



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

9th Session

10th Assembly

HANSARD
Official Report
DAY 34

TUESDAY, JUNE 2, 1987

Pages 1445 to 1501

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

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

Curley, Mr. Tagag 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
TUESDAY, JUNE 2, 1987

	<u>PAGE</u>
Prayer	1445
Ministers' Statements	
- 48-87(1) Nutrition Month Contest Winners	1445
- 49-87(1) First Dene Language Scholar Announced	1446
- 50-87(1) Announcement of Superintendent for Sir John Franklin Territorial High School	1446
Members' Statements	
- Mr. Curley on Meech Lake Accord	1455
Oral Questions	1447
Written Questions	1455
Reports of Standing and Special Committees	1456
Tabling of Documents	1458
Notices of Motion	1459
Consideration in Committee of the Whole of:	
- Bill 3-87(1) Charter Communities Act	1459
- Bill 15-87(1) Local Authorities Elections Act	1478
- Bill 21-87(1) Settlements Act	1468
Report of Committee of the Whole of:	
- Bill 3-87(1) Charter Communities Act	1500
- Bill 15-87(1) Local Authorities Elections Act	1500
- Bill 21-87(1) Settlements Act	1500
Orders of the Day	1501

YELLOWKNIFE, NORTHWEST TERRITORIES

TUESDAY, JUNE 2, 1987

MEMBERS PRESENT

Mr. Angottitauruq, Mr. Appaqaq, Mr. Arlooktoo, Hon. Tom Butters, Ms Cournoyea, Mr. Curley, Mr. Erkloo, Mr. Gargan, 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 we proceed with the orders of the day, I would like to read into the record the following letter entitled Financial Bills; it is addressed to the Speaker and is signed by John H. Parker, Commissioner: "Please accept this letter as my message, recommending the Legislative Assembly, pursuant to section 21 of the Northwest Territories Act (Canada), that the following bills be enacted: 1) An Act Respecting Supplementary Appropriations for the Government of the Northwest Territories for the Fiscal Year Ending the 31st Day of March, 1987; 2) An Act Respecting the Supplementary Appropriations for the Government of the Northwest Territories for the Fiscal Year Ending the 31st Day of March, 1988; and 3) An Act Respecting the Write-off of Assets and Debts for the Fiscal Year Ending the 31st Day of March, 1988." Signed, John H. Parker.

Orders of the day for Tuesday, June 2nd. Item 2, Ministers' statements. Mr. McLaughlin.

ITEM 2: MINISTERS' STATEMENTS

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. I have a statement about nutrition month contest winners.

Minister's Statement 48-87(1): Nutrition Month Contest Winners

Mr. Speaker, I am sure that all Members have taken notice of the splendid art work on display in the lobby. These fine pieces of work are the winning entries in the poster and picture book contests held during the nutrition month campaign in March of this year. This contest was a joint initiative of the Departments of Health and Education and the medical services branch of Health and Welfare Canada.

My colleague, the Minister of Education, and I were pleased to see how quickly young people across the Territories responded to the contest, submitting 492 entries in the poster competition and four in the picture book section. There was a total of five age categories with a first and second prize winner in each category. Each winner has his or her work on public display and I wish to recognize their efforts. I will distribute the names of the winners to all Members for their information.

Mr. Speaker, we are most gratified to see the high level of involvement by our youth in learning and actively applying nutritional information. This year's campaign slogan of "Eat Well, Live Well" appears to have been widely spread in all communities and we hope that they will all continue in their efforts to promote better health for all citizens through improved nutrition. Thank you, Mr. Speaker.

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

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I have two brief statements.

Minister's Statement 49-87(1): First Dene Language Scholar Announced

Firstly, as Minister of Education, it gives me great pleasure to announce that Sarah Cleary of Fort Norman has been chosen the first recipient of the Northern Dene Language Scholarship. In September, she will begin her studies and teach introductory Slavey at Boreal Institute for Northern Studies at the University of Alberta, in Edmonton. Sarah Cleary was selected for this scholarship because of her skills and expertise in the development and delivery of the Slavey language program at the Chief Albert Wright School in Fort Norman.

Along with teaching adult Slavey literacy courses, she also owns and manages a craft shop in Fort Norman. Sarah Cleary has a long-standing interest in the preservation of the Dene languages and currently works at the school in Fort Norman. She plans to continue studying Dene language education after her year of study at the University of Alberta. On completion of her studies, Ms Cleary intends to return to Fort Norman, where she will resume her work with the Slavey language project. The \$10,000 annual scholarship is jointly funded by the Department of Education of the Northwest Territories and the Boreal Institute for Northern Studies.

Minister's Statement 50-87(1): Announcement Of Superintendent For Sir John Franklin Territorial High School

If I may, Mr. Speaker, I am pleased to announce the appointment of Malcolm Farrow as superintendent responsible for Sir John Franklin Territorial High School, effective September 1, 1987. Mr. Farrow is presently principal of Sir John. His appointment as superintendent will ensure continuation of the programs initiated during the past year, but, most importantly, will provide administrative support to the board of secondary education during its first year of operation. Until the board of secondary education is established, Mr. Farrow will be responsible to the education society for Education District No. 4, for the administration and operation of Sir John. Once it is established, Mr. Farrow will report to the board.

Sir John Franklin, with a student population of almost 600, is the largest high school in the Northwest Territories. It is important that it receive the necessary administrative support during the establishment of the board of secondary education to ensure continued provision of quality educational programs and services. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Minister. Item 2, Ministers' statements. Mr. McLaughlin.

Point Of Privilege

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. As a point of privilege I would like to make some comments about a CBC news report which was given at 5:30 on Thursday, May 28th and has been brought to my attention, as it very much misleads the general public. The CBC announcer said, "The territorial Minister of Health and his senior officials have halted a four million dollar study into Inuit meningitis, a disease which can cause mental retardation and deformity and can even lead to death. Inuit children suffer from the disease more than any other group of children. The medical team that wanted to do the study says it will now be at least two years before any work can be done to prevent the disease."

Mr. Speaker, the CBC reporter did not contact me or any of my officials on this item. I would like to advise the House that the officials of my department who advised me not to go along with this project in the first place, have made arrangements for a better plan to protect native children in the Northwest Territories against meningitis. I will be making a statement to that effect with details later on during the session. I just want to make it clear to the Members that the statement saying it will now be at least two years before any work can be done to prevent the disease is, in fact, not true.

This project which they rejected would have only protected half the children in the Northwest Territories. The program which my officials have recommended to me and the Executive Council will mean that during this calendar year, a project will begin which will ultimately cause all children at risk in the Northwest Territories to receive the vaccination. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister.

Item 3, Members' statements. There do not appear to be any Members' statements for today.

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

ITEM 5: ORAL QUESTIONS

Question 0176-87(1): Beluga Whale Quotas

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. My question is directed to the Minister responsible for Renewable Resources. This is concerning how many beluga whales each community is allowed to get. I wonder if he could give me some numbers concerning this. I know he is not responsible for marine mammals, but I would like to get some clarification on how many each community will be allowed as a quota for beluga whales.

MR. SPEAKER: Mr. Minister.

HON. RED PEDERSEN: Thank you, Mr. Speaker. I will take the question as notice and provide complete information when I have it. Thank you.

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

Question 0177-87(1): Alcohol And Drug Programs In The NWT

MR. RICHARD: Thank you, Mr. Speaker. I have a question for the Minister of Health and Social Services. Mr. Speaker, last October a motion was passed in this Assembly regarding the work of the Alcohol and Drug Co-ordinating Council. It called on the Executive Council to review the programs administered by the Alcohol and Drug Co-ordinating Council and to come back to the Assembly with proposals for, perhaps, alternative ways in which those programs might be administered in better fashion. The motion, Mr. Speaker, also made reference to the Torrance report that was received by the government some years ago. The Minister indicated to me a few months ago that there was an options paper going before the Executive Council, I believe in April. Can the Minister indicate whether any decision has been made or whether the Assembly is going to be advised, before it closes business later this month, of what is being done about alcohol and drug programs in the Northwest Territories? Thank you.

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

Return To Question 0177-87(1): Alcohol And Drug Programs In The NWT

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. The officials in my department have been working with ADCC and federal NNADAP people on a plan. A decision has been made by the Executive Council to develop a program approved by the Executive Council and ensure that a plan is in place. A piece of material with the background and facts and figures in it, which Members can use, has been approved by me for printing. It is apparently being printed this afternoon and I hope to have it available, if not tomorrow, certainly during this week, for tabling in the House for Members' consideration. Thank you, Mr. Speaker.

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

Question 0178-87(1): Difference In GNWT Ads In Northern And Southern Papers

MR. McCALLUM: Thank you, Mr. Speaker. I have a question for the Minister responsible for the Department of Personnel in regard to advertisements for positions in northern and local or national papers for positions within the public service of the Government of the Northwest Territories. Last October I had asked the then Minister why there was a distinction or difference in the ads and the ads in the northern papers or local papers contain the caveat regarding the affirmative action policy but ads in the national papers, for example the Globe and Mail, did not. The Minister indicated to me at that time that in the future all ads will have the designation at the bottom.

I wonder if the Minister can indicate to me now whether that in fact does occur, given that in Monday's issue of the Globe and Mail there were advertisements for positions in the public service of the Government of the Northwest Territories that did not. I am concerned again that we are

asking for employees from the South, hiring people from the South, without that caveat and for people in the North, for long-term northerners, they must work under the caveat; that is, the affirmative action policy. I wonder if the Minister could answer the question.

MR. SPEAKER: Mr. Minister.

Return To Question 0178-87(1): Difference In GNWT Ads In Northern And Southern Papers

HON. RED PEDERSEN: Thank you, Mr. Speaker. I believe that I gave an answer to Mr. McCallum last fall that we would henceforth advertise the same way in northern and in southern papers. I also mentioned at that time that we were contacting all provincial governments to see if our native employment clause at the end of the ad violated their human rights code. Until we have this information, Mr. Speaker, we have instituted a policy on personnel advertising which stipulates that if we advertise in the North only, the clause is included and where we advertise in the North and in the South simultaneously, the clause is not included. But the ads are the same in the North and South, when that happens.

We have, Mr. Speaker, received responses from eight of the 10 provinces so far, from their human rights commissions, regarding the clause, which reads, "Preference will be given to applicants eligible under the native employment policy." Six of the provincial commissions have approved the statement with some very minor clarifications which would not affect the intent of the statement. Alberta has indicated that such a statement would present problems under the individual rights protection act and they have suggested an alternate method of advertising. In Ontario, where we have received a reply from, they say that our problem and our stand on the human rights is very much appreciated. Their actual answer to our request has not been forthcoming; it is still under review. We still have to hear from Newfoundland, New Brunswick and, of course, the final word back from Ontario. As soon as we have that, Mr. Speaker, if it is all affirmative, then the clause will be inserted categorically. Until that time, it will remain that the clause will be shown in advertisements in northern papers and, where they are advertised simultaneously, it will not be shown but people who respond to such advertisement are, during interview and contact period, advised of the clause. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. The Chair would like, at this time, to recognize in the gallery, Mrs. Violet Beaulieu, of the Deninoo Council from Fort Resolution. Welcome to Yellowknife.

---Applause

Oral questions. Mr. Erkloo.

Question 0179-87(1): Emergency Measures In Communities

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I would like to ask, I do not know exactly which Minister, but it is probably the local government Minister who might be able to answer this question. I talked to you earlier on emergency measures in the communities and you were not quite sure as to how to answer it. The communities do not know how they can go about setting up emergency measures in the communities. Maybe the Justice department or maybe our Municipal Affairs Minister can answer this or set up a policy on this.

MR. SPEAKER: Mr. Minister.

Return To Question 0179-87(1): Emergency Measures In Communities

HON. GORDON WRAY: Thank you, Mr. Speaker. The emergency measures division, or what little there is of it, was transferred to the Department of Municipal and Community Affairs, effective April 1st, from Government Services. We are now in the process of putting together a package for the communities. The superintendent of Municipal and Community Affairs in the Baffin Region is the individual responsible for the Baffin Region. Very shortly he will be advising the communities of the procedures and the processes that we intend to carry out.

MR. SPEAKER: Thank you, Mr. Wray. Oral questions. Mr. Appaqaq.

Question O180-87(1): Monthly Instead Of Quarterly Utility Bills, Sanikiluaq

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I would like to ask this question of the Minister responsible for Energy, Mines and Resources. Maybe Tom Butters can answer this as well. In regard to private business in Sanikiluaq, they receive their utility bills every three months, quarterly. When you add three months it becomes quite expensive. The private business would like to receive their utility bills monthly. Can you answer this question? Thank you. Either one of you.

MR. SPEAKER: Mr. Minister.

HON. TOM BUTTERS: Mr. Speaker, I have no personal knowledge of what the reply to the Member's question is at the moment. I will obtain the answer and provide same, hopefully in the next day or two.

MR. SPEAKER: Thank you, Mr. Butters. The question is being taken as notice. Oral questions. Ms Cournoyea.

Question O181-87(1): Operation And Maintenance Funding For Community Freezers

MS COURNOYEA: Mr. Speaker, I have a question which is directed to the Minister of Municipal and Community Affairs and, to a certain extent, the Minister responsible for Renewable Resources. It concerns a long outstanding issue of providing operation and maintenance and ongoing funding for community freezers and meat processing units. This issue has been thrown back and forth for a number of years and I wonder if the Minister of Municipal and Community Affairs and the Minister responsible for Renewable Resources can indicate what the intention is of the department -- whoever decides to be responsible for this ongoing operation of community freezers -- what the intent of the department is as to when the communities can realize some answers and some resolution of that problem. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question O181-87(1): Operation And Maintenance Funding For Community Freezers

HON. GORDON WRAY: Thank you, Mr. Speaker. An interdepartmental committee had been formed between Renewable Resources, Economic Development, Municipal and Community Affairs and Public Works to come up with some kind of solution to the problem. However, early this year we were informed by Renewable Resources that, given that they thought the community freezers to be more their mandate, they would assume full responsibility for the program. Perhaps the Minister of Renewable Resources may have an update on just exactly what is happening there. Thank you.

MR. SPEAKER: Thank you, Mr. Wray. Is there any further information from any other Minister? Mr. Pedersen.

Further Return To Question O181-87(1): Operation And Maintenance Funding For Community Freezers

HON. RED PEDERSEN: Thank you, Mr. Speaker. My honourable colleague is correct. An interdepartmental committee was established. It does rest with our department now. We have indicated that we feel we should be taking the responsibility for this. The financial implications are in the process of being worked out and we will be going to FMB with a financial submission very shortly on the program.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Ms Cournoyea.

Supplementary To Question O181-87(1): Operation And Maintenance Funding For Community Freezers

MS COURNOYEA: Mr. Speaker, as well, in a supplementary question, is there some direction that is given to the communities to come up with information that is required and has to be supplied? I understand that in terms of the Baffin, because they have a new program that was instituted very recently. However, there are other communities in the Northwest Territories that have similar ongoing operating problems, so is there any instruction that the Minister would like to give to the communities to allow a total package to be brought forward, other than just the Baffin area being looked after at this time?

MR. SPEAKER: Mr. Minister.

Further Return To Question 0181-87(1): Operation And Maintenance Funding For Community Freezers

HON. RED PEDERSEN: Thank you, Mr. Speaker. Yes, there are, initially, our response is to secure interim funding for the operation and maintenance of existing units through an initial FMB submission. We will certainly come up with a set of criteria, information required for communities who do not have them, but it is not formulated and until I know the level of capital support I can get for the program, I would not wish communities to get the feeling that this is automatically available, until I get some indication of the capital availability.

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

Question 0182-87(1): Ministerial Task Force On Program Review

MR. RICHARD: Thank you, Mr. Speaker. I have a question for the Minister of Finance, Mr. Butters. It is with respect to the ministerial task force on program review. I had received a response from the Minister to a written question I asked in February of this year on, generally, the establishment of that task force and what it was about and when we expect to receive any results from the deliberations of the task force. The response to the written question indicated that there have been no interim reports of the ministerial task force on program review. The report currently being prepared will be provided to the Executive Council and it may then be tabled in the Legislative Assembly. The response indicated further that no decision had been made on the date by which the task force was to conclude its work. I am wondering, Mr. Speaker, if the Minister could today indicate the status of that task force and give us a progress report to indicate when we might receive a progress report on that work. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 0182-87(1): Ministerial Task Force On Program Review

HON. TOM BUTTERS: Yes, Mr. Speaker, the report is currently before the Executive. It is possible, I believe, that that examination can be concluded within the next few days. There has been a slight delay in getting all the Members together to examine the final report. As you know, Mr. Nerysoo, the chairman of the standing committee on finance is part of that committee and we have involved him in the discussions and there are still a few matters to clean up before it can be concluded. I am optimistic that it could be tabled before the House rises.

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

Question 0183-87(1): Chesterfield Inlet Airstrip

MR. CURLEY: Thank you, Mr. Speaker. I have a question of the Minister of Municipal and Community Affairs. The Minister is probably aware of two incidences of aircraft landing problems this past winter as a result of the airstrip being too short in the community of Chesterfield Inlet. One land incident involved a DC-4 freighter which ran out of the strip upon landing and had to be pulled in at one end of the airstrip by the hamlet bulldozer. I would like to ask the Minister, now that the regional air carrier no longer uses short stop and take-off landing aircraft with passenger and freight service, will he consider putting priority on extending the airstrip so that the travelling public will be assured of safe travel? Thank you.

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

Return To Question 0183-87(1): Chesterfield Inlet Airstrip

HON. GORDON WRAY: Thank you, Mr. Speaker. Unfortunately, the extension to this runway, planned in 1984, was cancelled by Transport Canada, because the scheduled air carriers of the day, Calm Air and Keewatin Air, indicated in submissions to Transport Canada that the present strip was adequate for their operations. What has happened in the last three years is that Calm Air has now come back to us and said, "We would like an additional 1000 feet for our Hawker Siddeley and DC-4 aircraft." At that time they were servicing Chesterfield Inlet only with a Twin Otter.

We went to Transport Canada and one of the responses that have come back, so far, is that Transport Canada apparently now has a new policy whereby all expansion projects at any airport in the country, that Transport Canada undertakes, will only be undertaken if two criteria are met. One is a net reduction in O and M expenses or a net increase in revenues. So, in other words, any expansion of any airport, according to what they are telling us, is going to have to pay for itself, which obviously, in the North, is completely unsatisfactory because that will never happen.

We are now attempting to put pressure on Transport Canada to extend the runway in Chesterfield Inlet at the same time as they do the runway upgrading work in 1988-89, Transport Canada have budgeted funds to do a resurfacing project in Chesterfield Inlet next summer. So we are trying to convince them that they should extend the length of the runway at the same time to at least allow a Hawker Siddeley aircraft to land. As of yet, we have had no word from Transport Canada whatsoever. But the matter rests entirely in their hands, as they are the ones funded for this kind of work. As I get word back from Transport Canada and as they inform us as to what their plans, I will pass them along to the Member for that area. Thank you.

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

Question 0184-87(1): Arts And Crafts Prices

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I want to direct this question perhaps to the Department of Public Works Minister or Renewable Resources Minister. I am not sure who I am supposed to direct it to.

As we all know the price of furs and ivory such as narwhal tusks and walrus tusks is going up now; not much but nevertheless going up a bit. This is due to publicity carried out by different organizations. We are very grateful for this. However, the price of handicrafts has been the same for years now. I wonder if the Minister who is responsible for this can indicate to me whether or not he is going to try and see if the price of handicrafts can go up.

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

HON. RED PEDERSEN: Thank you, Mr. Speaker. I will take the question as notice on behalf of the Minister of Economic Development, who I think is the proper Minister to deal with this and we will bring an answer back to the Member. Thank you.

MR. SPEAKER: Thank you. The question is being taken as notice. Oral questions. Ms Cournoyea.

Question 0185-87(1): Action Force Re Economic Downturn

MS COURNOYEA: Mr. Speaker, this question is to the Minister of Finance because I believe that he is the lead Minister who was dedicated to follow through on the action force which was made up of himself, or this government, and some federal ministers. I felt that at the time that the action force was named with that particular name, that it was one that was going to take some action quickly in regard to the economic downturn of the Northwest Territories and in particular to the Beaufort Region, in looking at some short-term and long-term solutions to the economic situation, given that the unemployment insurance benefits are running out this month and next month in the Beaufort and Delta area. What is the action force doing? What is the status of it? What is the energy that is put toward the action force in attempting to solve these problems?

MR. SPEAKER: Mr. Minister.

HON. TOM BUTTERS: Mr. Speaker, I am not the lead Minister in the action force initiative, although I am the only Minister on the action force who is in the House. The action force on Arctic initiatives, as originally conceived on the NWT side, was led by Mr. Tagak Curley and supported by my colleague, Mr. Ballantyne. Mr. Sibbeston has now taken on that role of leadership of the action force and a decision relative to the future direction of that body will be made in the House by Mr. Sibbeston, I believe, on his return. A number of objectives has been attained as a result of the joint consultation and co-operation between the federal government and our government in this area. I believe Mr. Sibbeston will enlarge on those and enlighten the Member when he returns.

MR. SPEAKER: Thank you. The government, then, is taking the question as notice. Oral questions. Ms Cournoyea.

Question 0186-87(1): Criteria For Access To Employment Enhancement Funding

MS COURNOYEA: Mr. Speaker, as well, in determining and attempting to resolve the economic situation, I am not quite sure but I believe it was the Minister of Education who was partially responsible for the negotiation of the employment enhancement agreement between the federal and the territorial government for which, I understand, presently the responsibility for expending this funding has been turned over to Social Services.

Mr. Speaker, the question that I would have is that at what level did any Minister, or whoever was negotiating this, have input into the criteria? What kind of direction can the person responsible for this large document give to people, to attempt to hook into this particular funding source, with the very difficult criteria that have been established. So, Mr. Speaker, I do not know exactly who was responsible for the very difficult criteria that were set up but I think that people at home would like to know that, because I believe there is possibly about a million dollars or a million and a half dollars, and no one quite knows how we can fit into the criteria. We would like some direction on that. Thank you.

MR. SPEAKER: Mr. Minister.

Return To Question 0186-87(1): Criteria For Access To Employment Enhancement Funding

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. If you would allow, I think it will take both Mr. Patterson and me to answer the question. First in relationship to my Department of Social Services, what we are doing to accomplish the objective, which is to get people who are on financial assistance off financial assistance and permanently into the work place, is that my department is taking \$750,000 of money that we have budgeted to give out as financial assistance. In other words, it is our share of 50 cents on the dollar, which we pay from our base toward financial assistance. The other half, as Members know, comes from the Canada Assistance Plan to people on financial assistance.

The federal government is matching that \$750,000 with \$750,000 of their own and Mr. Patterson's department will be primarily involved in that aspect of it as the money is going to be spent on training. My department will have some input because it is of interest of my department to make sure that it is social assistance recipients that are placed in these training positions. So, my involvement is the provision of the funds and to pinpoint people who should be in the program and I think Mr. Patterson, Mr. Speaker, can finish the question off. Thank you.

MR. SPEAKER: Mr. Patterson.

Further Return To Question 0186-87(1): Criteria For Access To Employment Enhancement Funding

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. To answer the Member's question, as I understand it. Mr. Speaker, I would like to point out that this program, which was initiated by the federal department of Health and Welfare and the Canada Employment and Immigration Commission, is a national program which we have had to try and adapt as best we can to the peculiar circumstances of the Northwest Territories. I believe that considering the constraints on the federal participation in the program, we have been successful in negotiating some fairly flexible arrangements.

First of all, there will be a regional approval committee established to consider projects from communities, benefiting social assistance clients on a regional level. The Departments of Social Services, Education, Economic Development and Tourism, and Renewable Resources will be involved from our government, along with representatives from CEIC.

We have been successful in persuading the Minister of Employment and Immigration to waive the normal requirement for clients to be unemployed for 24 out of the last 34 weeks. This is a rule that is applied elsewhere in the country but it has been agreed that it is appropriate to waive it in the Northwest Territories, considering the seasonal nature of employment and the peculiarities of our economy. I believe we are the only jurisdiction in Canada where there is a maximum degree of flexibility on making this program work.

I should point out, Mr. Speaker, that the agreement is not yet signed. I expect to sign the agreement, on behalf of our government, next Monday in Iqaluit, with the Minister of Employment and Immigration, at which time I will look forward to discussing implementation with the Minister. Thank you, Mr. Speaker.

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

Supplementary To Question 0186-87(1): Criteria For Access To Employment Enhancement Funding

MS COURNOYEA: The question was this: Was anyone involved with determining the criteria? I do not feel that the answer was given. In the allocation of the one and a half million dollars which we are speaking of now, is that for a one-year period, two-year period, three-year period? Is it going to be allocated according to regions?

MR. SPEAKER: Mr. Minister.

HON. DENNIS PATTERSON: Perhaps I can take that question as notice, Mr. Speaker, and provide a detailed answer tomorrow. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Taking the question as notice. There have been a few questions today that have required more than one Minister to reply, which is not according to our rules. I have allowed it, to expedite the business of this House, but I would not like it to set a precedent. A question should clearly be defined for one person to answer and then another question should be defined for another Minister. Having said that we will continue but try to direct your questions to one Minister.

Oral questions. Mr. Wah-Shee.

Question 0187-87(1): Increase In Water Rates, Rae-Edzo

MR. WAH-SHEE: Thank you, Mr. Speaker. I wonder if the Minister of Municipal Affairs could comment on the recent increase in the water rates, a matter which was recently raised in the community of Rae-Edzo.

MR. SPEAKER: Mr. Minister.

Return To Question 0187-87(1): Increase In Water Rates, Rae-Edzo

HON. GORDON WRAY: Thank you, Mr. Speaker. We have, indeed, brought in our new water and sewer subsidy program and the intention is to subsidize water at the rate of 0.2 cents per litre right across the Northwest Territories. Essentially, the goal is to lower the cost to private home-owners and private businesses.

Unfortunately, in Rae-Edzo, in fact what happened was that the water rates increased from \$20 to \$75 a month. I think partially because the hamlet was already subsidizing the private home-owners in a major way. The home-owners in Rae-Edzo were concerned about the estimated consumption that we were using to establish this flat rate charge. We did look at it and in fact it is above the average. We did that to protect the hamlet, because Rae-Edzo is on a piped system and therefore it was relatively easy to monitor the consumption levels. We have agreed to install meters into the private residences so that, in fact, the residents are charged for their use and not an estimate. The word from my officials is that apparently this is satisfactory to the people who had some problems in Rae-Edzo. Thank you.

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

Question 0188-87(1): Additional Nurse For Chesterfield Inlet

MR. CURLEY: Thank you, Mr. Speaker. I have a question for the Minister of Health. The Minister is well aware of the shortage of nurses in the Northwest Territories. In particular Chesterfield Inlet suffers from extreme demands being put upon the only nurse in the community. The local public is well aware that it is impossible to be provided with the basic services by the only nurse 24 hours a day, seven days a week. Mr. Speaker, even the Minister will not accept being on call 24 hours a day, as is the case for this nurse. In view of this tremendous burden, will the Minister immediately seek means to put additional help by locating another registered nurse in the community, so that the basic health needs can be provided to the people of Chesterfield?

MR. SPEAKER: Mr. Minister.

Return To Question 0188-87(1): Additional Nurse For Chesterfield Inlet

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. Having recently been to the health board meeting in Rankin Inlet, having visited some of the nursing stations first hand; in fact a one-nurse station in Whale Cove. I understand the difficulties of a nurse when she is the only nurse in the community. I would also like to point out that while we were there there were apparently a dozen vacancies in the region for nurses and I was advised that they are having a great deal of difficulty recruiting nurses to come into the region. I also was advised by some people -- I have been unable to affirm it -- that some nurses were making in excess of \$75,000 a year because of the amount of overtime they are having to work, so obviously the money is there. Also there is a shortage of community health representatives in the region. By comparison, in the Baffin, every nursing position is staffed, there are CHRs in every community and there is a waiting list of nurses waiting to work in the Baffin. So, I think that the money is there and that the new health board, when it takes over the Keewatin, is going to be able to correct the situation. So, yes, Mr. Speaker, specific to the question, I will bring to the attention of the regional director for Health and Welfare Canada the situation in Chesterfield Inlet but I would suggest that in the end the Keewatin regional health board, once it takes over, is going to be able to more adequately address these situations. Thank you.

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

Question 0189-87(1): Extension Of Social Workers' Hours Of Work

MR. ERKLOO: (Translation) Thank you, Mr. Speaker. I have a question for the Minister of Social Services. There was a motion about extending the hours for the social workers in Broughton Island and Clyde River. Some smaller communities, for instance Hall Beach, still have the hours from one o'clock to five o'clock even though they have a lot of work to do. I would like to find out if the Department of Social Services will look into this and see if they could extend the hours, or do we have to make motions to extend the hours of the social workers each time?

MR. SPEAKER: Mr. Minister.

Return To Question 0189-87(1): Extension Of Social Workers' Hours Of Work

HON. BRUCE McLAUGHLIN: Thank you, Mr. Speaker. In some of the positions in the Baffin and in the Keewatin this year, we were able to change half-time social worker positions into full-time social worker positions. This was done in specific communities where the actual caseload, the number of people on social assistance and the number of other issues, such as family violence cases had increased. So basically the department for this year allocated additional half-year positions to those communities where it was justified. I will have my officials review the case in Hall Beach and get the information to the Member outside of the Assembly. Thank you, Mr. Speaker.

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

Question 0190-87(1): STEP Funding, Fort Providence

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Finance. I believe the Minister is acting on behalf of the Government Leader. I just received a phone call from Fort Providence with regard to the STEP program, which is the short-term employment program. The community of Fort Providence applied for funding for \$29,000 which was reduced to \$15,000. Now I hear from the community of Fort Providence that they are going to get absolutely no funding under that particular program. I would like to ask the Minister, under what rationale has the community of Fort Providence been refused this funding?

MR. SPEAKER: Mr. Minister.

HON. TOM BUTTERS: Thank you, Mr. Speaker. The Minister responsible for Economic Development and Tourism will not be in the House until later this week. However, I will take the question as notice and attempt to have the department develop a reply which I can provide the Member tomorrow.

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

ITEM 6: WRITTEN QUESTIONS

Question W43-87(1): Person Year Increases In GNWT

MR. NERYSOO: Thank you, Mr. Speaker. It is a written question to the Minister of Personnel.

- 1) Could the Minister provide the following information to this House: What has been the total PY increase in government during the past two years?
- 2) Would the Minister provide this information categorized as follows: a) staff increases in headquarters, regions and communities; b) staff increases by department, including PY increases which have resulted from recently transferred responsibilities of the federal government?
- 3) Further have such transfers as the Arctic College administration to Yellowknife resulted in any increases in the staff?
- 4) Has the forestry transfer had any effect on the total staff complement in Yellowknife and what additional increases, if any, have taken place?
- 5) Could the Minister indicate what effect these transfers have had on the staff in the regions?

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

MR. CURLEY: Mr. Speaker, I would like to ask unanimous consent to return to Item 3, Members' statements.

MR. SPEAKER: Unanimous consent is being requested to return to Item 3, Members' statements. Are there any nays? You have the floor, Mr. Curley.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Meech Lake Accord

MR. CURLEY: Thank you, Mr. Speaker. I would like to make a statement with respect to the Prime Minister's response to the Meech Lake accord. People of the Northwest Territories have heard from the Prime Minister of Canada regarding our fundamental concern about the Meech Lake accord and our request to take part as a democratic government during the federal-provincial discussions to amend the Constitution of Canada. The Prime Minister says, as far as the unanimity provision to constitutional amendments is concerned, that our concerns will be recognized by the federal government and he would like to assure us the viewpoints of the people of the Northwest Territories will be fully considered.

Mr. Speaker, we did not ask him to consider and assure us of his ability to protect us. We want to take part as partners in Canadian Confederation. Mr. Speaker, his reply is not good enough; 24 per cent of Canadians say so. The Prime Minister cannot be trusted. The NWT government must speak for the people of the Northwest Territories so that our democratic rights are not compromised but are fully protected. Our government's involvement as members of Canadian Confederation on matters affecting NWT must be assured. The Prime Minister must invite our Government Leader, today, in Ottawa so that justice can be served to the people of the Northwest Territories.

---Applause

MR. SPEAKER: Thank you, Mr. Curley. We are on Item 3 now, Members' statements. Are there any others? We will return then to Item 6, written questions.

Item 7, returns to written questions.

Item 8, replies to the Opening Address. Replies to the Opening Address.

Item 9, petitions. Petitions. Item 10, reports of standing and special committees. Mr. McCallum.

ITEM 10: REPORTS OF STANDING AND SPECIAL COMMITTEES

Fourth Report Of Standing Committee On Public Accounts

MR. McCALLUM: Thank you, Mr. Speaker. As chairman of the standing committee on public accounts, I am pleased to present this final report of your committee to the 10th Assembly. The committee and I feel it has been an honour to have served the Legislature and the people that we represent. It is our belief that we have become, as Members of the committee, very diligent and effective in meeting our responsibilities. The Government of the Northwest Territories, I think, can take pride in the fact that this committee is one of the most effective in Canada, but it has only been effective because we have enjoyed the co-operation of all Members of this Assembly.

This is the fourth and final report of the standing committee on public accounts to the 10th Assembly. The financial reports of the government and the reports of the Auditor General have, during the course of this Assembly, been tabled in the winter session, approximately one year following the end of a fiscal year. This committee then has, as is its mandate, met to review the financial performance of the government for that particular fiscal year. A report to the Legislative Assembly has followed each review with recommendations for improved financial management and accountability within the government.

In the first part of the ninth session, the following documents were tabled in the House and forwarded to the committee for review: the Annual Report of Territorial Accounts, Fiscal Year 1985-86; Report to the Legislative Assembly of the Northwest Territories on the Examination of the Accounts and Financial Transactions of the Government of the Northwest Territories for the Year Ended March 31, 1986; and the Report to the Legislative Assembly of the Northwest Territories on "Any Other Matter" for the Year Ended March 31, 1986. On April 28, 29 and 30, this year, Mr. Speaker, the committee met to review those particular documents.

The committee called witnesses from several departments. In the past, the practice has been to call senior civil servants to respond to the questions of the committee about the activities of their departments. This year the committee felt that there were several areas of concern that were substantially of a policy nature and which required responses from the Executive Council as to the policy direction of the government. As a result the Minister of Finance was asked to appear before the committee. The committee wants to particularly acknowledge the contribution that the Hon. Tom Butters has made to this committee. His co-operation, and through him, the co-operation of all departments, has helped to make this a very effective public accounts committee.

As well as questioning the Minister of Finance on overall policy matters, the committee also chose to question the representatives of several departments. These were: the NWT Housing Corporation; the Department of Social Services; the Department of Education; the Department of Economic Development and Tourism; the Department of Public Works; the Department of Government Services, and the Office of the Legislative Assembly.

At its meeting, the committee also reviewed actions taken by the government in response to recommendations made in previous years. The committee wishes to acknowledge the considerable assistance of the comptroller general who, with his staff, prepared a comprehensive report on their efforts, and on the work of departments, in addressing the past concerns of the public accounts committee.

In the last year, the committee has recognized an increased awareness in the importance of its work and this is evidenced especially through the commitment of the comptroller general to ensure that committee recommendations are acted upon.

Appearance Of Witnesses

The Minister of Finance appeared before the committee. He was to respond to several of the matters raised in the report on "any other matter". Specifically, he was to answer questions relating to the use of special warrants; the role of the audit committee; financial agreements with the Housing Corporation and the effect of its borrowings on government; various systems of financial control within government; and the status of the petroleum products division.

The committee was assisted, Mr. Speaker, from the Auditor General's office in the persons of Mr. Raymond Dubois, Mr. Don Young, and Mr. Del Dahl. We would like to thank these gentlemen for their contributions which have helped the committee to do its work effectively. In particular we thank Mr. Dubois who has made the trip from Ottawa every year and whose interest and energy have continued to motivate the committee. Both the Minister of Finance and all the Members of the committee urged Mr. Dubois to bring the message to Ottawa that it was time for the Auditor General to establish a permanent office in the North to conduct the many audits done on behalf of the GNWT. We were pleased with Mr. Dubois' acknowledgement of that request and his promise to give it his consideration.

Summary Of Recommendations

I would like to provide now, Mr. Speaker, a summary of the recommendations made by the committee.

Recommendation one, Executive Council. It is recommended that the Auditor General, in his examination of the financial transactions of the government for the fiscal year 1986-87, report specifically on the following supplementary funding requests presented in Bill 25-87(1), Supplementary Appropriation Act, No. 4, 1986-87: Department of Justice, Police Services Agreement, \$313,000; Department of Municipal and Community Affairs, Sport and Recreation, \$197,000; Department of Economic Development and Tourism, Expo '86, \$1,475,000; Department of Education, various activities, \$452,000.

Recommendation two, audit committee. It is recommended that the review of audit policy, which is expected to be completed in June of this year, respond to all of the concerns of the Auditor General as expressed in his report on "any other matter" and that further it present a review of options and alternatives for discussion by Members of the Executive, of this committee and of the Assembly before decisions respecting the audit committee are made.

Recommendation three, audit committee. It is recommended that the audit committee receive direction from, and report on its findings and activities to, an elected Member of the Executive Council.

Recommendation four, POL. It is recommended that an audit be conducted annually, by the Office of the Auditor General, of the petroleum products revolving fund.

Recommendation five, POL. It is recommended that the Government should act upon the suggestion of the Auditor General and charge the petroleum products revolving fund for all of its assets.

Recommendation six, POL. It was noted that the financial statements prepared by the POL division are consolidated into the financial statements. The committee, therefore, recommends that the financial statements of the petroleum products revolving fund, as audited by the Auditor General, be consolidated with the financial statements of the government.

Recommendation seven, Liquor Commission. It is recommended that the government charge the NWT Liquor Commission for all of its assets.

Recommendation eight, POL. It is recommended that the Department of Government Services, in consultation with the Department of Finance and the Office of the Auditor General, study the feasibility and implications of creating a territorial Crown corporation to assume the responsibilities of the petroleum products division.

Recommendation nine, Executive Council. It is recommended that the Executive Council develop guidelines to govern the appropriate use of its authority under section 4 of the government contract regulations.

Recommendation 10, supplementary estimates. It is recommended that the Financial Management Secretariat develop a checklist of criteria to be met before a request for supplementary funding is presented to the Assembly. This checklist should include, but not be limited to, a review of the most current variance reports identifying potential areas of lapse that would allow for the transfer of funds, and consideration of the size of the request balanced against potential lapses budgeted for within the activity.

Recommendation 11, Department of Economic Development and Tourism. The final recommendation of the committee, Mr. Speaker. It is recommended that senior officials of the Department of Economic Development and Tourism re-examine job descriptions and classification analysis and exercise care with departmental hiring practices; and further, do performance evaluations of employees and provide training support where required.

In conclusion, Mr. Speaker, I would simply like to say that we have concluded as a committee our business on behalf of the 10th Assembly. During its four years of work, several recommendations have been made to government that implemented change and brought about greater accountability. Members of the committee should be, and can be proud of what they have been able to achieve. They have become more knowledgeable, more sophisticated and, I believe, more effective as Members of the Legislative Assembly through their work on the public accounts committee. The Government of the Northwest Territories, in return, has become more efficient and more responsible to the people in its financial dealings.

Appreciation

I wish to thank again, Mr. Speaker, the Minister of Finance, Mr. Butters, and the comptroller general, Mr. Nelson, for their co-operation and invaluable assistance. The staff of the Auditor General have been gracious and generous with their support of this committee. I would also like to thank the Clerk of the House, his staff, Mr. Zoe and Mr. Montagano and Alice Charlie for the work that they provided in helping us, too, over the years, with the work that we have carried out at our particular meetings.

So, Mr. Chairman, I will just leave it there. I think that this particular committee has done its job and in dealing with other public accounts committees around the country, I find that this is one of the most active public accounts committees in the jurisdiction of Canada. I think that shows that we take a little more seriously the things that are given to us and I think that way we have become a lot wiser. I would like to move, when we come to tabling of documents, this report into committee of the whole.

---Applause

MR. SPEAKER: Thank you, Mr. McCallum. It would be appropriate to move that now at this time.

Motion To Move Fourth Report Of Standing Committee On Public Accounts Into Committee Of The Whole, Carried

MR. McCALLUM: Thank you, Mr. Speaker. I move that the fourth report of the standing committee on public accounts be moved into committee of the whole at a time to be determined by the Speaker.

MR. SPEAKER: Thank you. Do I have a seconder to the motion? Ms Cournoyea. To the motion.

AN HON. MEMBER: Question.

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

---Carried

Mr. Clerk, will you enter this item in the orders of the day for today?

Reports of standing and special committees. Item 11, tabling of documents. Mr. Patterson.

ITEM 11: TABLING OF DOCUMENTS

HON. DENNIS PATTERSON: Thank you, Mr. Speaker. I wish to table Tabled Document 66-87(1), a letter to Mr. Nick Sibbeston, Government Leader, Government of the Northwest Territories, from the Premier of Quebec, Mr. Robert Bourassa. It is not signed but I understand it is an official letter respecting the Meech Lake accord and it is dated June 1, 1987. Thank you.

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

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. Tabled Document 67-87(1), a letter from the hamlet of Sanikiluaq, dated May 15th. The letter was written to me but I would like to table it. It is respecting the mayor's and the councillors' honorariums, which they are worried about. The mayors are elected for two years and they say that it is too short a term and that is their concern. I am tabling this document so you can see it later. Thank you.

MR. SPEAKER: Thank you, Mr. Appaqaq. Tabling of documents. This appears to conclude this item for today. Item 12, notices of motion. Mr. Angottitauruq.

ITEM 12: NOTICES OF MOTION

Notice Of Motion 25-87(1): First Air Application For Scheduled Service

MR. ANGOTTITAUURUQ: Thank you, Mr. Speaker. I will move on Thursday, June 4, 1987, the following motion: Now therefore, I move, seconded by the honourable Member for Amittuq, that this Assembly reaffirm its support for First Air's application.

MR. SPEAKER: Thank you, Mr. Angottitauruq. Notices of motion.

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

Item 14, motions.

Item 15, first reading of bills.

Item 16, second reading of bills. Item 17, consideration in committee of the whole of bills and other matters: Bill 9-87(1), Bill 5-87(1), Bill 3-87(1), Bill 21-87(1), Bill 15-87(1), Bill 33-87(1), Bill 34-87(1), Bill 4-87(1), Bill 16-87(1), Bill 22-87(1), Bill 23-87(1), Bill 32-87(1) and the Fourth Report of the Committee on Public Accounts. We will resolve into committee of the whole with Mr. Erkloo in the chair.

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

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 3-87(1), CHARTER COMMUNITIES ACT; BILL 21-87(1), SETTLEMENTS ACT; BILL 15-87(1), LOCAL AUTHORITIES ELECTIONS ACT

Bill 3-87(1), Charter Communities Act

CHAIRMAN (Mr. Erkloo): The committee will now come to order. We are on Bill 3-87(1), Charter Communities Act. Does the Minister wish to bring in witnesses at this time?

HON. GORDON WRAY: Yes, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Thank you. Does the committee agree that the Minister bring his witness in?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Thank you. Go ahead. We are on Bill 3-87(1), Charter Communities Act and we are on page 41. I believe we were on local improvements. Clause 162, undertaking local improvements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 163, contents of local improvement by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 164, public hearing and notice. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. With regard to clause 164. Does this apply like for the Cities, Towns and Villages Act and would it probably apply to the Hamlets Act too? Is the Minister saying here that the Charter Communities Act also has the same type of powers as the Cities, Towns and Villages Act and the Hamlets Act according to this particular section, that it applies equally?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: Yes, Mr. Chairman. A charter community can become a municipal taxing authority. It has the same power as a hamlet. So therefore we have to include a section on local improvements because there may come a time or a day when a charter community is, in fact, a municipal taxing authority that does, in fact, borrow money for local improvements, and therefore it would have to go to a by-law and debentures. So we have to provide for that option.

CHAIRMAN (Mr. Erkloo): Thank you. Clause 164. Mr. Gargan.

Local Improvement By-Law

MR. GARGAN: Thank you, Mr. Chairman. Exactly what does it mean by local improvement by-law? Is that more to do with stop signs, road signs, or does it mean landscaping? Exactly what does that mean?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. A local improvement, generally speaking, would be new roads, sidewalks, water and sewer projects, and it could mean landscaping. In the interpretation it really says a work that, in the opinion of the council, principally benefits property in a particular area of municipality. So, it could be any number of methods by which the council may physically improve the area within a community. It could mean municipal works; new ditching system, new drainage system, water and sewer improvements, paving of roads, resurfacing of roads, new sidewalks, any of those types of improvements.

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

MR. GARGAN: Thank you, Mr. Chairman. Just a point of clarification. With regard to this particular section, if a local council passes a by-law according to this particular section, for an improvement in the community, what happens from there? I know it is a by-law but I would think that a local council has perhaps allotted an amount of money for local improvement and this just gives them that authority to carry out that improvement based on whatever funding is available. Or is this a case where the council makes the by-law for local improvements, then applies or asks the senior administrator or the administrator to identify those moneys within a particular department? Is that the way it goes? A local improvement by-law is a law to improve the community but unless the money is there, what good is a by-law? It would not accomplish anything.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. This section applies to a municipal taxing authority when it raises taxes. Perhaps I should begin at the beginning and explain to the Member in simpler terms just what it means. For example, we do an assessment on a community which is a hamlet or a charter community. If it turns out that the tax base for that particular municipality is \$10 million and we approve that community, either a charter community or a hamlet, as a municipal taxing authority, we say, "Okay, you are now responsible for collecting taxes, the revenues will go to you and you can borrow by debenture up to 10 per cent of your tax base."

So this community that has a \$10 million tax base could then say, "We are going to put new roads into the community. It is going to cost two million dollars." They would come to the territorial government and say they are prepared to build new roads in the community. It is going to cost two million and they are prepared to borrow one million if the government can fund the other one million. With tax-based municipalities the territorial government has a policy to fund road construction or road improvements up to 50 per cent. So, they would come to us and say they are willing to borrow the million if we could fund the other 50 per cent. If the government, FMB, approves that particular sum of money, the department would then go back to the municipal taxing authority or the charter community and with approval to fund their road improvements up to a million dollars or 50 per cent of the cost.

The municipal taxing authority and the hamlet or charter community would then draw up a by-law asking for authorization to borrow, by debenture, one million dollars from a commercial institution or from ourselves. It would have to be in the form of a by-law, which would then go to a vote of the ratepayers in that particular community, because the ratepayers would be responsible for paying this debt off. The debt that is incurred by debenture is passed on to the ratepayers.

Ratepayers' Permission To Borrow

So, this is what this by-law is talking about. It is simply a by-law to allow the community to go to the ratepayers and ask for permission to borrow a sum of money which is done on their behalf. So, there is a very established process which is already in place. No tax-based municipality, even the city of Yellowknife, would go to debenture or pass a by-law to borrow money until it had concluded its negotiations with the Government of the Northwest Territories and been satisfied that the government was willing to fund its portion of that new local improvement.

There are some local improvements that we do not fund. Then this section would simply allow the municipality, the hamlet or the charter community, to go directly to the ratepayers and ask for approval to borrow this sum of money. So, that is the by-law which they are talking about and those are the two methods which tax-based communities can use.

CHAIRMAN (Mr. Erkloo): Thank you. Clause 164, public hearing and notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 165, consent of affected ratepayers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 166, levy of local improvement charges. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 167, where borrowing by-law exempt from ratepayers' approval. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 168. Mr. Gargan.

MR. GARGAN: Mr. Chairman, just for clarification. The clauses from 162 to 167, with regard to local improvements, only apply if it is a tax-based municipality. The Charter Communities Act refers to communities like Kakisa, Nahanni perhaps, Jean Marie River, Trout Lake, Colville Lake. Those are traditional communities that usually rely on traditional activities for livelihood. I am

just wondering whether, really, this particular section needs to be in there because it only becomes a tax-based municipality if it becomes a community something like Hay River or Fort Simpson. I am just wondering why this government puts this particular section in, the local improvement section, when, in fact, it will probably never be used.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

Enabling Legislation

HON. GORDON WRAY: Thank you. It is very probable that communities like Jean Marie River or Kakisa will never use this section of the act. On the other hand, why deny them the option? There may come a point in time, it could be 20 or 30 or 40 years from now, when those communities, if they are charter communities, may wish to become a municipal taxing authority. So what we have to do is to provide the option. If the day ever comes when they want to do it, then they can. One of the aspects of the Charter Communities Act is to make it as close to the Hamlets Act as possible. There is every indication, in fact, that several hamlets, and I would suspect that a fair number of charter communities, within the next five years may very well apply to become municipal taxing authorities. So we have to have provisions in the act that would allow them to do that.

If they are not a municipal taxing authority, then obviously this section of the act just does not apply. But all this legislation is, is enabling legislation. It enables the communities to do what they want to do when they want to do it. Just because it is in the act it does not mean that a community like Kakisa or Jean Marie has to follow it. All it does is say, "Hey Kakisa Lake, maybe one day you want to become a municipal taxing authority, and if you do, here is the authority and legislation which allows you do do that." Thank you.

CHAIRMAN (Mr. Erkloo): Mr. Gargan.

MR. GARGAN: I understand that this particular act is a whole new act that is just going to be implemented. If it is, what is the process now that is going to be used to implement this particular act? Is it going to apply the same as the Hamlets Act, which recognizes these particular communities as being what they are, a charter community or a hamlet or a village or town? Is there going to be a process that is in place that is going to recognize those communities as charter communities?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. The process is laid out in sections 3 to 13 which we did yesterday, which detail all of the conditions and all of the processes which a community has to go through in order to become a community charter. The government will not instigate a community charter. The way the legislation is reading is that the community comes to the government. We want this legislation to enable communities to do what they want to do at their own time and at their own pace and in their own way. It is not something that we want to force on them or go out and say, "Hey, you have to become this or that now." The whole process is really geared the other way, to allow the community to come to us and say, "We want to do this." The process is a very detailed one and it is laid out in sections 3 to 13.

CHAIRMAN (Mr. Erkloo): Thank you. Forgiveness of debts. Clause 168, prohibition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 169, procedure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Grants. Clause 170, making grants. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Loans and guarantees. Clause 171, prohibition on loans. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 172, prohibition on guarantees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 173, authorized investments. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 174, charges for municipal services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 175, reduction in rates. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 176, by-law officers. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 177, municipal prosecutions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 178, power to issue orders. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 179, inspections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 180, notice of certain by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 181, use of ticket procedure. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 182, injunction. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 183, application. Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. I have an amendment. Two amendments actually. Both of them the same as the ones we were doing yesterday.

Motion To Amend Subclause 183(6), Bill 3-87(1), Carried

Mr. Chairman, I move that Bill 3-87(1), An Act Respecting Charter Communities in the Northwest Territories, be amended by deleting the words "owner and occupier" from subsection 183(6) and substituting the word "person".

CHAIRMAN (Mr. Erkloo): The motion is in order. To the motion. I am sorry, we do not have a quorum. Sergeant-at-Arms, would you please ring the bell? I think we have a quorum now. Mr. Minister, could you repeat your motion so that all the Members will know what they are voting for?

HON. GORDON WRAY: Thank you, Mr. Chairman. Mr. Chairman, I move that Bill 3-87(1), An Act Respecting Charter Communities in the Northwest Territories, be amended by deleting the words "owner and occupier" from subsection 183(6) and substituting the word "person".

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Erkloo): Question has been called. All those in favour, please raise your hands. Opposed, if any? The motion is carried.

---Carried

Clause 183, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Thank you. Clause 184, exception for imminent danger. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 185, appeal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 186, action at expense of person in default. Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. Again, I have a motion similar to the one I moved yesterday.

Motion To Add New Subclause 186(3), Bill 3-87(1), Carried

Mr. Chairman, I move that Bill 3-87(1), An Act Respecting Charter Communities in the Northwest Territories, be amended by adding immediately after subsection 186(2), the following subsection (3): Marginal note, "Collection of water and sewage charges". Then "(3) Where the municipal corporation is a municipal taxing authority, any charges levied pursuant to section 174 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. Erkloo): Your motion is in order.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Erkloo): Question has been called. All those in favour, please raise your hands. Opposed, if any? The motion is carried.

---Carried

Clause 186, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 187, penalties for by-law offences. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 188, order respecting other matters. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 189, ownership of fines collected. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 190, offence. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 191, penalty for offences under this act or by-laws. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 192, obstructing an officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 193, appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 194, mandatory inspections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 216, public notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 217, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 218, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Short title. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): The bill as a whole, as amended. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Could the House Leader indicate which bill we will deal with? Mr. Butters.

HON. TOM BUTTERS: Bill 21-87(1), Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Does the committee agree to go to Bill 21-87(1) now?

SOME HON. MEMBERS: Agreed.

---Agreed

Bill 21-87(1), Settlements Act

CHAIRMAN (Mr. Erkloo): Mr. Minister, would you like to give your opening remarks on Bill 21-87(1), An Act Respecting Settlements in the Northwest Territories. General comments before we go clause by clause. Since there seem to be no comments, is the committee agreed that we go clause by clause?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 2, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Part I, settlements. Clause 3, establishment of settlements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 4, provision of municipal services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 5, variation of boundaries. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Part II, settlement corporations, incorporation. Clause 6, settlement corporation. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 7, body corporate. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Contracts. Clause 8, power to contract. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Property. Clause 9, power to acquire, hold and dispose of property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Limitations. Clause 10, prohibition on exemptions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 11, limit on powers after election day. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Part III, administration, settlement councils. Clause 12, role of council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 13, term of council members. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 14, election of council members. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 15, resolutions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 16, variation of number of council members. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 17, oath of office. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 18, ineligibility. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 19, corporate seal. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Meetings of council. Clause 20, place of business. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 21, language of business. Mr. Minister.

Motion To Delete Clauses 21 And 22 And Renumber Clauses 23 To 26, Bill 21-87(1), Carried

HON. GORDON WRAY: Thank you, Mr. Chairman. This time I move an amendment similar to the previous ones. I move that Bill 21-87(1), An Act Respecting Settlements in the Northwest Territories, be amended as follows: by deleting sections 21 and 22 and renumbering section 23 as section 21 and renumbering subsection 24(1) as section 22; deleting the words "this section" in subsection 24(1) and substituting "section 23"; renumbering subsections 24(2), (3), and (4) as 23(1), (2), and (3); renumbering section 25 as section 24; and renumbering subsections 26(1) and (2) as sections 25 and 26, respectively.

CHAIRMAN (Mr. Erkloo): Your motion is in order. To the motion. Question has been called. All those in favour raise your hands. Opposed, if any?

---Carried

Clause 21, language of business. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 22, translations of records. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 23, quorum. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 24, public meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 25, first meeting of council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 26, regular meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 27, special meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 28, emergency meeting. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 29, waiver of notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 30, rules of procedure for council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 31, rules for public meetings. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 32, validity of resolutions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Council members. Clause 33, entitlement to vote. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 35, indemnities and allowances to council members. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 42, deputy chairperson. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 43, acting chairperson. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 45, acting senior administrative officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 46, prohibited senior administrative officer. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 49, employees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 51, terms of employment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 52, indemnification of employees. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 53, prohibition on paying employees' fines. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Part IV, financial affairs, budgets. Clause 54, fiscal year. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 55, adoption of budget. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 56, forwarding copy of budget. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 57, surplus. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 58, expenditure control. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 59, deposit of moneys. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 60, disbursements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 61, general settlement fund. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 62, preparation of financial statements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 63, auditor. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 64, compulsory revocation of appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 65, auditor's report. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 66, place of audit. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 67, charges for services. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 68, obstructing municipal inspector or settlement administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 69, appointment. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 70, mandatory inspections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 71, report. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 72, powers of municipal inspector. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 73, order placing settlement corporation under control of settlement administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 74, effect of order. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 75, powers and duties of settlement administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 76, limit on powers of settlement administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 77, bonding. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 78, directions of Minister. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 79, settlement advisory committee. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 80, disposal of property. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 81, books of account. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 82, financial statements. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 83, costs of settlement administrator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 84, return of control to council. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 85, order of dissolution. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 86, liquidator. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 87, transfer of assets. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 88, ownership of receivables. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 89, order varying time. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 90, public notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 91, regulations. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 92, coming into force. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Consequential amendments. Conflict of Interest Act, clause 93, municipality. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 94. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 95, special provision. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Short title. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

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

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Does the committee agree to Bill 21-87(1), Settlements Act, is now ready for third reading as amended?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Mr. Chairman, the government would like to proceed now to Bill 15-87(1), Local Authorities Elections Act, followed by Bill 34-87(1), Public Service Act.

CHAIRMAN (Mr. Erkloo): Does the committee agree?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Thank you. We will now deal with Bill 15-87(1), Local Authorities Elections Act.

Bill 15-87(1), Local Authorities Elections Act

Mr. Minister, do you wish to make any opening remarks?

HON. GORDON WRAY: No, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Mr. MacQuarrie, as the chairman of the standing committee on legislation, do you wish to make any comments at this time?

MR. MacQUARRIE: No, not really, Mr. Chairman, except I guess to remind Members that it is a new piece of legislation, that elections were provided for elsewhere previously and that this act provides for the election of elected officials for municipalities, for various local governments but also for local education authorities as well. So it has been combined in this single act.

CHAIRMAN (Mr. Erkloo): Thank you. Any general comments on Bill 15-87(1)? Mr. McCallum.

Eligibility Of Voters And Candidates

MR. McCALLUM: Thank you, Mr. Chairman. I just would want to make one comment or get a comment from the Minister by and large, and I have to refer to specific areas. I would like to get some clarification of sections 18 through to 21 regarding eligibility and ineligibility of people, or if you like, groups of people, either to be nominated or to stand as a candidate for various of the municipal offices including the education authorities. I would like the Minister to specifically refer to paragraph 19(2)(b) on the ineligibility of candidates. I am not sure what that refers to -- about one being a Member of the Legislative Assembly. I have heard it said that under this legislation, a Member of the Legislative Assembly is not eligible to be a councillor or a mayor. I am just wondering if the Minister could comment on where that came from in this because I find it difficult to read that unless both of these are specifically outlined in here, whether you are talking about a municipal association or organization, or whether it is a municipality itself, in respect of who is not eligible. In 19(2)(b) it says, "A person is not eligible to be nominated or to stand as a candidate if the person is a Member of the Legislative Assembly." However, in subsection 21(1), it says "A person is not eligible to be nominated or to stand as a candidate for mayor or councillor" but it does not say anything about being an MLA.

I was under the impression that that was one of the changes that was to be made here. So I wonder if the Minister could clarify those sections for me. I recognize that I am being specific to particular areas, Mr. Chairman, but I want to get it identified as to who these people are under

19(1) and 19(2) and what they are being nominated for or standing for as candidates. So I wonder if we could get a general idea from the Minister as means of clarification of these basically. Thank you.

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

HON. GORDON WRAY: Thank you, Mr. Chairman. Section 19(2) is the ineligibility criteria for everyone, for municipal and education authority elections. Section 21(1) is the ineligibility criteria just for a municipality, in addition to 19(2). Section 21(1) is specifically geared to municipalities. Section 20 is for local education authorities, 21(1) is municipalities and 19(2) is everybody.

MLAs Not Eligible To Be Mayors Or Councillors

With regard to the ineligibility of MLAs to be on a town council as a mayor or councillor, this recommendation came from the municipalities and it is consistent with the trend in Canada. Only the Yukon and Saskatchewan remain as jurisdictions which allow MLAs to sit on local authorities because it is felt by many that in fact a conflict of interest exists where you have one person serving two masters. So that is where it came from.

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

MR. McCALLUM: Thank you, Mr. Chairman. As I understand it then, 19(1) and (2) serve both a local education authority and a municipal organization. Those are the people who are eligible to be candidates and the people who are not eligible to be candidates for either one of those or both of them.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: For both, Mr. Chairman. Section 20 specifically refers to education boards, section 21 specifically refers to municipal councils.

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

MR. McCALLUM: Thank you, Mr. Chairman. Then do I take it from section 21(1) that if I am a sheriff, I cannot sit as a mayor or councillor, but if I am an MLA, I can?

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: No, Mr. Chairman. Section 21(1) is in addition to 19(2). So under section 19(2) are other people who are ineligible and under 21(1) are additional people who are ineligible.

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

MR. McCALLUM: Thank you, Mr. Chairman. The Minister indicated that this came from the municipalities. Was this a recommendation of the NWT Association of Municipalities or was it a recommendation from a specific city or town? I do not particularly agree that because it is not being done in other places, it should not be done here. If one is a councillor, if one is a mayor, they cannot run. Does that mean if this act comes into effect on a day certain, the day being a specific date, if a person is already mayor and an election occurs for territorial office before, does the mayor have to quit before his term is up under this coming year? Does that mean then that the town or city or village would be without a mayor until such time as either the remaining councillors would elect their own mayor or there was another mayoralty race which could be later in that same year, a matter of weeks or months? Because this is not being done in other places that you know, I have heard it said that we do not have to go along with everybody else, I am not too sure that -- I should not say that I am not too sure -- I do not agree with it. You are excluding people from running as members of a city or town council when they are Members of the Legislature. I know there is some difficulty if I am going to run in this Legislature and I want to run in another one or if I am a Member of Parliament and I want to run in this Legislature, we have settled that. But I do not see where they are serving two masters as an MLA for a particular community and in running as a town councillor or the mayor of a community -- you are serving the same person, the same masters or persons. When one is a Minister of the Crown then I guess there could be some difference.

MLAs Who Served Well As Mayors Or Councillors

I was saying there is no difficulty; I had not noticed any difficulty in the Houses that I have been associated with here in the Northwest Territories where there has been a town councillor as the MLA or a mayor of a community acting in a role as a Member of this Legislative Assembly. I think there have been good examples in this House, at least during my time, where this has helped a community. Certainly in terms of the experiences that I have had. I can only relate it to about three or four of them, but certainly I would expect the Member for Pine Point served this House well, before he was a Minister, as a member of the town council and as an MLA. The former mayor of Iqaluit, who some may have had difficulties with, whether he was good, bad or indifferent, but I believe that he did add to this particular House. Certainly, the present Speaker when he was mayor of Hay River added something. And a dear friend who is now departed, the former mayor of the town of Fort Smith certainly helped the town of Fort Smith when he was a Member of the Council of the Northwest Territories.

I do not believe that when one is an MLA, one cannot become a town councillor or a mayor. I think this is an affront too. I do not agree with it. I would like to get an idea of how many municipalities the Minister has heard from. Or is it the NWT Association of Municipalities or is it somebody within your department who does not like it?

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

HON. GORDON WRAY: Thank you. It is a recommendation that came from all of the tax-based municipalities. A steering committee representing all tax-based municipalities, not the association, but a steering committee that represented all of the tax-based as well as many of the non-tax-based, gave us this advice as well. I must admit when we got the advice, we said, "Hum, I wonder why." We went to other jurisdictions to see what, in fact, happened in other areas and as I say, in fact, there are only now two jurisdictions where it is allowed; in Yukon and in Saskatchewan.

Conflict Of Interest

Discussions with people suggest there is no conflict if you happen to have a constituency where there is only one community. Where you have a constituency with more than one community, there is a perceived conflict in terms of your role as an MLA. That was one of the comments made to us. If you are mayor for a particular community and you have got two or three or four communities in your constituency where you are also the MLA, what assurances do the people that elected you as MLA have, that you are not using your position as mayor of one particular community to get advantages for that community through your position as MLA? Also, for example, as an MLA you are sometimes or many times, called upon to forget about parochial concerns and address the Territories as a whole but if your particular community that you are representing is very opposed to what the Legislature is doing, where do your loyalties lie? Do your loyalties lie with the Legislature or do they lie with the community council? You have been elected by two bodies, therefore which master do you serve the most? Those are the kinds of comments that we got.

On the reverse side, we had comments from people saying that sometimes MLAs who have been on councils have tried to use their positions as MLAs to force councils to do certain things or to try to intimidate or threaten council. It was just a general feeling, I guess, from the tax-based. As I say, I asked my staff just now and it was not just one or two, it was all of the tax-based and a fair number of the non-tax-based who made this recommendation. It appears to be a recommendation that is consistent with other jurisdictions in the country. I agree that just because it is done somewhere else, we do not have to do it. But I think we have to look at trends and see where the country is going in this type of legislation and this certainly is the trend.

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

MLAs May Represent Several Communities

MR. McCALLUM: Thank you, Mr. Chairman. I will agree and grant to the Minister as much as he grants to me about multicommunities in a constituency as opposed to a single community. The instances that I remarked on were single communities. I grant you that where there is more than one community in a constituency, as there are in our constituencies for this Legislature, there would be a difficulty and it is quite possible that one could maybe, sway to one side or the other.

But the individual who is running as an MLA represents all those areas even though that individual maybe resides in only one. For example, in a constituency where one Member represents three communities, he does not live in the three communities, he lives in one community. I would doubt, very much, whether that particular Member would agree that he looks after one community to the exclusion of the other two. The Member for Kivallivik would not claim, I am sure, that he represents only Baker Lake when he has other particular communities, even though the Member lives in Baker Lake. I do not think that he would take the kind of criticism that he only looks after Baker Lake because that is his home. I certainly would not lay that heavy on him. I think that he looks after all of the communities in his particular constituency.

I will grant you that there is a difficulty. I grant you that when one becomes a Minister of the Crown, then all right, that could be perceived as a conflict. But Lord help you the next time around. You are going to pay for it. But if there is a difficulty there, I think the Minister could turn around and grant me that there is no difficulty representing, or knowing where your responsibilities lie in regard to one's constituency if you only represent one town. I do not have any difficulty because I represent, and my responsibility is with the people of Fort Smith. The same as the mayor of Fort Smith would. I say that for those particular communities.

So, in order to change it for everybody, so that there is no difficulty for anybody, you put this in. You may have had a steering committee on it, representing various particular communities. I do not know who made up the steering committee. Were they town councillors? Were they mayors of the municipalities? Regardless of who they were, I still do not think that it is necessary to do it this way. I know that there are people in this Assembly who represent four or five communities. I do not think that it would be right to say that that particular MLA only brings to the floor of this House, concerns regarding one of those communities. That has not occurred in my term in here which is not very long, about 12 years.

Unnecessary Exclusion Of MLAs

I do not know why it is necessary to exclude somebody from running for the office of mayor or a town councillor if he or she is an MLA. That individual, were they to be appointed to the Executive Council, obviously would get away from it because of the duties and responsibilities and the time and everything else associated with taking on a position of a Minister of the government. Then I think that person would obviously resign from the position of mayor or councillor. But there is not anything to stop a mayor, now, from running as an MLA but if that one person is successful you are saying, "Hold the phone; you cannot belong any more to the town council; you have to get out." I am not too sure that is necessary. There may be a difficulty with a constituency where an MLA represents a number of communities, but I do not think there is any difficulty where there is only one community and that is where I am coming from in terms of this. So, why lump it altogether? I do not know how you are going to write it to satisfy any concerns that I may have but I do not agree with saying that a Member of the Legislative Assembly is now ineligible to be nominated or to stand as a candidate for a mayoralty race or a town council or city council or whatever, I guess it is a city council. That is my concern, Mr. Chairman. I grant that, as I say, I went through this. I just wanted to get it straight about the eligibility and ineligibility. When it comes time to deal with these I may want to speak further as well.

CHAIRMAN (Mr. Erkloo): Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Since Mr. McCallum referred to my having been a town councillor and an MLA, and in actual fact I was a town councillor for my first seven or eight months as a Minister, I would say one thing; that I would definitely support a change in the legislation so that it would not allow an Executive Council Member to be a town councillor or a mayor. In addition to that, I have found that in my experience of being a town councillor and an MLA at the same time that it did help out the communications aspect between myself and the town, primarily in that I was able to put on the town council agenda whatever I wanted which I am unable to do when I am an MLA and not on the town council. But I do not think it was the best situation to be in and after having experienced it the one time, I would not do it again.

Perceived Conflict Of Interest

I really think there is a conflict of interest because we are a Legislative Assembly that has to be impartial. We have the responsibility for governing how municipalities run, and each community council is -- I guess, I do not know about the legal fact, but certainly in perception -- the board

of directors of the incorporated municipality. I have become convinced in my own mind and through my own experience and by members of the Association of Municipalities and different people who have talked to me, that if there is not an actual conflict of interest there is certainly a perceived conflict of interest and I support the Minister's initiative in the area to remove the possibility of an MLA being a candidate or sitting as a town councillor or a mayor.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: A number of comments. First of all, on the question of where the recommendation came from. It came from a steering committee whose chairman at the time was Michael Ballantyne, the mayor of Yellowknife, who was then replaced by Don Sian. Also on the committee were Ron Courtoreille from Hay River; John Vogt from Fort Smith; Otto Romeike from Pine Point who was then replaced by Charlie Scarborough; Jim Robertson, the mayor of Inuvik; Jim Villeneuve, the mayor of Fort Simpson. They were the original mayors in 1984. The steering committee changed when the elections came about and other people took their place but these were the original steering committee. We met with the steering committee over the last three years and we had set it up as part of this whole process of advice on the legislation. I cannot say exactly which meeting this recommendation came out of but it certainly came out of one of the meetings, in 1985, I believe it was.

Interests Of Community Councils Not Necessarily For Common Good

With regard to the general comments. There are a number of difficulties. I myself was a member of the hamlet council in Baker Lake when I was first elected to this Legislature. I quite frankly did find myself sometimes torn between opposing views because as a Member of the Legislature and as a lawmaker for the people of the Northwest Territories sometimes you have to forego particular parochial interests for the common good. It is something that sometimes we manage in this House and sometimes we do not manage, but I certainly know that as a member of the town council from Baker Lake there was a certain expectation that because I was elected to that body, then first and foremost my direction should come from that body and that my role in Yellowknife as an MLA was to serve the interests of the community council and not necessarily the interests of the residents of that community.

Now we may like to believe that our local governments generally represent the interests of community residents but there are times when they, like every other government, make decisions that are not popular with community residents. Mr. McCallum asked for an example and I think what we are doing right now is a perfect example of where a major conflict could erupt if in fact 10 or 12 Members of this House were mayors or deputy mayors or members of town councils who had a particular interest in seeing that this legislation was written in such a way that reflected municipal interests. Then you could end up with legislation that may not necessarily benefit the Territories as a whole but only a specific group, which is the tax based or the municipalities.

Some of the things we are putting into this legislation for example, like the section which does not allow municipalities to go into private business, is being done because the government and the Legislature feel that is not the place of municipalities in the big picture in the Northwest Territories. If you had 12 or 14 members of municipalities in this room making the law then that section probably would not go in there because they have a particular interest in ensuring that they protect their municipalities, so that could be a very real conflict of interest for example when you are passing laws governing municipalities. Can you imagine the problems it would cause if a mayor of a community was elected to the Legislative Assembly which then, in its wisdom, made that particular mayor a Minister of Municipal and Community Affairs, where the Minister who has particular legislative authority over municipalities at times has to take certain legal action against municipalities? What would happen if, as a mayor of a community council, he was faced one day with the situation of the department having to take action against the very municipality of which he was a member?

There are a whole host of reasons why it makes sense not to have MLAs as mayors or community councillors and I think that this is what stirred the mayors. I have to give them credit because they took off their parochial blinkers and said, "Even though it may be to our benefit, we recognize that to the Territories it would not be of benefit to the people. We think that we should not be allowed to be MLAs and MLAs should not be allowed to be members of town councils or mayors." When you get the people from the municipalities and the mayors and those councils saying that, then it is something that we have to listen to very carefully and I think that after weighing

all of the pros and cons we thought that in all respects their advice was probably good advice to us and we decided to take it. I realize it is not a popular thing to put in front of the Legislative Assembly itself, to disqualify their own Members from being on community councils, but I hope, again, that MLAs can sort of remove themselves from maybe what they may perceive to be a problem for them as individuals and think in terms of what is to the common good. So, that is my only comment on that part of the legislation.

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

Impossible For Ministers But Not For Members

MR. McCALLUM: Thank you, Mr. Chairman. The Minister gets carried away a lot of times in an attempt to make a point and I do not mind that at all but give it a shake and stop for a minute. You do not mean to tell, or lay before this committee, the fact that there would ever be the opportunity for an individual who is a mayor of a community to go in and then take on the responsibility of a Minister and stay as a mayor of a community. I give people more credit than that. I think you could stay on being a Member of this House and be the mayor but I cannot really conceive, and I do not think the Minister really believes himself, that an individual who was the mayor of the city of Yellowknife or the town of Fort Smith or the hamlet of Baker Lake would actually take on the responsibility of a Minister of Municipal and Community Affairs and still retain the office of mayor in that community.

I really do not believe that and I do not really believe Mr. Wray believes that either but if he wants to make that point then go ahead. That is not going to sway me. It may sway others but I do not believe it is going to happen. I do not mind him going on to an extreme. I do not see that occurring at all. I give an individual credit for a few more clues than to do that kind of thing and an individual who would take it on would recognize there would be a conflict undoubtedly in that. There are other areas of conflict so that one would have enough brains and enough intestinal fortitude to get up and say, "Hey, look, this is not going to fly." One or the other.

Mr. McLaughlin, after seven weeks or whatever time as a councillor, found that the duties were too much while a Minister but not while he was a Member. Now, maybe, he has changed his mind. When he was a Minister he had enough clues to say "Hey, look, I cannot do both", not as a Member. So, I make the point but if the Minister wants to go on and raise all these great and wonderful spectres on it -- they ain't green, Ralph, bloodshot maybe, but not green. Thank you.

CHAIRMAN (Mr. Erkloo): Thank you. We will have a 15 minute coffee break.

---SHORT RECESS

Any more general comments? Mr. Paniloo.

Inclusion Of Outpost Camps

MR. PANILOO: (Translation) Thank you, Mr. Chairman. I have a question about the elections in communities. The elections in the communities are different from each other for Members and councils. Besides the communities there are also outpost camps. In my community the outpost camps have been there for a long time. They are included with the communities in the documents, but concerning these elections, I am wondering if the people in the outpost camps are included in with the people in the communities. Thank you.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. With regard to outpost camps, the first determination that would have to be made by the returning officer would be if the people in the outpost camp were residents of the municipality. In other words, is there a seasonal outpost camp or do they stay there year round and, in fact, is that their home and is that where they live? If it were determined that they are residents of the municipality -- in other words, they live in town but they only go out three or four or five months of the year -- then, recognizing that they may be out of town at their outpost camp when the election is held, we have allowed for a system of proxy voting which would allow people to vote on their behalf.

If the determination, however, is that they are permanent residents of the outpost camp and, in fact, lie outside of the boundaries of municipalities, then they would not be entitled to vote in the election. So, it really depends on where the camp is and the type of occupation of that camp and if it is seasonal or permanent.

CHAIRMAN (Mr. Erkloo): Thank you. Are there any more general comments? Mr. Angottitauruq.

Ineligibility Of Debtors

MR. ANGOTTITAUURUQ: Thank you, Mr. Chairman. I just want to bring this up to the committee just for the record. Regarding eligibility of candidates for mayor or councillors. I was given a notice by one of the mayors in my constituency and I was hoping that the other two mayors would have made their comments, but they have not, knowing full well that this bill was passed through a number of hamlets and settlements and knowing that I would not try to make any changes. But this one mayor's concern was that in clause 21(1)(d), a person in debt to a municipal corporation for a sum greater than \$500 or more is not eligible. His comments were that in the small communities they have a hard time finding eligible people that might be good candidates and in that respect I support his comments. But then again, if a person wants to be eligible they can always have a chance two years later or so and it is not that we are really so hard up for candidates to run. His greatest comments were, "I have some councillors right now; I have to force them to speak." I guess I agree with that but then again maybe it is just that they did not really have time to go through their learning process. Maybe the next time they run as a councillor, they may be more active. So I just want to bring that to the committee of the whole and I believe that in the future, if that is a problem, the regional council meetings and individual hamlets and settlements would probably bring it up in the future if that is the problem that they have. At the same time it may not be a new thing but the communities have really not had any problems with that. So I will just leave it at that, informing the committee of the whole. Thank you.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Minister, do you wish to respond to that?

HON. GORDON WRAY: Thank you. Just to advise the committee that when we were revising this particular aspect of the provisions, the original amount in the present Municipal Act is \$250, and, recognizing that with inflation and such like, \$250 is not that large a sum nowadays, we doubled the debt to \$500. So we did recognize that particular problem and moved to correct it by doubling the allowance, so to speak.

CHAIRMAN (Mr. Erkloo): Thank you. Any more general comments, does the committee agree to go clause by clause? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Thank you. Clause 2, definitions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 3, application. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 4, first election for a local authority. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 5, Minister's directions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 6, variation of time fixed. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 7, joint elections. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 8, votes on other questions. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 9, acting by resolution. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 10, public notice. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 11. Mr. MacQuarrie.

Election Dates

MR. MACQUARRIE: Thank you, Mr. Chairman. There is a significant change in legislation in section 11 here and that is that in cities, towns and villages -- and if hamlets or charter communities apply for the status of municipal taxing authorities and are granted it, then this would apply to them as well -- namely, that municipal elections in these cases could be held on the third Monday in October. For the other local authorities, the elections would still be the second Monday in December. It was noted at this point that if in cities, towns and villages the local education authorities want to piggyback the electoral apparatus of the municipalities, it would mean that their elected officials would be elected in October, but I believe under the terms of the Education Act they would not be allowed to sit until the calendar year, which seemed like a particularly long time. With that point being raised to the government, I believe the Minister has undertaken once again to let the Department of Education know about that problem as well, and it may require some change to the Education Act in order to do that. That point was noted, at any rate.

Then, in addition at this point, one of the Members on the standing committee on legislation had broached the idea that in some communities this legislation was fairly rigid in its approach to designating election days. A particular Member of the standing committee on legislation had asked the government to at least examine the possibility as to whether the dates for elections in some communities could be the first week in January or in February, in order to allow people living off the land to participate because it was stated that in December there could be a situation where quite a number of people were not in the community and therefore not able to vote. The Minister had agreed at least to look at that matter, but in the letter I have received back from the Minister, the government notes that they have not made a change and they believe it is not necessary to amend section 11 to allow hamlets to vary the election date. The act currently allows

the date to be varied in cases where the election cannot be held on a scheduled day, for example, because of very bad weather. Also, the notation is made that experience has shown that the turnout at hamlet elections has always been high, indicating that residents of hamlets do not find the fixed election day to be a problem or to interfere with traditional pursuits.

So no change has been made. The Member who raised that point is not here and therefore, I guess, not in a position to pursue it. I am not sure whether that Member would wish to, in any event, but I thought I should make the point. It could be that when that Member returns to the House, he may wish to ask to revisit this clause. At any rate, I just wanted to make the observation. Change had been asked for and it was not made. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Erkloo): Thank you. Clause 11, election day for mayor and councillors. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 12, election dates. Mr. McCallum.

Advance Vote

MR. McCALLUM: Thank you, Mr. Chairman. I just have a couple of questions, one on subsection 12(2), and I just wonder about the advance vote. It indicates here, "An advance vote, if required..." In the larger municipalities there usually is an advance poll. I do not know, maybe there is no change from the old Municipal Act, however many times it had been amended, but I would have thought that in some of the larger municipalities an advance vote would always be required. In other words, that there shall be an advance poll. I have no difficulty with seven to 14 days to have one, but I would have thought that the larger municipalities would have said that they wanted an advance poll.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: Thank you, Mr. Chairman. The present Municipal Act contains essentially the same clause. We do not require the municipalities to have a vote. We essentially leave it up to them by resolution. And if the local authority directs the returning officer, then they can have an advance vote if they so wish.

In the present Municipal Act, as I say, it was discretionary and we have left it discretionary in this one. Some communities do not. But I think the Member is correct inasmuch as most of the large communities do, in fact, have an advance vote.

Also with the proxy voting provisions now, it may, in fact, mean that in some communities, you do not have an advance vote; they just use the proxy votes, but we left it discretionary.

CHAIRMAN (Mr. Erkloo): Okay. Mr. McCallum.

Close Of Nominations

MR. McCALLUM: Thank you, Mr. Chairman. On subsection 5, is this the same as in the old -- 35 days from nomination day to election day? Do the 35 days include election day? Does the Minister not believe that that is a little bit long? That is five weeks prior to the election day so it is from whatever day, three o'clock in the afternoon of a particular day. You know who is going to run. Then you have an election time of 35 days in municipal elections or for the election of an education authority. Were there no questions about the length of time? It seems to me that one of the things that we did on the election in the Assembly was to reduce it from 60 to 45. I would have thought that in some small communities, that seemed to be an awfully long time for an election. I am not too sure it is not a long time in the larger communities. I just wonder, is this a change from the past and if so, what was it before?

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

HON. GORDON WRAY: It is a change from the past by about four days. The old one was from the third Monday in November until the second Monday in December. It was about 31 days. About 30, 31 days. Sorry, Mr. Chairman, I beg the Member's pardon. It is 22 days at present and it has been increased to 35.

CHAIRMAN (Mr. Erkloo): Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. Perhaps I can ask the Minister, then, why do you want to extend it? Is there a need to extend the time for an election to a local education authority from 23 days to five weeks? It seems to me that that is quite long for elections in small communities. It may not be too long in large communities. But in small communities, I would think that it is quite a long period of time and, since you are treating everybody the same in these areas, has there been a demand from the municipalities whether they are tax-based or not? Is this something the steering committee came up with again, to extend it? Where did the need arise for extension of the election period? Thank you.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: Thank you. This recommendation came from the hamlet steering committee, not the tax-based -- from the hamlet steering committee. The city of Yellowknife, in fact, called for reducing it from five to four weeks, but it was the hamlet steering committee who wanted the longer time. I think it is based on the fact that in a lot of communities they have had a difficult time, sometimes, getting people nominated or getting people interested in running and they just wanted a little bit more time so that they could advertise it better and take more time to get people running for office. I believe that, essentially, was the basis of their recommendation.

CHAIRMAN (Mr. Erkloo): Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. But the idea of getting more people to run, is that not part of subsection 12(6)? You give notice two weeks before nomination day, to get candidates nominated. So you are talking seven weeks. Two weeks to round up enough people to run, then you have nomination day, and then five weeks after that, according to number five, you have got an election. Is it not true that the time for nominating candidates expires three o'clock in the afternoon five weeks prior to the election day? So you have five weeks there to do your campaigning and you had two weeks to round up enough people to run. So extending it from four weeks to five weeks does not help you round up anybody else. You still get five weeks of electioning or campaigning. I just think that is a little bit much in most of the communities.

Now, far be it from me to put forward my views on behalf of somebody else. But, you know, I think most people would believe that if there was a need to extend it because somebody cannot get around the community to meet the voters -- I do not think it would take you five weeks to even get around Yellowknife. So it just seems to me that that is a long period of time.

CHAIRMAN (Mr. Erkloo): Okay. Mr. Minister.

More Time Necessary For Ballots To Be Printed

HON. GORDON WRAY: Thank you. I just remember the major reason for the recommendation, and that was that people wanted time to get ballots printed, etc. I think a lot of it comes from the Iqaluit election, where there were problems. One of the major recommendations was that, after nominations close, we should allow as much time as possible because many of the communities would like to get printed ballots but the time that we allow right now does not permit that, particularly if they have to go to Montreal or Winnipeg to get their printing done. So they wanted it five weeks after the close of nominations.

Also, the new Elections Act also allows for things like pictures and placards, which were never allowed before. So they wanted time to get that organized, as well. For example, in some of our recent hamlet elections, there have been upwards of 30 and 35 candidates nominated in an election. So the ballot papers that have to be produced have been fairly major documents. I think that really was the essence of the reason for having such a wide gap of time between the close of nominations and the actual voting day.

CHAIRMAN (Mr. Erkloo): Thank you. Clause 12, election dates. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 13, by-election dates. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 14, holidays. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Ward system option. Clause 15, ward system for councillors. Mr. MacQuarrie.

Option Of Ward System For Cities And Towns

MR. MacQUARRIE: Just because it is a significant change in legislation, I think it should be noted at least, that there was no particular problem raised with it in the standing committee on legislation, but this section does provide that the council of a city or town may, by by-law, divide the municipality into wards for the purpose of electing councillors in such a manner as it considers appropriate and then carry out whatever technical matters are required in order to implement it. So it applies to cities or towns and it is an option they can exercise by by-law. Where they do exercise this option, then the councillors would be elected through the ward system but the mayor would be elected by the voters of the municipality voting at large.

CHAIRMAN (Mr. Erkloo): Mr. McCallum.

MR. McCALLUM: Thank you, Mr. Chairman. I would be interested to hear from the Minister if the steering committee had anything to say about ward systems. I recall when I was president of the Association of Municipalities...

MR. RICHARD: About 100 years ago.

MR. McCALLUM: About 100 years ago, there was quite a bit of talk at the time. 'I, at one time went along with the idea of the ward system in communities but I, like other people, got older and wiser and said no, I did not. Maybe I got older, more so than wiser. I would like to know whether this steering committee -- because the same players the Minister mentioned before, some at least, were on or within the Association of Municipalities at the same time. He mentioned Mr. Robertson, mentioned somebody from here, Mr. Ballantyne, even before Mr. Ballantyne. I wondered whether there was any comment made by this group or were there comments asked for in this instance, as opposed to later on, of the steering committee.

CHAIRMAN (Mr. Erkloo): Mr. Minister.

HON. GORDON WRAY: The Association of Municipalities in February of 1986 supported a ward system as an option. They did not want prior ministerial approval or a ward system by-law put into the act but they did support the ward system as an option. That was last year.

CHAIRMAN (Mr. Erkloo): Clause 15, ward system for councillors. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Clause 16, effect of ward system by-law. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Language option. Clause 17, definition. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Erkloo): Eligibility of voters and candidates. Mr. MacQuarrie.

NWTAM Recommendation On Period Of Residency

MR. MacQUARRIE: I just wanted to note that at this point with respect to eligibility both of voters and of candidates, the NWT Association of Municipalities had indicated that tax-based municipalities, members of their organization, recommended that an amendment be added for communities which fall under the proposed Cities, Towns and Villages Act to allow them the option of choosing either a six-month or 12-month residency period for voting and for seeking office. The existing legislation is six months. This new legislation changes it all to 12 months. This association was proposing that there should be an option for cities, towns and villages to retain six months and that point having been made, the Minister indicated that he preferred to leave the legislation as it was, with the residency requirement of 12 months.

CHAIRMAN (Mr. Erkloo): Eligibility of voters and candidates. Clause 18, eligibility to vote. Mr. Richard.

MR. RICHARD: This clause 18 and also clause 19 contain a substantial change from the current residency requirement for voting at the local level. Currently it is six months. This legislation would require residency of 12 months to be a candidate or to vote at a local election. Mr. Chairman, I think it is important that for most people of adult age, voting at the local level is the most important level for them. The types of services provided for by municipal corporations, hamlet councils, types of decisions made by hamlet councils, city councils are more important to a lot of people than the types of decisions that the Parliament of Canada or this Assembly makes. They are very much grass roots issues. I am concerned, Mr. Chairman, that this bill contains a provision that would dramatically affect the residency requirement by doubling it and I personally am opposed to there being a requirement that one must live in a municipality for 12 months before you can exercise your franchise to vote and that currently it is six months.

Lobby By NWTAM For Six-Month Residency Option

I am told that the Association of Municipalities lobbied with the government to at least allow the six-month provision to remain for the larger communities, because, whereas there may be some concern in a very small community that transients could come in and have an impact on the voting pattern in a hamlet election or a settlement election, that is not the case in a larger community. The long-term residents are of sufficient numbers that they will not be concerned that people get the vote after only six months of residence.

The other concern I have, Mr. Chairman, and Mr. MacQuarrie alluded to the fact that some have requested that the legislation be at least flexible on this point, that you allow the larger communities to decide whether for them it is going to be 12 months residence or six months residence. I cannot envisage, Mr. Chairman, why the Minister would be opposed to that. We have heard this Minister, for the last week time and again, say that the thrust of all this legislation that he has worked so hard and so long on, these four, five or six bills, the entire thrust of it, he says, is to allow the communities to have the control; to allow them to make the decisions. His responsibility, he sees, is to set up a mechanism whereby they make these decisions that affect them. That is why, I take it, he has built into the legislation on the elections regime that in the larger communities, although the term of office for mayors and aldermen is to be three years, he is allowing each community, the larger communities, to decide that for them it will only be two years. He has built that flexibility in.

Just the other day, Mr. Chairman, you will recall, in fact a motion by yourself went through the Assembly building flexibility into the term of office of mayors in hamlets. The hamlets legislation said that for hamlets in Baffin Island and elsewhere, the term of office of mayor is two years. But we put an amendment in yesterday, Mr. Chairman, that says each hamlet can decide whether for them it will be a three-year term. Now to be consistent, Mr. Chairman, with that flexibility that has been built in -- and I believe there are other options built into the legislation, like the ward system, where the communities can decide what is good for them -- to be consistent with that philosophy of being flexible and the Minister's philosophy of letting the communities decide these things for themselves, I cannot see why the Minister would be opposed to allowing the larger communities to retain a six-month residency requirement for its voters and its candidates.

Motion To Add New Clause After Clause 19, Bill 15-87(1)

With that in mind, Mr. Chairman, I would like to move a motion at this time. I move that a new section 19.A be added to Bill 15-87(1) as follows: "Notwithstanding sections 18 and 19, a municipal council of a city, town or village may, by by-law, allow persons, who have been resident in the electoral district for at least six consecutive months, to be eligible to vote and to be a candidate." Thank you.

CHAIRMAN (Mr. Erkloo): Thank you, Mr. Richard. Can we have a copy of your motion, please? Your motion is in order. To the motion. Mr. Richard.

MR. RICHARD: Mr. Chairman, I would ask for the Minister to comment on the fact, and I may be mistaken because I was not present in any committee meeting nor have I seen the brief of the Association of Municipalities, but in the context of what has been said in the last few days on municipal legislation and what the communities want, that if the Association of Municipalities came to this Minister or this government and stated that the larger communities, the cities, towns and villages, want to retain six months residency requirement, why will the Minister and this government not accede to that request? If he does oppose it, that goes against what he has been saying for the last few days in this committee. So, Mr. Chairman, before commenting further on this subject matter I would ask for some response from the Minister on that issue. Thank you.

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

HON. GORDON WRAY: Thank you. There are a number of reasons. First of all there was never a clear direction from the Association of Municipalities to allow flexibility. It was very much a mixed signal. The native communities wanted 12 months, the non-native communities wanted six months, and principally the city of Yellowknife. A year and a half or two years prior to that direction, the same group supported a 12-month residency requirement.

Senior Government Must Retain Certain Powers

There are certain powers that the senior government must retain for itself. While in this legislation we have attempted to delegate as many of the powers and responsibilities as we think are necessary for a community to run itself, the power to enfranchise or disenfranchise is not one that should be handed out lightly. It was really felt that any power to disenfranchise people or to give people a franchise should be retained by the Legislative Assembly and that type of power should not be delegated to a municipality. That was primarily the reason.

There are other reasons why we do not want to go a six-month requirement. We are trying to achieve some consistency in elections and important votes across the Territories. The liquor plebiscite is now a 12-month residency requirement. The territorial elections for this House is a 12-month requirement and we wanted to make municipal elections the same, so that there is some consistency in the way we apply franchise laws.

Now there is an argument, and I will be the first to admit that the argument is flawed on both sides but it was an argument you heard during the plebiscite debate, where people said, "Well you know, we want to have people that have been around a little bit longer so that they can make a much more informed decision." The other side of that coin of course is that, "Hey, there have been people around for five years who will never be able to make an informed decision." So there are two sides to that argument. I tend to favour the side that says a year in a community should be a minimum for a person before they start to figure out how that community runs and where that

community wants to go and what are the aspirations of that community. It is pretty difficult to go somewhere and within six months be able to make informed decisions and guesses about a particular community, particularly if you are involved in voting on an issue that may determine that community's future for years to come.

So those were the reasons, and as I said, the signals that we got from the communities. This one was very mixed and I have to be honest about that. It broke down around racial lines, where primarily the large and small native communities wanted a longer term of office and the more non-native communities wanted a shorter term of office. I think that reflects the legitimate concerns that both groups have, particularly the larger cities like Yellowknife, which does have a very transient population. Even in Yellowknife, I do not think the argument is valid any longer that they have a transient population. If the government turnover is any indication of the transient nature of the population, then I would say that Yellowknife does not have a very transient population any more. The turnover rate of the government has slowed down dramatically and there is much more permanent residency in this community, particularly since the government went to...

MR. McCALLUM: Too damn much. I kept telling you guys that for years now.

HON. GORDON WRAY: ...particularly since the government went to home-ownership and not supplying staff housing. I think that has had a major impact on the type of residents that the city of Yellowknife now has. If you look at Frame Lake South, which is in Mr. Richard's constituency, it was not long ago that suburb did not exist. Now you see people making a commitment to the community, you see people buying homes and I do not think that it is valid any more in communities like Fort Smith or Yellowknife to say that we have a transient population. I really...

MR. McCALLUM: Fort Smith is definitely transient, you keep moving them out.

HON. GORDON WRAY: I really do not believe that any more. I honestly think that given all of the advice that we had to weigh, on this one we did not get one particular focus because, as I said two years previous to this, the tax-based mayors were exactly opposite, they wanted 12 month residency. Given that the power to decide who votes and who does not vote is not a power that really should be bandied about lightly, it should be retained by the Legislature, that...

Decision Of Franchise Should Rest With Legislature

MR. RICHARD: But you are taking it away from them, it is six months now.

HON. GORDON WRAY: Well, that is my point, Mr. Richard, that it should only be the Legislature of the Northwest Territories who decides who has a franchise and who does not. That is not something that we want to hand down to every municipality for them to decide if people have a right to vote or not. I am saying that that is one of the powers that the central government and the Legislature should retain for itself. We have heard the arguments in here many times and almost always on the side of longer residency requirements for important votes in the North. However, the argument for shorter residency has come from a minority and we are a democracy and like to respond to the majority. We are trying to bring some consistency; the 12-months applies in territorial elections, applies in liquor plebiscites and we are trying to introduce a little bit of consistency. I should add, by the way, that even if people wanted to move to our sister territory, the Yukon, they would find that the rules apply because there they have a 12-month residency period, as well.

CHAIRMAN (Mr. Erkloo): Thank you. To the motion. Mr. Curley.

MR. CURLEY: (Translation) Thank you, Mr. Chairman. I would like to make a point on the motion. The first point of view I agreed with but I am not going to support this motion for the reason that there should be a uniform statement of time for franchise for smaller communities. I am going to talk about the opposite point of view. It should be six months in small communities. I would say that six months would be a good timing for small communities. There are not very many people living in small communities and they are pretty close together, so if you move from one community to another and cannot run or cannot vote, I think that affects the small communities more, when there are so many people that cannot run or campaign as the candidates. They would have to live within the community for a year to be able to vote or be a candidate. For larger communities one year it would be okay. For cities, towns and villages I would support six months for voting in municipal elections. It should be uniform throughout the different kinds of communities. Thank you.

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

Application Of Term Of Residency To Aboriginal Persons

MR. MacQUARRIE: Thank you, Mr. Chairman. I am very interested to hear Mr. Curley's views and, certainly, if he were to move an amendment I would support that, but we just did not wish to overstate the case. For example, I do not feel that I really know what the circumstances are in smaller communities and, therefore, would not wish to impose that on them. But you certainly make a very good point, that it would mean somebody who is an aboriginal person, who was born in the Northwest Territories, lived all their lives in Baker Lake and then moved to Rankin Inlet, would find that they have to wait a whole year before they can vote in municipal elections in Rankin Inlet. Even if, when they moved to Rankin Inlet they bought a home and were paying taxes within the municipality right away, they still have to wait that full year. As I say, I can understand that that applies in those cases. The only reason we did not make the option apply totally is because we did not want to enforce it on other communities if they did not wish it. We are aware that the larger tax-based municipalities do want that option.

The Minister has talked about democracy. One characteristic of a democracy is certainly that a democracy will be sensitive to and respect minority rights and interests, particularly where it is clear that by accommodating those interests and rights, they do not have any detrimental effect on the majority. Then if a majority says "Why not?" we might as well. I would say clearly that this would be the case here, if this motion were to pass and a city the size of Yellowknife exercised its option and decided to have a six-month residency requirement for city elections. Not for anywhere else in the Territories, just for city elections here. One would have to ask, how does that disturb anybody else in the Northwest Territories or hurt anybody else or undermine anybody else's interests? I think the answer is that it does not. Therefore, why not allow them that option since it does not disturb anyone else at all?

Flexibility Demonstrated In Earlier Motion

The reason that we ask for Members to seriously consider supporting this is because we do honestly believe in flexibility. I think that some of us demonstrated that yesterday when a motion came in. We were told that Baffin mayors particularly felt that mayors should have a three-year term and so a motion was made recommending that that be an option. Members here said "Yes, we support that motion." Why not? If certain communities think that is best for them, I am not going to stand in the way and tell them that they should not do that. I know that even one of the Ministers indicated that because his communities were saying that is important, he indicated that he could not go against that. So, in the end, even the government and the Minister who is responsible for this legislation agreed to support that motion. So did I because it makes sense. It is no skin off anybody else's nose. If a community wishes to do it, they implement it. That is all that we would be asking for here, if there is some community that decides that there is no threat to it by saying that if someone were to come into that community that they would be entitled to vote after six months. If the community government feel that way why should anyone else tell them that they ought not to feel that way.

I know the Minister made a statement that this is one element that ought to be retained in the hands of the territorial government. That is a very arbitrary statement. It does not have any justification for it at all really. If voting is that important maybe the federal government ought to have retained it in its hand, the determination for everybody in the Northwest Territories as to a voting residency requirement. But it has not done that. I think that this Legislature should not do it either. We should introduce as much flexibility as possible.

There is the statement made that, "Well, some communities would like to see an even longer residency requirement." I recognize that and recognize the circumstances that give birth to that concern because in some very small communities, in fact, they are fearful that you could have newcomers coming in and quickly overturning the established way of life in a community. So, I recognize that there can be a concern and I am sensitive to having a longer residency requirement in certain circumstances. As a matter of fact, I was one who supported a three-year residency requirement for the vote on the plebiscite.

Decision Based On Thoughtful Consideration

Does supporting this motion and allowing larger communities the right in municipal elections, not any other elections, but in municipal elections, the right to set a residency of six months, in some way jeopardize other communities from having a longer residency? I say, not at all. In fact, it strengthens it because it would demonstrate to the courts that when we set longer residency requirements, that is not done mindlessly and it is not done willy-nilly but that, in fact, it is done for a very good reason. We have thought about the requirements and we see that in some communities you do not really need it. In other communities you do need it. At one level of government you maybe do not need it, at another level of government maybe you do need it. For ordinary day to day decisions that are made in the political arena maybe you do not need it. For constitutional type decisions maybe you do need it and we would be demonstrating that we are sensitive to those kinds of things and making decisions based on thoughtful reasons and not just asserting willy-nilly a longer residency requirement as a kind of prejudice.

So, I think that by supporting this motion you would actually strengthen the idea that there are times -- because do keep in mind that we have passed a Charter Communities Act which would enable the charter community to negotiate residency requirements with the territorial government. We heard the Minister saying that our government would listen to some residency requirements up to three years and we did not challenge that. Obviously, we are looking at that kind of circumstance where you can have a fair degree of variance based on thoughtful consideration.

Finally, I say that thoughtful consideration tells you that if a larger community like Yellowknife or Hay River felt that there was no problem at all having somebody move from Pond Inlet to Hay River to take up a new job, give them the vote in Hay River for municipal elections after six months, they are not fearful that that is going to harm their community in any way. Or someone comes from Rankin Inlet to a new job in Yellowknife, the city of Yellowknife says, "Well, we are happy to have them vote after they have been here for six months." Why not? They are not fearful of that. Or somebody going from Rae-Edzo over to Iqaluit, and Iqaluit says "Well, we are a big enough community that we are not fearful. Let them vote after six months." Why not? I really would urge Members in the House to support this motion and keep the bill as flexible as possible.

CHAIRMAN (Mr. Erkloo): Thank you. To the motion. Mr. Appaqaq.

MR. APPAQAQ: (Translation) Thank you. I think this is very important. I would like to see the written motion if I can, please.

CHAIRMAN (Mr. Erkloo): (Translation) I am sorry, I did not really hear what you said. Would you restate that please?

MR. APPAQAQ: (Translation) Yes, I would like to see the written motion please. Thank you.

CHAIRMAN (Mr. Erkloo): We will take a 10 minute recess.

---SHORT RECESS

We now have a copy of this motion. I will read the motion. I move that the new section 19.A to be added to the bill as follows: "19.A. Notwithstanding sections 18 and 19, a municipal council of a city, town or village may, by by-law, allow persons who have been resident in the electoral district for at least six consecutive months to be eligible to vote and to be a candidate." To the motion. Mr. Curley.

Motion To Amend Motion To Add New Clause After Clause 19, Bill 15-87(1)

MR. CURLEY: Thank you, Mr. Chairman. I would like to move an amendment to the motion. I move that the motion be amended by renumbering it as section 19.1, and by deleting the words "municipal council of a city, town or village" and substituting the words "local authority", and by adding immediately after the word "by-law" the words "or resolution in the case of a local education authority".

CHAIRMAN (Mr. Erkloo): The motion is in order. To the motion. Mr. Curley.

MR. CURLEY: (Translation) Mr. Chairman, I would like to speak in Inuktitut. I understand that the amendment to 12 months is good but considering the fact that a lot of people in the communities are unable to vote sometimes and they have to wait a certain number of months before they can vote, for those reasons I am making this motion. I know if I make this motion more people will be able to vote in the communities. People who have been in the Northwest Territories for a long time should be able to vote. For that reason I made this motion, so that all councils and hamlet councils and settlement councils can decide for themselves whatever length of time that they want. Thank you.

CHAIRMAN (Mr. Erkloo): Thank you. Amendment to the motion. Mr. Minister.

HON. GORDON WRAY: Thank you. I wonder if Members or somebody on the committee would consider the fact that this was drafted in a hurry. In order to extend the same right to a settlement council, an amendment would have to be included that essentially would say, all local education authorities or a settlement council. If this amendment passes, it does not extend to a settlement council because they do not have by-law authority.

CHAIRMAN (Mr. Erkloo): The Minister was asking the committee. Mr. MacQuarrie.

Motion To Amend Motion To Amend Motion To Add New Clause After Clause 19, Bill 15-87(1), Carried

MR. MacQUARRIE: Yes, Mr. Chairman, I would like to make an amendment to Mr. Curley's amendment, and I would do that by adding the words at the very end of his motion, just temporarily remove the quotation marks and add the words "or a settlement council".

CHAIRMAN (Mr. Erkloo): Your amendment to the amendment is in order. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, in speaking to it, it was just pointed out by the Minister that settlement councils do not act by by-law, but only by resolution, the way local education authorities do. So essentially that change is simply saying the words "or resolution in the case of a local education authority or a settlement council". So they would both have that opportunity. I was just following the Minister's wishes.

CHAIRMAN (Mr. Erkloo): Okay, amendment to the amendment. Question has been called. All those in favour? Opposed, if any? The motion is carried.

---Carried

To the amendment. That is Mr. Curley's amendment. Mr. Patterson.

HON. DENNIS PATTERSON: Mr. Chairman, thank you. I just want to say that I think it is wrong that in such a fundamental thing as residency requirement there should be inequality between one community and another. I think the requirement of residency to vote in a local election is such a fundamental democratic right, that it should be the same throughout the Northwest Territories. This Legislature should not agree to provisions which would have a checkerboard situation where residents would have greater rights in one community and lesser in another, based on their time of residence. I think it is discriminatory and might even be contrary to the Charter of Rights. So I would respectfully decline to support this amendment. Thank you.

CHAIRMAN (Mr. Erkloo): To the amendment. Mr. McLaughlin.

HON. BRUCE McLAUGHLIN: Thank you, Mr. Chairman. I too would like to speak against the amendment. In my experience on town council, I think there have been situations where new people have moved into the community and have been elected to town council. They make decisions while they are there or influence decisions while they are there. They are only there for one or two years and then they are gone and you have to live with some of the decisions they have made. I do not think it is right to have only a six-month residency.

Time Needed To Understand Local Issues

The other thing is that if it takes one year, and I believe one year is the right amount of residency to have for a territorial election, it is possible for people to move from Eskimo Point to Yellowknife or Inuvik or somewhere else and be involved in a territorial election as a candidate or a voter because there are in fact territorial issues that these people can vote on. But when

you move from one community to another there are local issues and I do not think that six months is enough time for a new resident to become aware of the detailed, important issues in a community and I do not think it is enough time for them to know the personalities of the people who are running in an election. Those people might say what they stand for but when you live in a community you learn that some people work harder than others, some people are just talkers, so a new person voting I do not think would have the local knowledge necessary to make these decisions. I do not think -- well, it is true, I have seen it happen often. If I move to Rankin Inlet I do not think I should be eligible to vote in a civic election for a year and I would not pretend to know the issues well enough to do that.

MR. McCALLUM: You do not have to. In a year's time God knows what is going to happen down there.

HON. BRUCE McLAUGHLIN: Who knows? I have seen and experienced being on a town council with people being elected who were not there long enough to be effective and did not do a good job when they were there. I would like to recommend voting against the issue and I also do not think it is a good idea to have some communities using a one-year residency and other communities having the option to go to a six-month residency. I would like to speak against the motion again and urge Members to vote against this amendment.

CHAIRMAN (Mr. Erkloo): Mr. MacQuarrie.

MR. MacQUARRIE: I must speak very strongly in favour of Mr. Curley's motion. It is eminently sensible and I sincerely find it very hard to understand why Ministers are adopting this approach. Mr. McLaughlin talks about dire consequences that can come if people who have six months residency in a municipality are allowed to vote. What he did not say is that for the past 20 years or something, I do not know how many, that is the way it has been. Right now the legislation says that people who have six months residency in a municipality can vote. We are not changing that, it is this government that is trying to advance it to one year and our motion is simply saying no, let us keep it at six months because nothing seriously wrong is happening. So that is the first thing that has to be clear to all Members. That is the way it is now and there are not dire or serious consequences resulting from it.

Amendment Would Allow Flexibility

The second point that I want to make is that I really cannot understand the Ministers who talk about community choice, who talk about flexibility in their approach to governing and yet who are trying to include a very rigid provision in this bill. Because again I would remind Members that if Mr. Curley's eminently sensible motion passes, we are not compelling communities to have a six-month residency requirement. They could have one year if they want to. All we would be doing is making it possible for those communities who might want only six months residency to go ahead and have it if they want. We would not be making them have it and so that is a nice kind of flexibility and I cannot understand why the Ministers, who have advocated flexibility and community choice in the past, just do not gracefully keep silent and not actually vote against the amendment but wait to see what the House has to say in this regard, as they have done on so many other things.

Mr. Patterson's arguments about discrimination are just absolute and utter nonsense. There cannot be another word to describe it than that. Just because different groups of people in different places decide to do something differently, that does not amount to discrimination. If it did, then this whole House would have to be branded as being discriminatory in a terrible sense because earlier today we passed the Charter Communities Act in which we are making it specifically possible for some of our communities perhaps to have as much as three years in a residency requirement if they can negotiate it with the government. I find it hard to understand how Mr. Patterson as a government Minister could have supported the other Minister in bringing in a bill which enabled that provision, and yet says that this is wrong and discriminatory. The sensible thing is that we are trying to be flexible, we see there are different circumstances so we are trying to meet those different circumstances.

Once again the argument of discrimination is nonsense because look at Canada and the voting requirements across the country in provincial elections. They vary right across the country. It is because each group of people in its own elections which do not impact anybody else, decides for itself what would be a reasonable amount of time to require for residency. I think there might be one or two provinces, or more than that I guess, that have six months and there are a couple of

others that have a year and I know some people in the Northwest Territories would like to see it even longer than a year for territorial elections. I do not think that is discrimination. It is simply allowing groups of people to set the terms that they want to live under. Is it not all right for this Legislature to say to the communities in the Northwest Territories, "We recognize there are differences; we will give you some options to set your residency requirements"? I do not think that is discrimination, I think that is good common sense. I think this House will vote for good common sense.

AN HON. MEMBER: Hear, hear!

CHAIRMAN (Mr. Erkloo): Mr. Nerysoo.

Inability Of Native People To Participate

MR. NERYSOO: Thank you, Mr. Chairman. Firstly, let me indicate that in terms of the right to vote, I think that is what it is. It is a right but let me say one other thing, that in terms of that particular right there are certain privileges and responsibilities that people have. I think, unfortunately, that I have to say to Mr. MacQuarrie and to Mr. Richard and to those people who have cities, villages and towns, all you have to do is look at the components in those particular organizations and whether the native people have a role. Literally, they do not and let us be honest about that. One of the complaints of the chiefs for a number of years has been their inability to participate. Yet decisions are made by recent immigrants to the Northwest Territories who decide major municipal policies on their behalf and without their participation. I think that in terms of recognizing their role, there has to be changes, whether it is in this particular legislation, but even more, a change in attitude in the larger municipalities with regard to whether or not native people can participate in decision making in those areas. This is not the case.

It is great that you are allowing people who come in for six months to vote but what are you going to do about those long-term residents in Yellowknife? In particular, the native people. Nothing, as far as I can see here. Nothing from the statements that have been made by my learned colleagues, in trying to protect the interests of those native people. Nothing at all. History shows that nothing has been done to protect their interests. So making changes that reduce the ability of people to vote should also be tempered with the idea and recognition that there is a need to protect the interests of those long-term people as well and we should not just go out and say, "Let us give those people that are resident in Yellowknife, or for that matter any municipality, the right to vote without knowing what the circumstances are." They make decisions on behalf of those long-term people.

Attitude Preventing Full Participation Of Native People

I would like, at some time, to see people here in this Assembly protecting those people. I have been a resident of Yellowknife and was a resident for over 10 years. I never saw once, a situation where native people in Rainbow Valley had an opportunity or at least were able to be elected to council. I have never seen it. There was not that knowledge of the system. There was not the knowledge whereby those people were able to come to the main centre in this community without being associated to some group of people that were either drunk or disorderly. That is the attitude that people generally have to those people in Rainbow Valley, and to native people, generally. I think that we have to get rid of those kinds of attitudes.

It may not be speaking to the motion but I think that the honourable Members in this House had better realize the consequences of a motion allowing people who are living here for six months and the consequences of those decisions that those people make and not just flippantly suggest that people are not recognizing the opportunities and options that are available to people to elect people to represent them. I do not think people are elected for those kinds of reasons. I think if you are going to make a statement about letting these short-term people make decisions, then protect the interests of long-term residents in the North who are resident in municipalities as well.

CHAIRMAN (Mr. Erkloo): To the amendment. Mr. Curley.

MR. CURLEY: Thank you, Mr. Chairman. If I may expand on my amending motion, I certainly do not want to spoil it but that is always a danger. Mr. Chairman, the amendment, I think, is appropriate to the way in which the legislation is framed. For instance we have five categories of municipal

councils, six if you include education authorities. That means that we already have different categories of institutions in one community, as far as the municipalities and education groups are concerned. Why do we not equalize them if that is what we are concerned with? If we are concerned with equality, why have inferior municipal councils? Is that what the Member is concerned with? But for me, I think the system has worked so I am not going to propose it because it is up to an individual who believes there is inferior treatment of the municipal council to put forward an amendment if they oppose some of the treatment.

What we have in the Northwest Territories has worked and, therefore, we are not seeing major lobbying to try to equalize all the municipal councils. So that means that the people are generally happy with the way things have been as far as categories of municipal councils are concerned. There are inequalities, yes, with the powers and so on, these municipal councils may have. So there is inequality already in legal eyes through the act but as far as the eligibility of voters is concerned and their ability to vote in any election, what we are saying is that there should be a choice. I think having a choice is much more important than one system being imposed upon a community and, precisely, what I am doing is I am giving equal treatment to local councils, whether they be settlement councils, giving them authority to enable them to enact, by resolution or by-law, a voting right to its members in the community. I think that is a privilege that many of the communities so far have not enjoyed and we are going to give them that choice.

Voting Rights For Long-Term Residents Moving Into Communities

All I want to say is that if it was something that was going to have an impact upon the native majority, I think that is a different matter because I do not think I will get anything as a native person from any non-native person. I think I must personally work for it and must propose it. I do not think I should be expecting that as a native person the opportunity you give me is one that is going to count for the rest of my life. I think that would be asking too much but what I have to do is put forward alternatives and rightfully, if they have the support of the native majority in the House, then we will work toward that but as far as a voting right is concerned, we must be respectful to those long-term residents of the Northwest Territories who moved into communities and that is my main point here. When they move to another settlement, why should they be denied the right to vote unless they have resided for 12 months? That is what I am concerned about. For that reason alone I am putting forward an amendment to the motion. Thank you.

CHAIRMAN (Mr. Erkloo): Thank you. To the amendment. Mr. MacQuarrie.

MR. MacQUARRIE: I feel that I must respond to what Mr. Nerysoo said because while he pointed out what is obviously a problem and I would not for a moment deny that, what he proposes as a solution has nothing to do with the problem. If it is true that in some larger communities aboriginal people are not having a major impact on community affairs, how do you solve that problem by saying that you must not let that community enable six-month residents to vote? Obviously such a situation already exists if he is asserting that, in certain communities, that is the case. But in fact what he is advocating would deny the franchise in Yellowknife to a number of native people because in this community we do have quite a number of interpreters for the Legislative Assembly, assistants to Members of the Legislative Assembly, who moved to this community and what we are saying here is, why not enable them to vote here as soon as they have had six months residency? We do not want to make them wait a year in this community because a lot of people do come to this community from other communities in the Northwest Territories as a result of work and so if our municipality says, "Let them vote after six months," why should we try to prevent that? That would help native people to have more participation in the community government in this community. I do ask Members to support it.

CHAIRMAN (Mr. Erkloo): To the amendment. Mr. Nerysoo.

MR. NERYSOO: Thank you, Mr. Chairman. I do not want to continue the debate but I have to because I think that one of the major problems that has been pointed out generally throughout the history of the Northwest Territories has been this sort of lax attitude about the rights that people have to vote. I agree that in terms of being able to move from community to community that there should be some ability of the municipal council to consider options. Generally the question of voting is what one might consider to be a right, but it is also a privilege to make decisions on behalf of other people. It is not simply a right to make a decision in a community that you have no knowledge about. I dislike the idea or the notion that it is protecting native people's interest in Yellowknife. It is not. You have not even protected the people that are long-term residents in Yellowknife, let alone protecting short-term residents.

CHAIRMAN (Mr. Erkloo): To the amendment. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. I just wanted to express a concern to this House. Within the next year the transfer of health, the transfer of forestry and the transfer of NCPC, which are federally run programs, will mean that there will be an influx of people. There is also a possibility that as far as constitutional development goes, where the division of the Northwest Territories might be, that those people perhaps might be able to decide for the rest of the population here whether there should be division or not. So those are some of the concerns that I have. I know Mr. Wray did indicate that the federal government leasing of empty apartments is ever-increasing. Now what is the rationale behind that? I believe that within the next year or so we might see an increase in the population up here that could very well decide for the rest of the North which way the political development might go.

The other concern I also have is for the aboriginal groups. I know as for land claims and that type of thing, you have to be a descendant of a native group in order to be eligible for land claims. I thought I would mention about the aboriginal people who have a land claims process going on, that we do have some residency requirements for particular issues. If I was looking at eligibility to vote in this bill I would go for an increase to two or three years rather than the six months. So I too have concerns over that particular amendment and also the motion itself and I will vote against it.

CHAIRMAN (Mr. Erkloo): Thank you. Ms Cournoyea.

Continuous Request For Longer-Term Residency Requirement

MS COURNOYEA: Yes, Mr. Chairman. We at the legislation committee have discussed this issue and the question about the length of time before a person can be eligible to vote or run in an election. It was fairly thoroughly discussed. Some of the suggestions were that the residency requirement for eligibility should maybe be considered three years. It seems that, in the discussions we have had over a number of years on this one topic, the continuous request that has come forward is that the residency requirement for people to hold positions which ultimately make decisions on behalf of others and themselves should be a longer term, for all the reasons that people have put forward. So I do not have a lot to say about it, because it seems to me that we have been given fairly strong direction from any number of quarters and for a lot of reasons that the residency requirement should be a longer term. Since we have discussed this already at the legislation committee, it has gone through that process, and I cannot support that we make a lesser requirement. So, I cannot support the amendment nor the motion because it seems to me that with all the discussions and all the requests in the past, we are going back to square one again. Perhaps, I am not quite understanding why we are doing that when the discussion in the past years has been so much toward making those residency requirements longer. Thank you, Mr. Chairman.

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

MR. MCCALLUM: Thank you, Mr. Chairman. I think that Members might be getting carried away with things outside of the motion. The motion that was made in the beginning was to allow cities, towns and villages to retain what they had. Namely, that they have a six-month residency in order to vote on issues for which they are paying, especially when they are taxpayers within that community. But I was swayed by Mr. Curley's concern that there are people in the smaller communities that should have the same right -- not just with the larger communities, but people in the smaller communities should have the same right. Where there are things for which they are concerned, and things that they may be paying for, they should have a right to determine that. And so, I agree, open it up. And what this has to do with is not land claims or anything else or anything on anything on a larger area. It concerns what is going to occur in a local authority or a local education authority or in the settlements. That, I think, was added to it. That is it.

I think that we are looking at far too many things over and beyond. Surely, if you are going to ask somebody to pay, they should have a say. And if you like that, you can keep it. I mean, to say that you have to wait a year to have a vote as to whether something is going to happen in the community in which you live, for which you pay taxes -- surely that is wrong. I do not understand people trying to confuse the issue with other things. Nothing is right totally in what we are doing. But to deny people the right to say something or to have a say in what is going to occur in their community, to me that is wrong. So I will be voting for the motion.

CHAIRMAN (Mr. Erkloo): Thank you. To the amendment. Mr. Wray.

No Residency Requirement For Ratepayer To Vote On Debenture

HON. GORDON WRAY: Thank you. Just to correct a couple of erroneous impressions maybe left by some of the Members. With regard to Mr. McCallum's comments, there is no residency requirement if you are a ratepayer and are allowed to vote on debenture. If you move to a municipality on a Monday and become a ratepayer on a Tuesday, you can vote on a loan debenture on a Wednesday. So those that do pay, have the right to say.

---Laughter

So, just in case anybody is getting the wrong impression, not at all.

I would like to correct a couple of impressions left by Mr. MacQuarrie. One was a statement much earlier that this is an arbitrary decision of government. No, it is not an arbitrary decision of government. No less an arbitrary decision than Mr. MacQuarrie's vehement defense of the right to a secret vote. Should we not, if we follow through on Mr. MacQuarrie's logic on allowing municipalities to decide what is good for their system, then should we say also, "Okay, then, you can decide whether you should have a secret vote or not"? In fact, why do we not just say to them, "You can decide who can be eligible and who cannot be." Period.

You cannot, and I do not think that this Legislature wants to give that kind of right to municipalities. It is certainly not the direction that we are getting from the vast majority of people whom we have consulted on this legislation. The only people who have asked for this option is a very small number of municipalities in the Northwest Territories. The overwhelming advice that we got was to go even further in the opposite direction and extend it to even a longer term of residency. We felt that 12 months was the best compromised position that we could have, given on one side we had three to 10 years from the overwhelming majority of people that we talked to and to the other side a minority asking for six months. We thought that 12 months was actually a fairly good compromise, on the conservative side. What I am hearing today is that it is obviously not enough for the city of Yellowknife and I am getting a little bit tired of the city of Yellowknife driving the whole legislative process of the Northwest Territories.

MR. RICHARD: Oh come on, if anything it is the opposite. You are getting tired? I am getting tired.

Territorial Government Retains Right To Decide Term Of Residency

HON. GORDON WRAY: The other wrong impression that Mr. MacQuarrie left with this committee was that chartered communities have the right to decide the term of residency. That is not a correct impression. No right to determine a length of residency has been given to the chartered communities. We only give them the right to negotiate with the territorial government. The territorial government retains the right to decide what the term of residency is. We are proposing in this act that the Legislature retain the right in respect of cities, towns, villages, and hamlets. We are not saying the territorial government, we are saying the Legislature; it is not the territorial government who passes legislation, it is this House. The other fail-safe system that has been put in place in the chartered communities is that if and when we negotiate a charter, and if the government were to decide in its wisdom that yes, in this particular case because of community conditions, and it may very well be because a mine has been built within half a mile of the community, we are going to put a residency requirement in of two years or three years, that would still have to be approved by 60 per cent of the voters of that community. It is still not something that could be an arbitrary decision of the government. We have to leave that option for some of our communities because they are faced in some respects with perhaps massive relocation of people of a very transient nature who, if there was a six-month residency clause or even a 12-month residency clause, could very quickly become the majority in a community, make decisions and then two or three or four years later, when the mine closes down, leave the community and leave the people, the permanent residents of that community, behind to pick up the pieces. That is a possibility. It is, I grant you, one that may not happen but in the Northwest Territories, with the type of society we have and the type of economy we have, it is one that is certainly present. It is a situation that could occur.

Residency Requirement Of 12 Months A Compromise

All I am saying is that the 12 months that you see in here was a compromise. It was a compromise between the two extremes and all of this legislation has tried to reflect compromise positions. We have tried to take what the majority of communities are telling us. And the communities in the

Keewatin Region and the communities in Baffin and the communities in the Mackenzie Valley told us to go for longer residency and we said no, we think 12 months is fair because it is the same for territorial elections, it is the same for liquor plebiscites and that is what most people are used to and therefore, that is a fair compromise to advance. It was not an arbitrary decision of government, nor that we popped 12 months out of the air. When we went back to people and floated 12 months in front of them, most people sort of hemmed and hawed and said okay, I guess we will live with it. We would have preferred two years or three years or five years but we will live with 12 months.

I think, Mr. Chairman, I agree with Ms Cournoyea that we have debated this issue in the House, I do not know how many times, whether we are talking about plebiscites or whether we are talking about petitions or whether we are talking about our own rules for our own council. This problem keeps coming up time and time again. And what you are seeing in the Northwest Territories are two very different schools of thought, one coming from long-time permanent residents, who feel extremely threatened by the short-term residents who come in and leave and can have a major impact on the way the Northwest Territories develops. On the other side you have a group of people who want to extend the franchise to short-term residents who feel that their rights are somehow being infringed because they cannot walk right into a community and start voting and running for office. So those are two very different schools of thought that time and time again have come into this House and the House should decide, Mr. Chairman. Let the House vote.

CHAIRMAN (Mr. Erkloo): Thank you. Mr. Paniloo.

Motion Would Be Beneficial For Smaller Communities

MR. PANILOO: (Translation) Thank you, Mr. Chairman. In regard to this issue, I support the motion in regard to hamlet councils. I am representing hamlets in the region. The people who move to our smaller communities like hamlets, they would like to be able to vote, whether or not there is a time limit and I would support this motion. But when they move to a village like Iqaluit, it would not be helpful because they do not live in Iqaluit. They are not of use to villages -- moving from small communities to larger communities, how would you like to be able to vote? Whereas in Yellowknife as well as in Iqaluit, in the larger communities, the people are not the ones who decide on issues. They are not in tune with the issues in the community, and if they are decided by the Assembly or Executive, they only follow the government or what the government decides. It is the same thing in Iqaluit as well. The people do not make decisions any more and they do not decide on issues in their community any more, even in regard to taxation of their community. For this reason I would not be able to support the motion in regard to villages and cities and councils.

It would be possible to enforce it in small communities like hamlets, if we are going to use this amendment for small communities. Looking at that aspect, where the local population is no longer in control of the municipal government, where there is so much of a transient population, it would not be useful. I think it would be better to have a three-year residency requirement in the larger communities. In smaller communities you are more in tune with the local government. I think it is quite difficult to be involved with the local government through franchise. They had even changed the community status because it is so difficult to control from the population point of view. I must apologize that I cannot support this motion for that reason. Thank you.

CHAIRMAN (Mr. Erkloo): The time is six o'clock now. I will rise and report progress. I want to thank the Minister and his witnesses.

MR. SPEAKER: Order, please. Mr. Erkloo.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

REPORT OF COMMITTEE OF THE WHOLE OF BILL 3-87(1), CHARTER COMMUNITIES ACT; BILL 21-87(1), SETTLEMENTS ACT; BILL 15-87(1), LOCAL AUTHORITIES ELECTIONS ACT

MR. ERKLOO: Mr. Speaker, your committee has been considering Bill 3-87(1), Bill 21-87(1) and Bill 15-87(1). Bill 3-87(1), Charter Communities Act and Bill 21-87(1), Settlements Act, are now ready for third reading, as amended.

Motion To Accept Report Of Committee Of The Whole, Carried

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

MR. SPEAKER: Thank you, Mr. Erkloo, and thank you for your work this afternoon. Members have heard the report of the chairman of the committee of the whole. Are you agreed?

SOME HON. MEMBERS: Agreed.

---Carried

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

CLERK OF THE HOUSE (Mr. Hamilton): Announcements, Mr. Speaker, there will be a meeting of the standing committee on finance at 9:30 a.m. tomorrow morning.

ITEM 20: ORDERS OF THE DAY

Orders of the day for Wednesday, June 3rd, 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), 15-87(1), 33-87(1), 34-87(1), 4-87(1), 16-87(1), 22-87(1), 23-87(1), 32-87(1), Fourth Report of the Standing Committee on Public Accounts
18. Report of Committee of the Whole
19. Third Reading of Bills
20. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until Wednesday, June 3rd 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