



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

9th Session

10th Assembly

HANSARD  
Official Report  
**DAY 33**

**MONDAY, JUNE 1, 1987**

**Pages 1358 to 1444**

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

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

## Speaker

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

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

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

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

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

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

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

Curley, Mr. Tagak E.C., M.L.A.  
P.O. Box 36  
Rankin Inlet, N.W.T.  
X0C 0G0  
Office (403) 873-7139  
Home (819) 645-2951  
(Aivilik)

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

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

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

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

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

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

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

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

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

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

Pudluk, The Hon. Ludy, M.L.A.  
P.O. Box 240  
Resolute, N.W.T.  
X0A 0V0  
Home (819) 252-3719  
(High Arctic)  
Minister of Culture &  
Communications and Government  
Services

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

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

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

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

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

## Officers

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

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

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

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

Sergeant-at-Arms  
Mr. Gordon Barnes  
Yellowknife, N.W.T.

TABLE OF CONTENTS  
MONDAY, JUNE 1, 1987

	<u>PAGE</u>
Prayer	1358
Oral Questions	1358
Written Questions	1364
Tabling of Documents	1443
Consideration in Committee of the Whole of:	
- Bill 3-87(1) Charter Communities Act	1424
- Bill 5-87(1) Cities, Towns and Villages Act	1365
- Bill 10-87(1) Hamlets Act	1402
Report of Committee of the Whole of:	
- Bill 3-87(1) Charter Communities Act	1443
- Bill 5-87(1) Cities, Towns and Villages Act	1443
- Bill 10-87(1) Hamlets Act	1443
Orders of the Day	1443

YELLOWKNIFE, NORTHWEST TERRITORIES

MONDAY, JUNE 1, 1987

MEMBERS PRESENT

Mr. Angottitauruq, Mr. Appaqaq, Mr. Arlooktoo, Hon. Tom Butters, Ms Cournoyea, Mr. Curley, Mr. Erkloo, Mrs. Lawrence, Mr. MacQuarrie, Mr. McCallum, Hon. Bruce McLaughlin, Mr. Nerysoo, Mr. Paniloo, Hon. Dennis Patterson, Hon. Red Pedersen, Hon. Ludy Pudluk, Mr. Richard, Hon. Don Stewart, Mr. Wah-Shee, Hon. Gordon Wray

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Before I go to the orders of the day, I will give you a quick report on my Ottawa trip with regard to the mission the Assembly gave me of delivering a motion to the Prime Minister. The motion was delivered to the Deputy Prime Minister, Mr. Don Mazankowski, and in conversation he indicated that it was not the intention of the government to, in any way, hurt the Northwest Territories or the Yukon. However, after I pointed out several matters in the accord, he said that certainly this whole thing had to be reviewed very, very carefully.

I would say that the general opinion of those that I met in Ottawa, and in most cases they were in high political positions, is that the accord is on very, very rocky ground and is not expected to proceed. I think that that is about all I can give you, other than the rest of the details, and I can speak to Members privately if you have any other questions.

Orders of the day. Item 2, Ministers' statements.

Item 3, Members' statements.

Item 4, returns to oral questions. Item 5, oral questions. Ms Cournoyea.

ITEM 5: ORAL QUESTIONS

Question 0167-87(1): Northern Preference Policy And Subcontractors

MS COURNOYEA: Mr. Speaker, the line of questioning that I have would be more related to the Minister of Municipal and Community Affairs. In regard to contracts, general contractors and the 10 per cent northern preference, in giving out the general contract, does this government suggest to the general contractor that the 10 per cent northern preference policy could apply to subcontractors?

MR. SPEAKER: Mr. Minister.

Return To Question 0167-87(1): Northern Preference Policy And Subcontractors

HON. GORDON WRAY: Yes, it does, Mr. Speaker.

MR. SPEAKER: Supplementary, Ms Cournoyea.



Supplementary To Question 0167-87(1): Northern Preference Policy And Subcontractors

Ms COURNOYEA: Mr. Speaker, given that this Legislative Assembly gave support to a deficit budget which in great part was to fast-track a number of projects which presumably were to benefit northern contractors, was there a monitoring system put in place to see if these fast-tracked projects were actually benefiting northern contractors?

MR. SPEAKER: Mr. Minister.

Further Return To Question 0167-87(1): Northern Preference Policy And Subcontractors

HON. GORDON WRAY: Thank you, Mr. Speaker. No system per se was put in place, but every tender that we got back was carefully evaluated in respect of the tenders that we got back and what was constituting each tender. So there was an informal system in place.

MR. SPEAKER: Supplementary, Ms Cournoyea.

Supplementary To Question 0167-87(1): Northern Preference Policy And Subcontractors

MS COURNOYEA: Mr. Speaker, does this government and does the Minister intend to give the Legislative Assembly a breakdown on those contracts and what general percentage was given to northern contractors on a project-by-project basis?

MR. SPEAKER: Mr. Minister.

Further Return To Question 0167-87(1): Northern Preference Policy And Subcontractors

HON. GORDON WRAY: Thank you, Mr. Speaker. Yes, probably about this time next year we will provide the Legislature, as we always do, with a complete breakdown of the fiscal year 1987-88 contracts and the percentage that went to northern and to southern and to local contractors. I am sure the Member will agree we will not be able to do this for at least a year, because most of these contracts have not even started yet. So we will not know at least for a year.

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

Question 0168-87(1): Social Assistance At Outpost Camps

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Social Services, the Hon. Bruce McLaughlin. We have heard that the outpost camps cannot get assistance from Social Services. Even the people who are going to spend a few months on the land cannot get social assistance. I would like to find out why they have this policy.

MR. SPEAKER: Mr. Minister.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. If persons require social assistance they should be able to get it no matter where they are. There may be some problem caused by the fact that they cannot actually see a social worker in order to get their applications processed. Or they may not be eligible in some cases for the food part of the allowance because it might be considered that they are getting food while they are in their camps. But I do not believe that that is the case and I will have to take this as notice and give a detailed answer to the Member later. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. You are taking the question as notice. Oral questions. Mr. Curley.

Question 0169-87(1): Wildlife Officer In Coral Harbour

MR. CURLEY: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Renewable Resources. During the long weekend in May, on Victoria Day, I talked with the Minister. The people in Coral Harbour are working on the polar bear quotas and on sport hunting, but the last person that had the quota had to pay \$20,000. The people in Coral Harbour were very happy, but after he got the polar bear he was concerned about getting export permits. They had to send that polar bear skin to Manitoba and he did not know what to do. So I would like to ask the Minister if

there is a wildlife officer in Coral Harbour and if so, what did the wildlife officer do, since he was not in the community? I would like to find out what the wildlife officer was doing when he was needed for something. Thank you.

MR. SPEAKER: Mr. Minister.

HON. RED PEDERSEN: Thank you, Mr. Speaker. As the honourable Member stated, he mentioned this to me before and I am conducting a full investigation of the alleged happenings and I will report back to the Member. I will take it as notice for now.

MR. SPEAKER: Thank you. You are taking the question as notice. Oral questions. Mr. Erkloo.

Question 0170-87(1): Walrus Quotas

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Renewable Resources. In Hall Beach and Igloolik there are a lot of walrus. The regulation is that one person can catch four walrus. They have a concern, especially in Hall Beach. There are a few men that go out hunting for walrus and we all know that other communities would like to get some walrus meat. They have been thinking about putting the quotas together and seeing if you could put the quotas for the whole community together instead of having four walrus per one person. We were wondering if you could just put the quotas together instead of having individual quotas for a person.

MR. SPEAKER: Mr. Minister.

HON. RED PEDERSEN: Thank you, Mr. Speaker. The walrus comes under the jurisdiction of the federal Department of Fisheries and Oceans. However, Mr. Speaker, I will undertake to contact the Department of Fisheries and Oceans with the view to getting a community quota rather than individual quotas. I do not foresee any problems with that. It sounds like a reasonable request. But I will contact DFO and get back to the Member.

MR. SPEAKER: Thank you. You are taking the question as notice. Oral questions. Mr. Curley.

Question 0171-87(1): GNWT Position Regarding Walrus, CITES Conference

MR. CURLEY: Mr. Speaker, I have a question for the Minister of Renewable Resources as well. The Minister is well aware that the Convention on International Trade in Endangered Species will likely be taking place in July, I believe in Ottawa. There are rumours that there are certain countries that are attempting to list the walrus as an endangered species in Appendix II of the convention.

Could the Minister of Renewable Resources indicate to the House what position the GNWT will take to the international convention since the walrus is a very important resource for human consumption, as well as the commercial aspect of it for the Inuit people? Thank you.

MR. SPEAKER: Thank you, Mr. Curley. Mr. Minister.

Return To Question 0171-87(1): GNWT Position Regarding Walrus, CITES Conference

HON. RED PEDERSEN: Thank you, Mr. Speaker. We are not sure if the proposal to list the walrus on Appendix II will go forward or not. There seems to be some possibility it may not. The position at the CITES conference, the Convention on International Trade in Endangered Species, is a Canadian position. It is not an NWT position. We can have input into the Canadian position but I want to emphasize our government does not get an opportunity, as a government, to make our position known; it is a Canadian one. Our departmental position would be that, initially, we would be against the listing of the walrus. It is possible though that the Canadian government would have to compromise to avoid the walrus ending up on Appendix I which would effectively eliminate trade. If the walrus is placed on Appendix II that does not eliminate the trade in the species. It allows us to regulate the trade in the species and to harvest within sustainable yields as, for instance, we do with polar bear at the moment, but our initial departmental reaction is to oppose the listing and in the meantime we will just have to follow to see if it indeed does get on the agenda. We do not know for sure yet. Thank you.

MR. SPEAKER: Supplementary, Mr. Curley.

Supplementary To Question 0171-87(1): GNWT Position Regarding Walrus, CITES Conference

MR. CURLEY: Yes, Mr. Speaker, I do have information that the State of Alaska is absolutely opposed to a listing of the walrus as an endangered species in the convention and therefore they have urged their negotiators and representatives to oppose the particular attempts that will be taken by the European countries. So I would like a little more forthright assurance from the Minister that he will join forces with the Alaska representatives and oppose any attempts to list the walrus as an endangered species since there are at least indications from Alaska's point of view that the Pacific walrus has increased in recent years and therefore is not considered endangered as far as the use of that resource is concerned. So, my question is, will the Minister take an affirmative position that they will oppose any attempts to list the walrus as an endangered species?

MR. SPEAKER: Mr. Minister.

Further Return To Question 0171-87(1): GNWT Position Regarding Walrus, CITES Conference

HON. RED PEDERSEN: Thank you, Mr. Speaker. Yes, I can give that assurance to the Member and assure him that we are in contact with the Alaskans on this issue, but for many of the contacts we have had, their initial position, too, is strong opposition to it but I think with a preparedness to consider an Appendix II listing if it appears that it might slide to Appendix I. The honourable Member has my full assurance that we will join forces with the Alaskan position as a joint circumpolar type of position.

MR. SPEAKER: Thank you, Mr. Minister. Oral questions. Mrs. Lawrence.

Question 0172-87(1): Implementation Of Language Policy

MRS. LAWRENCE: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Culture and Communications. What is the implementation plan for the language and how are the communities going to be involved? How are the people planning on working on this plan? I would like to ask that of the Minister of Culture and Communications.

MR. SPEAKER: Mr. Minister.

HON. LUDY PUDLUK: (Translation) Thank you, Mr. Speaker. I would just like to express my appreciation for the question that you are asking. We are working on this at the present time. I will take your question under advisement and give you a detailed reply later on during the session. Thank you.

MR. SPEAKER: Mr. Minister, you are taking the question as notice. Oral questions. Mr. Curley.

Question 0173-87(1): Water Supply, Rankin Inlet

MR. CURLEY: Thank you, Mr. Speaker. I have a question for the Minister of Municipal and Community Affairs. The Minister is well aware that we do have a problem in the community of Rankin Inlet with respect to water supply and the water reservoir. The quality of the water is not only bad but I believe it has caused a number of uncomfortable experiences with some visitors we have had. The quality is so bad that there is much chlorine required to keep it at least above the minimum health requirements. The Minister is aware that his health officials have been planning a number of options and one option, that recently was presented to the hamlet, involved the simple improvements to the water lake by putting in a corral and redirecting the airport road through the lake. In view of the fact that the hamlet has rejected the latest proposal from DPW, I would like to ask the Minister what steps he can take to improve that water supply because not only is it bad but it is downright embarrassing to many of our visitors, particularly considering the size of the community. Thank you.

MR. SPEAKER: Thank you, Mr. Curley. Mr. Minister.



Return To Question 0173-87(1): Water Supply, Rankin Inlet

HON. GORDON WRAY: Thank you, Mr. Speaker. The Member is correct. Officials with my department met with the hamlet council last week. We had proposed putting sections of fencing around what is called Williamson Lake to try to keep, at least, the garbage out of the lake but that was rejected by the hamlet on the basis that they did not want any money wasted on Williamson Lake. Members may not know but Williamson Lake, the present water reservoir, was constructed by the mine in the early beginnings of Rankin Inlet and it is an artificially made lake, not a natural one. As time has gone by, Rankin Inlet has expanded to the point where the community is now beginning to surround the water lake and, as well, the major road to the airport runs through the middle of the water lake.

Quite frankly, we really do not know what we are going to do. My officials have already embarked on putting together proposals for a detailed study for the design of the whole problem. I had thought that, perhaps, a solution may have been to directly bring the water from Nippisar Lake to the community but I am advised that that is not possible because the lines from Nippisar Lake are too small to carry the volume of water which is required for the community. Therefore, we would have to look at constructing an entire, new system from the community out to Nippisar Lake and as well there is the fact that the pumps at Nippisar Lake are not powerful enough to keep the water flowing.

In addition to that, even if somehow we could find the money, and it is going to be two or three million dollars, to do the Nippisar Lake line work we are still faced with the problem of not having a back-up system. My understanding is that the hamlet council would prefer to see us get rid of Williamson Lake altogether; either fill it in or pump it out. The problem with that is that if something happens to the line from Nippisar or something happens at the pumphouse, we are left with absolutely no protection either for fire purposes or to keep or to preserve the integrity of the utilidor system within Rankin Inlet. So, we have to find another lake or another source as a back-up system for Nippisar. So, all of this is going to require quite a lot of study and, as I say, no matter what we do, it is going to be an extremely expensive option.

I do not think there is much we can do to improve the quality of water at Williamson Lake when you have a reservoir essentially sitting in the middle of a community. There is not much you can do. We also have major problems with the seepage coming now from that lake and even to attempt to correct that would be several hundreds of thousands of dollars. So, the Member is correct, we have a fairly serious situation facing us at Rankin Inlet. However, before we make any decisions we are going to take a very hard look at it and probably go back to the hamlet at some point in time in the near future and propose a course of action. I think the first course of action is to sit down and really study the problem, work out design and cost to see what the cost of all our various options are. So I will keep the Member informed as we progress in this whole scenario. Thank you.

MR. SPEAKER: Thank you, Mr. Wray. Oral questions. Mrs. Lawrence.

Question 0174-87(1): Unlicensed Fishing In East Arm

MRS. LAWRENCE: Mahsi cho. (Translation) I would like to put forth a question to the Minister of Renewable Resources about all the people that do not have licences that fish in the East Arm. How is this worked on? I would like to know. Like the people that fish and do not have fishing licences.

MR. SPEAKER: Mr. Minister.

HON. RED PEDERSEN: Thank you, Mr. Speaker. Without having any specifics on who the Member is referring to, unless you are an aboriginal person, you are not supposed to be fishing without a licence in the East Arm or anywhere else. I wonder if the Member could provide me with some additional information so I could look into it, please.

MR. SPEAKER: Mrs. Lawrence.

MRS. LAWRENCE: (Translation) Last year I had also put this forward. They said that they were going to be doing a study and they told us that they were going to be watching it. I, myself, know that there is a lot of people that are fishing out there. Last year, you had told us that this was going to be watched but it has not been done so I would like to know why. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 0174-87(1): Unlicensed Fishing In East Arm

HON. RED PEDERSEN: Thank you, Mr. Speaker. The Member is, of course, correct. Last year that was the answer I gave her. The responsibility for fisheries is with the Department of Fisheries. We did contact the Department of Fisheries and requested that they put officers out there and check this. They have assured us that they did. I will take it up again with the Department of Fisheries to ensure that the area will be monitored as soon as the ice is gone.

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

Question 0175-87(1): Option For Childbirth At Home

MR. ERKLOO: Thank you, Mr. Speaker. My question is directed to the Minister of Health. I think there is a law in place in Canada that people who are pregnant have to go into the hospitals to deliver their babies. The women's organizations and other bodies have said that it should be the women's freedom of choice to have their baby wherever they want to have it, either at home or in the hospital, especially those who are healthy. My question is that as the Minister of Health, have you done anything about the request that the women should have their choice of having their babies at home?

MR. SPEAKER: Thank you, Mr. Erkloo. Mr. Minister.

Return To Question 0175-87(1): Option For Childbirth At Home

HON. BRUCE McLAUGHLIN: Yes, thank you, Mr. Speaker. There is no actual law requiring this. It is the practice of the medical services branch, Health and Welfare Canada, that, in particular the first and then the fifth and subsequent pregnancies should be handled in a hospital setting. As well, in most communities there are no longer nurses, in a lot of cases, who have the experience to do deliveries in the communities. Health and Welfare Canada officials are inclined to convince mothers that they should go out to hospitals for deliveries. The Member should realize that during this period of time the infant mortality rate in the Northwest Territories has come down significantly and it is largely due to this practice.

However, expectant mothers in southern Canada and in the Northwest Territories, do have that opportunity, if they wish, to have deliveries at home but the practice that is in place in the field is that the federal Health officials do everything they can to convince mothers to go south. There is no law, but it is a matter of policy that most of the nursing stations have and they literally work hard to convince every mother that she should go to hospital to have her babies. Thank you, Mr. Speaker.

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

Supplementary To Question 0175-87(1): Option For Childbirth At Home

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I would like a supplementary question. I think that you should be well aware that a lot of money is spent on transporting people who are going to the hospitals and also this poses a danger to the parent. For example, I saw that when a person was going into labour and had to be picked up -- not all the North has airstrips -- that person had to be taken by canoe to the community. She had her baby right in the canoe and it would have served her better if she had stayed in the tent. But because she had to go to a community, she had her baby in the canoe. This poses some problems when you have to transport the expectant mothers. This causes unnecessary trauma within the mother. If they were relaxed and just staying at home, this would not happen. I think that we should be aware of this problem and thinking about how much money we spent on transporting patients to and from the hospitals. Could you give it more thought, to try to make it easier for the parents to have their children?

MR. SPEAKER: Thank you. Mr. Minister.

Further Return To Question 0175-87(1): Option For Childbirth At Home

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. The practice of having all expectant mothers go to hospitals for delivery is actually an issue in the country. Our government and the federal

government and women's organizations in the Territories are considering the idea of having birthing centres in larger communities. But that would mean that expectant mothers from smaller communities would probably still have to travel away from home. Another issue is that the mother does go through the distress of being away from her family. There is also the social issue as to who takes care of the family that remains behind in the community when the mother leaves for six weeks. So we are aware of the arguments on both sides of the issue.

It would be something, I think, that this government would like to see, that nurses should be hired with qualifications to take care of deliveries in the communities. As well, I believe, there are some national qualifications and considerations on what a professional nurse can do and cannot do. I think right now the practice is that the medical professionals in Canada are supposed to make these deliveries and in most jurisdictions, nurses are not allowed to make deliveries. In Canada, unlike countries in Europe, midwifery is not recognized in the same manner. There is debate and ongoing consideration of this and our government is on the side of having deliveries in the community, but more work has to be done in the area and I believe, some national issues have to be solved before it can be done, as well. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLaughlin. Oral questions. That appears to conclude oral questions. Item 6, written questions. Mr. Nerysoo.

ITEM 6: WRITTEN QUESTIONS

Question W38-87(1): Negotiations Between Inuvik Housing Association And Employees

MR. NERYSOO: Thank you, Mr. Speaker. I would like to address this question to the Minister responsible for the Housing Corporation. Could the Minister provide an update and a status report of the negotiations that are occurring between the Inuvik housing association and its employees?

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

Question W39-87(1): Intervention By Minister In Negotiations In Inuvik

MR. NERYSOO: Thank you, Mr. Speaker. This is a question to the Minister of Justice. Has the Minister of Justice, under his labour responsibility, considered intervening in the negotiations between the Inuvik housing authority and its employees, respecting the responsibilities and position of the parties involved, while promoting and respecting the integrity of the negotiation process?

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

Question W40-87(1): Removal Of Wrecked Ship, Cape Dorset

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. This is directed to the Minister of Municipal and Community Affairs. There is an old ship in Cape Dorset that has been left on the land, on the shore. This shipwreck happened in 1916 and it has been in Cape Dorset for that number of years. The people of Cape Dorset wanted me to ask if those that own the ship could remove the ruins somehow. Thank you.

MR. SPEAKER: Thank you. Mr. Paniloo.

Question W41-87(1): Grant For Shipping Soapstone From Lake Harbour

MR. PANILOO: (Translation) Thank you, Mr. Speaker. I do not think the Minister responsible for Economic Development is here. I have a written question here. The three communities from my constituency are requesting a supply of soapstone. They would like to know if they can have it shipped from the Lake Harbour soapstone quarry to their particular communities: Pangnirtung co-op, Broughton Island co-op, Clyde River Iguttaq print shop. I am asking, on behalf of Lake Harbour, if they can be granted from \$15,000 to \$20,000 from Economic Development and Tourism to be used for landing the soapstone from Lake Harbour to these communities. This is my question to the Minister of Economic Development. Thank you.

MR. SPEAKER: Thank you. Mr. Nerysoo.



Question W42-87(1): Possible Conflict Of Interest For Minister

MR. NERYSOO: Thank you, Mr. Speaker. This is a question to the Minister of Justice and to the Minister responsible for the Housing Corporation. Has the dual responsibility presently being held by the Minister responsible for Justice and the Housing Corporation resulted in any conflict of interest when being requested to deal with the negotiations between the Inuvik housing authority and its employees?

MR. SPEAKER: Thank you, Mr. Nerysoo. Written questions. That appears to conclude this item for today.

Item 7, returns to written questions. Are there any returns for today?

Item 8, replies to Opening Address.

Item 9, petitions.

Item 10, reports of standing and special committees.

Item 11, tabling of documents.

Item 12, notices of motion.

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

Item 14, motions.

Item 15, first reading of bills.

Item 16, second reading of bills.

Before I put you in committee of the whole for today, I would like for the record to thank Mr. Pilot and our MP for the Western Arctic, Dave Nickerson, for their assistance in getting the job done that you asked me to do in Ottawa.

Item 17, consideration in committee of the whole of bills and other matters: Bills 9-87(1), 5-87(1), 10-87(1), 3-87(1), 21-87(1), 15-87(1), 33-87(1), 34-87(1), 4-87(1), 16-87(1), 22-87(1), 23-87(1), 32-87(1). Do I have a volunteer? It appears I have a problem for a chairman. Mr. McCallum? Thank you.

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

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 5-87(1), CITIES, TOWNS AND VILLAGES ACT; BILL 10-87(1), HAMLETS ACT; BILL 3-87(1), CHARTER COMMUNITIES ACT

CHAIRMAN (Mr. McCallum): The committee will come to order. Mr. Butters, would you like to indicate how you want to proceed with this legislation?

HON. TOM BUTTERS: Thank you, Mr. Chairman. I believe there was some difficulty with Bill 5-87(1), Cities, Towns and Villages Act, when it was first considered but that has now been corrected and I would suggest, sir, that the committee could return to that act, as it is sort of central to all the local government legislation, and possibly pick up where we left off.

Bill 5-87(1), Cities, Towns And Villages Act

CHAIRMAN (Mr. McCallum): Does the committee agree to going back to Bill 5-87(1), An Act Respecting Cities, Towns and Villages in the Northwest Territories. We left off, I think, the last day on page 15 and clause 54. So, we could start at page 16, Part III, by-laws, general, section 55.

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. McCallum): The Minister, Mr. Wray, would you want to take witnesses with you? Is the committee agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Thank you. For the purposes of the record, Mr. Wray, would you introduce your witnesses? And to Members of the committee, we are on page 16, Part III, by-laws, general, clause 55. Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Chairman. I have with me Mr. Robin Beaumont, municipal policy and legislation specialist, and Mr. Patrick Orr, senior legislative counsel, Department of Justice.

CHAIRMAN (Mr. McCallum): Thank you. Are Members now prepared to deal with clause 55, limit on power to make by-laws? Any questions or comments? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 56, geographical limitation. Any comments? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 57, readings of by-laws. Agreed? Mr. MacQuarrie.

MR. MACQUARRIE: Thank you, Mr. Chairman. I would just like to point out that in this section when it was reviewed by the standing committee on legislation there was a little bit of confusion as to the presence and the number of councillors where it was intended to give more than two readings to a by-law. The government has made changes that make it very precise and clear and they are reflected in the bill that is before Members now.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. Any further comments? Clause 57, reading of by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 58, requirements for by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 59, effective date of a by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 60, posting of copies. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 61, time for obtaining any approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 62. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I would just like to note that from time to time there are certain, I guess what I could call "technical" amendments in some of the clauses, where minor points had been noted in the committee. They have been made and I will not call this committee's attention to them each time. An example was in clause 61(2). They are not significant from a substantial point of view, so I will just let them go by, Mr. Chairman.

CHAIRMAN (Mr. McCallum): Thank you. Clause 62, limit on resubmission for approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 63, petition for by-law. Any comments? Do Members agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): On page 18, clause 64, procedure for obtaining approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 65, entitlement to vote. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 66, amending or repealing a by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 67, evidence of by-law. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 68, disallowance. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Quashing by-laws and resolutions, clause 69, application to quash. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): The section dealing with roads. Clause 70, authority over roads. Any comments? Does the committee agree? Mr. Nerysoo.

Authority For Primary Highway In Municipal Area

MR. NERYSOO: Thank you, Mr. Chairman. Just with regard to this issue on primary highways. What if there is a situation of a primary highway passing through a municipal area?

CHAIRMAN (Mr. McCallum): Thank you, Mr. Nerysoo. Mr. Wray.

HON. GORDON WRAY: Thank you, Mr. Chairman. Under clause 72, if indeed that is the case, then a council would have to seek agreement with the government in respect of a by-law on a primary highway under the Public Highways Act. That is the same provision that exists right now.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Wray. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Chairman. I just wanted to know which communities had primary highways passing through them that were not allowed, at this particular time, to pass by-laws relating to such things such as speed limits and other uses of the highway and maintenance of the highway.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. This act does not deal with things like speed limits. That falls under the Vehicles Act and I am not quite up on speed in the Vehicles Act and what it says in there.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Mr. Nerysoo, anything further?

MR. NERYSOO: Thank you. The only concern, Mr. Chairman, that I have is with regard to the manner of the authorities and the by-law making authorities that could be used to effect a primary highway. I guess I can give you the example of Fort McPherson where the Dempster highway is, in fact, in a municipal area and that particular highway, unfortunately, has not been turned over for maintenance or reconstruction to the Government of the NWT. So I would just have concern as to whether the intent is to ensure that the hamlet council or any municipal council, whether it is a charter community, would have some jurisdiction over that particular highway without undermining, of course, the jurisdiction of the GNWT or, for that matter, the federal government. But I do have a concern that it may not be protected in terms of the authority of the municipal government. That may also happen in other areas as well but I am more worried about the situation in Fort McPherson and the highway passing through the municipal area at this particular time.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Nerysoo. Mr. Wray.

Provision For Agreement Between GNWT And Municipality

HON. GORDON WRAY: Thank you. Yes, this is a valid concern but that is why we put a section in to allow for an agreement to take place between the municipality and the government, because both sides have certain things they have to protect. We want to make sure that municipalities do have some right to at least sit down and negotiate with the government on some particular aspects.

I can think, from the government point of view, for example, that we would want to make sure that vehicles are licensed by the government to be on that highway and the municipality may not try to bar them from a community where, in fact, there is no other choice because that is the primary highway. However, a community may have some problems if dangerous goods or a load of dynamite or something is going through. So, obviously, in a case like that it falls under another act, the Transportation of Dangerous Goods Act, but certainly there would be negotiation between ourselves and the community to try and at least protect the community's interests. But, yes, we really want to try and respect the municipality in terms of what they want to do and so that is why we put the provision in for an agreement.

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

MR. NERYSOO: Thank you, Mr. Chairman. I agree with the direction that the Minister is going but where we have a situation of a highway not having been turned over to the GNWT then that could cause us some problems and I would just raise that as a concern and, hopefully, the government and the Minister will deal with this situation and ensure that it is dealt with and resolved in terms of the authority. Just a matter of comment. Thank you, Mr. Chairman.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Nerysoo. Are there any further comments? Clause 70, authority over roads. Is the committee agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 71, incidental powers. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 72, construction. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 73, removal of snow and other obstructions. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 74, limitation of actions. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 75, encroachments. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 76, closing roads. Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 77, temporary closure. Mr. MacQuarrie.

Means Of Access During Temporary Closure Of Roads

MR. MacQUARRIE: Yes, in committee there had been a couple of areas of concern here. Number one was raised by, I believe it was by the Association of Municipalities, wondering whether the bill would be read in such a way that, even if there was just a temporary closure, the provision for compensation might apply in that case. They wanted something to make clear that it would not, and the government has not changed that. I believe they felt that the way the act is presently written, compensation would not be required in that case. But the government has included a change in clause 77(c), making sure that where there is a temporary closure, the council shall provide any person who would be prevented from entering or leaving the person's real property or residence with other convenient means of access. As I recollect, that was not specifically pressed for by the committee. The government must have decided in addressing that clause to introduce that change as well. Is that correct?

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

HON. GORDON WRAY: Mr. MacQuarrie is quite correct. When we looked at it, we thought this was a good compromise and protection for the property owner as well.

CHAIRMAN (Mr. McCallum): Any further comments? Clause 77. Is the committee agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 78, public notice and hearing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 79, establishment of sewage and drainage system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Thank you. Clause 80, operation, maintenance and alteration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 81, source of funding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 82, regulation of use of system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 83, regulation of private system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Bottom of page 21. Clause 84, mandatory connection to system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Top of page 22. Clause 85, costs of connection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): The next section, garbage and waste. Clause 86, incinerators, garbage dumps, toilets and garbage collection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 87, mandatory use of garbage collection system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 88, regulation of drains, cesspools, septic tanks and toilets. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 89, sale or use of by-products. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Water supply. Clause 90, establishment of water distribution system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 91, operation, maintenance and alteration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Top of page 23. Clause 92, source of funding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 93, regulation of private system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 94, mandatory connection to system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 95, costs of connection.. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Other works and services. Clause 96, parking facilities, trailer parks and mobile home parks. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Airports. Clause 97, establishment and operation of municipal airports. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. McCallum): Establishment and operation of airports under agreement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Top of page 24, fire prevention. Clause 98, fire protection service. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 99, building control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

Fire-Fighting Agreements For Areas Outside Municipal Boundaries

CHAIRMAN (Mr. McCallum): Clause 100, agreements. Mr. MacQuarrie.

MR. MACQUARRIE: Thank you, Mr. Chairman. When the bill was before the committee this was not specifically provided for. The submission from the NWT Association of Municipalities wanted to see the section expanded so that there could be agreements outside of municipalities, that fire-fighting and ambulance service agreements could be accommodated with the government. It was pointed out, for example, that there were a number of residential areas that are outside of municipal boundaries in the South Mackenzie, the corridor outside of Hay River; and Salt River, outside of Fort Smith; Buffalo Junction, outside of Pine Point and they wanted to see provision in the act for agreements being entered into. Clause 100 has been brought in to allow a municipal corporation to enter into agreements, generally, for the use of fire-fighting staff and equipment.

CHAIRMAN (Mr. McCallum): Clause 100, agreements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 101, regulation of dangerous goods. Mr. Nerysoo.

Transportation Of Dangerous Goods Through Municipal Areas

MR. NERYSOO: Thank you, Mr. Chairman. Just with regard to the question of interpretation with regard to clause 101. I just have a difficult time in the manner in which it is written in that when a by-law is being proposed, it should not in any way conflict with the present laws that apply to the transportation of dangerous goods. I guess I raise this again in terms of transportation in particular, where a highway passes through a municipal area. They could introduce a regulation, or at least a by-law, that says that they do not want those goods being transported through that municipal area. So, I just want to be sure that the intent is not to undermine the agreements or arrangements reached between this government or other governments, yet respecting the authority of the municipal councils.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. This legislation, as with other municipal legislation, is subordinate to territorial legislation; so clearly, if a municipality wrote a by-law which was in conflict with our own territorial acts, then the territorial acts would take precedence. This really was to allow for municipalities, if somebody ever wanted to build an explosives factory in the community, to regulate how and where it should be and all of the various laws surrounding it. But clearly, municipal legislation would be subordinate to our own territorial legislation.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Clause 101, regulation of dangerous goods. Agreed?



SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Ambulance services. Clause 102, establishment and operation of ambulance service. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 103, public health and contagious diseases. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 104, cemeteries and disposal of the dead. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 105, recreation programs, services and facilities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Building control and protection of heritage resources. Clause 106, National Building Code of Canada. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Top of page 26. Clause 107, designation and classification of heritage resources. Mr. MacQuarrie.

#### Heritage Resources

MR. MacQUARRIE: Thank you, Mr. Chairman. This section resulted from a matter that was raised in the standing committee on legislation. The municipal legislation previously had not provided for a municipality to designate and classify places based on their heritage value and so the government agreed that this section was important and has included a section that will enable communities to do that. Specifically, it says, "A council may, by by-law, provide for the designation and classification of places, buildings or works as heritage resources because of their prehistoric, historic, cultural, natural or aesthetic value." The second, (2), "A council may, by by-law, prohibit or regulate the construction, alteration, repair, demolition, and excavation of heritage resources."

I might as well provide an explanation that was provided to me when I saw the word "construction" of heritage resources. I thought that that was quite inappropriate. I did not understand how you could construct heritage resources but it was pointed out to me by the government that occasionally you will find commercial enterprises that want to try to duplicate some heritage resource and then make a commercial profit of it. In order to prevent that, a municipality would have the power under this law.

So they are empowered to regulate heritage resources and I must say that the government is further looking at the matter as to whether heritage resources may be exempt from taxation. That is just something that is being considered. We will know the answer when the Property Assessment and Taxation Act comes before the House.

CHAIRMAN (Mr. McCallum): Thank you. Clause 107, designation and classification of heritage resources. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 108, building permits. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 109, compulsory demolition, etc. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

#### Business Licensing

CHAIRMAN (Mr. McCallum): Business licensing. Clause 110, definition of "business". Mr. MacQuarrie.

MR. MACQUARRIE: Yes, just to note that the bill, when it first was in front of committee, seemed in the wording to limit it to the sale or offer for sale of goods. The committee asked that it be broadened to include services as well and that has been done in the bill that is before the House.

CHAIRMAN (Mr. McCallum): Thank you. Clause 110, definition of "business". Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 111, business licensing and regulation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 112, time of opening and closing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 113, compliance with Workers' Compensation Act. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 114, regulation of taxis. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 115, public transit system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Page 28, clause 116, regulation of animals. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I see in my notes here that the government indicates that paragraph 116(b) has been deleted and I am not sure that this was in response to an issue raised in committee. Perhaps the government could indicate the reasons for the change. It says "the moving of animals has been included within paragraph 116(a). I gather it used to be 116(b). Perhaps the Minister could explain.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. We rolled 116(b) into 116(a). It used to be 116(a) was prohibit or regulate the keeping of animals; 116(b) was prohibit or regulate the moving of animals. So we just rolled those two into one to make it 116(a).

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Clause 116, regulation of animals. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 117, enforcement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 118, insect control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 119, snares and traps. Mr. MacQuarrie.

Snares And Traps In Inhabited Areas

MR. MacQUARRIE: Yes, when the bill first came into committee, this section was quite broad in its application. It simply prohibited, or enabled a municipality to prohibit or regulate, the setting of snares and traps. It was pointed out in committee that at the present time, the boundaries of some municipalities are very, very extensive and that this overstated the case, that in fact it was recognized that in inhabited areas there could be a very great danger with the setting of snares and traps but that beyond the inhabited areas, the same requirement should not apply. And so the government has modified the bill and that is reflected in the wording in 119(a), "that may pose a danger to people or domestic animals in inhabited areas of the municipality". So it has been narrowed in its application.

CHAIRMAN (Mr. McCallum): Thank you. Any further comments? Clause 119, snares and traps. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Public nuisances. Clause 120, noise. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Air pollution, clause 121. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 122, defacing property. Agreed? Mr. MacQuarrie.

MR. MacQUARRIE: Yes, with respect to this when it was discussed in committee, the question arose as to whether the municipality could prevent a property owner from defacing his own property by putting writing, graffiti on it or messages to the federal government or whatever and the answer was "no". That was not the intent and therefore there is no change in clause 122 that says, "A council may, by by-law, prohibit the defacing of private property, without the consent of owner or occupier...." So, if the owner or occupier consents, then the municipality does not have that power with respect to private property.

CHAIRMAN (Mr. McCallum): Thank you. Clause 122, defacing property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 123, regulation of adult publications; definition. Mr. MacQuarrie.

Regulation Of Adult Publications

MR. MacQUARRIE: Yes, I should certainly note, for the public generally, that this section was in the bill when the committee reviewed it but it is not in existing legislation and the public generally may be very much interested in this. The section is headed "Adult publications" and clause 123(1) is regulation of adult publications and it indicates that a council may, by by-law, regulate (a) the public exhibition or display; or (b) the distribution or sale of adult publications in order to protect the welfare of persons under 18 years of age. It is noted that a council is not empowered in this legislation to prohibit these things but rather to regulate them. That is where they may be displayed in the store and how they may be displayed and so on. They have a very explicit definition of what is meant by adult publication. Initially it applied to printed matter but it has been extended to include other types, films, video tapes as well.

CHAIRMAN (Mr. McCallum): Thank you. Further comments on clause 123, regulation of adult publications? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Firearms and fireworks. Clause 124, discharge of firearms. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 125, sale and use of fireworks. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 126, removal and disposal of inoperable vehicles. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Page 30, utility franchises. Clause 127, grant of franchises. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 128, term. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Miscellaneous powers. Clause 129, flag, crest and coat of arms. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 130, census and civic holiday. Mr. MacQuarrie.

Declare A Civic Holiday

MR. MacQUARRIE: In the bill that was before the committee, the Inuvik council in its submission had noted what it considered to be a significant omission and the matter was raised in council. The government has agreed and so you now see in this bill that one of the miscellaneous powers of a municipal council is to declare one day a year to be a civic holiday. So that specifically is granted in this legislation.

CHAIRMAN (Mr. McCallum): Clause 130, census and civic holiday. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 131, power to contract. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Mr. MacQuarrie.

MR. MacQUARRIE: Well, I have just noticed in the government's letter to the committee that in clause 133, a word "may" was changed to "shall". I cannot recollect whether that was at the committee's request, I do not think so. And sometimes words being changed from "may" to "shall", make a great deal of difference, so perhaps the government could just note for committee Members what the significance is here.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. We will deal with clause 132 and then we will take that one up. Property. Clause 132, powers respecting property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 133. Mr. Minister, would you want to comment on the change in the verb?

HON. GORDON WRAY: Thank you, Mr. Chairman. I am advised that it was simply a drafting change that was made by the legislative people.

CHAIRMAN (Mr. McCallum): Thank you. Clause 133, no carrying on of business. Agreed? Mr. MacQuarrie.

MR. MacQUARRIE: Yes, there are not any changes here although this I believe is a change from the existing legislation. I do not think there is a provision in the existing legislation with respect to municipalities carrying on businesses, is there? It was interesting for the committee to note the reason why this type of clause was being included in the legislation so perhaps the Minister would like to offer that explanation generally to the committee of the whole.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. Mr. Minister, on clause 133.



Limit On Municipalities' Private Business Ventures

HON. GORDON WRAY: Thank you, Mr. Chairman. Mr. MacQuarrie is correct. No such provision exists in the present Municipal Act. The reason that we put this provision in was quite frankly that we want to be able to limit municipalities in the conducting of private business ventures. In certain sections of the Northwest Territories and in certain regions, municipalities seem to feel or are getting into the habit of becoming private businesses. They seem to regard their functions more to be in the line of the private sector than they are of community government and, therefore, we want to be able to put a limit on the conducting of private business by a municipality when it is not in the public interest. Obviously there are some communities where private sector does not exist and where a municipality has to conduct that kind of business simply because no other service exists, and in that case we have no problems. We have had some problems with municipalities competing with private sector companies, utilizing government money and government equipment to get into competition with the private sector. We want to put a limit on that type of activity but we recognize, as I said, that there are some places where the municipality or the community government is the only body capable of providing a service, therefore we have to allow some flexibility for that to happen. Thank you, Mr. Chairman.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Wray. Any further questions on clause 133? Clause 133, no carrying on of business. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 134, prohibition on exemptions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 135, limit on powers after election day. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Part IV, financial affairs, budgets. Clause 136. Mr. Richard.

Provision For Tax Sales Omitted From Legislation

MR. RICHARD: Mr. Chairman, Part IV deals with financial affairs and in the current Municipal Act all of these topics are dealt with but it also includes the provision for taxation, the assessment of property and the collecting of taxes and tax sales. We were told by the Minister that particularly assessment and taxation and the collection of taxes are now to be dealt with in a separate piece of legislation, which we are going to deal with later. The other day, Mr. Chairman, we were told that the tax sales provisions of the Municipal Act which this bill repeals are not going to be contained in either this act or the Property Assessment and Taxation Act. My concern that I expressed the other day, Mr. Chairman, is that there will be provisions for tax sales that will be missing because I do not believe that they are covered off in the federal Land Titles Act as has been indicated. I am wondering if before we approve this, which amounts to repealing the tax sale provisions of the Municipal Act, if the Minister or his officials could indicate if they have now had an opportunity to study this issue on a possible shortcoming. Thank you.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Regretfully, the department is still reviewing it along with the Department of Justice to see if in fact we have produced some shortcomings. So I do not have anything definitive to say at this point in time. But keeping in mind that this legislation is not going to come into effect January 1st, 1988, if we find in the course of this week that in fact we have created some problems, we can very quickly move to amend either this legislation or the Property Assessment and Taxation Act to correct it. Probably in fact we would do that before the end of this session.

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

MR. RICHARD: Well, Mr. Chairman, just for the record, and I appreciate I may be a little ahead of time but when we come to clause 226 which repeals the Municipal Act, if we do not, at that time, have a response of position of the government, perhaps I could suggest that clause 226 be deferred until we have that response. Thank you.

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

HON. GORDON WRAY: Thank you. Rather than hold off on clause 226, I can give the commitment right now to amend the Property Assessment and Taxation Act which would cover it just as easily, to allow for any problems we may run into. That is where it would be amended anyway.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Mr. Richard, okay with that agreement?

MR. RICHARD: Yes.

CHAIRMAN (Mr. McCallum): Thank you. Part IV, financial affairs, clause 136, fiscal year. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 137, adoption of budget. Mr. MacQuarrie.

MR. MACQUARRIE: Yes, Mr. Chairman. I would just like to note that subclause (2) says "The budget must include estimates of" and then if you go to paragraph (d), "any sum required to meet a deficit of the municipal corporation, if any, in the preceding fiscal year". I would just like to observe that the Northwest Territories Association of Municipalities supported that provision in the act, thought it was an excellent one, but also suggested that it should apply to the Government of the Northwest Territories. I believe that the Minister said, "We are not amused," and I do not think any undertaking has been given to make it apply to the Government of the Northwest Territories. But at any rate, it is a provision in this act.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. Clause 137, adoption of budget. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 138, forwarding copy of budget. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 139, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Expenditures and disbursements. Clause 140, expenditure control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 141, deposit of moneys. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. McCallum): Clause 142, disbursements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 143, general municipal fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 144, other funds. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 145, preparation of financial statements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 146, auditor. Agreed?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. McCallum): Clause 147, compulsory revocation of appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 148, auditor's report. Mr. MacQuarrie.

MR. MacQUARRIE: In the verbal submission from a representative of the Law Reform Society a suggestion was made that the terminology was not appropriate. The government checked it and it indicates that the wording is the same as in the proposed new Financial Administration Act and that was satisfactory to the staff and the Office of the Auditor General. So, they felt that the wording was quite appropriate and it has remained the same.

CHAIRMAN (Mr. McCallum): Clause 148, auditor's report. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Borrowing, clause 149, prohibition. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, a couple of points here. One is just to underline what was a concern earlier of the Inuvik council that there should be a pretty clear distinction between short-term and long-term borrowing and the government has arranged the section so that there is that clarity as between the two types. The government notes as well that section 149 has been amended to include reference to the Northwest Territories Housing Corporation Act. That act expressly provides for the borrowing of money for municipal corporations for housing purposes and it is, therefore, a form of authorized borrowing that should not be prohibited. I do not believe that this arose from committee; it must have arisen as a result of government reflection along the way. Perhaps the Minister would care to make a further comment on it.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. Mr. Minister, on clause 149.

HON. GORDON WRAY: Thank you, Mr. Chairman. Yes, indeed, when the legislative counsel were going through it they, in fact, picked up this provision and added it in. Thank you.

CHAIRMAN (Mr. McCallum): Clause 149, prohibition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 150, temporary borrowing. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, just to observe in the act that there is a section on temporary borrowing. Then when they wish to refer to the debentures and longer-term borrowing they use the term "long-term borrowing" in the act. So, there is always that distinction.

#### Restriction To Temporary Borrowing

In section 150, the Association of Municipalities had recommended that if the total amount, to be either borrowed or drawn down from the municipal reserve on a temporary basis, did not exceed 25 per cent of the estimated revenues as set out in the budget for the fiscal year, the borrowing by-law should only require the approval of the council. If the total amount to be either borrowed or drawn from the reserve exceeded 25 per cent of the estimated revenues, that the borrowing by-law should require ratification by the council and the ratepayers.

The government looked at that matter and they say the section 150 was not amended to incorporate the changes that were recommended by the Northwest Territories Association of Municipalities. Their recommendations would have restricted the authority of municipalities to make temporary borrowings and this restriction was felt by the government to be unnecessary, so it has not made the changes.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. Clause 150, temporary borrowing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 151, long-term borrowing. Mr. Richard.

MR. RICHARD: Mr. Chairman, the city of Yellowknife has pointed out that the result of another change in the legislation, that is going to three years between municipal elections, will have an impact on the practice of municipalities of putting long-term borrowing by-laws, which this section deals with, before the voters. Current practice, as Members are aware, is for borrowing by-laws or debenture by-laws as they are known, to be put to the voters on the same day as the municipal election, usually in December of each year. All expenses that would be incurred in putting the debenture by-law to the voters have already been incurred in putting the question of election of mayor and councillors to the people. There is therefore currently no extra expense, virtually no extra expense, to ask the voters for their approval of one or more particular borrowing by-laws.

Under the proposed regime or new system, in this and the other legislation, there will not be an election in a municipality every December but only once every three years. As I understand it, the terms are three years but the terms are not staggered. So in the normal course of events in a municipality there will only be an election once every three years and municipalities will therefore not be able to piggyback a debenture by-law once a year on the municipal elections, as they do now, but instead will be required under this clause to call an election, virtually, for the sole purpose of putting the borrowing by-law out for approval. That, Mr. Chairman, would appear on the face of it to be onerous on the municipality to set up the entire election machinery, if you will, just for that purpose and I would tend to agree with that observation of the municipal corporation, in this instance the city of Yellowknife, that some flexibility should be built into the system.

#### Provincial System For Approval Of Borrowing By-Laws

I have been told that in Ontario and Alberta there is a system that would allow the provincial municipal authority -- I am not sure what it is called but the equivalent of our Department of

Municipal and Community Affairs or Minister -- to approve a borrowing by-law even though the ratepayers have not, if certain conditions are met. They are basically that the municipality would publish in the newspaper for a period of time their intention to borrow X dollars for such and such a purpose and the system allows a time frame for ratepayers to object by filing a petition, or an objection of some sort, with the municipality or with a senior level of government, the provincial government. If there is a certain percentage of ratepayers who object, I am told that the municipality is then compelled to put it to a borrowing by-law to all ratepayers. But if a certain percentage do not object, then the Minister or the provincial government can approve the borrowing by-law without it going to the ratepayers.

It occurs to me, Mr. Chairman, that we could possibly build in some flexibility like that in this legislation but perhaps having said it, I could ask for the Minister's thoughts on that observation and suggestion or any other Member's comments, for that matter. Thank you.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Actually, what I think is the city of Yellowknife is perhaps trying to make a point so they can squeeze us for more money at some point in time. In fact, the way we are proposing this legislation is, I would suspect, going to see the city of Yellowknife and any other tax-based municipality saving money. To start with, the method of going to debenture at the same time as an election is not required under law. It has been done, particularly in this community, in the city of Yellowknife, for a matter of convenience because people were going to vote. Because the voters list was drawn up it was convenient to do so but it is not required. You can go to debenture at any time.

There are two things in here which I think speak in favour of the money angle. If a municipality chooses to go to every three years -- and remember that the three years, again, is optional. They are not forced to go to three years, they could have an election every two years. But let us suppose that they do go to three year elections, then it means to start with the municipality of Yellowknife or the city of Yellowknife will save money on the fact that they do not have to have an election for two years out of three. Right now they have an election every year. If they go to three years, then there will be two elections that they are not calling any more and therefore they have money that they will save there because they already have money in their budget for an election which will no longer be required. So, there is two years' worth of funding for elections which will now be not needed. Secondly, with the continuous voters list being kept it means that there will be no enumeration costs. The major cost in any election or any debenture is the cost of the enumerating. That will no longer be required because there will be a continuous voters roll kept, so there will be no enumeration costs.

#### Costs For Debenture Minimal

Therefore, the costs to go to debenture will be extremely minimal, only to the point of having people to run the debenture and advertise that debenture. But that is about the only cost that will accrue. I think that the money saved, first of all, on not having two elections when they have previously had to have elections, and the money that they will save in not having to enumerate, more than makes up for the minimal cost to run a debenture. So we really do not feel that it is going to be a problem. I tend to think that the city was just getting ready to prepare their case for negotiating.

With regard to the Ontario model, yes, they have what are called municipal boards. Quite frankly, Mr. Chairman, I really do not want to be taking over the role of the ratepayers in the municipality. I can see me now making a decision with regard to building a swimming pool or a curling rink in Yellowknife and which option we were going to choose and what we were going to allow. That, to me, is a subject for the ratepayers and the voters of the community and it may work in Ontario but I really would not like to see our government get involved in that type of level of decision-making at the community level. Thank you.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Is there anything further? Mr. Richard.

MR. RICHARD: Well, Mr. Chairman, I appreciate the Minister's response. I am not sure that I agree with the logic on the saving of money. If this legislation is passed, the term between elections will be three years unless the particular municipality reduces it to two years by their own action and there will be no expense incurred in the middle two years. However, if during that three-year period the municipality, for its purposes, which it decides on, its budgets and things like



borrowing, is going to incur an expense in putting a borrowing by-law to the ratepayers, I do not know if at that time in the future when they see that they are going to run an expense, they are going to remember the Minister's words. "Oh, but before 1987 you had an expense every year for an election." They are not going to have the expense planned for, in their budget in years 1988 or 1989, whenever the new system comes into effect.

But it is not the expense, Mr. Chairman. There is an inconvenience attached to it too. I was advised of the system in either Alberta or Ontario. It does appear to me that there is merit in the system. Quite apart from the expense saved, there can be some very straightforward borrowing by-laws, that even the Minister of Municipal and Community Affairs, if asked, would agree that "Yes, most ratepayers would approve that." So why go through the setting up of the election machinery to take the vote to the ratepayers?

#### Interpretation Of City's Motive

Now, as to the motive of the city of Yellowknife in requesting MLAs to consider this, I am not prepared to accept the Minister's interpretation of the motivation. I have a written letter from the municipality setting out their reasons and in no way here do they tell me that they are trying to do an end run on the territorial government. I suppose I would not see it anyway if they were. But I cannot accept the Minister's interpretation of their motives, Mr. Chairman. So, I would ask that the matter be considered and would move an amendment at this time.

#### Motion To Add New Subclause 151(5), Bill 5-87(1)

Mr. Chairman, the clause we are on is clause 151. My motion would add a subsection after subsection (4). I move, Mr. Chairman, that a new subsection (5) be added to clause 151 as follows: "The Minister, with the approval of Executive Council, may by order, exempt a long-term borrowing by-law from the approval of the ratepayers required by paragraph 3(b), where the council has published the long-term borrowing by-law for four consecutive weeks in a newspaper that is either published or circulated within the municipality, and the Minister has not received a petition in prescribed form, from five per cent of the population of the municipality as determined by the latest census, objecting to the long-term borrowing by-law, within 60 days of the first date of publication; and that paragraph 151(3)(b) be amended to read as follows: the ratepayers, subject to subsections (4) and (5) and section 163."

CHAIRMAN (Mr. McCallum): Thank you, Mr. Richard. If I could have the committee's indulgence to take a five minute break to check the wording with the legal counsel. So, we will take a five minute break.

---SHORT RECESS

I call the committee meeting back to order. Mr. Richard, your motion to amend is in order. Would you like to proceed?

MR. RICHARD: Thank you, Mr. Chairman. Mr. Chairman, it has been pointed out to me that this motion -- and I did have some assistance in preparing it and the author looked to, I believe, the Ontario legislation. I did include in here that the nay sayers, if you will, who would file an objection with the Minister, should constitute at least five per cent of the population in a municipality.

But upon reflection, in the regime that is being set up in this new Cities, Towns and Villages Act, it is probably ratepayers that count in our legislation as opposed to general population. So it may be, Mr. Chairman, that my proposed amendment should read: "From five per cent of the ratepayers of a municipality". That would be a less onerous objection to file if you will. I would be agreeable if someone wanted to put forward an amendment to my motion because I do not believe that you will allow me to myself.

Mr. Chairman, in support of the thrust of the motion, it is my recollection in recent years that in the municipality in which I live, each December when one trots off to the polling booths, one is confronted with one ballot where you select your choice for mayor or aldermen, but in addition you are handed a lengthy ballot paper and you are asked to approve, as a ratepayer, any number of borrowing by-laws, the purpose of which ranges from four or five million dollar sports complex to a \$2000 or \$3000 piece of equipment that the municipality is to use. I am confident, Mr. Chairman, that when the municipality adds the small items to the list, the \$5000 item or the \$12,000, that they are doing so simply because the machinery is set up there already and they would

like the approval of the ratepayers, while they are there in the polling station, for these additional small items. I am confident, Mr. Chairman, in that example that no municipality would call an election or call them to the polling stations just for the \$5000 item or the \$12,000 item, etc.

Inconvenience Out Of Proportion To Small Items

So if we are going to go now to a combination of this act and the new municipal elections act to a new system where there will not be any elections for a period of 36 months, there are bound to be times during that 36 months when the municipality would like the authority to borrow funds for maybe these small items. The legislation should not compel the municipality necessarily to call all the ratepayers to the polling stations. There is some expense attached to it. The Minister may say it is minimal, and I may accept his characterization of it that way, but there certainly is an inconvenience attached to that that is out of proportion, say to the significance of the \$5000 item.

So I am simply suggesting that there be a process that would contemplate the elected municipal council approving a borrowing like that and that they should disclose that fully ahead of time to the ratepayers. They could do that by advertisement as suggested in the motion. There should be a mechanism by which ratepayers, who read that in the newspaper, who are opposed to it may file an objection. The protection for the ratepayer who does not want the municipality to borrow the money is by this method, he would object. It is also in the protection of the Minister and the Executive Council, who can just disallow it and say to the municipality, "No, do not do it the shortcut way. Go to all of the ratepayers and get your mandate there." I believe in the form in which the motion is, the Minister would have a discretion to reject the request in any event. I thought I would ask Members, Mr. Chairman, because it is a discretionary matter. Some municipalities could make use of it, others may never make use of it and even those municipalities that would make use of this system, the override of the Minister is there in any event. Thank you.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Richard. To the motion. Mr. Nerysoo.

Motion To Amend Motion To Add New Subclause 151(5), Bill 5-87(1), Carried

MR. NERYSOO: Thank you, Mr. Chairman. If I could move a further amendment to the amendment that has been proposed. I move that subsection (5) be amended as follows: That the word "population" be replaced by the word "ratepayers". And further, we remove "as determined by the latest census,".

CHAIRMAN (Mr. McCallum): Thank you, Mr. Nerysoo. Just so that we know that we are on the same music sheet, what you want to do is remove the word "population" in the seventh line of the amendment and remove the words "as determined by the latest census,". So that it will read, "from five per cent of the ratepayers of the municipality objecting to the long-term borrowing by-laws". Is that correct?

MR. NERYSOO: Right, that is correct.

CHAIRMAN (Mr. McCallum): To the amendment to the amendment. Mr. Nerysoo, did you want to comment?

MR. NERYSOO: No, I think I am just reflecting the issue that it is ratepayers who are part repaying money on any borrowing by-law or decision to borrow. The other thing is that there is no need to include the issue of latest census when you are not dealing with the question of population.

CHAIRMAN (Mr. McCallum): Question on the amendment is being called. Are there any further comments? All those in favour of the amendment proposed by Mr. Nerysoo? Opposed, if any? The amendment is carried.

---Carried

To the motion now as amended. Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. I cannot support the amendment and I would ask Members not to support the amendment, quite frankly because I think a significant thing has been done here simply because of inconvenience to a particular municipality. I may have been flippant before, which may have led to this. I apologize to the committee if it came across that way.

To start with there is no argument when it comes to expense. There will be no additional expense to a municipality that already is not accruing.

Secondly, I am led to believe that in fact the practice which Mr. Richard referred to in his statement about \$5000 items, in fact, ceased in Yellowknife several years ago. Things like half-ton trucks are now put into their annual budget. They do not go to debenture for those items.

The fact is that neither I as Minister, nor I think the Executive Council, really want to take the place of ratepayers when it comes to deciding whether or not they should be paying on a loan that the municipality has borrowed. I do not think that is my decision, quite frankly.

#### Debentures For Loans From General Revenue

Nearly all debentures now are for major long-term borrowing items, whether it be a new fire truck or a new swimming pool or a new curling rink or whatever, but something of that nature. You know, I think the Executive Council really does not feel that we should make that decision on behalf of ratepayers. They are the ones who are going to pay out of their own pockets any money that that municipality may borrow. Any money that a municipality has to borrow, for example, to create a new subdivision or for local improvements like water and sewer lines; any of that does not have to go to debenture already. The legislation allows for the municipality to borrow money without going to debenture for anything where they are going to recover the money through a charge back-system. The only requirement for debenture is where payment on the loan would have to be taken out of general revenues.

But, for example, in Yellowknife, if the city council decided it was going to build a new subdivision down in that area past School Draw, it would not have to go to debenture for that money because it is simply developing a subdivision whereby it is going to regain the money through sales of the land. Then it is allowed under this act that they can do that without going to legislation. As I say, any small items, whether it be a photocopier for \$1000 or a half-ton for \$10,000, in nearly all the municipalities are put into their annual budget review because the item is so small. The purpose of the debenture is to borrow money for a capital asset and then repay the loan on that over the length of life of the capital asset. So obviously, if you are buying a half-ton truck or something like that, it is only going to last three to five, six years. It was not worth it to borrow money so therefore they just paid it up front.

Secondly, I think, you know, when you look at inconvenience, there are a number of things that can remove inconvenience. The fact is that there is a continuous voters roll so that they do not have to go through any enumeration process which was and is the 95 per cent of the inconvenience in any type of vote.

Thirdly, there is always a possibility, and I would put forward that invariably it will happen, that there will be by-elections called during the three-year term and at which time they could go forward with a debenture.

Fourthly, I do not think that any municipality is so helter-skelter in its planning that it wakes up one Friday and says, "God, we have got to go to debenture on a Monday, on this item." I think there is enough of a planning cycle within the municipalities that major debenture votes are planned two or three years down the road. Obviously you are not going to go out and borrow a million and a half or three million dollars for a downtown water and sewer project without some major thought having to go into that and a timing schedule put in place.

The bottom line is that in order to rid these municipalities of minor inconvenience the government and the Executive Council would be put into the place of actually taking over from the ratepayers and deciding whether or not money should be borrowed and they should pay that money back out of their own pocket. On this one, it is not the government spending its money. It is people's money. It is money being spent by individual property owners in a community like this, who are going to have to pay that money back. I do not want to make that decision for them. I think that they are entitled to make that decision for themselves and to vote on that decision.

#### Technical Problems With The Motion

Now, those are my philosophical objections to the amendment, but I have some concerns with the actual motion itself. To start with the motion says, "...where the council has published the long-term borrowing by-law for four consecutive weeks in a newspaper", I have two questions. Does



that mean that the entire by-law has to be published in a newspaper? If so, that is a major expense. Secondly, what happens if the municipality does not have a newspaper? There are municipalities in the North that do not have newspapers. Some of them do not even have newspapers circulated within the municipality. Even in my home community, which is not that far from Yellowknife and within relatively easy distance of Yellowknife, newspapers like the News/North take two and three weeks to get there. So, I have some technical problems with that part of the motion because that would seem to limit it so that only municipalities with newspapers could then use this option.

Again, further down "...the Minister has not received a petition in prescribed form". What is the prescribed form? There is nothing in this act to prescribe the form for the petition or the way in which that petition would be presented or the type of petition that would have to be presented. "Five per cent of the population" has been taken care of. Obviously, it had to be the ratepayers if something like this had to go through because it is only the ratepayers who have to pay. Further on down, "...as determined by the latest census". Stats Canada, municipal census, territorial census?

CHAIRMAN (Mr. McCallum): Excuse me, Mr. Wray. The term "as determined by the latest census" has been deleted.

HON. GORDON WRAY: Sorry, Mr. Chairman, I missed that one. I was just getting wound up, eh? There are a number of technical problems with this motion that I have concerns with. I will not reiterate them, I just reiterated them.

With all respect, you know, I can see it being slightly inconvenient to a tax-based municipality but I think the price that we may have to pay to compensate for that slight inconvenience is perhaps one that we should think about twice. I really do not know if the intention of the tax-based municipalities was to have the Executive Council and the Minister of Municipal and Community Affairs start deciding on debenture loans. I cannot think of one that would come up, quite frankly. If I look at what a municipality is borrowing money for, one side of the coin is they borrow money to create new subdivisions or for water and sewer projects. They do not have to go to debenture for those anyway. On the other side of the coin, the only major reason they go to debenture is for major capital items or perhaps road maintenance projects. But we already fund those 50 per cent, so we already have a say in whether those go ahead or not because unless we agree to provide 50 per cent from our funds, then they are not going to go ahead. With regard to the major capital items, quite frankly I do not want to make that decision for the ratepayers. That is a decision that they are entitled to make, not mine.

CHAIRMAN (Mr. McCallum): Further to the motion as amended. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. I would just like to basically agree with the Minister. As this refers to "the Minister with the approval of the Executive Council", I, and I am sure the rest of the Executive Council, would hate to be in a situation where you had, say the ratepayers in Yellowknife, coming to us and lobbying us to exempt a by-law from having to go to the ratepayers, that was going to provide a new fire truck. Then on the other hand if there was something to build, a curling rink, or put a new ice plant in the curling rink because the old one had broken down, they would be lobbying us that we should not. We would be put in a position of having ratepayers lobbying us individually on issues that basically should be decided within a municipality. I just would not want to see that go ahead because it would mean the Executive Council would be getting involved in a battle in a municipality of whether a swimming pool should be built, or a curling rink or whatever. That is something that should be done within the municipality itself.

So I recommend that Members vote against this, although I do understand the expediency. I think that this is a case where expediency does not serve the ratepayers. In fact, the ratepayers then are put to the hassle of having to organize themselves and petition and come up with five per cent of the names. That might cause them more expense than it would have cost the municipality to just hold a vote in the first place. Thank you, Mr. Chairman.

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

#### Issue Not Brought To Standing Committee On Legislation

MR. MacQUARRIE: Thank you, Mr. Chairman. Certainly changing what is a fairly long-term and well-regarded means of determining whether long-term borrowing should be undertaken is quite a



significant matter to be sure and needs a lot of discussion. I have been uneasy about doing that because it is a significant thing and regrettably, we were only notified less than a week ago by the city that this was an issue. The matter had not been brought to the attention of the standing committee on legislation and was not discussed thoroughly at that time. So, getting the letter was a bit of a surprise and while I do, in a sense, want to be accommodating to the city government, I still feel very much that I have an obligation to be concerned about the ratepayers, who right at the moment would have an opportunity and a right to make a decision about that. I would have liked much more time than we have had to think about the matter and discuss it.

The one thing that concerns me is that if the motion were to pass, I would want it to be ensured that in the prescribed form which was called for -- and in the act, Mr. Minister, it does enable regulations to be made and, therefore, even though there is not a prescribed form now, there could be one developed under regulations. I think that it would be absolutely necessary, in that form, to inform the ratepayers of the right to challenge what the city was doing, to inform them of the means to petition and where to put the petition if they objected. I think that that would be absolutely necessary. I say that is necessary, if the motion passes. For myself, having heard the balance of the arguments that have been raised, I would just abstain from the motion, Mr. Chairman.

CHAIRMAN (Mr. McCallum): To the motion. Mr. Patterson.

HON. DENNIS PATTERSON: Yes, thank you, Mr. Chairman. Mr. Chairman, I come from a community where, unlike Yellowknife, ratepayers are a significantly small minority of the population. The majority of residents of the community and the majority of the members of council are not ratepayers. Therefore, the rights of ratepayers to have a voice in spending decisions are very critical in Iqaluit. As it is now, ratepayers have at least the right to approve long-term borrowing but as I understand what this amendment proposes, the Minister may approve an exemption and the ratepayers have to take the action to object. So, rather than the council seeking approval of the ratepayers they will go to the Minister and the ratepayers then have to take positive action to object. They have to take the initiative. I feel that this is basically unfair to communities with a small portion of ratepayers such as Iqaluit and basically undemocratic and I am going to vote against the amendment. Thank you.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Patterson. Further to the motion as amended. Mr. Richard.

MR. RICHARD: Thank you, Mr. Chairman. I appreciate the comments made. However particularly the responses of Ministers Wray and McLaughlin used exaggeration to make the point. Clearly, with the background I attempted to give, the proposed legislation before us in this bill, Mr. Chairman, is changing to a substantial degree the current regime. Now, Mr. Wray could say we are not changing the law, we are changing the practice. Clearly the system of a municipality having the opportunity to seek the ratepayers' approval to borrowing by-laws at the time of the municipal election once a year, that opportunity is going to be taken away in that fashion.

What I was proposing in this motion was that there would be a mechanism for, let me call them minor borrowings, and the Ministers, to make their points, used the exaggeration. No municipal council in its right mind would try and get a major borrowing through in this fashion, in other words, without the act of consent of the ratepayers, because they would be circumventing the ratepayer's and that would be undemocratic, to use Minister Patterson's term. It will be minor items that this proposal would be used for, and the Executive Council and the Minister would have that override if ever it was used for a major borrowing. Thank you.

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

Suggestion Should Come From-NWTAM

HON. TOM BUTTERS: Mr. Chairman, I will vote against the amendment. I think that should the motion carry, it would signify that we as an Assembly, we as a committee of the whole, are moving in haste. There is a process for dealing with recommendations and suggestions like this. The NWT Association of Municipalities does give long considerations to legislation which they collectively would want to put into place and this government responds to those requests and suggestions. I suggest that were we to act on the basis of a request made by the city of Yellowknife, some seven days old, that we are ignoring a process which has been in place for a decade or more, a process which we should respect and use. I would recommend that while the suggestion is a very good one, that it be put into the process and allow it to come through the NWTAM.

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

MR. MacQUARRIE: Thank you, Mr. Chairman. Yes, I had had my hand up before Mr. Butters spoke and that was the point that I was going to make. It is difficult for me to size up the merits on this short notice. I think that if the city feels strongly and has a good case, then I would also agree that we ought to do it in that way, to persuade other tax-based municipalities that this is the case. If the majority of them agree then they come to the Assembly pointing out why that kind of change is necessary. The Minister has indicated that the legislation we are passing is not to be a monument, that we anticipate that there will be subsequent changes and I think that kind of change could then be made.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. The reason I recognized Mr. Butters, is because you had already made comments. Mr. Butters had not. Just to let you understand why. There is a motion as amended on the floor. Are there further comments?

AN HON. MEMBER: Question.

Motion To Add New Subclause 151(5), Bill 5-87(1), Defeated

CHAIRMAN (Mr. McCallum): Question has been called. All those in favour of the amended motion, please signify in the usual manner and raise your hands. Those against. The amended motion is defeated.

---Defeated

I will recognize the clock now and we will take a 15 minute recess.

---SHORT RECESS

I call the meeting back to order. We are on page 37. Clause 151, long-term borrowing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 152, contents of long-term borrowing by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 153, term of debentures. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 154, requirements for debentures. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 155, forwarding of debentures to Minister. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 156, limit on lenders. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 157, use of borrowed money. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 158, undertaking local improvements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 159, contents of local improvement by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 160, public hearing and notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 161, consent of affected ratepayers. Mr. MacQuarrie.

No Provision For Governments As Ratepayers

MR. MacQUARRIE: The question had been raised in this section by the Inuvik council as to the Government of Canada, for example, which I believe owns a great deal of housing in Inuvik and the government of course pays grants in lieu of taxes. The question was if a local improvement affects government housing then the taxes and the grants in lieu of taxes go up and consequently it seemed that the government may wish to have a say with regard to local improvements but there appeared to be no mechanism outlined in the act that would provide governments with a say similar to other ratepayers concerning these local improvements. It was noted that in a community, for example such as Inuvik, it could have a significant impact but after discussion the Minister indicated that the government did not intend in these cases to have a voice in the matter. It did not wish to vote in the approval of local improvement by-laws and so the item was left just as it was. It does refer to ratepayers specifically.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. Any further comments on clause 161? Clause 161, consent of affected ratepayers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 162, levy of local improvement charges. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 163, where borrowing by-law exempt from ratepayers' approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Forgiveness of debts. Clause 164, prohibition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 165, procedure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 166, making grants. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Loans and guarantees. Clause 167, prohibition on loans. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 168, prohibition on guarantees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Investments. Clause 169, authorized investments. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Revenue. Clause 170, charges for municipal services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 171, reduction in rates. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Part V, enforcement. Clause 172, by-law officers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 173, municipal prosecutions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 174, power to issue orders. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 175, inspections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 176, notice of certain by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 177, use of ticket procedure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 178, injunction. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 179, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 180, exception for imminent danger. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 181, appeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 182, action at expense of person in default. I understand there is an amendment. Mr. Minister.

HON. GORDON WRAY: Yes, thank you, Mr. Chairman. I have some extra copies here. This is a section that quite frankly fell between the cracks. We have it in the present Municipal Act and when we were drafting the new act we simply forgot to put it in and it was only brought to our attention last week.

MR. MacQUARRIE: By the city of Yellowknife.

Motion To Add New Subclause 182(3), Bill 5-87(1), Carried

HON. GORDON WRAY: By the city of Yellowknife. Mr. Chairman, I first of all move that Bill 5-87(1), An Act Respecting Cities, Towns and Villages in the Northwest Territories, be amended by adding immediately after subsection 182(2) the following subsection: Marginal note "Collection of water and sewer charges". Then "(3) any charges levied pursuant to section 170 for the use of a sewage system or for water supply that have not been paid by the end of the fiscal year may be recovered in the municipal corporation from the person in default by charging it against the real property in respect of which the charges were levied in the same manner as arrears of property taxes under the Property Assessment and Taxation Act." This simply, Mr. Chairman, is an amendment to take this from the present Municipal Act and put it into this one. We neglected to do so.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. The amendment is in order. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, just for accuracy. I notice when the Minister was reading the marginal note he used the word "sewer" instead of "sewage". Just so it is accurate, it is "Collection of water and sewage charges" that I believe was intended.



CHAIRMAN (Mr. McCallum): Thank you. The note does say "sewage". Any further comments on the amendment? Question is being called. All those in favour of the amendment? Opposed, if any? The amendment to clause 182 is carried.

---Carried

Mr. Minister.

HON. GORDON WRAY: Mr. Chairman, I will bring forward the exact same amendment when we deal with Bill 10-87(1) and Bill 3-87(1) as well, just for your information.

CHAIRMAN (Mr. McCallum): Clause 182, action at expense of person in default. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 183, penalties for by-law offences. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 184, order respecting other matters. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 185, ownership of fines collected. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 186, offence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 187, penalty for offences under this act or by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 188, obstructing an officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Municipal inspectors. Clause 189, appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 190, mandatory inspections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 191, report. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 192, powers of municipal inspector. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 193, order placing municipal corporation under control of municipal administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 194, effect of order. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 195, powers and duties of municipal administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 196, limit on powers of municipal administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 197, bonding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 198, directions of Minister. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 199, municipal advisory committee? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 200, disposal of property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 201, power to establish rate of taxation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 202, books of account. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 203, financial statements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 204, approval for by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 205, costs of municipal administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 206, return of control to council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Part VI, dissolution. Clause 207, order of dissolution. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 208, liquidator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 209, transfer of assets. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 210, ownership of receivables. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Part VII, general and transitional. Clause 211, order varying time. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 212, public notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 213, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 214, continuation of municipal corporations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 215, continuation of by-laws, resolutions, rights and obligations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 216, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Part VIII, consequential amendments. The first one deals with the Curfew Act. Clause 217, interpretation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 218, by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 219. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 220. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 221. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 222, children on street in contravention. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Expropriation Act. Clause 223, expropriating authority. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Interpretation Act. Clause 224, municipality. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 225, reference to Municipal Act. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 226. Mr. Richard, I recall you mentioned something about clause 226. Mr. Richard.

Provision For Tax Sales May Be Lacking

MR. RICHARD: Thank you, Mr. Chairman. Just so I am clear with the undertaking of the Minister. If his officials' research confirms that the current draft legislation of this act and the bill that would enact a property and taxation act does not now include provision for tax sales and should include provision for tax sales, he will, prior to bringing the Property Assessment and Taxation Act into the committee of the whole, include in that other bill tax sale provisions which would be repealed by this clause 226.

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

HON. GORDON WRAY: I wonder, Mr. Chairman, if I could ask the Member to clarify just exactly what it is he is looking for, or what he would like to see. There seems to be some confusion as to just exactly what it is he is looking for.

CHAIRMAN (Mr. McCallum): Mr. Richard.

MR. RICHARD: Mr. Chairman, the current Municipal Act has a section in it, an entire number of sections in the Municipal Act, dealing with tax sales. This clause that you are now considering, Mr. Chairman, if agreed to would have the effect of repealing the entire Municipal Act, including those sections dealing with tax sales. There is not, in this bill, replacement provisions for tax sales. To my knowledge there are not, in the Property Assessment and Taxation Act, replacement provisions.

So, if we, say, agreed to clause 226, we have lost the provisions allowing the municipalities to list and advertise and sell land to collect their tax arrears. I have a concern that we not rush and repeal these provisions unless they are going to be replaced with something similar, and I understood the Minister's commitment earlier this afternoon to be that when his officials conclude their research on this item, if they confirm that, yes, there is a gap, he will include sections on tax sales in the property and taxation bill before it is brought into this committee of the whole



and if he can not make that commitment, Mr. Chairman, I, for one, do not feel we should be repealing the current provisions. And this is the time to halt that, because if they are not going to bring it in that other bill, then this should read something like, "The Municipal Act, except for sections x, y and z, is hereby repealed".

In a committee meeting, Mr. Chairman, that I was in attendance at last week when this was raised, the department told us that they intended to have no provisions in territorial legislation for tax sales because they were going to rely on provisions in the federal Land Titles Act.

Now I have not had the time, Mr. Chairman, to go through with a microscope the details of the federal Land Titles Act, but I do not believe the replacement provisions are there at all. The provisions of the Land Titles Act simply set up a procedure from the point in time when a municipality has gone through a tax sale, has found a buyer, has the money in hand and is coming to the court under the federal Land Titles Act for the court to confirm the sale and transfer of the title to the new owner. The process leading up to that, in other words, giving the municipality the right even to advertise land for collection of tax arrears, is not in the federal act and it is not in any of the bills that have been put before us.

Maybe I am wrong, and I appreciate that the officials need some time to determine in their own mind whether I am wrong or not, but until they do, I say, I have a caveat on clause 226, unless the Minister can make that commitment. Because I do not think, Mr. Chairman, the municipalities are aware that they might be losing their right to tax sales. I think they are.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Richard. Mr. Minister, do you want to comment?

HON. GORDON WRAY: Thank you, Mr. Chairman. I think the Member may be technically correct when he says they are losing their right to a tax sale but it has been done deliberately. What we are trying to achieve is the same end but just by a different means. That is what we are reviewing right now; to make sure that we, in fact, have that covered.

#### Communities Using Tax Sale To Expropriate Land

What we have, unfortunately, been discovering is that some municipalities are using the provisions of the tax sale to expropriate land. In other words, they seize a property and, instead of applying it to debts, they use it because they want that particular piece of land. We have said, "No", that there is an expropriation authority, that if they want to expropriate land, they have to go that route; they cannot use a tax sale to expropriate. So, what we are trying to do is to close this loophole and what we are saying is that in the Property Assessment Taxation Act, under the Seizures Act, a municipality can take the certificate of arrears and simply go to a sheriff the same way as any other civil debt, and say, "We are owed this money by this individual." The sheriff can then put that property up for public sale and the moneys accrued through that sale would -- or part of the moneys, depending on how much the sale accrued -- but the money from the public sale of that asset would then go to the municipality for the arrears in taxes, which we think achieves the same end. The tax sale provision put in there was only so that municipalities could collect their arrears in taxes. It was never meant for a vehicle for expropriation which, unfortunately, it has been used for.

So what we are trying to do is make sure the municipalities still get their money for their tax arrears but by doing it through the civil courts, through the sheriff and a public sale of the land. Now we think that PATA, Property Assessment Taxation Act, achieves that. However, Mr. Orr and Mr. Beaumont tell me that they are still reviewing it to make sure that, in fact, in the Property Assessment and Taxation Act, that there is provision under the Seizures Act for that process to, in fact, take place. So that is what we are reviewing right now. If it is found that, in fact, we cannot do that; then obviously we will have to make some adjustment.

#### Vehicle To Collect Tax Arrears Will Be Provided

I give that undertaking to do that because obviously a municipality must have some vehicle by which it can collect tax arrears. So the intention was never to take that vehicle away from them but simply to replace it with another vehicle which perhaps is a little bit more in keeping with what the tax sales provisions in the Municipal Act were intended for in the first place. Thank you.

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

MR. RICHARD: Well, Mr. Chairman, with a little more explanation than from the Minister now, I would have to ask that the Minister's officials provide a summary of their analysis and certainly their intentions. This is the first time I have heard that there has been a deliberate move to prevent a municipality from conducting a tax sale as it does currently.

I have heard the Minister and his officials refer briefly to this certificate of judgment or certificate of arrears mechanism. If they are hoping that that certificate and the usual provisions allowing creditors to collect their debts are going to replace the current municipal tax sale system, it is not the same. I think we, at a minimum, would be entitled to hear a comparison of the current collection procedures that municipalities use because they have a preference against the land to which the taxes relate.

A certificate of arrears or a certificate of judgment, as I have heard it explained, is no such preference against land. In fact, if they are going to call on the sheriff and the provisions of the Seizures Act, they are going to be required to exhaust the taxpayer's other goods. They are going to have to get the sheriff to sell all the person's chattels, vehicles, etc., before they are going to be entitled, by law, to sell the land. That is quite a bit different from what the current system is. And also, I believe, there is going to be a different time frame, a longer time frame before which the sheriff or the municipality can sell the land. There is a two-year waiting period, as I recall, in the general seizures provisions but not in the Municipal Act at present.

So, Mr. Chairman, the dilemma I have is that we need more of an explanation as to what is going to replace the tax sale provisions before we should be repealing the current legislation. I would be opposed to giving agreement at this time to clause 226. Thank you.

CHAIRMAN (Mr. McCallum): Further comments, Mr. Minister?

HON. GORDON WRAY: Far be it for me to get into an argument between lawyers on this provision. I am advised, though, in terms of the length of time, for example, that, say in the case of tax sale, you can only start conducting a tax sale one year after December 31st of the year in which the taxes were owed. So, for example, if I owed taxes for this year, they would have to wait for a year from December of 1987 to begin procedures under a tax sale, if I am correct. So, in fact, there is a very long length of time in terms of a tax sale. I guess the question I have to field back to the Member is that, to me, a tax sale has one end or is justified for one purpose only, and that is to collect back taxes. You know, quite frankly, the municipalities may have brought this on by themselves by using the tax sale provision to expropriate land.

#### Tax Sale Provision Never Meant For Municipalities To Acquire Land

The tax sale provision was never meant for municipalities to acquire land. It was meant to acquire back taxes. And because of this we have had to move to try to cut this loophole off and give them another avenue by which to collect those taxes. Really, it is the Property Assessment and Taxation Act where this should be addressed. That is where the debate should be heard. The officials are working on a review of it right now and, hopefully, when we get to Property Assessment and Taxation Act, we will have a clearer statement to make on exactly what it means for the municipalities. Other than that, there is not much I can say at the present point in time.

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

MR. RICHARD: Mr. Chairman, just one other comment, and I should have made it when I had the mike before, because Mr. Wray has reminded me of one of the statements. He indicates a concern that the municipalities are abusing a right that they have under the current legislation, and that is that, quite apart from advertising land for tax sales, a municipality is entitled to exercise a prerogative that they have of taking the land themselves for the value of the taxes, I believe.

But that is just one provision of the tax sales. I am sorry I do not have the Municipal Act in front of me, but in the current Municipal Act, if it has 100 lines of legislation on tax sales, one or two of those lines deals with that prerogative. And if that is the real concern of the government, perhaps they should be repealing those one or two lines and leave the tax sale provisions there -- take away that prerogative, if indeed that is desirable. I am not saying that it is, but I think if that is the real harm that the government is addressing, they are using a sledge hammer when they should use a fly swatter, because that prerogative of municipalities to take the land for its own taxes is only one small portion of the entire tax sale regime. Thank you.

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

Much Cleaner And Much Simpler Process

HON. GORDON WRAY: Thank you. Just a couple of comments. First of all, the Member is correct when he says that the present Municipal Act gives the municipalities the prerogative to take the land. Our problem is that that is the only prerogative they are using. They are not using any provision other than this prerogative.

Secondly, we felt that what we had come up with was, quite frankly, much cleaner and a much simpler process for the municipalities than the present tax sale one, which is a very cumbersome process, and that was the advice we had received from the two departments, Municipal and Community Affairs and the Department of Justice. So other than that, all I can say is we will try to address it before the Property Assessment and Taxation Act comes up. Thank you.

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

MR. NERYSOO: Thank you, Mr. Chairman. I was just going to recommend to the Minister that he allow this section to remain unapproved at this particular time with the idea of reporting back to the Assembly or to the committee of the whole, because the Minister can always suggest an amendment at third reading and get on with the other sections and allow the Minister to report back to the House.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Nerysoo. Mr. Minister, do you have a comment on that? Anything further on clause 226? Mr. MacQuarrie.

MR. MACQUARRIE: Yes, just a couple of things that I would like clarified in my own mind. It seems that there is a disagreement here. In fact, the Minister is saying that as a matter of principle, they do not wish municipalities to have the right to seize land under tax sales, that the government department wants a municipality to be able to have the means to recover the taxes that are owed but not through the means of just taking the land in lieu of the taxes. My colleague from Yellowknife South said, if that is the case, why not just repeal the two lines or whatever it is that has been the cause of the abuse? I do not think that was answered in the Minister's answer, so I would like to hear that.

The other concern that I have is that I know municipalities for some time had access to the Cities, Towns and Villages Act and the Hamlets Act and so on, and in all of those, this section would be present, and that you are planning to repeal the existing Municipal Act. So they would have been aware of that, but it would have been only on the release of the Property Assessment and Taxation Act, which occurred two to three weeks ago, when they would have discovered that there was no replacement for the section that is being repealed with respect to tax sales. So my question to you is, are the municipalities generally aware? Had they been aware before seeing it, that that was what was intended? Is the Minister doing it because municipalities have asked him in some way to improve those circumstances or is it the department itself which has decided that there was abuse and that this must be changed? Has any effort been made in the last couple of weeks to determine what municipalities feel about what is occurring here?

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

Municipalities Do Not Agree With New Process

HON. GORDON WRAY: Thank you, Mr. Chairman. First of all, I am advised they know about it but they do not agree with it. They preferred the old method. We, quite frankly, did it because of what Mr. Richard said. In fact, there are about 40 sections dealing with tax sales, which is an extremely cumbersome piece of legislation, extremely complicated. In fact, none of the legislation that we had was being used. The only thing that the municipalities were using was the prerogative to seize the land. They were not using any of the other provisions. What Justice and departmental officials came up with was, they thought, and it is their opinion, that what we are replacing it with in Property Assessment and Taxation Act is a much simpler and much cleaner and a much easier process for the municipalities.



So I guess it really comes down to, where is the dispute? And I guess the dispute centres around the ability of the municipality to seize land in lieu of taxes. I guess I have to reiterate our position: We do not think that that is what tax sale provisions are for, or the intention of tax sale provisions was never for the municipalities to use that provision for expropriation. It was to collect back taxes. So we have come up with another system for them to do the exact same thing, to collect the back taxes, which we think is much simpler and much cleaner. So I guess my answer to Mr. MacQuarrie is that you know what we have got, we think, achieves the same thing and it is a much simpler way to do it and a much cleaner way to do it, and, yes, the municipalities are aware of it and they are not happy and they do not agree with us.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Are there any further comments? How does the committee want to proceed? We are on clause 226. Mr. Richard.

MR. RICHARD: Mr. Chairman, I would move that we defer further consideration of clause 226 until such time as the bill to replace the sections being repealed on property assessment, taxation, collection of taxes and tax sales is before this committee.

CHAIRMAN (Mr. McCallum): Mr. Richard, are you moving that as a motion? We are going to take about five minutes to pick up a few more people. Perhaps we could have a copy of it. Mr. Richard, that is why I asked you, did you make the motion? However, if you wanted simply to pose a question to me to ask the committee you could have done that that way. I never received any motion from Mr. Richard. Does the committee agree then to set aside clause 226?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Thank you. Summary Conviction Procedures Act. Clause 227. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 228. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 229. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 230. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 231. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Do you want to say something, Mr. Minister?

HON. GORDON WRAY: Thank you. As we have been going through this we have picked out three sections that need minor amendments. They are just mistakes that were made either in printing or transmittal and I wonder if committee would indulge me in going back to the three sections.

CHAIRMAN (Mr. McCallum): Does the committee agree, then, to return to those sections of the bill?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Proceed, Mr. Minister.

HON. GORDON WRAY: I realize you are new at this, Mr. Chairman. The first one is section 72(1)(a), page 20, Mr. Chairman. I guess I will have to move an amendment. Is that correct?

CHAIRMAN (Mr. McCallum): In the words of my esteemed lawyer colleague, yoah. Yes, Mr. Minister.

Motion To Amend Paragraph 72(1)(c), Bill 5-87(1), Carried

HON. GORDON WRAY: Thank you, Mr. Chairman. Section 72(1)(a), I move that Bill 5-87(1), An Act Respecting Cities, Towns and Villages in the Northwest Territories, be amended by deleting the word "municipality" and substituting "municipal corporation".

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. The amendment is to change the word "municipality" to "municipal corporation". In order.

AN HON. MEMBER: Question.

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

---Carried

Mr. Minister.

Motion To Amend Subclause 86(2), Bill 5-87(1), Carried

HON. GORDON WRAY: Thank you, Mr. Chairman. The next is on page 22. Mr. Chairman, I move that Bill 5-87(1) An Act Respecting Cities, Towns and Villages in the Northwest Territories, be amended by adding immediately after the word "annual" in subsection 86(2), "or seasonal". That would now read "a council may, by by-law, provide for an annual or seasonal clean up". This is consistent with the changes that we made in other bills and we just forgot to do it in this one. And deleting "annual" from the marginal note.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Committee has heard the amendment. Are there any comments or questions?

AN HON. MEMBER: Question.

CHAIRMAN (Mr. McCallum): Question being called for. All those in favour signify in the usual manner. Against. Thank you. The motion is carried.

---Carried

Motion To Amend Subclause 179(6), Bill 5-87(1), Carried

HON. GORDON WRAY: One final one, Mr. Chairman. On page 45, subclause 179(6). Mr. Chairman, I move that Bill 5-87(1), An Act Respecting Cities, Towns and Villages in the Northwest Territories, be amended by deleting in subclause 179(6), the words "owner or occupier" and substituting the word "person". This is to make it consistent with 179(4), Mr. Chairman.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Committee has heard the amendment. Are there any comments or questions?

AN HON. MEMBER: Question.



CHAIRMAN (Mr. McCallum): Question is called. All those in favour? Against? The motion is carried.

---Carried

Thank you. We will not be able to proceed any further on Bill 5-87(1) until we resolve the business of clause 226. What is your wish now?

AN HON. MEMBER: Bill 10-87(1).

Bill 10-87(1), Hamlets Act

CHAIRMAN (Mr. McCallum): Members have Bill 10-87(1) before them. We left off, Mr. Minister, I think on page 10, clause 31. We have approved clause 30, we are now on clause 31. Mr. Erkloo.

MR. ERKLOO: (Translation) Thank you, Mr. Chairman. I wonder if it would all right if we go back to clause 14.

CHAIRMAN (Mr. McCallum): Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Proceed, Mr. Erkloo.

Motion To Add New Subclauses 14(3), 14(4) And 14(5), Bill 10-87(1)

MR. ERKLOO: Thank you, Mr. Chairman. I would like to move an amendment to this section. Mr. Chairman, I move that Bill 10-87(1), An Act Respecting Hamlets in the Northwest Territories, be amended by adding immediately after subsection 14(2) the following subsection: Marginal note, "Increase in terms of a mayor", subsection (3), "The council may, by by-law, increase the terms of office of the mayor to three years." Marginal note, "Effect of variation", subsection (4), "A by-law made under this section applies to the next election of the mayor following the making of the by-law if it is made at least 270 days before the date of that election." Marginal note, "Restriction of repeal of by-law", subsection (5), "A by-law made under this section cannot be repealed until after two elections of the mayor have occurred since it was made unless repealed sooner with the prior approval of the Minister." Thank you.

CHAIRMAN (Mr. Richard): Thank you, Mr. Erkloo. Do Members wish to have a copy of Mr. Erkloo's motion? The motion is in order. To the motion. Mr. Erkloo, did you want to speak further to the motion, sir?

MR. ERKLOO: (Translation) Thank you, Mr. Chairman. In this legislation in the Cities, Towns and Villages Act it included that there will be a three-year term for councillors or mayors. I think it would be best if this was included in the Hamlets Act so that the councillors are given the opportunity to learn their roles within the council. But the Minister was also saying earlier that some hamlets want councillors to be serving for only one-year terms and for that reason so that we can arrive at a middle ground, I think that since the councillors are going to be elected for two-year terms then it is only fair that the hamlets be given the option of increasing the terms of office to three years by by-law. I would like to see your support in this motion I just made. Thank you.

CHAIRMAN (Mr. Richard): Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. Regarding the motion that was just proposed, when the legislation committee had a meeting I supported this proposed act. In Baffin Region, during the BRC session, there was a committee appointed and they reiterated that they want to have a three-year term for the mayor and I believe that the communities have a valid concern. From what Elijah Erkloo was saying, I think it is pretty clear to us why we should go for a three-year term because people do not really know when a good mayor is there and if they have to have an election so often they may lose a good mayor, so I am in support of Mr. Erkloo's motion. I just wanted to state my position. Thank you.

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

MR. MacQUARRIE: Yes, all along when I heard Mr. Erkloo putting his case I was generally supportive but I recognized last week when we dealt with it that the government seemed to be concerned about allowing this and so I was interested to hear what the government had to say. I understand now that the government generally is open to this and does not have serious concerns. So, certainly, in that case, I would like to support it because generally I feel we want the legislation to be as flexible as possible and so where there are situations where a local option can be introduced without causing complications for other places, my own inclination is to want to support that kind of local option. Certainly, this seems to be one of those circumstances and I would like to vote in favour of the motion.

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

AN HON. MEMBER: Question.

Motion To Add New Subclauses 14(3), 14(4) And 14(5), Bill 10-87(1), Carried

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

---Carried

Clause 14, as amended. We are on clause 14, term of office, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): We turn now to page 10 of Bill 10-87(1). Clause 31, rules for public meetings -- in Fort Providence and elsewhere. Clause 31, rules for public meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 32, validity of resolutions and by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 33, entitlement to vote. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 34, deemed resignation for non-attendance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 35, indemnities and allowances to council members. Agreed? This is for municipal council members. Mr. Appaqaq.

Honorariums For Mayors

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. I would just like further clarification on this section. We do not have any by-laws regarding the allowances paid to the mayor. We have tried to tell the government that our mayor should be paid more for an honorarium but since we do not have a by-law we cannot pay our mayor even though he does a lot of work for us. He only lives

by carving because he does not get enough money for being a mayor and for serving. I would just like further clarification. If a hamlet council were to make a by-law regarding the allowances for the mayor and if a council requested such funding or increase in the mayor's honorarium of the Minister, can you clarify for me if that would be possible and if you would make funds available to pay the mayor?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. The hamlets are funded to provide honorariums to their council members and to their mayor. It is entirely up to them how they distribute those funds. I do not know what the going rate is but I think it is \$25 to a council member for a meeting; \$50 to the deputy mayor and \$75 to the mayor for every regular meeting. That is usually what is paid, or you know, the annual honorariums. But the councils are certainly funded for it. If the mayor is not getting any honorariums in Sanikiluaq then it must be because the council has decided not to give him any. If what they want is for the mayor to have an annual salary then, no, we do not fund that, but if the hamlet wishes to pay the mayor a salary then they can by all means do so but they just have to find the money from within their own budget, which means that they may have to cut something else or do a budget restraint exercise. But they are certainly funded to pay the mayor honorariums.

In terms of having a by-law, most communities have by-laws. We are not saying here they "shall" have one but we are saying they "may" have one which fixes the rate of honorariums for all of their committees and councillors and mayors and that is what this section is intended to do. If they wish to have a by-law they can do so.

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

MR. APPAQAQ: (Translation) Thank you, Mr. Chairman. The legislation that we are dealing with right now makes a lot of reference or it spells out many duties that a mayor has to perform and he has to attend all the meetings that are called by the hamlet. He has a lot of responsibility. He cannot support himself on \$500 a month which is paid as an honorarium, if he has a large family. That is not fair because everything we have to buy is very expensive nowadays. Regarding the response that you just gave me, if the hamlet council's by-law requests money to pay their councillors and mayor, we like that, but it has not been approved. It has been refused in the past and we have been told that the \$500 a month is sufficient to pay the mayor. We know that it is not sufficient so we will try to make a by-law again and submit it for the Minister's approval regarding the mayor. Thank you.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. I would like to make it clear that I will not approve any by-law calling for an annual salary to a mayor if in fact the request is coming to me for money for that salary. There is no mayor's job in the Eastern Arctic or in Nunavut, either in Baffin, Keewatin or Kitikmeot, that is a full-time job. The mayor's job was never intended to be a full-time job. It is a part-time job and in fact the only community in the Northwest Territories that has a full-time mayor is the city of Yellowknife, which is a city of 12,000 or 14,000 people. But you cannot tell me that a hamlet of Sanikiluaq with 400 people needs a full-time mayor -- there is no way.

CHAIRMAN (Mr. Richard): Thank you, Mr. Minister. Clause 35, indemnities and allowances to council members. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 36, protection for council members. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 37, record of voting. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 38, keeping of minutes. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 39, public inspection of records. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 40, presiding council member. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 41, responsibility to council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 42, deputy mayor. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 43, acting mayor. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 44, senior administrative officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 45, appointment and designation of duties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 46, prohibited officers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 47, bonding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. Richard): Clause 48, delegation by council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 49, other duties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 50, employees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 51, prohibited employees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 52, terms of employment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 53, indemnification of employees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 54, prohibition on paying employees' fines. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Part III of this Bill 10-87(1), by-laws, general. Clause 55, limit on power to make by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 56, geographical limitation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 57, readings of by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 58, requirements for by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 59, effective date of a by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 60, posting of copies. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 61, time for obtaining any approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 62, limit on resubmission for approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 63, petition for by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 64, procedure for obtaining approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 65, entitlement to vote. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 66, amending or repealing a by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 67, evidence of by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 68, disallowance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 69, application to quash. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 70, authority over roads. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 71, incidental powers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 72, construction. Mr. Minister.

Motion To Amend Paragraph 72(1)(a), Bill 10-87(1), Carried

HON. GORDON WRAY: Thank you, Mr. Chairman. At this time, I would like to make an amendment. Mr. Chairman, I move that Bill 10-87(1), An Act Respecting Hamlets in the Northwest Territories, be amended by deleting in section 72(1)(a) the word "municipality" and replacing it with "municipal corporation".

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

AN HON. MEMBER: Question.

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

---Carried

Clause 72 as amended, construction. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 73, removal of snow and other obstructions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 74, limitation of actions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 75, encroachments. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 76, closing roads. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 77, temporary closure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 78, public notice and hearing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 79, establishment of sewage and drainage system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 80, operation, maintenance and alteration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 81, source of funding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 82, regulation of use of system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 83, regulation of private system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 84, mandatory connection to system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 85, costs of connection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 86, incinerators, garbage dumps, toilets and garbage collection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 87, mandatory use of garbage collection system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 88, regulation of drains, cesspools, septic tanks and toilets. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 89, sale or use of by-products. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 90, establishment of water distribution system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 91, operation, maintenance and alteration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 92, source of funding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 93, regulation of private system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 94, mandatory connection to system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 95, costs of connection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 96, parking facilities, trailer parks and mobile home parks. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. Richard): Clause 97, establishment and operation of municipal airports. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 98, fire protection service. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 99, building control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 100, agreements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 101, regulation of dangerous goods. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 102, establishment and operation of ambulance service. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 103, public health and contagious diseases. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 104, cemeteries and disposal of the dead. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 105, recreation programs, services and facilities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 106, National Building Code of Canada. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 107, designation and classification of heritage resources. Mr. MacQuarrie.

Heritage Resources Provisions In All Municipal Legislation

MR. MacQUARRIE: Yes, I will just take the time to note, Mr. Chairman, that in going through this bill one reason that there are so many "agrees", one after the other, is that the provisions in this bill are essentially the same as the provisions in the Cities, Towns and Villages Act. The major difference between the Cities, Towns and Villages Act and the Hamlets Act is in municipal taxing authority and, of course, the new legislation will provide that hamlets and charter communities can apply to become municipal taxing authorities. Many of the other provisions are just the same and the reason I noted that here is because in the Cities, Towns and Villages Act I had pointed out that after the matter of heritage resources was raised, the government had introduced a change into the Cities, Towns and Villages Act giving municipalities that power. I just wanted to point out that wherever they made a change in the Cities, Towns and Villages Act that they have made similar changes in the Hamlets Act and Charter Communities Act as well so that the heritage provisions are in this act.

CHAIRMAN (Mr. Richard): Thank you, Mr. MacQuarrie. Clause 107, designation and classification of heritage resources. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 108, building permits. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 109, compulsory demolition, etc. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 110, definition of "business". Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 111, business licensing and regulation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 112, time of opening and closing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 113, compliance with Workers' Compensation Act. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 114, regulation of taxis. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 115, public transit system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 116, regulation of animals. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 117, enforcement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 118, insect control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 119, snares and traps. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 120, noise. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 121, air pollution. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 122, defacing property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 123, regulation of adult publications. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 124, discharge of firearms. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 125, sale and use of fireworks. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 126, removal and disposal of inoperable vehicles. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 127, grant of franchises. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 128, term. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 129, flag, crest and coat of arms. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 130, census and civic holiday. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 131, power to contract. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 132, powers respecting property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 133, no carrying on of business. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 134, prohibition on exemptions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 135, limit on powers after election day. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): We move to Part IV, financial affairs. Clause 136, fiscal year. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 137, adoption of budget. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 138, forwarding copy of budget. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 139, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 140, expenditure control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 141, deposit of moneys. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 142, disbursements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 143, general municipal fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 144, other funds. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 145, preparation of financial statements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 146, auditor. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 147, compulsory revocation of appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. Richard): Clause 148, auditor's report. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 149, prohibition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 150, temporary borrowing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 151, long-term borrowing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 152, contents of long-term borrowing by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 153, term of debentures. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 154, requirements for debentures. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 155, forwarding of debentures to Minister. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 156, limit on lenders. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 157, use of borrowed money. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 158, undertaking local improvements. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, just before you move on, Mr. Chairman, all of those provisions with respect to long-term borrowing would apply where the hamlet had become a municipal taxing authority. Perhaps the Minister could just point out what the procedure would be with respect to a hamlet applying for that authority and whether it would involve any change in the status of the municipality and so on. Just for public information.

CHAIRMAN (Mr. Richard): Mr. Minister.

Procedure To Become A Municipal Taxing Authority

HON. GORDON WRAY: Thank you, Mr. Chairman. It is a relatively simple procedure. Simply, the hamlet would apply to the Minister and ask to become a municipal taxing authority. The Department of Municipal and Community Affairs would then do an assessment of that feasibility and if in fact it appeared or did not appear that it was proven that in fact by becoming a municipal taxing authority the hamlet could raise a substantial amount of its revenues through taxing, unlike say a tax-based municipality which may raise all of its revenues, the hamlet could raise part of its revenues and obviously it would then be able to borrow money as well against any revenues that it can raise. I think it is 10 per cent of its assessment base. But we would then take a look at it. If it made sense we would approve it. The fiscal year would then change, it would have to switch from a fiscal year to a calendar year to bring it in line with all of the other provisions. But it would speed them along the way to becoming very close to a tax-based municipality. The only difference would really be that the hamlet taxing authority or the municipal taxing authority would not quite be able to raise all of its revenue but perhaps a substantial proportion of it. They just go to the Minister and the Minister would then do the feasibility study, take it to the Executive Council and then the Executive Council, if it agreed and by order, would establish that municipality as a municipal taxing authority. Thank you.

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

MR. MacQUARRIE: And would it then, Mr. Minister, be just a matter of the hamlet being able to add, in addition to all the money that it is receiving from the Government of the Northwest Territories under the grants structure, all of the revenue that was raised by taxing or could it mean that GNWT grants to the municipality might be downsized to be commensurate with the money that was being raised in the municipality?

CHAIRMAN (Mr. Richard): Mr. Minister.

HON. GORDON WRAY: Thank you. We would very much take it on a case by case basis and probably establish a formula, you know, determined by the situation. But I think, yes, you could safely say that we would see a significant decrease in the grants which were made available to the hamlets. But I do not say that the grants would decrease exactly to correspond with the amount of revenue. There may very well be an incentive left in there for the municipality. In addition, the municipality would then become able to borrow money based on its assessment base, which it cannot presently do. So, it would have the added power to go out to debenture and borrow money based on what its revenues are and what it can repay out of those revenues. Thank you.

CHAIRMAN (Mr. Richard): Thank you, Mr. Minister. We were on page 41 of Bill 10-87(1), local improvements. Clause 158, undertaking local improvements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 159, contents of local improvement by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 160, public hearing and notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 161, consent of affected ratepayers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 162, levy of local improvement charges. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 163, where borrowing by-law exempt from ratepayers' approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Forgiveness of debts. Clause 164, prohibition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 165, procedure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Grants. Clause 166, making grants. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Loans and guarantees. Clause 167, prohibition on loans. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 168, prohibition on guarantees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Investments. Clause 169, authorized investments. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Revenue. Clause 170, charges for municipal services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 171, reduction in rates. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Move to Part V of Bill 10-87(1) enforcement. Clause 172, by-law officers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 173, municipal prosecutions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 174, power to issue orders. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 175, inspections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 176, notice of certain by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 177, use of ticket procedure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 178, injunction. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 179. Mr. Wray.

Motion To Amend Subclause 179(6), Bill 10-87(1), Carried

HON. GORDON WRAY: Thank you, Mr. Chairman. I would like to move a similar amendment to the one that I moved for the Cities, Towns and Villages Act. Mr. Chairman, I move that Bill 10-87(1), An Act Respecting Hamlets in the Northwest Territories, be amended by deleting the words "owner or occupier" from subsection 179(6) and substituting the word "person".

CHAIRMAN (Mr. Richard): Thank you, Mr. Minister. Your motion is in order.

AN HON. MEMBER: Question.

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

---Carried

Clause 179, as amended, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 180, exception for imminent danger. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 181, appeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 182, action at expense of person in default. Mr. Minister.

Motion To Add New Subclause 182(3), Bill 10-87(1), Carried

HON. GORDON WRAY: Thank you, Mr. Chairman. Again another amendment, Mr. Chairman. This is the one that I made the last time in the Cities, Towns and Villages Act. Mr. Chairman, I move that Bill 10-87(1), An Act Respecting Hamlets in the Northwest Territories, be amended by adding immediately after subsection 182(2), the following subsection: marginal note "Collection of water and sewage charges", and then "(3) Where the municipal corporation is a municipal taxing authority any charges levied pursuant to section 170 for the use of a sewage system or for water supply that have not been paid by the end of the fiscal year may be recovered by the municipal corporation from the person in default by charging it against the real property in respect of which the charges were levied in the same manner as arrears of property taxes under the Property Assessment and Taxation Act." Thank you.

CHAIRMAN (Mr. Richard): Thank you, Mr. Wray. Your motion is in order. Question has been called. All those in favor of the motion? Opposed, if any? The motion is carried.

---Carried

Clause 182, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Penalties and offences. Clause 183, penalties for by-law offences. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 184, order respecting other matters. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. Richard): Clause 185, ownership of fines collected. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 186, offence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 187, penalties for offences under this act or by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 188, obstructing an officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 189, appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 190, mandatory inspections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 191, report. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 192, powers of municipal inspector. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 193, order placing municipal corporation under control of municipal administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 194, effect of order. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 195, powers and duties of municipal administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 196, limit on powers of municipal administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 197, bonding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 198, directions of Minister. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 199, municipal advisory committee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 200, disposal of property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 201, power to establish rate of taxation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 202, books of account. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 203, financial statements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 204, approval for by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 205, costs of municipal administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 206, return of control to council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 207, order of dissolution. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 208, liquidator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 209, transfer of assets. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 210, ownership of receivables. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 211, order varying time. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 212, public notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 213, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 214, continuation of municipal corporations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 215, continuation of by-laws, resolutions, rights and obligations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Clause 216, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Short title of the bill, clause 1 on page one. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Does the committee agree that Bill 10-87(1), is ready for third reading as amended? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Richard): Thank you. Mr. Butters, what is your pleasure now, sir?

HON. TOM BUTTERS: May we proceed to Bill 3-87(1), Mr. Chairman?

Bill 3-87(1): Charter Communities Act

CHAIRMAN (Mr. Richard): Bill 3-87(1), An Act Respecting Charter Communities in the Northwest Territories. Mr. Wray, did you wish to make an opening statement? He is nodding his head back and forth, signifying nay. Did Mr. MacQuarrie, the chairman of the standing committee on legislation, have any introductory remarks?

Comments From Standing Committee On Legislation

MR. MacQUARRIE: Yes, this is new legislation. The Minister had, in his introductory remarks for all of the local government legislation, spoken a little bit about the idea of charter communities and legislation governing charter communities. It should be noted that charter communities, like hamlets, can apply to be municipal taxing authorities, and that, in fact, communities that have presently a different status -- it is not only settlements that can apply to be charter communities but, for example, a hamlet existing at the present time would have the right to apply to become a charter community and have its constitution negotiated with the government. Whatever is negotiated would be included in the community charter.

Many of the provisions in this act, once again, are the same as provisions in the Cities, Towns and Villages Act. So, once again, there will be many places where there is nothing different and, once this committee has agreed to those elements in the Cities, Towns and Villages Act, it is just a matter of assenting to have them included in this act as well. But here and there there are significant differences and those will be noted at the time.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. Are there any general comments? What is the committee's wish?

AN HON. MEMBER: Clause by clause.

CHAIRMAN (Mr. McCallum): Clause by clause? Clause 2, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 3, public notice of establishment of charter community. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 4, objection to incorporation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 5, community consultation and approval. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, perhaps just worth underlining at this point that clause 5 says that, no charter community shall be established unless (a) the Minister consults with such persons and groups, including any band council or other local aboriginal organization, in the proposed municipality and (b) that the proposed community charter is approved by 60 per cent of the voters in the proposed municipality who vote. So, that is the basis on which communities can become charter communities.

CHAIRMAN (Mr. McCallum): Thank you. Any comments? Clause 5, community consultation and approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 6, procedure to obtain approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 7, establishment of a municipal corporation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 8, interpretation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 9, saving provision for change in status. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 10, request to vary boundaries. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 11, contents of community charter. Agreed? Mr. MacQuarrie.

#### Community Charters

MR. MacQUARRIE: Yes, this is really, in a sense, the nub, the whole bill and it is fairly brief. I think it would be worth while, just for the record, to read in clause 11. The section is community charters and 11 says a community must (a) describe the composition of the council; (b) specify the names by which the council, the mayor and councillors are to be known; (c) specify the length of the term of office for a council member; (d) specify if the terms of office for council members are staggered; (e) specify how terms of office are to be allocated among council members



if the terms of office are staggered; (f) specify the dates when the terms of office for council members begin and end; (g) specify the manner in which council members are to be appointed or elected; and (h) specify which powers to pass by-laws under Part III are to apply to the charter community.

So, in other legislation, these things generally are limited; in the charter communities legislation, they are matters for negotiation with the Government of the Northwest Territories and whatever is negotiated then would become the constitution of the community. They could vary from community to community.

CHAIRMAN (Mr. McCallum): Thank you, Mr. MacQuarrie. Any comments from Members? Clause 12. Ms Cournoyea.

MS COURNOYEA: Just a general question to the Minister as to the intent of the particular charter community legislation. It is my understanding that this particular legislation is mainly to politically marry varying organizations together and it does not imply, with the involvement of, say, a band council and a hamlet council, that the implications are financial, to keep the organizations which you are marrying together alive and well. That is not the intent of the legislation?

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

HON. GORDON WRAY: Thank you, Mr. Chairman. No, the intent is not to marry the financial aspects of the organizations together, only the political aspects. The financial part of a band council would stay separate from anything to do with the charter community. The charter community would have its own budget, funded similarly to hamlets and would have nothing to do with the running or the operating of a band council and its responsibilities under the Indian Act.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Clause 12. Mr. MacQuarrie.

#### Provisions Of Local Authorities Elections Act

MR. MACQUARRIE: Yes, the legislation was introduced to try to provide a fair degree of flexibility because of the different types of communities we have. And in providing that flexibility, in this clause 12(a), it says that community charters may vary any provision of the Local Authorities Elections Act, except certain provisions. Perhaps I could ask the Minister, for the public record, to point out which are the kinds of provisions in the Local Authorities Elections Act that cannot be varied when a charter community is being established. They are numbered there but that does not say a great deal.

CHAIRMAN (Mr. McCallum): Mr. Minister. What are sections 10, 11, 12, 13 and 14 referred to under subparagraph (i)?

HON. GORDON WRAY: Thank you, Mr. Chairman. Section 10 relates to public notice and the fact that all public notice provisions must take place for any election in a charter community, which essentially is to ensure that there can be no claims that people did not know there was an election or anything like that. So the same public notice provisions for hamlets exist for charter communities.

Section 11 prescribes the election day and the various variations that can take place in regard to local education authorities. Section 12 is the election dates, advance vote, the notice of election, posting the list of voters, close of nominations, calling for nominations, appointment of returning officers; it is all prescribed so that there can be no fooling around with that. By-election dates and holidays are also covered. One of the things obviously that remains inviolate is the secret vote. There must be a secret ballot regardless of what type of structure we negotiate. That is one section of the Elections Act which we just absolutely cannot compromise on.

This was brought to the attention and was raised by the chairman of the standing committee in committee hearings and I agree with it, that the secret vote cannot be touched at all. I guess there had been some comments that we should go to a vote by hands and stuff like that, but no, the government insists on the secret vote. So those are sections 10, 11, 12, 13 and 14.

The eligibility clauses 18 and 19, except to perhaps increase the period of residency which can be negotiated. Section 21 deals with people who cannot be nominated, and sections 28 to 35 deal with the election officers and the rules governing election officers. Subsection 50(3) is the secret ballot provision, section 51 is with regard to the proceedings and all of the other sections are with regard to the rules surrounding the election. So essentially 12(a)(i), (ii), (iii), (iv), (v) and (vi) are the rules about the elections, the rules on election officers, the rules on nominations and they are all similar throughout all of the legislation. So those very basic rules cannot be negotiated. They are inviolate. Thank you.

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

#### Period Of Residency

MR. MacQUARRIE: Yes, I noticed that something that can be buried is the period of residence. I know this was one of the reasons why some of the communities wanted to go to a charter community. A question for myself, just as an ordinary Member not as the chairman of the standing committee on legislation. The legislation does not provide for any upper limit on residency. Does the government, by policy, have something in its mind at the present time with respect to limitation or is it leaving it wide open and, say, allowing a 10-year residency requirement and if someone does not like that, leaving it up to them to challenge in the courts?

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

HON. GORDON WRAY: A leading question. No, we have not established an upper limit. Simply because, quite frankly, we do not know what upper limit would be acceptable to the courts. However, I can indicate that we will be following by rule of thumb about a three-year maximum clause. We think that probably three years is about as much as a community may get away with in the courts. They may not even get away with that but we would have some serious doubts as to whether or not to allow any more than a three-year residency. Three years is a number we have been following within the government for residency purposes for other areas and so we would probably look at three years as being the upper limit.

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

#### Eligibility Of Ratepayers To Vote

MR. MacQUARRIE: Could I ask the Minister if a charter community were to apply for status as a municipal taxing corporation and it had already negotiated a rather long residency requirement, could I ask whether with the fact that it wished to be a municipal taxing authority and there may be ratepayers who are paying taxes immediately upon taking up residency in a charter community, could it be that they would not be allowed to vote for three years after becoming ratepayers or would the government likely, in that case, renegotiate the residency requirement?

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

HON. GORDON WRAY: Thank you. Hypothetically, if there was a charter community that had a three-year residency clause for voting at a general election and if, in fact, you had ratepayers who had come along in this three-year period and who were in fact ratepayers, then they would not be entitled to vote in the general election but they are entitled to vote on any debenture by-law or any matter affecting ratepayers because their status as ratepayers is different to that of voters in a general election. So, on any money by-law that would affect them, they are entitled to vote.

In the definitions, ratepayer means an assessed owner shown on a municipal tax roll whose property is liable to taxation under the Property Assessment and Taxation Act. So, as I say, in the act itself it lays out the conditions for debenture by-laws and the rights of ratepayers and as such, the ratepayer would qualify under those sections. It does not have anything to do with his ability to vote at a general election.

CHAIRMAN (Mr. McCallum): Thank you. Anything further? Clause 12, idem. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 13. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, just to note that it takes 60 per cent of a community's population to approve a community charter and this provision would say that if ever they wished to amend or repeal, it would require the same conditions and that means 60 per cent approval as well. That is the way I understand it.

CHAIRMAN (Mr. McCallum): Mr. Minister, is that correct?

HON. GORDON WRAY: Correct, Mr. Chairman.

CHAIRMAN (Mr. McCallum): Thank you. Part II, administration, municipal councils. Clause 14, composition of council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 15, role of council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 16, exercise of powers and duties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 17, change in titles. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 18, effect of order. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 19, transitional. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 20, oath of office. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 21, ineligibility. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 22, corporate seal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Meetings of council. Clause 23, place of business. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 24, language of business. Agreed? Mr. Minister.

Motion To Delete Clauses 24 And 25 And Renumber Clauses 26 To 29, Bill 3-87(1), Carried

HON. GORDON WRAY: Mr. Chairman, I would like to move an amendment similar to what we moved in the Cities, Towns and Villages Act. Mr. Chairman, I move that Bill 3-87(1), An Act Respecting Charter Communities in the Northwest Territories, be amended as follows -- and this is to remove the language provision in the same way we did before. By deleting sections 24 and 25 and renumbering section 26 as 24; renumbering subsection 27(1) as section 25; deleting the words "this section" in subsection 27(1) and substituting "section 26"; renumbering subsections 27(2), (3) and (4) as subsections 26(1), (2) and (3); renumbering section 28 as section 27; renumbering subsections 29(1) and (2) as sections 28 and 29, respectively. Thank you.

CHAIRMAN (Mr. McCallum): Thank you, Mr. Minister. Your motion is in order. Any comments?

AN HON. MEMBER: Question.

CHAIRMAN (Mr. McCallum): Question is called. All those in favour? Against? The motion is carried.

---Carried

Clause 24, quorum. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 25, public meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 26, exclusion from meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 27, first meeting of council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 28, regular meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 29, public notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 30, special meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 31, emergency meeting. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 32, waiver of notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 33, rules of procedure for council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 34, rules for public meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 35, validity of resolutions and by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Council members. Clause 36, entitlement to vote. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 37, deemed resignation for non-attendance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 38, indemnities and allowances to council members. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 39, protection for council members. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 40, record of voting. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. McCallum): Clause 41, keeping of minutes. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 42, public inspection of records. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Mayor. Clause 43, presiding council member. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 44, responsibility to council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 45, deputy mayor. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 46, acting mayor. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Officers. Clause 47, senior administrative officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 48, appointment and designation of duties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 49, prohibited officers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 50, bonding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 51, delegation by council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 52, other duties. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Employees. Clause 53, employees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 54, prohibited employees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 55, terms of employment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 56, indemnification of employees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 57, prohibition on paying employees' fines. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Part III, by-laws, general. Clause 58, limit on power of council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 59, idem. Mr. MacQuarrie.

Authority For By-Laws Within Charter

MR. MacQUARRIE: Yes, it may be just worth noting for the record again that although in this section they list all of the same powers that municipalities have for making by-laws, clause 58 makes it clear that charter communities do not necessarily automatically have the authority to pass by-laws in all of these areas but clause 58 states that the council may make by-laws, under this part, only where it is specifically authorized to do so in its community charter. So the sections of this that apply would be noted in the community charter.

CHAIRMAN (Mr. McCallum): Thank you. Clause 59, as we have noted in other pieces of legislation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 60, geographical limitation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 61, readings of by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 62, requirements for by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 63, effective date of a by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 64, posting of copies. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 65, time for obtaining any approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 66, limit on resubmission for approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 67, petition for by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 68, procedure for obtaining approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed .

CHAIRMAN (Mr. McCallum): Clause 69, entitlement to vote. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 70, amending or repealing a by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 71, evidence of by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 72, disallowance. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Quashing by-laws and resolutions. Clause 73, application to quash. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Roads. Clause 74, authority over roads. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 75, incidental powers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 76, construction. Agreed? Mr. Minister.

Motion To Amend Paragraph 76(1)(a), Bill 3-87(1), Carried

HON. GORDON WRAY: Thank you, Mr. Chairman. I have an amendment for 76(1), similar to the other ones for the previous act. Mr. Chairman, I move that Bill 3-87(1), An Act Respecting Charter Communities in the Northwest Territories, be amended by deleting the word "municipality" in paragraph 76(1)(a) and substituting the following words: "municipal corporation". Thank you.

CHAIRMAN (Mr. McCallum): Amendment in order. Any questions?

AN HON. MEMBER: Question.

CHAIRMAN (Mr. McCallum): Question being called. All those in favour? Against? Thank you.

---Carried

Clause 76, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 77, removal of snow and other obstructions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 78, limitation of actions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 79, encroachments. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 80, closing roads. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 81, temporary closure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 82, public notice and hearing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Sewage and drainage system. Clause 83, establishment of sewage and drainage system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 84, operation, maintenance and alteration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 85, source of funding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 86, regulation of use of system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 87, regulation of private system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 88, mandatory connection to system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. McCallum): Clause 89, costs of connection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Garbage and waste. Clause 90, incinerators, garbage dumps, toilets and garbage collection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 91, mandatory use of garbage collection system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 92, regulation of drains, cesspools, septic tanks and toilets. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 93, sale or use of by-products. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Water supply. Clause 94, establishment of water distribution system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 95, operation, maintenance and alteration. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 96, source of funding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 97, regulation of private system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 98, mandatory connection to system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 99, costs of connection. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Other works and services. Clause 100, parking facilities, trailer parks and mobile home parks. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Airports. Clause 101, establishment and operation of municipal airports. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Fire prevention. Clause 102, establishment and operation of fire protection service. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 103, building control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 104, agreements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 105, regulation of dangerous goods. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Ambulance services. Clause 106, establishment of operation and ambulance service. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Public health. Clause 107, public health and contagious diseases. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 108, cemeteries and disposal of the dead. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Recreation. Clause 109, recreation programs, services and facilities. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Building control and protection of heritage resources. Clause 110, National Building Code of Canada. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 111, designation and classification of heritage resources. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 112, building permits. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 113, compulsory demolition, etc. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Business licensing. Clause 114, definition of "business". Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 115, business licensing and regulation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 116, time of opening and closing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 117, compliance with Workers' Compensation Act. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 118, regulation of taxis. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 119, public transit system. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 120, regulation of animals. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 121, enforcement. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 122, insect control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 123, snares and traps. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 124, noise. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 125, air pollution. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 126, defacing property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Adult publications. Clause 127, regulation of adult publications. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 128, discharge of firearms. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 129, sale and use of fireworks. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 130, removal and disposal of inoperable vehicles. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 131, grant of franchises. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 132, term. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Miscellaneous powers. Clause 133, flag, crest and coat of arms. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 134, census and civic holiday. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 135, on page 33, power to contract. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Property. Clause 136, powers respecting property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 137, no carrying on of business. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Limitations. Clause 138, prohibition on exemptions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 139, limit on powers after election day. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed



CHAIRMAN (Mr. McCallum): Part IV, financial affairs, budgets. Clause 140, fiscal year. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 141, adoption of budget. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 142, forwarding copy of budget. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 143, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Expenditures and disbursements. Clause 144, expenditure control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 145, deposit of moneys. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 146, disbursements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 147, general municipal fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 148, other funds. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Financial statements. Clause 149, preparation of financial statements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 150, auditor. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 151, compulsory revocation of appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 152, auditor's report. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 153, prohibition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 154, temporary borrowing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 155, long-term borrowing. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 156, contents of long-term borrowing by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 157, term of debentures. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 158, requirements for debentures. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 159, forwarding of debentures to Minister. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 160, limit on lenders. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): Clause 161, use of borrowed money. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. McCallum): I will recognize the clock and we will finish it tomorrow. We will stop at clause 161. I will rise and report progress.

DEPUTY SPEAKER (Mr. Wah-Shee): Mr. McCallum.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF BILL 5-87(1), CITIES, TOWNS AND VILLAGES ACT; BILL 10-87(1), HAMLETS ACT; BILL 3-87(1), CHARTER COMMUNITIES ACT

MR. McCALLUM: Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 5-87(1), Bill 10-87(1) and Bill 3-87(1) and wishes to report that Bill 10-87(1) is now ready for third reading as amended; that Bill 5-87(1) has been deferred.

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

SOME HON. MEMBERS: Agreed.

---Carried

MR. DEPUTY SPEAKER: Thank you. Mr. Patterson.

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I wish to seek unanimous consent to return to tabling of documents in order to table a letter to Mr. Sibbeston from the Prime Minister of Canada, dated today, respecting the so-called Meech Lake agreement.

MR. DEPUTY SPEAKER: Thank you. Unanimous consent is being requested. Are there any nays? Mr. Patterson, would you please proceed?

ITEM 11: TABLING OF DOCUMENTS

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I wish to table Tabled Document 65-87(1), a letter dated June 1, 1987 to the Hon. Nick Sibbeston, Leader of the Elected Executive, from Prime Minister Brian Mulroney, providing his answer to the question of territorial participation at tomorrow's meeting and the answer to our request that the unanimity requirement be removed for the Territories on obtaining provincial status. The answer seems to be in both cases a polite "No". Thank you.

MR. DEPUTY SPEAKER: Thank you. Mr. Clerk, could we have orders of the day, please?

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker. There will be a caucus meeting tomorrow morning at 10:00 a.m.

ITEM 20: ORDERS OF THE DAY

Orders of the day for Tuesday, June 2nd at 1:00 p.m.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions

5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Tabling of Documents
12. Notices of Motion
13. Notices of Motion for First Reading of Bills
14. Motions
15. First Reading of Bills
16. Second Reading of Bills
17. Consideration in Committee of the Whole of Bills and Other Matters: Bills 9-87(1), 5-87(1), 3-87(1), 21-87(1), 15-87(1), 33-87(1), 34-87(1), 4-87(1), 16-87(1), 22-87(1), 23-87(1), 32-87(1)
18. Report of Committee of the Whole
19. Third Reading of Bills
20. Orders of the Day

MR. DEPUTY SPEAKER: Thank you. This House stands adjourned until Tuesday, June 2nd at 1:00 p.m.

---ADJOURNMENT

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