I am not sure what would be accomplished on that very crucial item by this group of outgoing politicians -- and by outgoing, I mean "departing" -- recommending the procedure for the new group of 24 MLAs who will be elected at the general election within the year.

But I am open to suggestions, Mr. Chairman. I certainly do not mind contributing to the discussion on that item. I think there has been some comment in the public media about the method of selection being done in private as opposed to in public. So, Mr. Chairman, at a minimum, I would ask that you clarify this motion because as it was read, it refers to the standing committee in the 11th Assembly doing this work. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, then obviously we have got a report from the special committee on rules, procedures and privileges that they intend to hold their party and they cannot deal with this matter at this time. So therefore, I would conclude that my motion would entertain that the new committee of rules, procedures and privileges deal with this. So, I would concur with Mr. Butters that it is adequate that it would be dealt with in the future.

HON. NICK SIBBESTON: Mr. Chairman, just a few words. Offhand, I guess, the notion of doing the selection of the Ministers and eventually, the Leader, the notion of making it a public system is interesting. I, myself, think it would be a very good interesting system and one which could very well work in the North. Over the course of elections we have adopted a system of choosing Ministers and Leader after the general election and we have adopted a system of dealing with the differences of people between east and west and there are still some things to be added, I believe.

I think that one of the issues that we will have to deal with after the next election is the number of native people that sit on the Executive Council. I believe that increasingly the native people will want to have assurances of their participation in government. So it is a matter that should not be left to chance, as it were. We only have two native persons on the Executive at the moment and I think in the future it should be half and half. So that is a matter that still has to be dealt with. But it is a very interesting process and it has been said about our process that it is not public and we are not quite as legitimate as possible. So to satisfy and deal with that criticism, I am open to having a public process here. It is a very interesting process. Candidates give speeches and there is a lot of lobbying done to get support, so it is one that could be exposed to the public.

Process Would Support Consensus System Of Government

It is true that the present system is a little bit hidden or unknown to the public because after an election we meet here in Yellowknife. We gather and eventually eight Ministers and a Leader emerge from the system we have developed in private. So I think the public would find the system very interesting. I think it would further support and entrench the consensus system of government that we have in place. I think the consensus system approach is very much in tune with the peoples of the North. The idea of political parties and that sort of thing is very foreign to the peoples of the North. To me, dealing with political parties is asking people to vote for you on the basis of your religion. It is introducing a concept that really does not have much to do with what kind of man you are and the sorts of things that you stand for.

MR. RICHARD: ...debate on party politics here, Mr. Chairman, because I would like to...

HON. TOM BUTTERS: You will have a chance.

HON. NICK SIBBESTON: You'll have a chance; you spoke the last couple of days. I am just, Mr. Chairman, making the argument as to why we should support the idea of Ms Cournoyea. I did wander a little bit into the topic of party politics but my point is, I think it is a good idea. It will further entrench the consensus style of government in the North. Mahsi cho.

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

MR. NERYSOO: Thank you, Mr. Chairman. I am not going to oppose the motion but I do have a couple of comments with regard to concerns. Firstly, let me indicate that the manner in which you set up a standing committee is a result of a process after the election takes place and after a decision on the Executive has already been made. So in reality the first Executive Council after the next election will have already been chosen so the new process really will not have been put into place. In that sense I think it might be important to give further direction to the special committee if you want that process to be put in place prior to the decisions of the next Legislative Assembly Members with regard to its Executive Council. I think you note the concern that I have expressed and why it is important to maybe give direction to the present special committee to develop a process and the terms of reference for the next discussions that surround the choosing of the Executive Council.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Nerysoo. Point of order. Mr. Pudluk.

MR. PUDLUK: It is sort of a point of privilege. I wonder if we could have a copy of that motion and the translation. It seems to be quite interesting.

CHAIRMAN (Mr. Gargan): Thank you. We will take a five minute break to get copies.

---SHORT RECESS

The committee will now come back to order. The motion, for the record, is moved by Ms Cournoyea, that we recommend to the standing committee on rules, procedures and privileges that they consider a new rule that the voting in or selection of the Executive Members be dealt with in committee of the whole, rather than in caucus. Mr. Pudluk.

Motion To Amend Motion To Consider Selection Of Executive Council In Committee Of The Whole

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. I am in favour of the motion. The media people are always asking questions while we are in caucus. I would like to make a supplementary to the motion. The future Government Leader should be dealt with in this also -- be included. That is my amendment to the motion.

CHAIRMAN (Mr. Gargan): Mr. Pudluk, can we have a copy of the amendment?

MR. PUDLUK: (Translation) Mr. Chairman, my amendment is done on the second line, "...selection of Executive Members and Government Leader be dealt with in committee of the whole, rather than in caucus". Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Pudluk. Your amendment is in order. To the amendment. Mr. Curley.

HON. TAGAK CURLEY: Mr. Chairman, amendment only, yes. Mr. Chairman, I want to say this. I think we are dealing with some important issues with good intentions but I am not really too sure we are using the best method of achieving it, using our privilege in the House, when we really should be giving it to the people. That is why there are certain things that can make it happen. One is -- we do not like the words "party politics", but that is one way of getting a selective group of people. So that the public can be given a chance to choose...

---Applause

...rather than a few. But on the position of Leader itself, again, that is a process that we should be moving toward rather than putting in a wide open split and using this institution as a gambling house as to who is going to win, when we really should be demonstrating a bit of respect. It is hard to get that as a politician these days but at least we should try to preserve the integrity of this institution. So I really disagree with the amendment and will not support it because I think we should be going to the public for Leader, at least. Then I will have some further comments on the total text of the motion later.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Curley. To the amendment. Mr. Pudluk.

MR. PUDLUK: To my mind, I think now is the time to practise this party politics. I am supporting it but not this time -- maybe next time. Not this coming election. I think now is the time to start to practise, just practise but not to get into it yet. Also, the public always likes to know who is running for the Executive and also Leader. I think the public has a right to know who is trying and who lost. I think that is very, very important and it should be included in this motion and dealt with publicly. I think you guys are going to support me for the amendment.

Motion To Amend Motion To Consider Selection Of Executive Council In Committee Of The Whole,
Carried

CHAIRMAN (Mr. Gargan): To the amendment. Question is called. All those in favour? Opposed, if any? This amendment is carried.

---Carried

To the motion as amended. Mr. MacQuarrie.

MR. MacQUARRIE: I, generally, do not have problems with the motion and will vote in favour of it. I would like to respond first to one comment that Mr. Nerysoo made. He felt that perhaps it should be during the life of this Assembly which has made the recommendations. That I do not support. The motion itself says that it should be done by the new standing committee on rules, procedures and privileges and I support that concept but point out that the way would be open for the newly elected Members in November, or whenever it is, to heed the advice that they see from discussions here and conduct it in open House, if that is what they chose. That way is always open to a group.

I do have a question about the motion. I do not have concerns with the motion and will support it because I note very carefully the word "consider". It says that this committee should "consider" a new rule and I would suggest that there are many considerations that they would have to deal with.

Problems With Motion

Among the first of them unquestionably is whether you are talking about determining the procedure for selecting the Executive Council and the Government Leader in public but then conducting the voting by secret ballot. Or whether the intention is that the procedure be determined in public and that the voting be done in public. I say that if the latter is the suggestion in the motion, I see a peck of troubles -- a bushel of problems. Just the practical consideration, first of all; would that involve a Member like myself standing up and indicating that with my eight votes I select -- I will not say right at the moment who I select -- but is that what is involved? Then while I am speaking the Clerk is scribbling down all my choices and then we pass to the honourable Member from Fort Smith, when he is in the House next time, and he lists his eight people and the next one lists them and then we have a computer who tallies them all up and shows the winners in the end? I would say that that is complex if that is what is suggested, but it is problematic in a couple of other ways as well. In one way it might be nice because I might at last find out who it is that is not voting for me each time I put my name forward.

MR. RICHARD: You did not give out enough Valentines.

MR. MacQUARRIE: And that would be delightful. Not that I am spiteful, but indeed I would give Valentines to everybody else but not to those people who did not vote for me. So that might be nice. But then there is a problem on the other side. If you do not vote for the guy who finally gets in as Minister of Public Works, what happens to your constituency? That is the question. So all I am saying is that there could be very, very great problems if the voting itself were conducted in public. If that is not the intention but rather to determine the procedure in public, I would absolutely support that.

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

HON. TOM BUTTERS: To clarify a question. I think Mr. MacQuarrie suggested that it would be a new committee, but I understand that this is that we recommend to the standing committee on rules, procedures and privileges -- well, there is only one committee in place at the present time and that is the one.

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

Concerns Are Serious

HON. MICHAEL BALLANTYNE: I think I have the same concerns as Mr. MacQuarrie. The principle is fine and the concept is that it is a government and we should be open, and I have no problem whatsoever. But I think, as Mr. MacQuarrie said, that the committee is really going to have to look at the details of how this all works. So I can support the intent of the motion as it is worded, but it brings an interesting point to mind. We were just talking about what happens if a vote is not concurred with in the committee of the whole. We could have a situation that a majority can decide that they do not like the decision so it will never get out of committee of the whole. It will have to stay in committee of the whole for four years afterwards. So I think at the same time they are looking at that rule, they can also look at this one. I will support that it is studied, whether it is studied now or studied with a new committee. But I think the concerns outlined by Mr. MacQuarrie are very serious and I think we have to be very careful that under the guise of being democratic, we do not enter into chaos. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Ballantyne. Mr. Wray.

Choosing Executive In Public Premature

HON. GORDON WRAY: Thank you, Mr. Chairman. When I read the motion I worry that perhaps it is a little too specific because one of the problems with the motion is that it refers to voting or selecting Executive Members being dealt with in committee of the whole rather than in caucus. One of the problems is that in evolving as a Legislature and as a government, every time we go to vote for the Executive there is a new wrinkle added to the rules and we are still developing the basic procedures on how we arrive at voting before we are even talking about doing it in public. I think until such time as we have firmed up the rules on how we are going to do it, it is a little premature to be talking about whether we are going to do it in public or not. I would think that perhaps the next standing committee, if there is going to be one, will have to look at the entire question of just how we go about selecting the Executive Council and the Government Leader rather than the question of voting in public, because as I say, even this last time a couple of new little wrinkles were added that you just do not think about until they actually happen. On this one I think we are being too specific. Thank you.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Wray. Mr. T'Seleie, to the motion as amended.

MR. T'SELEIE: Mr. Chairman, I am satisfied with the present system now. I do not know if it's possible to make a workable system in selecting the Executive. If a new rule were to be put into effect and if I were to be required to be up front about my choices, I do not think very many of us in here, being the gentlemen that we are, would want to be completely public about who we support. I do not think that it can be a workable solution.

Present System Yields Consensus Of Majority

The other thing I want to comment about this is that I like the idea of the caucus as a whole dealing with picking the Executive because what emerges in the process we have now is a consensus of a majority of Members. We are the people who have to deal with one another for four years and I think if we have an understanding about the people that we put into the Executive it makes our relationships easier. I do not like the idea of adversarial roles, I guess. I sort of agree with the principle but I just do not think that there is any way to formalize it. In one sense it is already formalized because what we decide in caucus is brought into the formal session and concurred with through motions of appointment to the Executive. I think that if someone felt strongly enough that they did not agree with the appointments of the Executive at that time they could disagree with it or we could do like we did with the concurrence rule and make it possible for people to voice their disagreement.

CHAIRMAN (Mr. Gargan): Thank you, Mr. T'Seleie. Mr. Nerysoo, to the motion as amended.

MR. NERYSOO: Thank you, Mr. Chairman. Just to indicate that I support the amendment as proposed but to clarify one issue, on a point raised by Mr. MacQuarrie. I was not suggesting for one moment that I was raising a major concern or that I was raising a major concern because I was not sure whether the issue was being raised for this special committee on rules, procedures and privileges to consider new rules. With regard to the selection of the Executive Members or the Government Leader, that was not clear. If the intent was to ensure that new rules existed prior to the standing committee after the next election, as proposed by the special committee, we had to have a situation where the Executive Council was not, in fact, selected prior to the standing committee coming forward with new rules and I thought that that process just would not be adequate.

Motion To Amend Motion To Consider Selection Of Executive Council In Committee Of The Whole, As Amended

However, if I might amend the motion, Mr. Chairman, by moving that we recommend to the special committee on rules, procedures and privileges that they consider new rules for voting of and selection of Executive Members and Government Leader and that the committee consider a public process for such procedures. The reason I say that is to remove the specific item with regard to dealing with the issue in committee of the whole. The new rules may not necessarily suggest that it be dealt with in the committee but that a public process, in fact, be considered. Whether or not that is a recommendation, is a matter for the special committee to decide. I suggested the special committee because I thought that it would be a good idea to get the new rules suggested at this particular time prior to the next election.

SOME HON. MEMBERS: (Inaudible comments)

MR. MacQUARRIE: See all the turmoil you've caused Nellie.

CHAIRMAN (Mr. Gargan): ...voting of or selection of the Executive Members and Government Leader and that the committee consider a public process for such procedures.

HON. TAGAK CURLEY: Point of order.

CHAIRMAN (Mr. Gargan): Mr. Curley, a point of order.

HON. TAGAK CURLEY: Mr. Chairman, if I understand that you are ruling that this motion is in order, I would suggest that it is really out of order because there was an amendment moved to the main motion. So, Mr. Nerysoo's motion should really have been to amend the amendment. If you are taking it as though it is amending the main motion, in that context, it is out of order.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Curley. The amendment has already been passed and is part of this motion now. So, we are dealing with this motion as amended, the main motion as amended. Mr. Curley.

HON. TAGAK CURLEY: Mr. Chairman, when Mr. MacQuarrie put up his hand I assume he was dealing with the amendment because when you indicated the motion was passed, I saw there were four for the motion and there were four against the motion. That was my count, so at that time I thought it indicated there was a tie. I may have misread the vote.

CHAIRMAN (Mr. Gargan): Okay, this motion has already been passed, the amendment to the motion has already been passed as far as I am concerned. We are dealing with the amendment to the motion as amended. Mr. McCallum.

MR. McCALLUM: Mr. Chairman, do I understand that an amendment now to the amended motion is what we are dealing with? Could I just get it straight as to what is being amended now? I understand that the amendment is to change the words "standing" to "special", to change the word "rule" to "rules", to change the word "in" to "of" and to change the phrase "be dealt with in the committee of the whole rather than caucus" to words that suggest that it should be a public forum. Is that what we are talking about now?

MR. NERYSOO: Considered a public process.

CHAIRMAN (Mr. Gargan): Yes, Mr. McCallum.

AN HON. MEMBER: Out of order.

CHAIRMAN (Mr. Gargan): Mr. Wray.

HON. GORDON WRAY: Mr. Chairman, just on a point of clarification. Do I understand, then, that you have ruled that that amendment is in order?

CHAIRMAN (Mr. Gargan): Yes, it is in order.

AN HON. MEMBER: It is out of order.

MR. McCALLUM: A point of clarification.

CHAIRMAN (Mr. Gargan): Mr. McCallum.

MR. McCALLUM: A point of order.

HON. BRUCE McLAUGHLIN: Creative rules.

MR. McCALLUM: A point of order then, Mr. Chairman. Where the amendment to the amended motion says now, "I move that we recommend to the special committee on rules, procedures and privileges", what special committee on rules, procedures and privileges is there?

HON. MICHAEL BALLANTYNE: We will decide later.

MR. McCALLUM: As I understand it, Mr. Chairman, the special committee that was invoked from this report is kaput. No, no, I am a part of it, too, and we are finished, kaput.

CHAIRMAN (Mr. Gargan): Thank you. Mr. McCallum, the special committee on rules, procedures and privileges is still in force and my interpretation is that it would be this committee that would deal with this, chaired by Mr. Richard. It would deal with this if this amendment is carried. To the amendment. Mr. Sibbeston.

HON. NICK SIBBESTON: Yes, Mr. Chairman. I think the main points of the motion are that the special committee that had been functioning have been doing such a wonderful job that they should be asked to do a little bit more work between now and the end of the life of this Assembly. And that they consider a means of selection in developing a public process, as it were, to deal with the selection of Ministers and Leader. I agree with that. I think it is always an advantage to deal with matters like this before the next election so that nobody is politically motivated or suggesting we put in a system that is to one's own advantage. We are, in doing this, looking at the best interests of people of the North, seeing the system which we have developed through convention and time. So it is a workable system and it is an alternate system to the political party system. We should now formalize it and bring this system we have now out into the public. When this is done it can be a very exciting process. Just as our political conventions in the South -- this process will be like a political convention but superior and much more interesting and much more democratic. On thinking about whether the eventual process that is recommended is in the committee of the whole, in the Assembly or outside, I think that is something that the committee should look at very carefully because historically, I think, by practice, government

business or the usual types of things that are dealt with in an Assembly and the matter of selection of Ministers and Government Leader is more of a political nature and maybe the Assembly or committee of the whole is not the proper place for that sort of activity. But, the motion is such that it is a public process. It can be in or out of the Assembly, so I think that covers that and that is a matter that the committee should consider. So, I support the motion.

We developed a system of dealing with this and outside the whole public process we can still deal with some of the features of it but eventually we will have rules and a process that is very definite and that is public. We can just go according to that, things like the convention of choosing the number of Ministers from the East and the West, things of that sort can be dealt with in advance of the process that we will follow.

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

MR. McCALLUM: Thank you, Mr. Chairman. I do not have any difficulty being a Member of that hard working and...

MR. RICHARD: Intelligent.

MR. McCALLUM: ...intelligent and all the other good, far-travelling, and all the other...

MR. RICHARD: Fair.

MR. McCALLUM: I mentioned that, fair, foresighted committee who, when we put this report to this House and committee of the whole back in October, were told that we went too far in trying to do things.

---Laughter

And we would not want to do it. But if you consider PEI too far, okay. But, I recall very vividly hearing certain Members say, "Look, we do not want to discuss this because you have gone outside your mandate." So my colleague had said that if this committee is to take it on, that is, this special committee is to take it on, I think that he and I would like, and I hope I am talking for other Members of the committee, would like to put a rider on that. If we do come in with recommendations, we all had better decide now that we are going to deal with it. We are not going to pass it away, put it off like other Members did the last time.

However, again, Mr. Chairman, I do not have any difficulty with us considering these things, if this is the group that you want to do it. I do not want to get into an argument about responsible government and all the inherent things that go along with responsible government, like party politics or consensus, or getting rid of consensus government and all that thing. I think we should be considering this here and as a Member of that committee I know we have had quite a debate already. I wonder whether we should continue this debate and never mind the special committee on rules, because that is what we are debating, not whether we consider it, but what is going to happen, what are the end results of what is coming in. But if you want the committee to do this, if Members of this committee want the special committee to do it, I suggest we simply say "yes" or "no" to whether we should take it on and not continue the argument about what is going to happen.

What are the end results of what is coming in? If you want the committee to do this, if Members of this committee want the special committee to do it, I suggest we simply say "yes" or "no" to whether we should take it on and not continue the argument of what is going to happen as a result of it. Just deal with the question because everybody else has given their opinions of what we should be doing and I do not think that that is within here: I think the mover of the motion originally just wanted somebody to take on the issue and not to get into debate here. The debate now has gone around a number of people, of what we should be doing and all the great and wonderful things that will come out of it. If that is the case, you do not need a special committee to look at it...

AN HON. MEMBER: Agreed.

MR. McCALLUM: ...just continue what we are doing now. But if we are going to deal with a special committee -- wait a minute, I am on your side, Duke -- if you want the special committee to do it, I suggest, Mr. Chairman, that you call the question, either that this goes to the special committee or we continue it in committee of the whole.

SOME HON. MEMBERS: Question.

Motion To Amend Motion To Consider Selection Of Executive Council In Committee Of The Whole, As Amended, Carried

CHAIRMAN (Mr. Gargan): Thank you, Mr. McCallum. Question has been called. To the amendment. All those in favour of the amendment? I will call the question again. This is to Mr. Nerysoo's amendment. All those in favour? Opposed, if any? The amendment is carried.

---Carried

To the motion as amended. Question has been called. All those in favour? Mr. Richard.

AN HON. MEMBER: ...job creation project...

MR. RICHARD: And it is not one that is out of the Department of Economic Development.

---Laughter

Mr. Chairman, just on a point of clarification, now that the motion has been amended to direct this project to the special committee. The special committee's terms of reference, when it was set up a year and a half ago, or whenever it was, indicated that the special committee was to make its final report to the Legislative Assembly by the first session of 1987. I am not sure what the Assembly's plans are in terms of the session, but Members would appreciate, if this motion carries, that there is a time frame. In other words, for whatever reason, if we concluded this session and started the next session, our committee would die, as I see it. I just wanted to make that point, Mr. Chairman.

Motion To Consider Selection Of Executive Council In Committee Of The Whole, Carried As Amended

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. To the motion as amended. Question has been called. All those in favour? Opposed, if any? The motion is carried as amended.

---Carried

Mr. MacQuarrie.

MR. MacQUARRIE: I was just going to ask the committee, since the motion has carried, when will the party be and, more importantly, where will it be? Is it in Hawaii or...

MR. McCALLUM: In our regular caucus room.

CHAIRMAN (Mr. Gargan): Mr. Richard.

MR. RICHARD: Mr. Chairman, I was going to breathe a sigh of relief, but there will be no party now, because the special committee has not finished its work. We have this one item now to deal with. I would just publicly ask other Members not to wait for an invitation to put submissions in to our committee. It is a topic that we, 24, are all very familiar with. I for myself will definitely have reference to the Eglinton report on this topic because it is dealt with in there and I ask that that be given some comments, particularly that of the Government Leader, to remember that the sole reason we commissioned the Eglinton report was to ensure that we dealt with these topics on the assumption that we would continue without party politics. I, on behalf of the committee, have been presenting this third report, with now this direction for the final report. It is a topic that is dealt with in the Eglinton paper but I will be coming as a chairman of the special committee cleansed of my own personal views on party politics. I hope that is understood because that Eglinton paper has some very good suggestions in this area, but that Eglinton paper makes one assumption -- no party politics.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Richard. Are there any further comments? Mr. Curley.

Other Options For Consideration

HON. TAGAK CURLEY: Mr. Chairman, I had a comment that related to the selection and the advice that we are giving to the 11th Assembly, whether to adopt this procedure that we are just dealing with. It is one consideration, we are limiting ourselves to that, whether we are going to do things in public or allow that special job creation project that has just been appointed to make recommendations to the 11th Assembly. My feeling is that I think we are limiting ourselves to one option. One or two options because we are not suggesting whether they should consider the present practice or the one that we just adopted. Or should they be considering another possibility? My view is that in view of the fact that the North is moving again continually to responsible cabinet-style government, ministerial government -- we have appointed MLAs out and the Commissioner has a very much smaller role in this exercise -- should we not be considering even one step ahead by asking that the Leader at least be appointed first, before the cabinet or all the other MLAs are chosen for instance? Then consideration should also in my view be given to, should we ask the Leader to make his cabinet amount to those that have indicated their interest, taking into consideration regions and a breakdown of MLAs? That would be my kind of advice to the 11th Assembly, since I am a little bit worried that since we have given them one recommendation we seem to have unanimous support for it and another idea should be presented. I have a draft motion but I would like to hear from the...

CHAIRMAN (Mr. Gargan): Mr. Curley, I understand that this motion has already been dealt with and we have already passed it in the House. We have already dealt with this particular motion regarding the selection of Executive Members and the Government Leader. I understand now that this particular process is in the hands of the special committee on rules, privileges and procedures and you should be directing it to them. I understand this motion to be concluded. Mr. Pudluk.

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. I have a concern. I thought it used to be really good to ask written questions and get a response right away from the Ministers. With this new rule and procedure I do not think we will be able to get any responses as we table our written questions. Regarding Rule 55(2) that we practised in the past, I was wondering if this Rule 55(2) can be considered by the special committee, for the reason that it used to be a lot better when we were able to give questions, short or long and get responses right away.

Motion That Rule 55(2) Be Reviewed By The Special Committee On Rules, Procedures And Privileges, Carried

I would like to make a motion that the special committee on rules, procedures and privileges review this new rule regarding questions and that the returns be read by the Minister who was approached with a written question. (Translation ends)

I move that the special committee on rules, procedures and privileges review again the rules concerning returns to written questions to consider returning to the old rules requiring the Ministers to read their returns.

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

SOME HON. MEMBERS: Question.

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

---Carried

Is there any further business on this report or does the committee consider the report of the special committee on rules, procedures and privileges concluded?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Gargan): Thank you. We will now go to Bill 13-87(1), Legislative Assembly and Executive Council Act, with Mr. Butters.

Bill 13-87(1), Legislative Assembly And Executive Council Act

Minister's Opening Remarks

HON. TOM BUTTERS: Mr. Chairman, the amendment before the committee provides for a four percent increase to Members' salaries and indemnities. The last increase to Members' salaries and indemnities was two years ago. The bill provides for prorating of expenses in an election year. There is also, Mr. Chairman, an increase of five per cent to the Members' constituency allowances which reflects the increase in travel costs being experienced in the Northwest Territories. There has been no increase in constituency allowances for two years.

Mr. Chairman, if there are specific questions to the bill or the schedule I would advise that the Clerk of our Assembly would be available to respond and if there are no questions in this regard, I would suggest that we go clause by clause.

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

MR. MacQUARRIE: Well, Mr. Chairman, I suppose I should explain that this is a matter that concerns all Members. The standing committee on legislation does not specifically review legislation like this. It arises from Members' concerns that are expressed. The Management and Services Board has met and made this recommendation and it is certainly within the domain of every Member to comment at this time as they wish. As an individual Member, I feel that it is fair, that the bill providing for the increase in indemnities is a very reasonable provision and I intend to support it personally.

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

MR. RICHARD: Mr. Chairman, in June of last year there was a motion passed which recommended the establishment of an independent commission, establishing such a commission by legislation, to annually review MLAs' and Ministers' salaries, allowances, benefits, etc. The MSB was asked to prepare that legislation to amend this act and in the context of the purpose of this bill, which is to adjust the salaries and benefits, I am wondering if Mr. Butters or someone from the MSB could indicate what steps have been taken since June of last year to follow through with the direction given in that motion.

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

HON. TOM BUTTERS: Thank you, Mr. Chairman. I would refer the question to a Member of the MSB. Maybe Mr. MacQuarrie or one of his colleagues on that board would be able to respond.

Appointment Of Independent Commission

MR. MacQUARRIE: Yes, the matter was addressed by the Management and Services Board and the complexities of moving to that kind of system were discussed. A decision was made by the Management and Services Board to appoint a commission, a three-man commission, to begin such a review but it was felt that it should be done on an interim basis. In other words, to give it a try for a year to see what the problems are, before legislation might be brought into the House making it a permanent practice. The commission has begun its work but only recently and probably will not have recommendations until summer or fall, in which case they could be dealt with by the new Assembly. But in the meantime there had not been an increase in indemnities for some time now and so the Management and Services Board thought, as an interim measure, that this bill might be brought in inasmuch as it does not contain any unusual recommendations or fundamental changes to this system of indemnities. The Management and Services Board felt that in the best way possible, given all the circumstances; it was addressing the committee's recommendation.

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

MR. RICHARD: Can I ask, Mr. Chairman, whether the mandate of the independent commission that was established included Ministers' salaries and benefits as well as MLAs'?

CHAIRMAN (Mr. Gargan): Mr. MacQuarrie.

MR. MacQUARRIE: I believe that it does. I see the Clerk nodding and he would be up on that kind of thing and he is indicating that yes, indeed, it does.

CHAIRMAN (Mr. Gargan): Thank you. General comments.

HON. TOM BUTTERS: Clause by clause.

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

---Agreed

Clause 1, Member's indemnity. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 3, indemnity for travel. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 4, indemnity for constituency work. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 6, prorated expenses and indemnities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Clause 7, Schedule B. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

AN HON. MEMBER: What about clause 8?

CHAIRMAN (Mr. Gargan): Is there a clause there? I am sorry. Clause 8. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Does the committee agree that Bill 13-87(1) is concluded?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Gargan): Bill 13-87(1) is now ready for third reading. If there is no further business, I will now rise and report progress.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Mr. Gargan.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF THIRD REPORT OF THE SPECIAL COMMITTEE ON RULES, PROCEDURES AND PRIVILEGES; BILL 13-87(1), LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL ACT

MR. GARGAN: Thank you, Mr. Speaker. Your committee has been considering the Third Report of the Special Committee on Rules, Procedures and Privileges and wishes to report that this matter is concluded, with five motions being adopted. Bill 13-87(1) is now ready for third reading.

Motion To Accept Report Of Committee Of The Whole, Carried

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

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

SOME HON. MEMBERS: Agreed.

---Carried

MR. SPEAKER: Mr. Clerk, announcements and orders of the day, please.

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a western caucus meeting at 2:00 p.m. today in the caucus room. There will be a joint meeting of the standing committees on legislation and finance on Monday morning at 9:30 a.m. Members are reminded of the luncheon tour of the museum on Sunday at 12 noon and the fun bonspiel on Sunday from 4:00 until 9:00 p.m.

Orders of the day for Monday, February 16th.

ITEM 19: ORDERS OF THE DAY

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions

10. Reports of Standing and Special Committees
11. Tabling of Documents
12. Notices of Motion
13. Notices of Motion for First Reading of Bills
14. Motions
15. First Reading of Bills
16. Second Reading of Bills
17. Consideration in Committee of the Whole of Bills and Other Matters
18. Report of Committee of the Whole
19. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Monday, February 16th at 1:00 p.m.

---ADJOURNMENT

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