



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

DEBATES

3rd Session

9th Assembly

Official Report

FRIDAY, NOVEMBER 7, 1980

Pages 1083 to 1161

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

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

Speaker

The Honourable Donald M. Stewart, M.L.A.
P.O. Box 1877
Hay River, N.W.T., X0E 0R0
(Hay River)

The Honourable George Braden, M.L.A.
P.O. Box 583
Yellowknife, N.W.T.
X0E 1H0
(Yellowknife North)
(Minister of Economic Development and Tourism)

The Honourable Richard W. Nerysoo, M.L.A.
General Delivery
Yellowknife, N.W.T.
X0E 1H0
(Mackenzie Delta)
(Minister of Renewable Resources)

Mr. Dennis G. Patterson, M.L.A.
P.O. Box 262
Frobisher Bay, N.W.T.
X0A 0H0
(Frobisher Bay)
(Deputy Chairman of Committees)

Mr. Moses Appaqaq, M.L.A.
General Delivery
Sanikiluaq, N.W.T.
X0A 0W0
(Hudson Bay)

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

Ms. Nellie J. Cournoyea, M.L.A.
P.O. Box 1184
Inuvik, N.W.T.
X0E 0T0
(Western Arctic)

Mr. Tagak E.C. Curley, M.L.A.
Rankin Inlet, N.W.T.
X0C 0G0
(Keewatin South)

The Honourable Thomas H. Butters, M.L.A.
P.O. Box 1069
Inuvik, N.W.T.
X0E 0T0
(Inuvik)
(Minister of Education and of Justice
and Public Services)

The Honourable James J. Wah-Shee, M.L.A.
P.O. Box 471
Yellowknife, N.W.T.
X0E 1H0
(Rae-Lac la Martre)
(Minister of Local Government)

Mr. Mark Evaluarjuk, M.L.A.
Igloodik, N.W.T.
X0A 0L0
(Foxe Basin)

Mr. Ipeelee Kilabuk
Pangnirtung, N.W.T.
X0A 0R0
(Baffin Central)

Mr. Robert H. MacQuarrie, M.L.A.
P.O. Box 2895
Yellowknife, N.W.T.
X0E 1H0
(Yellowknife Centre)

Mr. Bruce McLaughlin, M.L.A.
P.O. Box 555
Pine Point, N.W.T.
X0E 0W0
(Pine Point)

Mr. William Noah, M.L.A.
P.O. Box 125
Baker Lake, N.W.T.
X0C 0A 0
(Keewatin North)

The Honourable Arnold J. McCallum, M.L.A.
P.O. Box 454
Fort Smith, N.W.T.
X0E 0P0
(Slave River)
(Minister of Health and of Social Services)

Mr. Peter C. Fraser, M.L.A.
P.O. Box 23
Norman Wells, N.W.T.
X0E 0V0
(Mackenzie Great Bear)
(Deputy Speaker and Chairman of Committees)

Mr. Ludy Pudluk, M.L.A.
P.O. Box 22
Resolute Bay, N.W.T.
X0A 0V0
(High Arctic)

Mr. Robert Sayine, M.L.A.
General Delivery
Fort Resolution, N.W.T.
X0E 0M0
(Great Slave East)

Mr. Nick G. Sibbeston, M.L.A.
P.O. Box 560
Fort Simpson, N.W.T.
X0E 0N0
(Mackenzie Liard)

Mrs. Lynda M. Sorensen, M.L.A.
P.O. Box 2348
Yellowknife, N.W.T.
X0E 1H0
(Yellowknife South)

Mr. Kane E. Tologanak, M.L.A.
Coppermine, N.W.T.
X0E 0E0
(Central Arctic)

Officers

Clerk
Mr. W.H. Remnant
Yellowknife, N.W.T.
X0E 1H0

Clerk Assistant
Mr. D.M. Hamilton
Yellowknife, N.W.T.
X0E 1H0

Sergeant-at-Arms
Warrant Officer A. Theriault, C.D. (Ret'd)
Frobisher Bay, N.W.T.
X0A 0H0

Legal Advisor

Mr. E. Johnson
Yellowknife, N.W.T.
X0E 1H0

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FROBISHER BAY, NORTHWEST TERRITORIES

FRIDAY, NOVEMBER 7, 1980

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Hon. George Braden, Hon. Tom Butters, Mr. Curley, Ms. Cournoyea, Mr. Evaluarjuk, Mr. Fraser, Mr. Kilabuk, Hon. Arnold McCallum, Mr. McLaughlin, Mr. MacQuarrie, Hon. Richard Nerysoo, Mr. Noah, Mr. Patterson, Mr. Pudluk, Mr. Sayine, Mr. Sibbeston, Mrs. Sorensen, Hon. Don Stewart, Mr. Tologanak, Hon. James Wah-Shee

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Item 2 on orders of the day, oral questions.

ITEM NO. 2: ORAL QUESTIONS

Mrs. Sorensen.

Question 197-80(2): Sessional Paper Re Constitution Of Canada

MRS. SORENSEN: My question, Mr. Speaker, is for the Minister responsible for constitutional affairs or the government leader. By Motion 49-80(2) the Executive Committee was directed to table a sessional paper providing recommendations or options for a position on the joint address to Her Majesty the Queen respecting the constitution of Canada. Can I ask the Minister whether he plans to table the paper today in order that the House might discuss this urgent matter before prorogation on Saturday?

MR. SPEAKER: Hon. Mr. Braden.

Return To Question 197-80(2): Sessional Paper Re Constitution Of Canada

HON. GEORGE BRADEN: Yes, Mr. Speaker. The sessional paper has been completed and will be tabled this morning.

MR. SPEAKER: Thank you. Item 2 on the order paper, oral questions.
Mrs. Sorensen.

Question 198-80(2): Adequate Northern Housing Research

MRS. SORENSEN: Thank you. My question is for the Minister responsible for the Department of Public Works and the Housing Corporation. Since housing is a priority in the North and since the development of housing, adequate to meet northern needs in design and construction is absolutely essential, I would ask those Ministers responsible for DPW and the Housing Corporation what measures have been taken to ensure adequate northern housing research and monitoring of new energy efficient projects.

MR. SPEAKER: Hon. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, I will take the question as notice.

MR. SPEAKER: Thank you. Oral questions, Mr. Kilabuk.

Question 199-80(2): Hunting Of Bowhead Whales

MR. KILABUK: (Translation) Mr. Speaker, I would just like to repeat my question. I do not think it was understood well. I had asked about whether it was permitted to hunt bowhead whales. Did you get my question?

MR. SPEAKER: Hon. Mr. Nerysoo.

Return To Question 199-80(2): Hunting Of Bowhead Whales

HON. RICHARD NERYSOO: Mr. Speaker, I think that the interpretation on the question that was originally asked by Mr. Kilabuk was not in fact proper. However, with regard to hunting bowhead whales presently there is an agreement made by Canada with other countries that does not in fact permit the hunting of bowhead whales.

MR. SPEAKER: Oral questions, Mr. Arlooktoo.

Question 200-80(2): Extension To School In Lake Harbour

MR. ARLOOKTOO: (Translation) Mr. Speaker, last time in Baker Lake I tabled a petition relating to the native education. The request by the people of Lake Harbour was for an extension to the school. I would like to get an answer from the Minister of Education.

MR. SPEAKER: Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, I have a number of replies to give this morning but regrettably that reply is not amongst them. I will attempt to see where it is and see if I can have that made by tomorrow.

MR. SPEAKER: Thank you. You are taking it as notice then. Oral questions, Mr. Appaqaq.

Question 201-80(2): Petition From Sanikiluaq

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I do not know who I should ask this question of. I tabled a petition from the community of Sanikiluaq. The community has requested to get this back from Frobisher. The community wants to -- the people have signed this petition. I would like to have this returned to me so at the next session I can table it again. I just am asking if I can have it back.

Return To Question 201-80(2): Petition From Sanikiluaq

MR. SPEAKER: Mr. Appaqaq, once a paper has been tabled in the House it becomes the property of the House. There is no reason though that you cannot have a copy of it and possibly make changes and submit another petition at the next session and/or tomorrow if you could get it available, but really you cannot withdraw something once it has been turned over to the House. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, if that is the petition relative to justice matters I have already referred that to our court system and to Justice.

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

Question 202-80(2): Fishing Tests At Crooked Lake On The Prince Of Wales Island

MR. PUDLUK: Thank you, Mr. Speaker. I would like to ask the Minister of Renewable Resources and my question is not really an oral question, but I have to leave tonight. It is about the test fishing at Crooked Lake on the Prince of Wales Island, if anyone has been taking any tests in that Crooked Lake. Some people in Resoulte Bay would like to start commercial fishing in that lake but if the test has not been taken yet, could the government look into it soon?

MR. SPEAKER: Mr. Nerysoo.

HON. RICHARD NERYSOO: Yes, Mr. Speaker, I would like to take that question as notice and provide further information as to what has been done up to now.

MR. SPEAKER: Thank you. Oral questions. Item 3 on your order paper, written questions and returns.

ITEM NO. 3: QUESTIONS AND RETURNS

Mr. MacQuarrie.

Question 203-80(2): Production Of Hydrocarbons In The Beaufort Sea Area

MR. MACQUARRIE: Thank you, Mr. Speaker, I have a question for the Hon. James Wah-Shee who I believe is the Minister responsible for the Area Development Ordinance.

In view of the possibility of rapid and extensive development along the Arctic coast, in the area of the Beaufort Sea, should hydrocarbons come into production there, to what extent, if any, is the Government of the Northwest Territories involved in planning for orderly development and for safeguarding the environment of the region? If the Government of the Northwest Territories is not involved, is it aware of any institution or institutions that are undertaking such planning; with what results?

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

Question 204-80(2): Teacher Education Program In Frobisher Bay

MR. PATTERSON: Thank you, Mr. Speaker, this is a question for the Minister of Education. Can the Minister categorically state that the main purpose of the teacher education program in Frobisher Bay is to train teachers who can teach Inuktitut? If so, for this year's graduating students who are now some 15 months into the program, what is being done to ensure that goal will be met when they graduate? Thank you.

MR. SPEAKER: Thank you. Written questions. It would appear that there are no further written questions. We will go on to returns. Are there any returns this morning? Mr. Butters.

Return To Question 166-80(2): Clyde River, Adult Education Funds

HON. TOM BUTTERS: Mr. Speaker, I have four returns. I have a return to written Question 166-80(2) asked by Mr. Kilabuk on October 28 regarding Clyde River adult education funds.

At the present time only one funding agency pays allowances to students attending basic training and skill development courses. This agency is the Canada Employment and Immigration Commission, formerly Canada Manpower. The Department of Education does not provide any money for allowances for students attending courses. The Department of Education does, however, continue to provide funds for the instruction of upgrading and related programs identified as needed by local education authorities. Last spring the Clyde River education society and the Department of Education negotiated a figure of \$12,050 to be spent on continuing education programs in Clyde River for the present fiscal year. The budget breakdown presented by the Clyde River society includes expenditures related to the facilitation of continuing education programs but it does not include money for allowances to students. No further funding can be provided in the current fiscal year.

Return To Question 132-80(2): School Supplies For Gordon Robertson Education Centre

A second return is in response to Mr. Patterson's question, Question 132-80(2), of October 24, regarding school supplies, the school supplies required or suggested to be required by the GREC education committee.

The request for extra funding has been referred to the regional superintendent of Education who is the person to determine whether the amount provided to GREC for materials and supplies is adequate and if not, how additional funds may be provided from within the regional Education budget. This action is consistent with my request sent out by the Department of Education to all regional superintendents of Education in May of this year, asking them to indicate how severe the shortage of O and M funding for the school year 1980-81 really was and to submit requests where urgent and demonstrable needs can be identified.

I mentioned when the question was asked that a number of requests had been made to me and as a result of those requests I had presented to the financial management board a request for supplementary funding in the order of \$106,000. I have identified how that money has been allocated and this is the way it has been broken down; Sir John Franklin and Detah schools \$10,000, Inuvik region schools \$13,000, Fort Smith area schools \$26,000, Hay River area schools \$31,000, Fort Simpson area schools \$10,000, Cambridge Bay schools \$16,000. We received no other requests from superintendents to date and I suppose one of the reasons for this is that such requests are met with the answer that the money would be expected to be found within their own budgets, their existing budgets.

Further Return To Question 143-80(2): Shortage Of Teacher Aides In Eskimo Point

The third response to oral Question 143-80(2), asked by Mr. Curley on October 27, regarding the number of teachers and classroom assistants at the Eskimo Point school.

There are 14 teachers and six classroom assistants on the staff of the Eskimo Point school, one of which is a half time position, that is one of the classroom assistants is a half time position. In addition, the Eskimo Point education society is provided with an amount of approximately \$50,000 for the purpose of hiring local instructors. This salary money is used to pay one full time land skills instructor and two half time traditional skills instructors. There are currently no plans to change the student-teacher ratio at that school.

Return To Question 128-80(2): Request For Establishment Of Grade Ten, Central Arctic

The fourth return is to written Question 128-80(2), asked by Mr. Tologanak on October 24, regarding the request to establish a grade ten class in the Central Arctic similar to those classes that have already been established at Pangnirtung and Aklavik.

The Department of Education has already given approval in principle for a community grade ten program to be offered in Cambridge Bay. If a portable classroom can be brought in during the summer of 1981, the program will start in August or September of 1981. As far as community grade ten programs for other Central Arctic communities are concerned, local education authorities in co-operation with their principals should submit proposals to their superintendent of Education in Cambridge Bay. These proposals should describe the nature of the community grade ten program requested and the number of students expected to participate in it.

MR. SPEAKER: Hon. Mr. Nerysoo.

Return To Question 122-80(2): RCMP Involved In Wildlife Enforcement

HON. RICHARD NERYSOO: Yes, Mr. Speaker, return to Question 122-80(2), asked by Mr. Curley on October 24th, 1980, regarding RCMP involvement in wildlife regulations.

It is common practice for an RCMP officer to accompany and assist a game officer in the execution of his duties where search and seizure are involved. RCMP officers are also ex officio wildlife officers and can and do act in the absence of the wildlife officer should the need arise. As to the hunters' and trappers' associations' involvement, the hon. Member is aware that the department is attempting to devolve programs to them and to involve them in wildlife management. As this process develops, I would anticipate a corresponding decrease in the RCMP's involvement in wildlife management areas.

Return To Question 181-80(2): Financial Assistance For Caribou Hunting, Broughton Island

Further, a return to Question 181-80(2), asked by Mr. Kilabuk on November 3rd, 1980, financial assistance for hunting caribou in Broughton Island.

The Department of Renewable Resources is prepared to provide the sum of \$1000 to assist the hunters of Broughton Island to conduct a community caribou hunt. The wildlife officer will contact the hunters' and trappers' association in the near future to discuss the details.

Return To Question 180-80(2): Polar Bears Doing Damage

Return to written Question 180-80(2), asked by Mr. Kilabuk on polar bears doing damage.

The stated purpose of the government's disaster compensation program administered by the Department of Renewable Resources is to provide compensation to individual hunters and trappers who sustain financial losses as the result of natural disasters such as forest fires or severe storms. The program is presently not designed to address a problem of bear damage compensation. The Wildlife Ordinance permits any person to kill a bear that is damaging property or threatening human life. There is no insurance or compensation available from the government at the present time for damage caused by polar bears.

Return To Question 134-80(2): Assistance To Hunters In Baker Lake

Return to Mr. Noah's Question 134-80(2) on October 24, 1980 regarding assistance to hunters in Baker Lake. The stated purpose of the government's disaster compensation program, administered by the Department of Renewable Resources, is to provide compensation to individual hunters and trappers who sustain financial losses as a result of natural disasters such as forest fires or severe storms. To be eligible under the program the applicant must receive at least half of his total annual income from hunting and/or trapping. The local hunters' and trappers' association is asked to recommend applicants' claims prior to approval. The current disaster compensation program is not intended as insurance against losses caused by human error or negligence. Applications for compensation are accepted by wildlife officers in the settlements and processed according to policy. Mr. Michael Tutannuaq and Mr. Matthew Innakatsik of Baker Lake may apply if they wish. The applications will be given careful consideration.

MR. SPEAKER: Further, Mr. Nerysoo.

Return To Question 133-80(2): Loss Of Hunting Equipment, Chesterfield Inlet

HON. RICHARD NERYSOO: Return to Question 133-80(2), asked by Mr. Noah regarding loss of hunting equipment on October 24, 1980.

The stated purpose of the government's disaster compensation program administered by the Department of Renewable Resources is to provide compensation to individual hunters and trappers who sustain financial losses as a result of natural disasters such as forest fires or severe storms. It is not intended that this policy cover loss by fire in the person's home community; that is a matter that should be covered by insurance. To be eligible under the program, the applicant must receive at least half of his total income from hunting and/or trapping. The

Local hunters' and trappers' association is asked to recommend applicants' claims prior to approval. The current disaster compensation program is not intended as insurance against losses caused by human error or negligence. Applications for compensation are accepted by wildlife officers in the settlements and processed according to policy. Mr. Sarto Ippiak may apply if he wishes and his application will be given careful consideration.

MR. SPEAKER: Thank you. Are there any other returns? Hon. Mr. Braden.

Return To Question 173-80(2): Soapstone On Baffin Island

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I have a return to oral Question 173-80(2), asked by Mr. Arlooktoo on November 1st, and it concerns Quebec people taking soapstone in the Northwest Territories. The reply is as follows:

The Government of the Northwest Territories does not normally permit people from outside the Northwest Territories to quarry stone within the Northwest Territories. The taking of stone without a permit is legal only for people resident in the Northwest Territories. In fact, someone taking stone illegally after having been asked not to, could be charged with a criminal offence and if found guilty, subject to a fine of not more than \$300 or to imprisonment of a term not exceeding six months. However, the Government of the Northwest Territories, recognizing that territorial boundaries were established by a non-Inuit government, would not wish to prosecute an Inuk from outside the Northwest Territories unless requested to do so by an Inuit resident in the Northwest Territories. In recent years a similar case existed in which residents of Great Whale River took stone from the Belcher Islands. Residents of the Belcher Islands, feeling this was a matter between Inuit, settled it in their own way. Thank you.

MR. SPEAKER: Thank you. Mr. Wah-Shee.

Return To Question 176-80(2): Mayor's Wages In Communities

HON. JAMES WAH-SHEE: I have a return, Mr. Speaker, to Question 176-80(2), asked by the hon. Member Mr. Kilabuk on November 3rd, regarding mayor's wages in communities.

My department is aware that certain communities in the Northwest Territories may wish to increase the honorariums paid to their mayors. I am certainly receptive to any proposal along those lines which those communities might wish to make. I would like to point out to Members that the proposed community government ordinance now in draft stage and in the communities for consultation, provides for precisely the type of flexibility in this area that the Member indicates the communities are seeking.

Return To Question 145-80(2): Accident Between Pine Point And Hay River

I also have a return for the hon. Member Mr. McLaughlin, to Question 145-80(2), regarding safety standards and highway accidents.

The safety division does not have a standard for warning signs on highways. The subject comes under the Public Highways Ordinance and so falls within the responsibility of the Department of Public Works. The highways division of DPW uses standards set in the Manual of Uniform Traffic Control Devices for Canada, a publication of the Canadian Roads and Transportation Association. I am satisfied that the warning signs posted at the bridge over the Little Buffalo River do conform to these standards, but in view of the concern which was expressed by the Member for Pine Point, I have asked the RCMP to let me know if the warning signs were adequate at the time of the recent accident.

Return To Question 179-80(2): Incorporated Communities Ordinance

I have a return for the hon. Member, Ms. Cournoyea, to Question 179-80(2), regarding the incorporated communities ordinance.

1. The draft community government ordinance which is currently being discussed in communities is part of this government's commitment to provide flexibility and a range of choice to communities in the management and delivery of programs which they might wish to operate. This consultation process involves staff from a number of territorial government departments. A recent tour of the Baffin region, for example, involved staff from the Departments of Social Services, Education, Renewable Resources as well as my own department. The ordinance is in the form of a preliminary draft. The purpose of the consultation is to determine at an early stage, whether the directions being taken are in line with the expressed wishes of the communities, as well as other groups such as the Baffin Regional Council. Copies of the draft ordinance are certainly available to Members of this House, if they wish to have one. I have not presented it formally to the House because it is still in the preliminary stage of development and not scheduled for introduction until a year from now.
2. The Member from the Western Arctic has given notice of motion concerning joint development by my department with herself and Western Arctic communities of a proposal for a Western Arctic regional municipality. When that motion is introduced I certainly will support it.

Return To Question 174-80(2): Ordinances Regarding Incorporated Communities

I have another reply for the hon. Member from the Western Arctic to Question 174-80(2), and it regards the community government ordinance.

The Government of the Northwest Territories is committed to the passing of political responsibility and resources for the delivery of government programs and services from the Government of the Northwest Territories to the community level of government and to the regional level of government where the communities within a region have agreed that the programs can best be provided from the regional political level. The proposed community government ordinance for settlements and hamlets will provide a stronger base for devolution to the community level of government. The basic objectives of the ordinance are:

- (1) To allow settlements to become incorporated in order to assume at their own pace full responsibility for Government of the Northwest Territories programs based on community priorities.
- (2) To provide a range of choices for communities in respect to such matters as voting, residency requirements, council size, etc.
- (3) To permit both hamlet and incorporated communities to assume responsibility for a broad range of program areas where this is the wish of the majority community residents.
- (4) To provide, based on community choice, for various committees and special purpose bodies to come under the overall co-ordination of community councils.
- (5) To permit community and band councils in the Mackenzie Valley to come together to ensure a representative basis for strong community government.
- (6) To provide legislation which is easily understood.

The government is committed to develop the appropriate legislation to reflect the regional levels of government. Consultation on community government ordinance is being carried out with all settlements and hamlets in the Northwest Territories. The proposed ordinance is also being discussed with various native organizations and the Baffin Regional Council.

While the process of consultation has been going on for some time, I am committed to continuing this process to ensure that all communities and native organizations have a full opportunity to discuss the kind of community

governments they want and bring forward further ideas. For this reason I do not propose to introduce this legislation any earlier than the fall session in 1981. Within this framework the consultation process has been undertaken under my direction with the full concurrence of the Executive Committee. Strong community government is fundamental to strong government at all other levels, including regional levels of government. Far from inhibiting regional government in the Northwest Territories the proposed community government ordinance will lay a solid foundation for whatever regional structures of government might be developed in the future.

MR. SPEAKER: Thank you, Mr. Wah-Shee. Any further returns? Mr. Butters.

Return To Question 200-80(2): Extension To School In Lake Harbour

HON. TOM BUTTERS: Mr. Speaker, I knew I had seen the return to the question raised by the hon. Member from South Baffin. Since the matter was raised at Baker Lake it would appear to be filed as an information item, Information Item 53-80(2) in the book. If the Member wishes me to read that I will do so but it is in Members' books.

MR. SPEAKER: Thank you. He can look it up if it is in the book. Mr. Kilabuk, if you will check your book you will find it. Are there any further returns?

Item 4, petitions. Are there any petitions?

Item 5, tabling of documents.

ITEM NO. 5: TABLING OF DOCUMENTS

Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I would like to table Sessional Paper 6-80(2), Options for a Position on the Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada. I just might note, Mr. Speaker, that the Inuktitut version will be completed later on this morning and will be available this afternoon. Therefore, may I have the permission of the House to table the English copy now?

MR. SPEAKER: That will be fine as long as the other is coming through this afternoon. Any further tabling of documents? Ms. Cournoyea.

MS. COURNOYEA: Since there has been a great deal of discussion on the Yukon game laws and I believe that this is not the conclusion, I am tabling Tabled Document 33-80(2), a statement by the president of COPE regarding the recent changes to the Yukon game ordinance as it relates to the Inuvialuit.

MR. SPEAKER: Thank you. Any further tabled documents?

Item 6, reports of standing and special committees.

ITEM NO. 6: REPORTS OF STANDING AND SPECIAL COMMITTEES

Mrs. Sorensen.

Report Of The Standing Committee On Finance

MRS. SORENSEN: Thank you, Mr. Speaker. I have a report from the standing committee on finance.

Your standing committee on finance met on Wednesday, October 29th to consider Bills 20-80(2) and 21-80(2). Both of these bills relate to the conduct of business by the Slave River Sawmill Limited of Fort Resolution, a private

community-run industry and this government's plan to assist this company financially. The bills cannot be agreed to independent of each other and therefore your committee recommends that full discussion of both bills take place in committee of the whole before the vote is taken. The committee reviewed the history of the sawmill, the avoidable and unavoidable recent events that have caused financial difficulties and the implications of refusing funding assistance to this company.

Your committee as a result of its deliberations requests that the Legislative Assembly recommend to the Executive Committee that before further financial assistance is given it investigate the feasibility of:

1. negotiating with the sawmill management a system whereby logging contracts are tendered using the piecework concept; 2. negotiating with the sawmill management a system whereby workers in the mill are paid using the piecework concept; 3. the government providing a financial analyst whose sole responsibility would be to protect the government's financial investment but who would be available to the sawmill management for financial consultation if requested.

Motion To Adopt Report Of The Standing Committee On Finance, Carried

Mr. Speaker, on behalf of the standing committee on finance I move the adoption of the committee's seventh report to the Legislative Assembly.

MR. SPEAKER: Thank you. I have a motion on the floor. To the motion. Are you ready for the question? The question being called. Mr. Sayine.

MR. SAYINE: Yes, Mr. Speaker, I just wanted to go on the record that since I am on the board of directors of the Slave River sawmill that I will not vote because I have a conflict of interest.

MR. SPEAKER: Thank you, Mr. Sayine. The record will so show. Are you ready for the question? All those in favour? Opposed? The motion is carried.

---Carried

Are there any further reports of standing and special committees?

Item 7, on the order paper, notices of motion.

ITEM NO. 7: NOTICES OF MOTION

Mr. McLaughlin.

Notice Of Motion 68-80(2): Recommendation To Commissioner Of Two Additional Ministers

MR. McLAUGHLIN: Thank you, Mr. Speaker, I would like to give notice that at the appropriate time later today I will be asking for unanimous consent to move the following motion:

That this Legislative Assembly recommend to the Commissioner that the following additional Members be appointed to the Executive Committee; Mr. Dennis Patterson, MLA for Frobisher Bay and Mr. Kane Tologanak, MLA for Central Arctic.

---Applause

MR. SPEAKER: Thank you. Any further notices of motion? Mr. Butters.

Notice Of Motion 69-80(2): Appreciation To CBC And Inukshuk Television Project

HON. TOM BUTTERS: Mr. Speaker, just briefly that I give notice that I will ask for unanimous consent tomorrow to move a motion of appreciation to the CBC and to the Inukshuk television for their coverage of the unity committee debate.

---Applause

MR. SPEAKER: Thank you. Are there any further notices of motion?
Mr. McLaughlin.

Notice Of Motion 70-80(2): Location Of May Session

MR. McLAUGHLIN: Thank you, Mr. Speaker. I would like to give notice that I will be seeking unanimous consent later today to move the following: That this Legislative Assembly recommend to the Commissioner that a session be held in Hay River commencing in mid May, 1981.

SOME HON. MEMBERS: Boo!

MR. SPEAKER: Thank you, Mr. McLaughlin. Any further notices of motion?
Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Speaker I would like to give notice that at an appropriate time later on today I will be seeking unanimous consent to move the following...

MR. SPEAKER: I am sorry, Mr. McLaughlin, you are in contravention of a rule that states that you can only make two motions. Can you have somebody else possibly do it for you? Are there any further notices of motion? Mr. Curley.

Notice Of Motion 71-80(2): Terms Of Reference Of Special Committee On Education

MR. CURLEY: We are a little confused here. Mr. Speaker, I will be asking for unanimous consent to move the following motion: I move that the terms of reference of the special committee on education be changed to read as follows: (d) To initiate action research projects to demonstrate new approaches to solving education problems. (e) To recommend urgent changes in existing policies from time to time as deemed necessary, and that item (d) in the terms of reference becomes item (f).

MR. SPEAKER: Thank you. Any further notices of motion? We will proceed to Item 8, motions.

ITEM NO. 8: MOTIONS

The first on my list, Motion 47-80(2), Mr. Pudluk.

Motion 47-80(2): Request By Resolute Bay For Additional Vehicle

MR. PUDLUK: Thank you, Mr. Speaker. Motion 47-80(2):

WHEREAS during the winter and summer months the contractors are asking for more money for road maintenance;

AND WHEREAS not enough of this money is going to the community;

AND WHEREAS Inuit in the community would have more chance at bidding on contracts;

NOW THEREFORE, I move that this Assembly recommend to the administration that it support the maintenance of roads in Resolute Bay in both winter and summer and the purchase of additional maintenance vehicles so that more contract money can remain in the community.

MR. SPEAKER: Your motion is in order. Go ahead, Mr. Pudluk.

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. We have come to this problem a number of times and this year this problem was for those contractors. Also the people of Resolute want to become a hamlet in the near future. They want the responsibility of road maintenance in summer and winter. If this responsibility is not taken by the communities at the present time, but I would like to inform the administration, the government, that if they can consider this that it will have to come to that sooner or later in the future.

I am pretty certain that the population of Resolute Bay will be increasing in the future. We now know that the mines are developing and the Arctic Pilot Project will be starting. Because of these two industries the Resolute population will not be declining. I realize that the government will not have enough funding for these, but it will help the people of Resolute Bay and the money will stay within the community. The people that give out the contracts and the money they get just goes down south. If the communities start to take this responsibility the money would stay within the community. I think the government wants to see that the money stays within the community. For these reasons I move if the community becomes a hamlet -- when they take over the responsibilities sometimes this cannot be carried out before they become a hamlet. They will not like to start having these responsibilities so the responsibility does not come in all at once. I am asking you now, this can be looked into not now but to be considered for next year and some time in the future, in the near future. Thank you.

MR. SPEAKER: Thank you, Mr. Pudluk. Mr. Arlooktoo is the seconder of this motion. Do you wish to speak on it at this time?

MR. ARLOOKTOO: (Translation) I seconded this motion. The community council has been able to handle this responsibility with the contract for road maintenance in the winter. If the settlement council is going to become -- the manager the Inuit people, if they can be introduced to these responsibilities, one day they can become a hamlet. It is possible to have local contractors for road maintenance in the summer and the winter. I seconded this motion and I will support the motion and I truly believe that the motion is a good one.

MR. SPEAKER: Thank you, Mr. Arlooktoo.

SOME HON. MEMBERS: Question.

Motion 47-80(2), Carried

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

---Carried

Motion 48-80(2), I understood Mr. Sibbeston had withdrawn this at this time. Is that correct Mr. Sibbeston?

MR. SIBBESTON: Yes, Mr. Speaker.

MR. SPEAKER: Motion 50-80(2).

MR. SIBBESTON: Mr. Speaker, I would like to go ahead with my motion.

MR. SPEAKER: Proceed, Mr. Sibbeston, with Motion 48-80(2).

Motion 48-80(2): Review Of Dress And Practice Of The House

MR. SIBBESTON: Mr. Speaker:

WHEREAS there are presently many rules, dress, decor and practices of the Legislative Assembly which are not fully understood or accepted by Members of this Assembly;

AND WHEREAS there is need to establish rules, dress, decor and practices which are more reflective of the land and the people of the North;

NOW THEREFORE, I move, seconded by Mr. Robert Sayine, that the Members' Services Board review all rules, decor, dress and practices of this Legislative Assembly with the view to making such rules, decor, dress and practices more reflective of the land and customs and traditions of the people of the North and report their findings and recommendations to the next Assembly.

SOME HON. MEMBERS: Question.

MR. SPEAKER: The motion is in order. Mr. Sibbeston, go ahead.

MR. SIBBESTON: Just a few brief words, Mr. Speaker. My idea of a Legislative Assembly is that it should be in a place where people who are elected can attend, where their constituents can identify with them and thereby have respect for them and the institution. The gauge which I use because I represent many Dene people who live in small communities is, would they feel comfortable if they were to be invited to this Assembly? Would they identify with any of the decor or practices that they saw? Presently I would have to say that they would not feel very comfortable. They would not understand or have any appreciation for the dress, decor and practices. There is really purely and simply nothing Dene about this Assembly.

The dress of the Speaker, for instance, is I submit, a foreign dress. I have such an outfit being a lawyer which I sometimes wear when I go to the supreme court; lawyers and judges wear these cloaks to create awe and to create distance between themselves and ordinary people. We are not a court of law and we do not need to create awe and distance between ourselves and the people. I think that we ought to consider creating a dress for the Speaker and for the people who work in here, Mr. Remnant and Mr. Johnson, something that is clearly of a northern character, perhaps something made out of hide with some embroidery or something that you could see and say "That is something really northern, it is beautiful and colourful."

Practices Of The House

The other matter I wish to raise is the matter of the practice of this House. I definitely feel at the moment that there is a military element which has been set into the practice of this House. For instance when the House starts somebody yells "Order" and everybody becomes startled for a moment; people march in the House like an army and somebody carrying a strange thing called a mace. I sometimes think that an aide-de-camp is someone who, if you were very critical of the government, would arrest you and takes notes and keeps notes to make sure that nobody is very critical of the government. If you dare say too much, he will come around and arrest you. There have been times in this House when we have had the RCMP sitting there, you know, so I do feel there is an element of military presence which I do not think is needed in this House. There are many other things such as the ropes which surround the Assembly. I think we ought to look at the practices and decor at this time in our history and begin to think about why these practices are so and, if they are not acceptable to us, change them. I think this change would be part of the process that is presently going on when we are talking about changes in the government, we should also deal with changes in this House.

MR. CURLEY: Hear, hear!

MR. SPEAKER: Mr. Sayine, as the seconder of this motion, you have the right to the floor now. You say you do not wish it. Mr. Fraser now.

MR. FRASER: Mr. Speaker, we have been through this about three or four times now and every time we discuss it -- it seems like the last time we talked about it in caucus the Members agreed that this was the way it was going to be. Why prolong this thing? The Member does not think there is anything Dene about it. I wonder if the Members are Dene. All the Members are Dene. When is it going to stop? He wants people to sit in here with caribou skin coats or something to be more like the North. We have had this out about three or four times and I do not know why we have to go through it every time we sit. This is the third time we have sat now since this new Assembly and it is the third time it has been brought up. Why do we not discuss it thoroughly and let it go and finish with it?

MR. SPEAKER: Thank you, Mr. Fraser. Mr. MacQuarrie.

Political Development Should Be Resolved First

MR. MACQUARRIE: Thank you, Mr. Speaker. The intent of the motion is one that I can absolutely support. I think that there is no harm at all -- not only no harm, but a great deal of good eventually in creating an atmosphere in the Assembly which is one that means a great deal to the people whose Assembly it is. But as on so many other occasions, I think Mr. Sibbeston is a little too impetuous. We are right now in the midst of constitutional change. There is a possibility of a division in the Territories and I think that this is not the moment to decide precisely what the atmosphere should be. We might decide we should have an igloo in the centre of the floor and then next year learn that the Eastern Arctic territory is separating, so we would have to do the work all over again. I do not think it is a job right at this time for the Members' Services Board. I believe that when the political development question is sorted out and I hope that will be very soon, over the next year or two or three years.

I will not slight this question at all. It is a very important one, but I do disagree with Mr. Sibbeston when he says that things like special garments and symbols such as the mace are simply placed there to create awe. I agree that that is the effect they have sometimes and to the extent that it keeps people away from their government. That is not good, but the truth is that some of these things are also brought to institutions, not only British and western institutions, but to native institutions, in order to enhance the dignity of those institutions that mean a great deal to the people who support them.

So, what I am suggesting then is if we can get political development sorted out in the Territories in the next few years, we can create the kind of atmosphere with symbols and garments and whatever, that really do add dignity and strength to those institutions because they are the kinds of symbols that are supported by the people whose institution this is. So I will not vote for this motion at the present time.

MR. SPEAKER: Ms. Cournoyea.

MS. COURNOYEA: Well, I am amazed. I can fully support this motion because I know we are in the throes of grave concerns and constitutional development but you must realize we have a craft industry in the Northwest Territories that would become very excited to design some garments for our officials in the centre of the floor.

---Applause

Life is not always a serious note and we do have people who would be happy to participate in doing this very gracious chore. I will support the motion.

MR. SPEAKER: To the motion. Mrs. Sorensen.

New Uniforms For Pages

MRS. SORENSEN: I would just like to inform the Assembly that the Members' Services Board at a very recent meeting discussed new Page uniforms and subject, of course, to letting the Legislative Assembly have input, have redesigned the uniforms to be more in keeping with the North. We have decided on a vest and on that vest will be the different crafts that we find in the North, the beadwork, embroidery, moose hair tufting and applique's. There will be a skirt for the girls, it will be a long skirt and will be designed in a -- what was the material? A stroud, I think, a type of stroud. The boys will have slacks. We have been discussing this very thing because there is an urgent need to have the Page uniforms designed, Mr. Sibbeston, so there is some work being done.

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

MR. CURLEY: Mr. Speaker, I would like to ask a question before I can intelligently vote on this motion. Is it the rule of the House that I absolutely have to wear this tie and this jacket and a white shirt and all that? Could you assure me whether or not I absolutely have to do that before you can recognize me as a Member? If not, I certainly would prefer to wear casual dress and so on in this House.

MR. SPEAKER: The rule that applies here is fairly broad. It basically is in a manner to uphold the -- "When in the Assembly every Member shall be attired in a manner appropriate to the dignity of the Assembly." So that is fairly broad. Now, the ruling so far has been in this regard and agreed to in caucus that this included a jacket and tie. However, this is your Assembly and if you decide other than that I do not see why that cannot be changed basically. So I think it is up to yourselves to decide. Mr. Curley, do you wish anything further?

MR. CURLEY: No.

MR. SPEAKER: Mr. Noah.

Self-Respect Of Legislative Assembly Members

MR. NOAH: (Translation) On rules and procedures, I am the Member for the committee. I am embarrassed to say anything for the reason mainly that my colleague beside me and the person who is sitting next to him, that I am shocked to hear that they have suggested something like that about the western area. In Baker Lake when the witnesses were dressed in the old way they wanted, except for the judge, the clothing indicates that they have knowledge of their job.

I talked to Judge Mahoney all day and on the second or third day I wore ordinary clothes because I wanted to show my respect for him by dressing properly and they went to another community, they went to Toronto and everybody was all dressed wearing suits, only some of them were wearing just T-shirts when they were in their witness box in the court. I am not going to vote on this motion because if you want to come into this House dressed in ordinary clothes I would recognize you have no self-respect as a Legislative Assembly Member and that would indicate that you have no respect for Mr. Speaker and for the law clerks.

---Applause

I think we are getting carried away with this. Essentially you are just making fun of it. We are not here just to make fun of things. I am not too concerned about the way I dress because my concern is more for my constituents. Maybe when we get the Nunavut then I will support it. I think we should be proud that we are Canadians and there are people in this country who are proud of us. That is all I want to say. Thank you.

---Applause

SOME HON. MEMBERS: Question.

MR. SPEAKER: Mr. Pudluk.

Rules And Procedures Should Not Be Changed

MR. PUDLUK: (Translation) Mr. Speaker, I will make it brief. The motion that was just made, I will not support it at this time. The mover's statements that he makes, we will probably have to come in here with proper haircuts, or I just wanted to say that when we used to meet in the evenings sometimes, sometimes there were people who used to come into the chamber drunk.

MR. CURLEY: Question.

MR. PUDLUK: (Translation) Sometimes they used to try to argue with the person who was speaking. I think we should have rules and procedures and I do not think at this time our rules and procedures should be changed. Thank you very much.

MR. SPEAKER: To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: The question being called. Mr. Sibbeston, you have the last kick at the cat.

MR. SIBBESTON: Mr. Speaker, I just wanted to say again that what I mean in making this motion is that I want changes to this Legislative Assembly. I am not impressed by the style and the decorum and the practice of this House. I am not impressed by the fact that people like you have to wear the cloak because to me it is a foreign dress. People of the North do not ordinarily dress like that and as I said the only time you see people dressed like that is when there is supreme court in the North. As I said lawyers wear that kind of dress and so do judges and it is to create awe and distance between themselves and people.

Now, Mr. Noah mentioned something about whether we would come in here with work clothes, that is not what I mean. What I am saying is do we necessarily have to wear these kinds of suits? Surely as Inuit people they ought to be able to wear something that reflects the traditional clothes that they wear and with the Dene people maybe it might be possible some day for me to come in here with a nice leather jacket.

Assembly Decor Should Be More Northern

As I said there is nothing Dene about this Assembly. There is a bit of Inuitness. There is that thing up there that reflects the Inuit culture and I think that is wonderful. It is better than having something from Britain or something from the South. What I am saying is we have to make this House a little bit more northern so that people can identify with it and can feel comfortable with this House. And that is all I am saying. We should not accept all of the things that have happened so far. We should not accept the things that we see in this House. It is about time that we people of the North questioned this, because if we do not 100 years from now, we will still have an Assembly like this, and people will not understand what the mace is about or what the chair is about or why we are roped in. I think it is a good time to question these things and if we do agree to change some of these things.

MRS. SORENSEN: There is another kind of mace, you know, Mr. Sibbeston.

MR. SIBBESTON: The idea is to make it better than it is now and not to degrade it. If we changed some of these things -- I appreciate that there are some white people in the North and maybe some native people who appreciate all of these trappings and practices of the House. It seems that there are, but I do think that most of the people in the North, I know where I come from, my constituents would like to see changes. I know that if ever I asked the Assembly or invited the Assembly to Fort Simpson that people would be "freaked out" by this Assembly, the way we run things in the House and they would not have any appreciation at all for what was going on. So I just think that it is time that we looked at what we have now critically and be open to change.

MR. SPEAKER: Thank you. That concludes the argument on the debate. The debate is now closed on the motion. Unless it is a point of order, Mr. Noah, or a point of privilege the debate is concluded.

Motion 48-80(2), Carried

Are you ready for the question? The question being called. All those in favour of the motion? Against? There were eight affirmative, four opposed. The motion is carried.

---Carried

MR. SPEAKER: Motion 49-80(2), I believe has been dealt with.

Motion 50-80(2), Mr. Patterson.

Motion 50-80(2): Creation Of An Arctic Territory, Withdrawn

MR. PATTERSON: I will withdraw that motion, Mr. Speaker.

--Applause

It is probably out of order now anyway.

MR. SPEAKER: Motion 52-80(2), Ms. Cournoyea.

Motion 52-80(2): Amendments To Liquor Ordinance

MS. COURNOYEA: Motion 52-80(2), Amendments to the Liquor Ordinance:

WHEREAS the penalties provided in the Liquor Ordinance for unlawful sale and purchase of liquor are totally inadequate and are therefore no deterrent to the persons involved in the unlawful trading of liquor;

AND WHEREAS to ensure that persons carrying out such unlawful trading of liquor are adequately punished and dealt with under the law, it is necessary to amend the present penalties provisions of the Liquor Ordinance;

AND WHEREAS the penalties provisions of the Liquor Ordinance were last revised as far back as 1976;

AND WHEREAS the present Liquor Ordinance provides no immunity from conviction for peace officers on duty or other persons acting under instructions or authority of a peace officer, for purchasing liquor from a person not authorized to sell the same, for the purpose of detecting a known or suspected offender against the Liquor Ordinance;

NOW THEREFORE, I move, seconded by the hon. Member for Keewatin South, that this House urge the administration to bring forth appropriate legislation at the next session of this Assembly to:

(i) amend subsection 87(1) of the Liquor Ordinance raising the penalty to an individual for a first offence to an amount not exceeding \$5000 or to

imprisonment for a term not exceeding 12 months, or to both and for a second or subsequent offence to a fine not exceeding \$10,000 or to an imprisonment not exceeding 24 months or both;

(ii) amend subsection 87(2) of the Liquor Ordinance raising the penalty to an incorporated company for a first offence to an amount not exceeding \$5000, for a second or subsequent offence to a fine not exceeding \$10,000; and

(iii) amend the Liquor Ordinance by incorporating a provision providing immunity for peace officers on duty or other persons acting under instructions or authority of a peace officer for purchasing liquor from a person not authorized to sell the same for the purpose of detecting a known or suspected offender against the Liquor Ordinance.

MR. SPEAKER: Your motion is in order. Proceed, Ms. Cournoyea.

MS. COURNOYEA: Mr. Speaker, this motion is mainly to direct this administration to bring forward legislation to the next session of this Assembly. I have been assured by the Hon. Mr. Butters that there are indeed plans to deal with the Liquor Ordinance in great detail. However, in view of the urgency to give direction on these two matters I wish to have this motion supported so that there will be no doubt that these two suggested amendments will indeed come forward by the direction of this House due to the critical and alarming situation in the northwestern part of the Northwest Territories. In this area there is one major outlet which is in Inuvik and this regional liquor outlet provides alcohol to the surrounding communities of Tuktoyaktuk, Sachs Harbour, Paulatuk, Aklavik, Fort McPherson and Arctic Red River. The higher populated communities in this area have chosen not to have a liquor outlet in their communities as it appears their opinion is that if liquor is difficult to get most individuals would not be preoccupied with getting their daily supply and therefore would not be tempted by the availability.

Bootlegging A Very Lucrative Business

There was a conscious decision in not having a liquor outlet in these communities. However two things have happened over the last few years. First, transportation has improved considerably by plane to Aklavik, 15 to 20 minutes, \$90, Tuk by plane 45 minutes, approximately \$200. There are roads to Fort McPherson and Arctic Red River. The wages have increased because of the industrial activity and the hazard has come because there is no limit at the Inuvik regional liquor outlet. As a result bootlegging has become a very lucrative business bringing in returns of anywhere from \$35 to \$60 for a 26 ounce bottle of liquor and \$60 to \$80 for a 40 ounce bottle. It is not uncommon to see a plane land in a community with three to four and up to ten cases of alcohol which is permitted under the present system. An individual bringing in 18 bottles at approximately \$60 would easily recover within four to six hours upon arriving in his community \$1080. Given that he has paid \$200 in transportation he is not very concerned about a mere \$200 or a \$500 fine.

As a matter of fact, it is a common joke that the present state promotes the activity. To add to that joke, offenders find it very exciting to challenge their enforcement officers as they know the law does not permit officers or their agents to get evidence to prosecute. In order to prosecute one long-time offender the officer had to spend three weeks under continual surveillance watching one house and I would say that this was an expensive proposition for the Legislative Assembly.

These particular situations have been brought to the attention of all authorities at all levels. This issue has been debated at the Northwest Territories Drug and Alcohol Co-ordinating Council who tabled recommendations to the Assembly in their annual report March 31st, 1978. The two recommendations contained in this motion were supported fully although because of other recommendations contained in the report it was otherwise thoroughly slaughtered and subsequently the report was thrown out and the two suggested amendments to the ordinance went with it.

Difficult Situation At Regional Level

There have been innumerable meetings on this particular subject. The complex nature of the communities surrounding Inuvik and the make-up of the business and vested interest has made it very difficult to deal with this situation at the regional level. The community of Tuk requested that the Commissioner use his office of authority to set limits on the regional liquor store and I might suggest that these limits were of a generous nature. The Commissioner rejected this request and stated that the town of Inuvik local government did not support the rationing system, however generous it might be. On checking there was no delegation to the Inuvik town council on this matter and I request because we are facing a critical situation and I could if you wish give you statistics on the purchases and the liquor offences and the horror in our community as a result of this kind of distribution of alcohol, but I know that these are known to many of my colleagues and I will not present those unless you ask for them.

Since the Commissioner has refused to use his authority to do a just thing, to implement a request which comes from the community, we will now move as a regional group to get that consensus to prove that this is desirable. However, at this point in time the Commissioner feels that he cannot make the decision to limit the sales. These are only two solutions that the communities surrounding Inuvik and I believe a great many people in Inuvik find that can result or resolve or eliminate some of the problems and I am asking you for your support. Thank you.

MR. SPEAKER: Thank you. To the motion, Mr. Curley. You are the seconder. You have the floor.

Alcohol Has Demoralized Our People

MR. CURLEY: Thank you, Mr. Speaker. I am in full support of this motion. I think Nellie Cournoyea has been able to expand on it very accurately. The alcohol problem in the North has been one of the most demoralizing subjects that has created completely -- it has demoralized our people and it is one of the things that is the most common problem that the courts have normally experienced. So on that basis I think the regulations, the ordinance has been too lenient to those bootleggers. On that basis I would urge the Members to support this particular motion.

I also note that recently we had experienced in the North that prohibition works -- in terms of prohibition of alcohol, the sale of liquor in the communities -- it has worked for our people and on that basis I think we can go further than that and I would like to make known that this particular motion should go a lot further, a lot more. I realize that the revenue generated by the sale of liquor by the territorial government is the second largest. I do not think we should have to defend the general revenue generating factor on this because it does not serve our people very well. So on that basis I will just urge the Members to support the motion.

MR. SPEAKER: Thank you. To the motion. Mr. Noah.

Alcohol Ruins Peoples Lives

MR. NOAH: (Translation) Mr. Speaker, I am going to support this motion as well because mainly the Inuit in the communities in the Northwest Territories, the Dene and the whites come into the Territories bringing alcohol. They usually are not familiar with the rules or the Liquor Ordinance and they usually are not familiar with the punishment or the fines that go with the Liquor Ordinance. This is very hard on people but if they bring alcohol in, they ruin their lives because of alcohol. We have quite a bit of a problem in our settlements. I am not concerned about -- sometimes they give wine to me. These things should be considered a whole lot more than they are now and maybe this is a beginning if we change our ordinance to be more acceptable as a regulation. It is better for all natives to not drink alcohol. There has been quite a bit of a problem up here. I will support this motion in principle. Thank you.

MR. SPEAKER: Thank you, Mr. Noah. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Speaker. I will move that this motion be referred to committee of the whole for more detailed discussion.

MR. SIBBESTON: Shame!

MR. SPEAKER: I have a motion to move it into committee of the whole. To the motion, Ms. Cournoyea.

MS. COURNOYEA: I do not know why Mr. MacQuarrie wants that to be moved into the committee of the whole because the request -- I vote against that motion because the request says...

MR. SPEAKER: I am sorry, Ms. Cournoyea. We do not have a seconder yet for that motion. Is there a seconder for the motion. Is there a seconder for the motion? There is no seconder. Mr. MacQuarrie.

More Information On Fines And Sentencing Required

MR. MacQUARRIE: Speaking to the motion, Mr. Speaker, I was not trying to move it into committee of the whole as a ploy because I feel very deeply also about the kind of concern that is expressed here. I think where communities are faced with serious social problems such as alcoholism being rampant, it is very commendable when the communities try to do something about it and I would not at all want to stand in the way of that. As a matter of fact, I support it very much, and where communities are trying to do that I find it deplorable that there are certain individuals who would disregard the law or use dodges or loopholes to try to undermine a desirable social policy. The only reason I wanted it in committee of the whole is because we are calling for very specific fines and sentences and so on and I just do not feel I am prepared, that I have sufficient information, to know whether those are desirable.

Apparently there has been some politicking going on in the past. I would have liked to have had the opportunity to hear a little bit about the history of what has gone on with respect to this in the past. So it is not at all an attempt to undermine it. I would like to see the most severe penalties possible that are commensurate with reason and effectiveness be put into place, but I do not know what those are right at the moment. So I certainly will not vote against it, if it proceeds here in formal session, but I would probably have to abstain in that case because I am not sure about too many things right at the moment.

MR. SPEAKER: Thank you. To the motion. Mr. Patterson.

Motion Is Reasonable And Long Overdue

MR. PATTERSON: Perhaps as a person who works in the courts, Mr. Speaker, I can tell Mr. MacQuarrie that I feel the motion is reasonable and long overdue. Although bootlegging happily is not a significant problem in this region due to the number of communities who have taken steps to make their own local laws, however, I am aware of the problem elsewhere in the Northwest Territories. I would point out that this proposed amendment would simply raise the maximum and I can assure you that in my experience in courts in the Northwest Territories they are as lenient and as humane in dealing with offenders as they are in any part of the country and I do not think anyone needs to fear that these provisions will be abused or result in undue harshness. I think the fine will depend on the size of the transaction.

I cannot help also observing, Mr. Speaker, that while there is virtually an automatic jail term imposed for persons convicted in the Northwest Territories of trafficking or possession for the purpose of trafficking in drugs, the penalties for the offence of trafficking in liquor and alcoholic substances are grossly disproportionate. I would even go further and say that I find this particularly offensive because the harm which is wreaked through the trafficking in alcohol and in terms of special harm, violence, human tragedy, family tragedy is often much greater or is often significantly greater than the harm wreaked by persons who are trafficking particularly in soft drugs.

So I think this amendment is well overdue. I do think it might be, if Mr. MacQuarrie is concerned, I think perhaps we might ask our Legal Advisor to explain what the present maximum penalties are for first and second offenders, bootlegging and then perhaps it will be evident to us that the law needs changing.

Also, Mr. Speaker, I might say that this matter will be undoubtedly thoroughly canvassed by the legislation committee and since the Minister of Justice has proposed amendments to the Liquor Ordinance I think it would be most appropriate that the legislation committee conduct public hearings and undoubtedly some of those hearings should be held in the Western Arctic to get the public's view on these amendments. I am sure that process will take place while this new legislation is being developed and will be another safeguard, but I am quite prepared to vote in favour of it myself right now. I would ask the Legal Advisor if he could enlighten us as to what the present penalties are. Thank you.

MR. SPEAKER: Thank you. Mr. Legal Advisor, do you have that information?

LEGAL ADVISOR (Mr. Johnson): It will just be a couple of seconds. I want to find the appropriate section in the ordinance.

MR. SPEAKER: We will come back then if you do not mind. I will take another speaker to the motion. Mr. Butters.

Administration Aware Of Seriousness Of Problem

HON. TOM BUTTERS: Mr. Speaker, just to say that the administration is aware of the problem and the seriousness of the problem as outlined by the mover of the motion and it welcomes the recommendations contained therein to attempt to resolve that problem. The Liquor Ordinance I think in many ways is quite forward looking and innovative but it certainly requires amendment and constant examination. I would just like to indicate that should the motion pass we will carry out the request that is being made of us and also as I answered the hon. Member from Mackenzie Liard earlier that the Department of Justice would be requesting of all Members suggestions on how they feel the current Liquor Ordinance might be amended to improve it. So I make those requests orally now but we will be advising them in writing and welcoming their suggestions for amendment to the ordinance.

MR. SPEAKER: Thank you, Mr. Butters. Mr. Legal Advisor do you have an answer to Mr. Patterson's question?

Penalties For Unlawful Sale Of Liquor

LEGAL ADVISOR (Mr. Johnson): Yes, I do, Mr. Speaker. The current section 87 of the Liquor Ordinance which provides for conviction for unlawful sale calls for a penalty for a first offence to a fine not exceeding \$1000 or to imprisonment to a term not exceeding four months, or both and for a second or subsequent offence to a fine not exceeding \$2000 or to imprisonment for a term not exceeding 12 months, or both.

MR. SPEAKER: Thank you. The question being called. The mover has the opportunity of closing debate. I would advise, however, once the mover has spoken twice that the debate is concluded. Ms. Cournoyea.

MS. COURNOYEA: Mr. Speaker, it seems to me that whenever the community comes up for a solution to a program or a possible solution to a problem, it seems to be a never ending debate to have that accepted. When I presented this motion to the Assembly I thought of bringing forward a Private Member's Bill because of the urgency and the nature of the problem. I do not think in Mr. MacQuarrie's life he will ever understand the problems that we face within our communities...

MR. CURLEY: Right!

MS. COURNOYEA: ...for we cannot close our doors to our relatives and our friends and a particular situation in the Inuvik regional area is well known. No one asked for the liquor stores but we got them. The amendments that I am putting forward will come again to this Legislature at the next session which can then go into the committee of the whole and can be debated. All I am saying is I want to make sure that we get that far. Thank you.

---Applause

Motion 52-80(2), Carried

MR. SPEAKER: Thank you, Ms. Cournoyea. The question being called. To Motion 52-80(2). All those in favour of the motion? Opposed? The motion is carried with 14 affirmative votes.

---Carried

Motion 53-80(2), Mr. Sibbeston.

Motion 53-80(2): Minister Of Indian Affairs To Appear As Witness

MR. SIBBESTON: Mr. Speaker:

WHEREAS the Legislative Assembly is presently debating and dealing with a number of issues which depend ultimately on the federal government for their final decision and resolution;

AND WHEREAS it is important to the people of the North that answers be provided soon by the Minister of Indian and Northern Affairs department to the issues;

NOW THEREFORE, I move, seconded by Mr. Sayine, that this Legislative Assembly request the Minister of Indian and Northern Affairs to appear as a witness before the Legislative Assembly during the next session in Yellowknife to discuss among other things the following matters which are of utmost importance to the people of the North:

- (1) Norman Wells/Imperial Oil expansion and pipeline;
- (2) Report on progress made to date on aboriginal claims of various native groups in the Northwest Territories;
- (3) Constitutional development for the Northwest Territories;
- (4) Question of division, does the federal government support division of the Northwest Territories;
- (5) NCPC;
- (6) Government of the Northwest Territories financial arrangements with the federal government including revenue sharing;
- (7) Long-term non-renewable resources development plan.

MR. SPEAKER: Thank you, Mr. Sibbeston, your motion is in order. Proceed.

MR. SIBBESTON: Mr. Speaker, the motion is self-explanatory. It simply asks that the Minister be requested to show up at our Yellowknife Assembly session this winter. As stated, as northerners we need to know the answers to some of these things, otherwise we will be greatly disappointed in the event that we think that certain things are possible and we find out eventually that they are not. So it is important and incumbent upon the Minister to tell us and certainly indicate to us the general thinking of the federal government at this stage and in February this coming winter would be a good time for him to do so.

MR. SPEAKER: Thank you. I am sorry, I did not note your seconder on this motion, Mr. Sibbeston.

MR. SIBBESTON: Mr. Sayine.

MR. SPEAKER: Mr. Sayine, as seconder to the motion do you wish to have the floor at this time?

MR. SAYINE: Mr. Speaker, I support this motion and that is why I seconded it. I also feel that these things that Mr. Sibbeston has stated in his motion are very important. I think it is about time that since we have been on this Legislative Assembly that we had the Minister come forth to answer some of our questions which are very important to the North.

MR. SPEAKER: Thank you, Mr. Sayine. Mr. Pudluk.

Amendment To Motion 53-80(2)

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I am going to support this motion. I think we have to discuss these matters with the Minister of Indian and Northern Affairs, but I would also like to include in the motion an amendment, added onto this motion a number eight, "That we discuss the Arctic islands and the tankers that will be transporting gas and oil to the Arctic islands". That is another item that I would like included in that motion because I would like to discuss this matter with the Minister of Indian and Northern Affairs. Thank you.

MR. SPEAKER: I have an amendment on the floor to Motion 53-80(2). Mr. Clerk, have you a copy of that and possibly the wording of that should be checked for a moment so that we get this thing straight? Yes, Mr. Pudluk, your amendment would read, "(8) Arctic islands, Arctic Pilot Project" to cover the question that he has to the amendment. Are you ready for the question?

SOME HON. MEMBERS: Question.

Amendment To Motion 53-80(2), Carried

MR. SPEAKER: All in favour of the amendment? The amendment is carried.

---Carried

Mr. Butters.

Further Amendment To Motion 53-80(2)

HON. TOM BUTTERS: Mr. Speaker, I think if we are to accomplish this objective it might be wise to make a couple of minor amendments. I remember at Coppermine the Minister made it quite clear that the Government of Canada did not take its directions from the Government of the Northwest Territories. So I would suggest that in the first line we delete the word "requests" and say "invited" -- that the Assembly invite the Minister. In the second line where it says "appear as a witness before" delete those words and add the word "meet" so that the first two lines would now read "I move that this Assembly invite the Minister of Indian and Northern Affairs to meet with the Legislative Assembly...."

MR. SPEAKER: To the amendment. Do I have a seconder for the amendment?
Mr. Tologanak. The question being called. Mr. Sibbeston.

MR. SIBBESTON: I just want to inquire of Mr. Butters if whether by these amendments he intends for us to meet informally with the Minister or is it his thinking that he ought to meet formally with the Assembly in session?

HON. TOM BUTTERS: Mr. Speaker, I would ask the Legal Advisor whether the Legislative Assembly can exist except when in session.

LEGAL ADVISOR (Mr. Johnson): I think the Legislative Assembly carries on a lot of functions on an informal basis during the currency of the sitting. I think Mr. Sibbeston is thinking that the Minister would be actually in the chamber similar to other witnesses that were in this session here as opposed to informal meetings with the Assembly as a whole.

Further Amendment To Motion 53-80(2), Carried

MR. SPEAKER: To the amendment. The question being called. All those in favour? Opposed? The amendment is carried.

---Carried

To the Motion 53-80(2), Mr. Sibbeston.

MR. SIBBESTON: Mr. Speaker, if the motion passes I would hope that the Minister is requested or invited to come and in discussions with him he ought to be asked to provide some firm answers to some of these things that have been listed. I had the occasion this summer to be in Fort Good Hope at a Dene National Assembly when the Minister was there and I must say that everybody there was so disappointed at the Minister in that he did not provide straight answers to very simple questions. So it is not the intention to invite the Minister to come here and give us the same nonsense that he gave to the people in Fort Good Hope. So it is definitely with the intention of having some definite answers and even if it is "no" to certain things, we want to know, so if it is you, sir, Mr. Speaker, that has the occasion to request the Minister I would hope that you indicate to him that we will be requesting definite answers and we do not appreciate the style of politics that he perhaps is used to in the South where he gives non-answers and attempts to deceive his audience.

Motion 53-80(2), Carried As Amended

MR. SPEAKER: Thank you, Mr. Sibbeston. That concludes the debate on Motion 53-80(2). Are you ready for the question? Motion 53-80(2) as amended, all those in favour? The motion is carried.

---Carried

The time being 11:27, we will recess until 1:00 p.m.

---LUNCHEON ADJOURNMENT

MR. SPEAKER: The Chair recognizes a quorum. I call the House to order. We were dealing with motions prior to the lunch break. I understand that Mr. Curley has a point. Mr. Curley.

MR. CURLEY: Mr. Speaker, I would like to ask for unanimous consent to move the notice that I gave this morning. I have another motion that I would ask unanimous consent on as well right after that one.

MR. SPEAKER: I understand, Mr. Curley, that you are leaving early this afternoon and would like to deal with the motion. What was the number of that motion that you need unanimous consent for? Are they in the books yet? The one that was moved this morning is not in the books yet. We will ask the Clerk to see if he can get that for us forthwith. In the meantime, Mr. Curley is requesting that Motion 61-80(2) be brought to the floor ahead of this sequence that the numbers are in. Are there any objections?

--Agreed

Would you proceed with your Motion 61-80(2), Mr. Curley?

Motion 61-80(2): Recommendations On Student Grants And Bursaries

MR. CURLEY: Mr. Speaker:

WHEREAS the special committee on education was charged with the responsibility of reviewing the student grant aid advisory committee report;

NOW THEREFORE, I move, seconded by the hon. Member for Pine Point, that the recommendations of the special committee on education on student grants and financial aid be adopted.

MR. SPEAKER: Your motion is in order, Mr. Curley. Would you go ahead, please?

MR. CURLEY: Yes, Mr. Speaker, as reported the other day by the committee, I gave the recommendation that I think that the Members would like to have more time to study the details and I would now give them the opportunity to respond to the set of recommendations that we reported on.

MR. SPEAKER: Mr. McLaughlin, the seconder, do you wish to make any comments on Motion 61-80(2)?

Amendment To Motion 61-80(2)

MR. McLAUGHLIN: Yes, Mr. Speaker. The co-chairman and I have just decided we would like to have this in committee of the whole so I will make a motion, seconded by the hon. Member for Keewatin South, to move this into committee of the whole.

MR. SPEAKER: I have a motion on the floor, duly seconded, for this to go into committee of the whole.

SOME HON. MEMBERS: Question.

Amendment To Motion 61-80(2), Carried

MR. SPEAKER: Question. All those in favour? Opposed, if any? The motion is carried to move Motion 61-80(2) into committee of the whole.

---Carried

Mr. Clerk, do we have that other motion yet? Mr. Curley.

MR. CURLEY: Mr. Speaker I would ask for you to defer that to the end of the discussion. We have not had it typed and it is going to take a little while before we actually get it on the floor.

MR. SPEAKER: I am sorry, Mr. Curley, I could not hear you at all.

MR. CURLEY: Mr. Speaker, I am just saying we have overlooked getting it typed and so on, so I would ask that we proceed with the other motion and I will again ask for consent to present it formally.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: We concluded Motion 53-80(2) just before lunchtime so we will again continue from that point. The next motion I have is Motion 54-80(2), which has been dealt with, so we proceed then to Motion 55-80(2), Ms. Cournoyea.

Motion 55-80(2): Ratification Of Protocol

MS. COURNOYEA: Mr. Speaker, Motion 55-80(2), Ratification of Protocol:

WHEREAS the Governments of Canada and the United States signed a protocol amending the convention of August 15, 1916, for the protection of migratory birds, on 30th January 1979;

AND WHEREAS the purpose of the amendment to the migratory birds convention was to authorize by statute, regulation or decree the taking of migratory birds and the collection of their eggs by the indigenous inhabitants of the state of Alaska and the Indians and Inuit of Canada for their own nutritional and other essential needs during seasons established by the respective governments;

AND WHEREAS the said protocol is subject to ratification and does not come into force until the exchange of instruments of ratification;

AND WHEREAS the said protocol has to date not been ratified even though nearly two years have elapsed since the date of the signing of the protocol;

AND WHEREAS representatives from the Department of Renewable Resources are to meet with wildlife representatives from other jurisdictions in Winnipeg in mid November of this year to consider the question of the ratification of the protocol;

NOW THEREFORE, I move, seconded by the hon. Member for Frobisher Bay that;

(i) this House declare its unequivocal support for the ratification of the said protocol;

(ii) this House urge the Executive Committee to ensure, through the Minister of Renewable Resources, that representatives of that department convey to other jurisdictions at the upcoming meeting in Winnipeg the wholehearted support of this House to the ratification of the protocol and use their best endeavours to encourage support for the ratification of the protocol by other jurisdictions in Canada, and

(iii) this House urge the Minister of Renewable Resources to forward a copy of this motion to the Governments of Canada and of all the provinces and the Yukon Territory. Seconded by Dennis Patterson.

MR. SPEAKER: Thank you. Motion 55-80(2) is in order. Please proceed, Ms. Cournoyea.

Legalize A Legitimate Spring Harvest

MS. COURNOYEA: Mr. Speaker, I believe that the concern of all people of the Northwest Territories has been expressed in various levels of government, native organizations, community meetings as to the illegality of spring hunting and the

migratory convention recognized that the interests of the native people were not reflected in their use of migratory birds. The Governments of Canada and the United States have recognized the difficulty for a long time and tried to find a change to legalize what has been recognized as a legitimate spring harvest. For years, Mr. Speaker, we have been told that the native people of Canada, the Inuit, could not be accommodated in making that change and finally we are able to say that the higher governments have agreed that there should be a change.

Now, we have a situation where Canada and the United States agreed but still we do not have legislation through regulations to permit this activity of spring harvest. I urge that the Minister of Renewable Resources do his utmost to have the ratification processed and completed as soon as possible to allow us as people who feel that we have so long been told that the spring hunting is illegal and that we are forced to proceed with what we feel is a legitimate spring hunt and we are called criminals because we are doing so.

So I request that this Assembly urge the Minister to move forward quickly to get the ratification to allow the legalization of spring hunt.

---Applause

MR. SPEAKER: Thank you. To the motion. Your seconder is not here right at the moment. Mr. Fraser.

Spring Hunting A Tradition For Years

MR. FRASER: Mr. Speaker, I will support the motion. I have had quite a few dealings with this issue and it is only fair that some of the people benefit from the migratory birds because you do not get them in the fall when they are going back. They seem to know when open season is and they take right off and fly high and do not stop at the settlements but what few birds are taken in the spring will not mean very much to the bird population plus the fact I cannot see us feeding them here all summer for somebody down south. We should benefit something from this and it has been a tradition for years, ever since I could remember, where the people have hunted birds in the spring. At one time, it used to be the source of the only fresh meat you could get and it still is I guess when you are in the bush, it is the only fresh meat you can get when the birds come back in. There are a lot of instances where people have been taken into court and had their guns confiscated and everything and actually they have been doing it for years and they do not know any other way or if there is a law against it. I will support the motion, Mr. Speaker, and to make sure that when the Executive Committee is dealing with it that they put on a pretty good presentation to these people and if they have agreed on it, I think it is just a matter of getting legislation to cover it. So I will vote for the motion very firmly, Mr. Speaker. Thank you.

MR. SPEAKER: Mr. Noah, to the motion.

MR. NOAH: (Translation) Thank you, Mr. Speaker. I will support the motion for the reason a lot of people go out on the land in the springtime. Sometimes it is hard to hunt the other animals and the caribou. Also for the reason that close to Eskimo Point some migratory birds are just dying off because the population is increasing, especially the snow geese. The population is increasing and they will be just dying off on their own. When we are trying to rewrite the laws on migratory birds and when the birds are just dying off on their own, I think it would be better if their eggs can be taken. Sometimes when the animals are overprotected sometimes they just seem to die off on their own. Thank you.

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

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. I have been working on this before when I first became an MLA. I have heard that the United States legislation has been followed. The Canadian government is too slow. They are aware of the existing problem up here. I would like to thank the mover of this motion. I hope that this problem will be solved by the Canadian legislature. I just wanted to make a comment on this. Thank you.

MR. FRASER: That is it.

Motion 55-80(2), Carried

MR. SPEAKER: Are you ready for the question? The question being called. All in favour? Opposed? The motion is passed unanimously.

---Carried

---Applause

Motion 56-80(2), Mr. Sibbeston.

Motion 56-80(2): Legal Opinion, Norman Wells Expansion And Pipeline

MR. SIBBESTON: Mr. Speaker:

WHEREAS this Legislative Assembly has passed a motion during the Baker Lake session requesting the Executive Committee to co-operate with Dene Nation and Metis Association to explore with the federal government the possibility of delaying the construction of the Norman Wells oil pipeline until five conditions are met;

AND WHEREAS the Executive Committee, along, with the Dene Nation and the Metis Association have met with officials of the federal government and there has not been any substantial progress on either the delaying of the pipeline project or any of the five conditions stated;

AND WHEREAS there is a possibility that the federal government may approve the construction of the Norman Wells pipeline without any or all of the five conditions being complied with and thus without the approval of this Legislative Assembly or the Dene and Metis people;

AND WHEREAS it is wise or prudent to begin preparing to take certain steps to challenge the federal government in the event that the federal government approves the construction of the Norman Wells pipeline without our consent or approval;

NOW THEREFORE, I move, seconded by Mr. Sayine:

1. That the Legal Advisor to this Legislative Assembly be instructed to prepare a legal opinion on all ways which may be available to this Legislative Assembly or Government of the Northwest Territories to stop the Norman Wells pipeline in the event that the federal government gives approval to the construction of the Norman Wells expansion and pipeline without the consent of this Legislative Assembly and the Dene and Metis people in the Mackenzie Valley.

Such an opinion should include, but not be restricted to the following: (a) The extent to which present territorial legislation and regulations can be used to stop or thwart the construction of Norman Wells expansion and pipeline. (b) The extent to which all federal regulatory bodies to which the Legislative Assembly has power to appoint people, such as the Northwest Territories Water Board, can be used to stop or thwart the construction of the Norman Wells expansion and pipeline. (c) The available powers of this Legislative Assembly to pass legislation or take certain measures such as refusing to pass the budget which could stop or thwart the Norman Wells expansion and pipeline.

2. That such legal opinion be prepared within one month of this date and distributed to all Legislative Members immediately after its preparation.

Mr. Speaker, I would like to change whatever is written in the book to now read "prepared before or not later than January 15th". Otherwise it is as stated in the book.

MR. SPEAKER: We have a little problem with your change, Mr. Sibbeston. As you are aware, you cannot amend your own motion. The correction should have been made prior to presentation. Possibly you might make arrangements with a colleague to put it in as an amendment but the motion will have to go as written at this stage.

With regard to the motion being in order or not, in the very broad sense of the term I am going to say it is in order. That section b(1) starting to deal with authorities over boards which really we do not have the power to instruct, but on the other hand, you have not said instruct either. You are walking a very thin line for your information. Go ahead, Mr. Sibbeston.

Assembly Not Powerless To Stop Pipeline

MR. SIBBESTON: Mr. Speaker, this motion simply seeks to have the Legal Advisor look into all available ways which this government or this Assembly may be able to challenge the federal government in the event that the federal government decides to go ahead with the Norman Wells expansion and pipeline. I submit that we are not at all defenceless in our position to stop or thwart the pipeline. We have certain responsibilities given to us under the Northwest Territories Act. We have general powers to deal with local matters and under these powers I do believe it is possible to, if not stop, to certainly thwart the Norman Wells pipeline.

Up to now it seems that this Assembly or government has never had occasion to stand up to the federal government. It seems that this Assembly has not up to now been prepared to seriously challenge the federal government and this possibility of challenging the federal government has only come about with the election of this Assembly. We have people on this Assembly, who I believe are interested in challenging the federal government. I know at the same time that we have people who are prepared to challenge the government, I know we have some people on this Assembly who are of the old school of thought and who think it is a sin to talk against the government or challenge the government. I guess some people are so used to having the federal government do what it wants, some people are so used to not having an influence or say on what the federal government wants that they have given up or think it is hopeless to ever change the federal government. But I do think that this attitude is a defeatist attitude and will never really accomplish anything. If we do take on the federal government, if we fight them in court, if we fight them in public, we will accomplish things for the people of the North.

Federal Government Should Be Challenged

If we challenge the federal government on the pipeline issue, if we take them to court and end up losing, I think we will not really have lost because in doing so we will win a great deal of concessions. So I do think that it is a very good approach to take. I think there is nothing worse than saying that it is hopeless. I submit, Mr. Speaker, that to challenge the federal government is a sign of growing up. It is a sign of becoming more responsible. I have a real responsibility to the majority of the people in my constituency who are

vehemently, and utterly opposed to the construction of the Norman Wells pipeline until some real progress is made on their aboriginal rights claims. It would be irresponsible of me to not do my utmost to represent them in this regard. I know that there are other people who have responsibilities in this matter but on different issues. I do think that there are other people in this Assembly who have a responsibility to the people of the North in such matters as making sure that if there is any development, we, the people in the North, benefit. There are Members who have the responsibility to make sure that we are guaranteed energy supplies, to make sure that there are general development plans. So I do think that many of us have responsibilities to the people of the North and the Norman Wells project may be an opportunity to seriously challenge the federal government.

On the question of challenging the federal government, the one major way that this government has gained the respect and credibility from people of the North to date, is the fact that they have begun to challenge the federal government. The famous trip to Ottawa this past spring where the Executive Committee, the Dene Nation and the Metis Association went together to have talks with the Minister of Indian Affairs and Northern Development and to ask him to see if he could delay the regulatory processes for the Norman Wells pipeline, in my view, raised the credibility of this government greatly. For once we have this government who is supposed to represent the interests of all people in the North, particularly the majority of the people in the North who are native, going with the native organizations to Ottawa and having meetings with the Minister. For once it was not just the native groups who were fighting for their peoples' rights. The territorial government, Mr. Braden and Mr. Wah-Shee were there and to me, in my eyes, that makes the credibility of this government very high, and I would hope that that sort of attitude or approach would continue. Also the current continuation of the co-operation that this Executive Committee has been having with the native groups should continue. I have been very heartened by that.

Standing Up To Federal Government Is An Educational Process

I appreciate that the Executive Committee in taking positions on behalf of the people sometimes get criticism from certain sections of the northern population, but I feel that most people in the North, if they understood what we are trying to accomplish, would support this government. The process of standing up to the federal government is an educational process for everyone in the North. People, I think, are beginning to question the merits of large scale development in the North. I know the village of Fort Simpson, as an example, just a few years ago did not seem to have much concern about the effects of a large scale pipeline. Since then, I think they have begun to question the merits of a pipeline. I know that the village of Fort Simpson now is approaching the Norman Wells pipeline very cautiously and their attitude is they would only support it if there are certain benefits for the community of Fort Simpson. So it is an educational process. I am aware, Mr. Speaker, that the Dene Nation in particular feel that this Executive, inasmuch as they have come some distance to taking stands against the federal government, the Dene Nation I know thinks this Executive Committee has not been firm enough in their stand against Ottawa and I am somewhat disappointed at the fact that Mr. Braden...

MR. SPEAKER: Mr. Sibbeston, you are not on your motion.

Government Should Take A Firm Stand

MR. SIBBESTON: Mr. Speaker, I suppose I was dealing with the question of this government taking a firm stand and hopefully getting this Assembly to support our Executive Committee in taking such a firm stand. I was talking about a legal opinion which would find ways that this government can stand up to the federal government and I was getting to the matter of some native organizations thinking that this government has not taken a tough enough stand. In this regard, Mr. Braden has apparently said to the National Energy Board, he is quoted as having said that the Northwest Territories government will not use its regulatory responsibilities to stall the project. I find this somewhat disappointing because it seems he has already made a decision and if he continues in this decision, then he may find himself contrary to the motion which I am hoping will pass and have support in this House. So, Mr. Speaker, the intent of this motion is so that we can be prepared, we can have our legal grounds prepared, research the legal basis on which we can challenge the federal government and I encourage as many Members as possible to support this endeavour.

MR. SPEAKER: Thank you, Mr. Sibbeston. Mr. Sayine, as the seconder, do you wish to speak at this time?

MR. SAYINE: Yes, Mr. Speaker. I seconded the motion and I support the motion simply because my constituents support, have been supporting the Dene Nation in opposing the Norman Wells pipeline with Snowdrift and Fort Resolution. I go all the way in supporting this so I fully support the motion.

---Applause

MR. SPEAKER: To the motion, Mr. Fraser.

MR. FRASER: Yes, Mr. Speaker. I would like to ask the mover of the motion the five conditions that the Legal Advisor is to look into. I am not aware of any five conditions. I wonder if the mover could provide us with the five conditions that he stated in his motion in the "whereas" clauses?

MR. SPEAKER: Mr. Sibbeston, do you have a comment on that question?

MR. SIBBESTON: Mr. Speaker, the "whereas", the first "whereas" in the motion refers to the motion that was made at Baker Lake. It is in our book, the motions book. Is it Motion No. 30-80(2), Deferral of Norman Wells Pipeline?

MR. SPEAKER: Thank you, Mr. Sibbeston. Mrs. Sorensen, to the motion.

MRS. SORENSEN: I have a point of clarification. I am just a bit confused, Mr. Sibbeston, about what you mean by...

MR. SPEAKER: Stand up, Mrs. Sorensen.

MRS. SORENSEN: I apologize, Mr. Speaker. What do you mean in part (b), that we should investigate seeing how we can use the Northwest Territories Water Board to stop or thwart the construction of the Norman Wells expansion and pipeline? Can you just fill me in on what you mean by that?

Regulatory Bodies Should Have Influence To Thwart Project

MR. SIBBESTON: Mr. Speaker, what I mean is that the Northwest Territories Water Board has the responsibility to grant water licences and I am assuming that the Norman Wells project will require a water licence and because we have certain people that we appoint to the Water Board we ought to instruct them if possible to refuse the granting of water licences to the Norman Wells pipeline. We should do similarly with any bodies, any regulatory bodies which we either control or have influence on and attempt to use these bodies to thwart the project by just simply refusing licences.

MR. SPEAKER: Mrs. Sorensen.

MRS. SORENSEN: Just to speak to that a bit, Mr. Sibbeston. I guess I would need further clarification, because it seems to me that a regulatory body has specific terms of reference and it is bound by those terms of reference. Whether individuals on that body believe that a project should go ahead or not, whether the project goes ahead or not is determined on the basis of the evidence put forth to the regulatory body. So I would question whether we could morally do such a thing.

MR. SPEAKER: To the motion. Mr. Braden.

HON. GEORGE BRADEN: Thank you very much, Mr. Speaker. The government has considered this motion and respects the right of any Member to seek out from the law clerk a legal opinion. Therefore we are not going to oppose it.

MR. SPEAKER: Mr. Fraser, is this a question or are you going to speak now to the motion?

MR. FRASER: Mr. Speaker, I wanted to speak to the motion. I have the mover's original five conditions and I spoke to the motion before in Baker Lake, but I agree with the mover that some arrangements like he has stated in item four "That arrangements are concluded for receiving an identifiable share of revenues, royalties and corporate taxes generated by the development of non-renewable resources in the Northwest Territories." I abstained from voting on the original motion and I stated my reasons at Baker Lake on why I abstained from voting on that motion. However, if I understand this motion correctly now it is not a motion anywhere near the one that was put out in Baker Lake, Motion 30-80(2).

Pipeline Will Not Benefit Northerners

The motion here as I read it, as I can understand it, is only a motion to have the Legal Advisor of this Legislative Assembly be instructed to prepare a legal opinion. This time, Mr. Speaker, it is a motion just asking that the Legal Advisor prepare something for this Assembly to discuss at a future date. Am I right, Mr. Speaker? Therefore, I will support the motion fully, because I do not believe, or never did believe that a pipeline is going to benefit the people in the Northwest Territories. If you listen to the news you find that Ottawa is having trouble with the provinces and this is the only place that they can suck oil out of and not get any static back, so I believe that there should be some legal opinion as to how we could benefit from it. Even if they would agree to give us one dollar a barrel, we would be rich.

---Applause

But I would like to see this motion go through for the simple reason that we might have -- the Legal Advisor, if he is on the ball, might be able to pick up something in there that we could work on. Therefore, he is not much of a bridge player but he might be able to find something. So I will support the motion, Mr. Speaker. Thank you very much.

---Applause

MR. SPEAKER: To the motion. The question being called. Mr. MacQuarrie.

Credibility Will Be Destroyed

MR. MACQUARRIE: Thank you, Mr. Speaker. I did not get the chance while I was in Baker Lake to comment on the original motion. I certainly could not support the position however. I just do not find the resource control strategy to be an effective one or a profitable one in many senses for the people of the Northwest Territories. However, I would have to agree that that position was

adopted and so Mr. Sibbeston is certainly consistent in bringing this kind of a motion to the House. But there is one part of it that I find particularly objectionable and that is the one that states that we should be seeking an opinion to determine the extent to which all federal regulatory bodies to which the Legislative Assembly has power to appoint people can be used to stop or thwart the construction of the Norman Wells pipeline expansion.

I cannot agree with Mr. Braden that it is simply a matter of, as he sees it, any Member requesting advice from the Legal Advisor, because that is not what is happening here. It is okay with him, but I cannot quite agree that it is entirely the same, because if this were to pass it says a little bit more than that. It says that this Assembly then would be willing perhaps to at least try to use the boards which are regulating a variety of things in the Northwest Territories and I do not think that is proper at all in the first place. They are supposed to be objective and if that kind of thing begins to happen their credibility in everybody's eyes will be destroyed.

Undermining And Manipulating Our Boards

Secondly, if we begin to try to manipulate boards in that way -- we now have the power to advise the Minister to appoint certain people but we might find that if we begin to try to manipulate the people who are there after they are appointed, that the federal government begins to say "We do not think that you should be making appointments to the board." For the practical and simple reason that we might undermine our own boards eventually, I just cannot agree with that at all. Certainly we should be trying to appoint the very best people to them. We should be trying to see that the boards do have adequate powers to do their jobs properly, but I do not like to see us in any way trying to manipulate those boards.

Amendment To Motion 56-80(2)

Having said that, Mr. Chairman, I will move an amendment to the motion and that is on page two, that clause (b) be deleted and clause (c) be indicated as clause (b).

MR. SPEAKER: Thank you. To the amendment. I am sorry, do I have a seconder to the amendment? Mrs. Sorensen.

MR. McLAUGHLIN: Thank you, Mr. Speaker. I am against this amendment because as the original (b) reads all it is doing is asking an opinion and no matter what question is asked by any Member of this House of the Legal Advisor or of the House as a whole, we can ask anything, even if the question we are asking or any Member might ask no matter how unpalatable it might be to a condition or a policy that exists, all we are asking for is an opinion on it so I will defeat the motion because I would like an opinion as to what happens when one of our boards, that we have appointees on makes a decision and then the federal government ignores, then I want to know what course we can take as a consequence of the government ignoring one of our boards.

MR. SPEAKER: I am sorry, Mr. MacQuarrie, I should have given you the first opportunity to speak to your amendment. I had Mr. McLaughlin's name on the roster. He indicated he wanted to speak before you did, before you sprung the motion or your amendment, so you have the floor to speak to your amendment.

MR. MacQUARRIE: Thank you, Mr. Speaker. Just briefly to the amendment. It is not the same. It cannot be said that that is all there is to it because if that is all there is to it then Mr. Sibbeston privately could have asked Mr. Johnson the question. Obviously he has chosen to ask it in this House, because there are certain advantages of presenting it in this way and I say that if it is approved by the House then it is something more than just him asking for legal advice; that we in some way would be lending credence to everything that is in there and that is why I think that item ought to come out.

MR. SPEAKER: Mr. Fraser, to the amendment.

MR. FRASER: Mr. Speaker, I will vote against the amendment because I think the mover of the amendment spoke on it for five minutes before he made the amendment and he should be making the amendment and then speaking to it after. However, the mover of the motion is not concerned about the people from the Northwest Territories Water Board. He is concerned about simply asking the Legal Advisor to look into the possibility. Now, the Legal Advisor might come out and say well, that paragraph has got to be stroked out. All he is asking is for the Legal Advisor to look into the possibility if there is any way that it could be stopped and if he thinks that we can use the Water Board, then that is his opinion. Let him come up with that opinion and I think that is all this motion is is to have the Legal Advisor say it in black and white. So let us leave it at that. Question.

AN HON. MEMBER: Question.

MR. SPEAKER: The question being called. Mr. Sibbeston.

Federal Government Controls Decisions

MR. SIBBESTON: Mr. Speaker, I do not support the amendment. I submit that something we ought to realize and not brush over, or be blind to, is the fact that people who are appointed to such bodies as the Water Board are political appointments made by the federal government. To date the federal government has appointed people who have been very much in favour of development. So in this way the government manipulates or controls what happens. They control to an extent what is to happen or the type of decisions that are to emanate from such bodies. You know, I cannot think of a more blatant case of this than on the Water Board, where the general manager of the Pine Point mines is placed on the Water Board. Is that person going to vote against a water licence to Pine Point or to any other large mine in the North? So we all know the government appoint people who are generally pro development and what I am suggesting is that we may want to consider the types of persons that are on these boards, to have people on there who are perhaps more cautious and more considerate of other aspects than simply just going ahead with development.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. To the amendment. The amendment is to delete part (b).

SOME HON. MEMBERS: A recorded vote.

Assembly Has No Power To Influence Federal Bodies

MR. PATTERSON: Just briefly, Mr. Speaker. I think Mr. MacQuarrie and Mrs. Sorensen may well be right when they say we have no power to influence the operation of federal regulatory bodies such as the Water Board. However, Mr. Speaker, they are not lawyers.

---Applause

MR. MacQUARRIE: Is there something special about lawyers?

MR. PATTERSON: If you are asking a legal opinion I think you should let our lawyer, our Legal Advisor tell us that this is a foolish plan or unfeasible plan rather than let Mrs. Sorensen and Mr. MacQuarrie tell us. The amendment would seek to prevent the Legal Advisor from even giving an opinion at all and I think that would be frustrating to Mr. Sibbeston and not necessary. Let us ask his opinion on it as Mr. Fraser said and if he tells Mr. Sibbeston the

idea is faulty or immoral or illegal, then so be it, but if there is something in there that will accomplish the ends Mr. Sibbeston seeks, well, we may all learn something. So I am not going to support the amendment, although I did when I first saw that, share some of the concerns that Mr. MacQuarrie and Mrs. Sorensen expressed, but I would like to hear it from our Legal Advisor. Thank you, Mr. Speaker.

MR. MacQUARRIE: I do not need a lawyer to tell me what is immoral.

MR. SPEAKER: Question being called. There was a recorded vote asked for. All those in favour of the amendment?

Amendment To Motion 56-80(2), Defeated

CLERK OF THE HOUSE (Mr. Remnant): Mrs. Sorensen, Mr. MacQuarrie.

MR. SPEAKER: Opposed?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Patterson, Mr. Kilabuk, Mr. Appaqaq, Mr. Tologanak, Ms. Cournoyea, Mr. Curley, Mr. Noah, Mr. Sibbeston, Mr. Sayine, Mr. McLaughlin and Mr. Fraser.

MR. SPEAKER: Abstentions?

CLERK OF THE HOUSE (Mr. Remnant): Mr. Evaluarjuk, Mr. Arlooktoo, Mr. Pudluk, Mr. McCallum, Mr. Wah-Shee, Mr. Butters and Mr. Nerysoo.

MR. SPEAKER: The amendment has been defeated.

---Defeated

SOME HON. MEMBERS: Question.

Motion 56-80(2), Carried

MR. SPEAKER: Are you ready for the question on Motion 56-80(2)? All in favour? Opposed? The motion is carried.

---Carried

We now have Motion 71-80(2), Terms of Reference of Special Committee on Education, Mr. Curley. Do we have consent to proceed with this now?

---Agreed

MR. CURLEY: Mr. Speaker, could we have the interpreters?

MR. SPEAKER: Could we have the interpreters read this in? I do not think this has been translated yet. Can we wait just a moment while they read this in?

---Agreed

MR. CURLEY: Mr. Speaker, I will read it in Inuktitut and they will read it in English.

MR. SPEAKER: Proceed, Mr. Curley.

Motion 71-80(2): Terms Of Reference Of Special Committee On Education

MR. CURLEY: (Translation) Mr. Speaker:

WHEREAS this Assembly has made use of the special committee on education to report to this House on grants, bursaries, and student financial aid;

AND WHEREAS the special committee on education has determined that other policies of the Department of Education may require attention before the final committee report is presented to this House;

NOW THEREFORE, I move, seconded by the hon. Member for Pine Point that the terms of reference of the special committee on education be changed to read as follows: (d) To initiate action research projects to demonstrate new approaches to solving education problems; (e) to recommend urgent changes in existing policies from time to time as deemed necessary; and that item (d) in terms of reference becomes item (f).

MR. SPEAKER: Thank you. The motion is in order. Mr. Curley, do you wish to speak to it?

New Approach To Solving Education Problems

MR. CURLEY: Mr. Speaker, very briefly. We realized that as we went through a number of meetings, the committee realized it had to demonstrate new approaches to some of the problems we were beginning to find out, so in order to deal with those special areas that would require research, we found out that in our terms of reference we did not have research projects as a part of our responsibilities so that particular amendment would allow us to be able to initiate research if it is required. Also the second point is to be able to make urgent changes in existing policies. For instance, some of the programs might not be working too quickly and we would like to be able to develop them so that they can be presented to the Minister of Education rather than having to wait too long, so on these points there are very minor changes to the terms of reference. Thank you.

MR. SPEAKER: Mr. McLaughlin, as seconder.

MR. McLAUGHLIN: Thank you, Mr. Speaker. Just very briefly along the same lines. Members on the committee and other Members have approached us about programs that are being done in some of the schools in their community and not in all Northwest Territories schools and they seem to be working well, so we would like to have the opportunity to report back to this House each session with any ideas or policy changes that we would like to make as we proceed rather than going for a year and a half preparing a report while there are things going on in the system that we know we would like to change and we are sure would work if we tried them.

SOME HON. MEMBERS: Question.

Motion 71-80(2), Carried

MR. SPEAKER: To the Motion 71-80(2). Question being called. All those in favour? Opposed, if any? The motion is carried.

---Carried

Motion 57-80(2), with Ms. Cournoyea.

Motion 57-80(2): Civil Servants Using Knowledge To Set Up Businesses

MS. COURNOYEA: Motion 57-80(2), Civil Servants Using Knowledge to Set Up Businesses:

WHEREAS feasibility studies have been undertaken from time to time through government auspices to explore the possibilities of establishing specific types of business in northern communities;

AND WHEREAS the purpose of the studies was to determine for the benefit of the residents of such northern communities the possibility of successfully setting up particular businesses;

AND WHEREAS public servants and consultants under contract to the government who conducted such feasibility studies have in some instances advised the residents of such northern communities and the government against setting up particular business enterprises in these communities;

AND WHEREAS some of these same public servants and/or consultants under contract to the government have since left the employ of the government or ceased to be consultants to the government and have set up their own business enterprises in the communities where they were engaged by the government to conduct such feasibility studies and in the same areas of business activity against which they had advised the residents of such northern communities;

NOW THEREFORE, I move, seconded by the hon. Member for Mackenzie Great Bear, that this House urge the Executive Committee to investigate such past incidents where public servants and/or consultants under contract to the government, making use of knowledge and experience gained at that employment, have left government employment and set up their own businesses in communities where they were employed to carry out feasibility studies and had advised against the setting up of such business enterprises;

And further that the Executive Committee be requested to develop and use appropriate measures to prevent future occurrences of this kind and to provide this House at its next session with a comprehensive report of the measures taken or intended to be taken by it to prevent similar occurrences in the future.

MR. SPEAKER: Your motion is in order. Proceed, Ms. Cournoyea.

MS. COURNOYEA: Mr. Speaker, I have been assured on numerous occasions that a policy would indeed be instituted to restrict senior government staff on contract and on staff from taking advantage of the positions of privilege. The reason I bring forward this motion is I do not see any evidence that this has been done but in fact the reverse seems to be taking place whereby government employees are being promoted to have criteria allowing them to have more and more open privileges. These efforts that are being worked on behalf of government workers will soon have to force an elimination of the words "public service" which implies serving the public. Communities of the Western Arctic have very serious concerns about who is serving whom.

SOME HON. MEMBERS: Hear, hear!

Restriction On Government Personnel Moving Into Private Industry

MS. COURNOYEA: On one occasion a government staff member suggested to his department head that a policy in areas of serious and obvious conflict, that a policy restriction should be put in place limiting the movement of government personnel into private industry. This would be beneficial to these government

personnel who want to do a meaningful job with respect and confidence of the people. There is always a limited number of feasible business opportunities for local involvement. These limited business opportunities rightfully belong to the resident population, either an extension to the present enterprises or to establish new local businesses. The job of certain government departments is to promote the above policy. The present position allows for these government workers to secure financial information from individuals, investigate the competition to individuals who want to establish certain businesses. Also they make the necessary calculations. All the information secured is confidential to that individual and that government worker. Government workers in such a position have the information from individuals, from the community and from the government. The government worker also collects data and total profiles of communities, historical facts. If such a government person desires to use the knowledge to his benefit and is allowed to do so, what competition can an outside competitor or individual have?

Going back to the one government person who asked for a policy against himself on behalf of his job, his opinion was that because of the past and present practices of the said accused, he is having a difficult time in gaining the confidence of people he is paid to help. There is suspicion that he is only going to do the same thing and go the same route once he gets all the information from the individuals. The dilemma is that in not giving confidential and financial data because you are suspicious of the person you are working with, is that the prime people to forward the documentation to loan bodies are the people that you have the suspicion of and in not providing the information as an individual you are in a position of not being able to complete the forms that are required to forward requests for grants and loans.

Mr. Speaker, I say this is unfair and I say it is time that this Legislative Assembly directed the administration to not just give assurances that something will be done but to get that policy or legislation in place before we have all of the government employees which now can take and make full use of their positions in private enterprise with nothing of value left for the building of our communities and our residents.

MR. CURLEY: Hear, hear!

MR. SPEAKER: Thank you. Does the seconder of the motion wish to speak now?
Mr. Fraser.

MR. FRASER: Thank you, Mr. Speaker. I congratulate the Member for bringing up such a motion. I think it is time that we had the Executive Committee or whoever look into some of these most important matters. We have civil servants gaining knowledge and getting paid for what they learn and using it to benefit their own businesses.

Disciplinary Action Against Employees

There are examples, Mr. Speaker, in the North and I am sure the Member who moved this motion is quite aware of and that I am aware of where civil servants have gained experience and set up their own business and in some cases are still working for the government and still getting benefits from the government to conduct their own business. If the mover has asked that the Executive Committee investigate some of these problems maybe they are not aware of some of the problems, but I am sure that it will not take long for them to find out if an investigation was carried out. But I think the mover should have gone a little further and said to take disciplinary action against these people who are conducting these businesses with what they have learned from the government with experience by working from the government to set up their own business. I think there was a motion put up the other day where some of these people are running their business right out of their own homes and this is an instance where some of the civil servants who have a business are still running the business out of their home. They do not have an office so they must be running

the business out of their home. I strongly support this motion and would like to make sure that the Executive Committee gives a full investigation and comes back with a report to this House as to what action they plan to take to bring these things to a head or stop them completely. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. To motion 57-80(2).

SOME HON. MEMBERS: Question.

MR. SPEAKER: The question being called. Mr. Patterson.

MR. PATTERSON: Mr. Speaker, I have not heard anyone from the Executive leap up to say that the allegations, the serious allegations in this motion are not true, so I presume that this shocking conduct has taken place. I say I am shocked because it sounds to me like the particular conduct complained of came pretty close to fraud if not outright fraud. The suggestion is that a civil servant who was required to investigate business opportunities deliberately advised against a particular business activity so that he could later, so that he or she could later reserve it for themselves and that accusation I find very alarming. Therefore, I would certainly support an investigation.

I also feel that we should have a report of that investigation which may not be within the meaning of the motion. This sort of incident leads me to believe that it is high time that the Department of Personnel was placed in the hands of an elected Member so that there would be some accountability when these sorts of things are discovered, accountability to the Legislative Assembly. So I support the motion and congratulate the Member for having brought this shocking situation to our attention.

---Applause

Motion 57-80(2), Carried

MR. SPEAKER: Motion 57-80(2). Are you ready for the question? The question being called. All in favour? Opposed, if any? The motion is carried.

---Carried

MR. SPEAKER: There was no opposition but there were some abstentions.

Motion 58-80(2): Denendeh, Ruled Out Of Order

Motion 58-80(2), from Mr. Sibbeston. Mr. Sibbeston, I have studied your motion and find that the motion is out of order. My reasoning is as follows. Dealing with your resolution portion, items one and two are in order. Because items three to five inclusively imply financial support and would require expenditures of public funds they must be put in the form of recommendations to the Executive. Because items six and seven concern instructions to Members of the Executive Committee and the issuing of such instructions is the prerogative of the Commissioner, these items must also be put in the form of recommendations to the Commissioner.

The wording of your motion contains many similarities to Mr. Patterson's motion adopted at the last stages of the consideration of the unity report. I have examined the two motions and I am satisfied that there is sufficient difference between them so that your motion does not contravene Rule 51(1), which prevents the same motion being dealt with twice in the same session. However, due to the other reasons your Motion 58-80(2) is out of order. Mr. Sibbeston, on a point of privilege.

MR. SIBBESTON: Thank you for your comments made and the points made regarding the various clauses. I wonder, Mr. Speaker, if, in the meantime I undertake to make the amendments necessary so that it will be in order, I wonder if you could place it as the first order of business at the February Assembly session.

MR. SPEAKER: That would have to come into the business of the House under the normal way, but you could make your motion on the first day so you could have it within 48 hours.

MR. SIBBESTON: I am satisfied.

MR. SPEAKER: Motion 59-80(2). Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Speaker. Motion 59-80(2), Operations and Maintenance of High Schools.

MR. SPEAKER: Sorry, Mr. MacQuarrie, apparently there is a shortage of copies of these motions in the translated copies. Will you stand by for a moment until we see what is going on?

This House will stand recessed for 15 minutes for a coffee and a rest break.

---SHORT RECESS

MR. SPEAKER: The Chair recognizes a quorum. I call the Assembly back to order. Mr. Clerk, has Motion 59-80(2) now been distributed?

CLERK OF THE HOUSE (Mr. Remnant): Yes, they have.

MR. SPEAKER: Mr. MacQuarrie, will you proceed then with your Motion 59-80(2)?

MR. MacQUARRIE: Thank you, Mr. Speaker. From the beginning?

MR. SPEAKER: Yes, if you would.

Motion 59-80(2): Operations And Maintenance Of High Schools

MR. MacQUARRIE: Motion 59-80(2), Operations and Maintenance of High Schools.

WHEREAS high schools in the Northwest Territories have been faced with sizeable cutbacks in their operation and maintenance budgets;

AND WHEREAS high schools generally have high rates of attendance with a resulting high level of consumption of annual supply inventories;

AND WHEREAS high schools offer some programs of a vocational nature for students who are not suited to academic programs, and whereas these often require supplies that are costly;

AND WHEREAS a good portion of the spending of high schools is for non-discretionary items if programs are to be carried out effectively;

AND WHEREAS programs are being affected seriously by these cutbacks;

AND WHEREAS it appears that the measures taken earlier by the Department of Education to provide relief will not be sufficient for high schools;

NOW THEREFORE, I move, seconded by the hon. Member for Pine Point, that this Assembly urge the Executive Committee to direct the Department of Education to reorganize its spending priorities to ensure adequate operation and maintenance funding in its high schools, or alternatively if that seems impossible, that it immediately review operation and maintenance funding for high schools with a view to having that funding increased significantly where required, as soon as possible.

MR. SPEAKER: Your motion is in order, Mr. MacQuarrie. Would you proceed?

Government Responsible For N.W.T. High Schools

MR. MacQUARRIE: Thank you, Mr. Speaker. This government as everyone knows is responsible for the operation of several high schools in the Northwest Territories, but during the last few years of restraint there have been cutbacks in moneys allocated to high schools, including the serious operation and maintenance cutbacks in this past fiscal year.

Now, our high schools generally have been doing a very fine job of providing education for our young people. I know that it is the concern of many Members that not as many native students appear in our high schools as there should be, and that is a serious problem. The education committee is undoubtedly going to address it, but what I am trying to say is that that is not the fault of the high schools. The truth is that when students arrive in our high schools, that the high schools generally are offering quite a good program and with a fair amount of success. Anyone who doubts that would be invited to confirm it with our education liaison office in Edmonton which, for instance,

has statistics on the performance of students from the Northwest Territories who last year were involved in apprenticeship programs, in vocational education programs, in universities and other kinds of post-secondary institutions in the South. Performance generally was very good.

Insufficient Supplies In High Schools

So we do have quite a good program in our high schools, but there does not seem to be any logic at all in expecting these high schools to carry on with the same programs, at the same level of quality, and at the same time cutting back each year with the wherewithal to carry on the programs. They simply cannot do it. I know that operations in schools are perhaps less precisely defined than say operations in a hospital, or in an airline. But in high schools when a situation is created where there are insufficient materials and supplies, insufficient books, it is just like expecting a hospital to carry on doing all of the surgery that it normally does, but not provide it with any bandages, for instance, or expecting an airline to carry on its business, but without providing it with any gasoline.

As I say, in high schools it does not seem to be quite as obvious as that, but that seems to be what they are being asked to do. They have their plans, their teachers, they have their programs, they have the students, but now we are not giving them the materials and supplies to do what has to be done. The situation with which I am most familiar is the high school in my own constituency, Sir John Franklin High School. As I mentioned earlier in this session in my response to the Commissioner's Address, it is a concern in my constituency. The O and M cutback amounted to something like \$40,000 in one year from \$70,000 to \$30,000, and what it has meant, as I explained then, that I would like to reiterate and reinforce again is, for instance, that they are unable to buy some of the textbooks that are required for new courses which the Alberta curriculum calls for, and our high schools in the Territories are on that curriculum. What it means in areas, particularly option areas and I would remind Members that the option programs in high school are generally planned for students who are not strong in academic ability, and so there are courses which are included in the curriculum to provide them with subjects that are interesting and profitable and the attempt is made to make them as practical and interesting as possible so that these students will stay in high school, but what is happening in some of these programs is that there just are not adequate supplies to carry them out properly.

Art, food sciences, the shop areas; you know, if you do not have lumber and if you do not have flour and sugar and if you do not have paper and pens -- I was going to say it is pretty difficult but it is impossible to do the things, to present the programs in the way that they are supposed to be presented.

Schools Are Improvising As Much As Possible

A situation is arising -- I have been talking about Sir John Franklin School, but I have been in contact with the representatives from some of the other high schools in the Northwest Territories. They are facing the same kind of problem, either that they are just managing to get by this year but foresee very serious difficulties in the coming year because their supply inventory would be totally depleted, or, what is worse, some of them are presently experiencing difficulties that prevent them from offering the full program that they are supposed to be able to offer, and that is a pretty serious situation. They are using their ingenuity, they are improvising as much as possible, but there are limits to what they can do.

Now, I would say that if someone could demonstrate that there was mismanagement in the high schools, that they have been spending funds unwisely and did not really require this amount of money in order to carry out their programs, that would be one thing, but that is not the truth at all. You know, having your O and M budget cut back from \$70,000 to \$30,000 is a whopping big cut. The thing is that they have no power, it seems, to do anything about that. They are simply in a position where they have to try to live with it, and it is becoming impossible to live with. We are not sure maybe what the answer is. Someone points out to me the Department of Education gets a whacking big sum of money, \$46 million a year, and that is true, and I do not know -- I am sure if we went to the people who are handling the money, they could point out that they are handling it in the wisest possible way and allocating it in accordance with the kinds of wishes of this Assembly and of the people of the North. I know there can be justification down the line, but that kind of justification does not help the people in the high schools who finally have to deliver the program. They do not have the money, they do not have the materials and supplies.

Money For Schools Must Be Obtained

In a way it is, as I said, I tried to draw an analogy with hospitals and airlines and it is sort of like saying for instance -- we heard that both Yellowknife and Detah together, they get an additional \$10,000 this year, so I do not know what the Yellowknife high school would get out of that, but let us say \$8000 or \$7000 or something. That brings it up from \$30,000 to \$37,000. That would be like saying to a hospital "Okay, you do not have any bandages so we are going to give you enough bandages to do one third of your operations and you figure out something for the rest" or say to an airline "Okay, we will give you enough gas to get half way from Frobisher Bay to Montreal and you figure out what to do from there." They need the money, they need the materials, they need the supplies, and I would urge Members to seriously consider supporting this motion because it does call first of all, you know, for a look at the internal thing to see whether there is money there somewhere and I would hope that that could be done effectively, but, if not, then we have got to find the money somewhere. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. MacQuarrie. The seconder of the motion, Mr. McLaughlin, do you wish the floor at this time?

MR. McLAUGHLIN: Thank you, Mr. Speaker. I supported this motion and seconded it because of my concerns with the fact that the cutbacks, considered by the motion, deal specifically with high schools where students are affected in their future and maybe in their immediate future as to whether they choose to go to a vocational school after high school and if they are thinking of taking something like carpentry the shop does not even have enough wood. I heard of the one shop teacher having to go around to construction sites to get bent two by fours the companies are not using or two by fours with cement on them that they are throwing out.

HON. RICHARD NERYSOO: He was building a house.

MR. McLAUGHLIN: Excuse me, Mr. Speaker. Also children going into apprenticeship programs with a company after school would have a better advantage if the shop had the materials and tools to work with as they may be expecting to work in a similar shop for a company afterwards.

MR. SPEAKER: Thank you, Mr. McLaughlin. Mr. Butters.

A One Year Restraint On Schools

HON. TOM BUTTERS: It has been suggested that I correct the record, Mr. Speaker. I just wish to say that Members of this House recall at the last budget session, that there were a number of questions regarding the very severe cuts in O and M of schools, not only high schools, but for all schools. At that time I indicated that I would respond to urgent and demonstrable requests for materials and supplies and I have done this. That year, Members are aware I think, was a one year restraint only and I am quite sure that when Members look at their budget books for the coming year they will be quite pleased with the amount of O and M supplies for both high schools and junior schools in the projected 1981-82 fiscal year.

MR. SPEAKER: Thank you, Mr. Minister. Mr. Sibbeston, to Motion 59-80(2).

MR. SIBBESTON: Mr. Speaker, on the face of it I do not object to the motion but I am concerned about it in some regards because it suggests that the government reorganize its spending priorities within the department to ensure adequate operation and maintenance funding in high schools. We all know that money for education is greatly needed and there is generally a shortage. If this were to be done, if spending priorities are to be changed at the moment where would the money come from? If you look at the education budget, is Mr. MacQuarrie suggesting from somewhere in the budget perhaps money to do with the primary schools, that more moneys would then be made available to the high schools? If he is suggesting that, I do not support the motion because most of the money for education should go to the education of the primary schools. That is where most of the children are and that is where most of the native children in the North are being educated.

Primary Schools Also In Need Of Money

In the high schools there are usually not as many native students, oftentimes students drop out before they get to high school, so in our high schools it is mostly non-native children who are going to school. Of course, this is changing every year and you do get more native people in high schools, but I am concerned about this because I am concerned that the amount of money for primary schools as a result of this motion may be lessened. I would like to hear from the Minister of Education in this regard to see if he understands this motion to mean that. We all know in the primary schools there is a lack of money. I know in Fort Simpson there was a drastic cutback in operations and maintenance supplies. So there is a general shortage of funds and I would not want moneys that are allotted or aimed at the primary schools to be suddenly redistributed so that they go to the high schools. I would like to hear Mr. Butters on that.

MR. SPEAKER: Thank you, Mr. Sibbeston. To Motion 59-80(2), Mr. Patterson.

MR. PATTERSON: Mr. Speaker, this motion is fairly similar to a motion I made in committee of the whole on February 27th of this year which was passed. The motion reads: "That this Assembly strongly urges the administration to seek funds to bring the O and M budget for schools at least up to last years level and that progress be reported at the next session of this Assembly."

Budget Of Gordon Robertson Education Centre

I was well aware of the problem at that time. As a matter of fact, the day before I had made perhaps not as eloquent a speech as Mr. MacQuarrie, but I had made the same sort of comments about the budget of this school in which we are now meeting. I pointed out to Members that the O and M budget had not increased at all for two years in spite of the fact that enrolment had increased and inflation had raced ahead and I pointed out that the implications of the cutbacks that were forced on us by the financial situation last year reduced a budget that had never increased for two years of \$40,000 down to \$15,000 and the principal had been complaining and the staff had been complaining that \$40,000 was impossible to work with and the budget was cut to around \$15,000.

It has got so bad at this school -- I am chairman of the school committee here -- it has got so bad that we had funds that we could have used to hire a secretary treasurer and assistant to the committee to do administrative work for the committee and we decided not to hire that person. We decided to use volunteer labour and we diverted those funds into buying supplies for the school. We are still short \$18,000 of vitally needed supplies. I sent a letter to the Minister of Education on the subject months ago, at least a month ago, and made him aware of my concerns back in February of this year.

So while I was pleased to learn in today's return to a question I had asked about this subject that \$106,000 had been identified to meet problems this year and I understand some \$10,000 was given to the Sir John Franklin school out of that amount, no money was made available to this school out of that amount. I am astonished that that could happen. Perhaps maybe the regional superintendent did not draw to the Minister's attention the concern of the principal, but I had hoped that the remarks that I had made in this Assembly and the motion I had made which sprang from a concern about this school, GREC, would have been heeded.

Demand For Clerical Workers

So all of this background is to say I strongly support the motion, and I particularly strongly support it because we are in a very difficult situation in this school. Here the needs are different than perhaps in other parts of the Northwest Territories. The supplies that are needed here are for things like electric typewriters so that students can learn how to type in the Inuktitut language. There is a tremendous job market for people who can type in the clerical type of work in this region. It is one area where students graduating from high school can actually get jobs and IBM has produced a typewriter that will permit people to type in Inuktitut. It is a tremendous skill that leads to a virtual guarantee of employment with government or other agencies. We do not have enough typewriters in this school so that the students who are taking clerical education can get the kind of training that will give them a job.

There is an urgent need for art supplies and art is an industry in the Eastern Arctic. Whether you go on to further training or not, if you receive training in art even at a high school level you can sustain yourself. You can support a family. It is a cottage industry that has to be encouraged yet we do not have art supplies, sufficient art supplies in this school.

I could go on, Mr. Speaker. I do not feel it is necessary, suffice it to say I strongly support the motion and I particularly strongly support the motion because to date despite the earlier motion I made, GREC high school has not been able to get any help except by the education committee sacrificing its own funds. We were glad to do that but we hope that the Department of Education can somehow, I know it has been a tough year and I know that you have to rob some other area to buy school supplies, but I hope they will be able to somehow make a sacrifice

as we made a sacrifice to meet these urgent needs. Maybe there is a way of cancelling a conference or doing something. I do not know what to suggest, but I cannot stress that this need is not urgent and it is a grass roots need. It is in the field. It is a basic need and I support the motion strongly. Thank you.

SOME HON. MEMBERS: Question.

MR. SPEAKER: I hear question being called. Mrs. Sorensen.

Executive Committee Position On Money For Schools

MRS. SORENSEN: I have a question of clarification, Mr. Speaker, of the Members of the Executive Committee and in particular the deputy chairman of the financial management board. One of the things I find absent in all the motions that come onto the floor with respect to the expenditure of money is the Executive Committee position. They do not seem to stand up and say "Well, you know there is money here or there is no money here and we will look around or no, there is no money. We have stretched our budget to the limit." So I would like to hear and I think we are talking of somewhere in the area of about \$60,000, I would like to hear from Mr. Butters whether in fact there is money within the budget to address this need this year.

MR. SPEAKER: We are dealing with motions. This is not a place to be asking questions, unfortunately. This is not the mode to do this. Mr. Butters has already spoken. Now, if he were the mover of the motion, a question put to him may be accepted, but I do not see how I can allow you to put a question to other than the mover himself relative to his motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Mrs. Sorensen, I will give you back the floor on the understanding that you never really left it. You thought you were going to get an answer. Go ahead.

Education A Priority Item In Budget

MRS. SORENSEN: That is right, Mr. Speaker, that was just a question of clarification and now I would like to speak to the motion. It is very evident when one looks at the operation and maintenance budget of each department that the Department of Education has been made a priority by this Legislative Assembly. We have a total of \$46 million being spent on education right now and I compare that to five million dollars for Renewable Resources or \$12 million for the Department of Economic Development. So we really have set the Department of Education as a priority for government spending.

Now, I can understand, very, very much understand the difficulty faced by the schools and I agree with Mr. MacQuarrie and with Mr. Patterson that it simply is not fair that the schools are in the situation where they just do not have the tools to carry on their work, but I think we have to at some point in the life of this Legislature decide that we are going to bite the bullet. We are going to have to insist that these departments address the needs, within their budget because there simply is no more money. If there is money it goes towards Mr. Patterson's motion that asks for increased money to cultural societies or Mr. Patterson's motion that talks about increased funding for language development, or for Mr. Appaqaq's motion for a truck in some community. I mean we are doing so much for the people with all of our motions but they are never getting past the Executive Committee in a lot of cases because there is not the money and we are not prioritizing.

So I think if we give the opportunity to the Department of Education to look at its budget, they will come up with the fact that they cannot find it within the budget. Surely they will come back to us and say, "Well, we have looked at our budget and we have agonized about it and no, there is no extra money, so we come to you because you have offered us the alternative, we have done our best but we cannot do it and so we need the extra money." I really feel that by giving them that extra option that we are defeating the purpose of expecting our departments to work within the available money that they have.

Amendment To Motion 59-80(2)

Mr. Speaker, perhaps it occurs to me that the best way that I can address my problem with this motion is to amend it to remove everything after high schools in the fourth line of the "now therefore I move..." clause.

MR. SPEAKER: Mr. Clerk, would you get the amendment for me, please? As I understand the amendment as it would now be read it would be "Now therefore, I move, seconded by the hon. Member for Pine Point, that this Assembly urge the Executive Committee to direct the Department of Education to reorganize its spending priorities to ensure adequate operation and maintenance funding in its high schools." That would be the motion as amended. To the amendment. Mr. Butters.

There Is No More Money

HON. TOM BUTTERS: Mr. Speaker, the direction given members of the department with regard to finding funding, is that they must find the funding required within their current appropriations. There is no more money as the Member said.

MR. SPEAKER: Thank you. To the amendment. Are you ready for the question? Mr. Evaluarjuk.

MR. EVALUARJUK: (Translation) Mr. Speaker, perhaps I am not going to speak to the amendment, but I will be able to support the motion if somebody gives me a clarification on the motion. I would like to know if the motion is for the high schools in the Territories and I am aware that there are not too many high schools in the Northwest Territories. Is the motion trying to state as we always have said before we have been asking why instead of sending students to Fort Smith -- a lot of money has been used for these schools and this has gone to Frobisher Bay? I have got a son who is always going back to Fort Smith for education in carpentry. How come there are not now carpentry shops in Frobisher Bay? If it was like this -- if this would be supported, I would support that motion completely. I would like him to be able to go to school in the Baffin. Thank you very much.

MR. SPEAKER: Thank you, Mr. Evaluarjuk. You really were not speaking to the amendment and I suppose in part you were not speaking to the motion either but that is once for you today. Mr. Sibbeston, to the amendment.

MR. SIBBESTON: Mr. Speaker, what the amendment proposes to do is simply restrict the department to look within its own budget to see if money can be made available for its high schools. I do not favour the amendment, because as stated it would seem that the only place that moneys can be found for high schools then would be in the primary schools and I do not think we can lessen any moneys that could be spent for the primary schools where most of the children in the North are. So for that reason I do not support the amendment.

Availability Of Funds For Schools

Mr. Speaker, I must say that it would have been nice to hear from the Minister when he spoke whether there were any funds available from any other place within his department to make available to the high schools but he has not indicated that, so we are left in the dark as to whether there is going to be any funding available for high schools.

MR. SPEAKER: Thank you, Mr. Sibbeston. I believe the Minister indicated that there was no other funding and the funds had to come within their own budget. I believe that was a statement or words to that effect. Mr. Sibbeston.

MR. SIBBESTON: Mr. Speaker, I do recall that answer but he did not answer the question of whether there were any funds available from the primary schools which might be made available to high schools.

MR. SPEAKER: Thank you. To the amendment. Ms. Cournoyea.

MS. COURNOYEA: Mr. Speaker, there seems to be some contradiction here and I am going to vote for the amendment because Mr. Butters, the Minister of Education, stated that he would respond to needs and he has done his best to do so. Now it seems to me out of \$46 million a budget would have to be somewhat flexible for you to find \$60,000, so I will support the amendment.

MR. SPEAKER: To the amendment. Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. There appear to be no more speakers and I do not hear question.

SOME HON. MEMBERS: Question.

Amendment To Motion 59-80(2), Defeated.

MR. SPEAKER: Question being called, all right. All those in favour of the amendment? Opposed? The amendment is defeated.

---Defeated

To Motion 59-80(2). Mr. MacQuarrie, you will close debate if you take the floor.

MR. MACQUARRIE: Thank you very much, Mr. Speaker. I will be very brief and I will try to answer a couple of the questions that were asked. I would certainly hope and expect that if the department were reorganizing its spending that it would not prejudice the interests of community schools or that it would not jeopardize the priorities that have already been indicated by this Assembly. I think perhaps that either of those really is not necessary at all. It seems to me that there are sometimes travel funds for staff to attend specialist conferences in the South, or perhaps from time to time there are places where you have a pool of secretaries and one may be simply not hired for a period of time, or there may be a planned workshop on reading or something like that, and I am saying that it may be valuable in itself, a reading workshop, but it is not crucial the way operation and maintenance supplies and materials are crucial to the operation of the high school.

So that is the sort of decision that has to be made. The reading workshop may be nice, and may yield benefits in the long run, but at the moment in this crisis it can be done without. That is the way I sort of see funds being gathered. Surely if when the motion passed with respect to porches, the Housing Corporation was able to identify \$400,000 in order to do it. As Ms. Cournoyea pointed out, or put it rather, this might amount to another \$60,000 or \$70,000 and I really believe it can be done with some ingenuity and some determination.

Vocational Programs Are Costly

I would just remind finally all Members again that high schools do have vocational programs. They have them because -- I know there are some Members who even feel we should be going much further in that direction and have a very strong, viable vocational program throughout the Northwest Territories. I agree with that, but I tell you when you get into that kind of education it is more costly. There is just no question about it at all. So high schools now have some of these programs, and it takes money to operate them, and they are in that position where it does not make sense if they have got the program, they have got the kids who want to do it, but they just do not have the money to run the program. So I really would appeal to all Members to support this motion. Thank you.

MR. SPEAKER: Thank you, Mr. MacQuarrie. To the question. Motion 59-80(2), all those in favour? Opposed?

MR. MacQUARRIE: I would like it noted, if I may, there was just one opposed to the motion.

MR. PUDLUK: Who?

Motion 59-80(2), Carried

MR. SPEAKER: There was only one negative vote. The motion is carried.

---Carried

Mr. McLaughlin. Motion 60-80(2).

Motion 60-80(2): Appointments To Workers' Compensation Board

MR. McLAUGHLIN: Thank you, Mr. Speaker.

WHEREAS there are currently two vacancies on the Workers' Compensation Board;

AND WHEREAS the Ninth Legislative Assembly by motion adopted at its session proposed the appointment of two additional members to the said board;

NOW THEREFORE, I move, seconded by the hon. Member for Mackenzie Delta, that this Legislative Assembly recommend to the Commissioner that the following persons be appointed to the Workers' Compensation Board: Mr. Willie Adams of Frobisher Bay; Mr. W.R. Hargrave of Pine Point; Mr. W. Maduke of Yellowknife.

MR. SPEAKER: Your motion is in order, Mr. McLaughlin. Do you have anything to say on the matter?

MR. McLAUGHLIN: No.

Motion 60-80(2), Carried

MR. SPEAKER: Ready for the question? Question being called. All those in favour? Opposed? The motion is carried.

---Carried

Motion 62-80(2), Mr. Kilabuk.

Motion 62-80(2): Hudson's Bay Officials To Appear At February Session

MR. KILABUK: (Translation) Mr. Speaker, my motion was seconded by the hon. Member from Frobisher Bay. Hudson's Bay Officials to Appear at February Session:

WHEREAS the Hudson's Bay Company was the first company to come to the Northwest Territories and helped many of the people living here;

AND WHEREAS the Hudson's Bay Company has never consulted the people of the North on the items it buys and sells;

AND WHEREAS the Hudson's Bay Company also acts as the fur traders of the North;

NOW THEREFORE, I move that the Hudson's Bay Company officials from the South appear before the Legislative Assembly during the February session and explain their lack of consultation with their consumers.

MR. SPEAKER: Mr. Kilabuk, I have trouble with your motion. It is just a minor wording of the motion and we do not have the authority to order the appearance before this Assembly of anybody. We can invite them but this is by way of order from the South to appear before this Legislative Assembly. Are you going to be here tomorrow, Mr. Kilabuk?

MR. KILABUK: Yes.

Motion Postponed For Rewording

MR. SPEAKER: I wonder if we could hold this for tomorrow and you could change that wording and we could probably get unanimous consent to deal with it since it is a very short motion. It is incorrect in as much as it is a demand. We do not have the authority to demand anybody to appear in front of us. It is a minor point, but that is the way we have to run this. Do you understand what I mean?

MR. KILABUK: Yes.

MR. SPEAKER: The next motion that I have is Motion 64-80(2), Mr. McLaughlin.

Motion 64-80(2): Standing Committees To Hold Meetings Open To Public

MR. McLAUGHLIN: Thank you, Mr. Speaker. Motion 64-80(2), Standing Committees to Hold Meetings Open to the Public:

WHEREAS the standing committees of this Assembly have become very active and are influencing the programs operated and proposed by the administration;

AND WHEREAS these standing committees could better serve the people of the Northwest Territories if there was public knowledge of the agendas of these committees and the opportunity for dialogue with these committees;

NOW THEREFORE, I move, seconded by the Member for Keewatin South, that this Assembly instruct the standing committee on legislation and the standing committee on finance to make the necessary arrangements to hold their meetings open to the public.

MR. SPEAKER: Your motion is in order, Mr. McLaughlin. Proceed.

HON. TOM BUTTERS: On a point of order. The Member for Keewatin South is not in the chamber.

MR. SPEAKER: Just one moment, please. Mr. Butters, your point is well taken. However, there is nothing in the rule book relative to this and by way of precedent the House has accepted motions without the seconder being present in the House. There is nothing defined in the rules. Proceed, Mr. McLaughlin.

MRS. SORENSEN: On a point of order, Mr. Speaker. I wonder if I could have a ruling from you. It seems to me that opening up the meetings to the public will involve a considerable expenditure of funds. The Members' Services Board has already been investigating that and we have found that to be very true. I have no difficulty with the intent of the motion, but I wonder if it is worded correctly.

MR. SPEAKER: Mrs. Sorensen, you have a good point. Inasmuch as there are these motions that are borderline, to know whether they are really going to cost any money or not is very difficult to decide because it depends on how public, a matter of three or four chairs in the meeting room you are going to be in, or does it mean renting an auditorium so everybody who may wish to come can do so. On the basis of your presentation I will accept that there is an indication of a high expenditure and there is no -- this is an order rather than a request. However, the mover of the motion by the same token can change the motion and I would hope that we would get unanimous consent tomorrow to bring it back in.

MR. McLAUGHLIN: On a point of order, Mr. Speaker, my motion says -- I was well aware of this possibility that there would be an expense involved in making transcripts and I did say "to make the necessary arrangements". I believe that by that I meant through the budget next year and also by going to the Members' Services Board and the rules and procedures committee in order to obtain this goal. My motion does not intend that the very next meetings have to be held open to the public.

Motion 64-80(2), Ruled Out Of Order

MR. SPEAKER: Mr. McLaughlin, you probably know what you mean, but the words you have put here do not mean what you have just told me so all I can judge on are the words that are here and it would indicate to me that this is to go into effect immediately and be proceeded with. You have no time limit, you have not indicated how it is to proceed, so I take that there is an immediate and direct order to proceed forthwith. On that basis I am ruling it out of order. You can bring it back tomorrow and hope to get unanimous consent.

---Laughter

That appears to be all of the motions that I have officially for today, is that correct, Mr. Clerk?

MR. McLAUGHLIN: Mr. Speaker, I indicated earlier on at an appropriate time I would be asking for unanimous consent to proceed with the motions regarding Members on the Executive Committee and the time and place of the next session. If there are no further motions, I would like to get that unanimous consent right now.

MR. SPEAKER: Do we have your unanimous consent to proceed with that motion? Any opposition? Proceed, Mr. McLaughlin.

Motion 68-80(2): Recommendation To Commissioner Of Two Additional Ministers

MR. McLAUGHLIN: Mr. Speaker:

WHEREAS this Legislative Assembly by motion adopted on November 14, 1979, agreed to recommend the appointment of two additional Members to the Executive Committee at a later date;

NOW THEREFORE, I move, seconded by the hon. Member for Yellowknife Centre, that this Legislative Assembly recommend to the Commissioner that the following additional Members be appointed to the Executive Committee:

Mr. Dennis Patterson, MLA for Frobisher Bay;

Mr. Kane Tologanak, MLA for Central Arctic.

---Applause

MR. SPEAKER: Thank you. Are you ready for the question? Mr. Patterson.

Mr. Patterson's Remarks On Becoming A Minister

MR. PATTERSON: Thank you, Mr. Speaker. I would like to have a brief opportunity to say a few things about this, mostly for the benefit of my constituents, many of whom may be somewhat surprised.

First of all, I would like to explain that I am not offering myself for this position because I want to spend large amounts of time in Yellowknife. I will not say that I do not like Yellowknife, but let me say, Mr. Speaker, that cities like Yellowknife are the reason why I came here to Frobisher Bay and I like it here. Frobisher is a quiet, friendly town and it has taught me a great deal. Particularly I have learned a little bit about hunting and I have had an opportunity to roam around the beautiful land around Frobisher Bay. I am doing this, Mr. Speaker, because I have heard many people many times say to Members of the Eastern Arctic who have been very critical of the government and I certainly was part of that and I hope that I shall continue to be critical of the government but perhaps from a different perspective, an inside and a constructive perspective, but I have heard people saying "Put up or shut up." As they used to say in Nova Scotia where I went to school, "It is time to fish or cut bait" and you know it is very easy to be critical of government and I have been particularly critical because I felt that many decisions are made in the corridors of power in Yellowknife by well intentioned people who are ignorant of realities in the Eastern Arctic and I will try to make sure that if I am accepted by the House that this does not happen again.

At the same time, Mr. Speaker, I must say now that I do not want that to happen to me through this position. I do not want to lose touch with my constituents because of this job and with the present air services and other communication systems available, particularly between Frobisher Bay and Yellowknife, I am hopeful that it still will be possible for me and my family to remain based in Frobisher Bay, that will be something that I will have to discuss with the Commissioner, but I am hoping that it will be possible for me not to lose that connection with Frobisher Bay or I fear I may defeat the whole purpose of joining the Executive Committee.

Looking Forward To The Challenge

I am looking very much forward to seeing how government works from the inside. I think it is important that those of us who are advocating a new government to be called the Nunavut government in this part of the Northwest Territories learn some of the intricacies and problems of working with government first hand and I have a great deal to learn. I have never worked directly for government before. In fact, I have been somewhat leery of ever working for government and I find myself somewhat frightened about the prospect of suddenly getting involved at the highest levels, because I do not know anything about how government works, I am impatient with bureaucracies and I know this is going to be a challenge for me.

MR. FRASER: You can sit on this side now.

MR. PATTERSON: I am glad you mentioned that, Mr. Fraser, because it may be that the Executive Committee has been feeling somewhat harassed by Members from the Eastern Arctic and this is why it was determined that they should sit together like musk-oxen to defend themselves, but...

AN HON. MEMBER: You look like one.

MR. PATTERSON: In offering myself for this position and I am grateful that I have had encouragement from my colleagues in the Eastern Arctic, from the Eastern Arctic constituencies, I feel that I will be representing or trying to represent the concerns along with my colleague, Mr. Tologanak, particular concerns on the Napaqtuqangimiut, the people from beyond the tree line. And I therefore hope I will be able to remain sitting with my colleagues from the Eastern Arctic and if I need to find out how to vote on a particular issue I will send a note or I will receive a note. I am very good at writing notes as you may have noticed, Mr. Speaker.

Nunavut Will Be A Reality

I come into the job, if I am accepted, I will come into this job with a number of convictions. I believe that Nunavut is going to happen. It is to my conviction a grass roots movement and it will take place. So I wish Members to know that everything I do will be coloured by the dream that someday myself and my colleagues will be able to work in the highest offices of government in what is now -- what I now consider to be my homeland, if I should be so fortunate to be elected again.

I do not say that I am not going to work constructively in the Executive Committee and try to do my share of work, but at the same time I am delighted with the direction that this Assembly has charted for itself and I think my participation in the Executive Committee, if I should be approved, will be made easier by the knowledge that there is a plan to dismantle this tremendously gargantuan territory into more manageable units and this will make it easier for me to participate.

Perhaps, Mr. Speaker, you will let me close with a very small story. We had a brief meeting yesterday, my colleagues from the Eastern Arctic, to decide who would be recommended or who amongst our numbers would be able to serve. We asked my colleague from Pangnirtung, Mr. Ipeelee Kilabuk, if he would like to be an Executive Member and I think Mr. Kilabuk probably would if it were not for the fact that this government currently operates in English and he feels a barrier because of that reason. I think Mr. Kilabuk would make an excellent minister for Renewable Resources. He is a hunter and knows a lot about that area, no disrespect intended, Mr. Nerysoo, I am talking about the Nunavut government and I told him so yesterday. I think partly I have been chosen because I can speak English and even though my ability in Inuktitut is extremely primitive someday hopefully I will be able to speak Inuktitut as well, but these are problems that are facing the people of this area, Mr. Speaker. I look forward to the day when our own government will permit people like Mr. Kilabuk who are willing to serve and have the knowledge and capability to serve in these high offices.

In closing, Mr. Speaker, if I am approved by Members, I will do my very best and I will feel honoured to be able to serve in any capacity. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you. To the motion. Are you ready for the question?
Mr. Tologanak.

Mr. Tologanak's Remarks On Becoming A Minister

MR. TOLOGANAK: Thank you, Mr. Speaker. I would not have accepted except for the encouragement given to me by fellow Members from Arctic caucus. I have made myself a very serious decision to join the Executive at this time believing that some of the pressures that I have been putting on the government have been satisfied to my knowledge and recommended too by the people of the Central Arctic. I do wish to remind Members that because I am joining the Executive if I am accepted, that I will not dissociate myself as an Inuk, from my culture, or a Yellowknifer or Yellow-K-nifer as some of my constituents call it. I will remain in close association with my constituents since I am practically living next door to the tree line communities such as Yellowknife. I do look forward to dealing in as wise a manner as possible in making decisions or else with close association with the Executive in regards to the running of the Northwest Territories.

The hon. Member from the Western Arctic suggested that this might be my last time to speak as long as I can or to speak as short as I can and I should try to speak as long as I can because I will not be able to as much in the future. So, Mr. Speaker, I look forward to joining the Executive and assisting them in relieving as much pressure and workload as possible if I am elected or received to the Executive. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Tologanak. Are you ready for the question?
Mr. McLaughlin.

MR. McLAUGHLIN: As mover to the motion I will take my right to speak last and I really support this motion because I hope that Mr. Patterson's answers to oral questions will not be as long as his oral questions.

---Laughter

Motion 68-80(2), Carried

MR. SPEAKER: Question being called. All those in favour? Opposed, if any?
Let the record show it was unanimous.

---Carried

MR. SPEAKER: Mr. McLaughlin, did you have another short one?

MR. McLAUGHLIN: Yes, I do, if I can have consent for my previous motion related to the time and place of the session to be held after the budget session.

MR. SPEAKER: Is there any opposition?

---Agreed

Motion 70-80(2): Location Of May Session

MR. McLAUGHLIN: Mr. Speaker:

WHEREAS this Legislative Assembly supports the principle of sessions being held outside Yellowknife;

AND WHEREAS it recognizes the need to hold budget sessions in Yellowknife;
NOW THEREFORE, I move, seconded by the hon. Member for Yellowknife North,
that this Legislative Assembly recommend to the Commissioner that a
session be held in Hay River commencing in mid May, 1981.

SOME HON. MEMBERS: Question.

MR. SPEAKER: To the motion. Question being called. Mr. Tologanak.

MR. TOLOGANAK: Mr. Speaker, talking about principles, coming out to the
people in all parts of the Territories, I look at the record of this Legislative
Assembly sitting out around the Territories but I note in that history that
this Legislative Assembly has never sat in the Central Arctic which is my
constituency, so I would vote against this motion.

Motion 70-80(2), Carried

MR. SPEAKER: Thank you. Any further discussion? Are you ready for the
question? Question being called. All those in favour? Against? The motion
is carried.

---Carried

That concludes motions for today, I understand. There are no others.

Item 11, consideration in committee of the whole of bills, recommendations
to the Legislative Assembly and other matters.

ITEM NO. 11: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS
TO THE LEGISLATIVE ASSEMBLY AND OTHER MATTERS

We will resolve into committee of the whole, with Mr. Fraser in the chair,
to deal with Bills 18-80(2), 7-80(2), 8-80(2), 9-80(2), 10-80(2) and
12-80(2).

---Legislative Assembly resolved into committee of the whole for consideration
of Bill 18-80(2): Municipal Ordinance; Bill 7-80(2): Maintenance Orders
(Facilities for Enforcement) Ordinance; Bill 8-80(2): Conditional Sales
Ordinance; Bill 9-80(2): Bills of Sale Ordinance; Bill 10-80(2): Assignment
of Book Debts Ordinance; Bill 12-80(2): Corporation Securities Registration
Ordinance, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 18-80(2): MUNICIPAL
ORDINANCE; BILL 7-80(2): MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT)
ORDINANCE; BILL 8-80(2): CONDITIONAL SALES ORDINANCE; BILL 9-80(2): BILLS OF
SALE ORDINANCE; BILL 10-80(2): ASSIGNMENT OF BOOK DEBTS ORDINANCE;
BILL 12-80(2): CORPORATION SECURITIES REGISTRATION ORDINANCE

THE CHAIRMAN (Mr. Fraser): The committee will come to order. I really think
that the Speaker earned his wages today. He had a tough time from 9:30 until
now in the chair with all the work we had to do. So at this time we will call
a 15 minute recess for coffee.

---Applause

---SHORT RECESS

Bill 18-80(2), Municipal Ordinance

THE CHAIRMAN (Mr. Fraser): The Chair recognizes a quorum. We have Bill 18-80(2), An Ordinance to Amend the Municipal Ordinance. This bill was presented by Mr. James Wah-Shee, Minister of Local Government. Mr. Wah-Shee, any opening remarks or comments?

Motion To Delete Paragraph 177.1(1)(a) Of Clause 1, Bill 18-80(2)

HON. JAMES WAH-SHEE: Yes, Mr. Chairman. I would like to propose an amendment to the committee in clause 1 under paragraph 177.1(1)(a) and the purpose for the amendment is to not have just the municipalities have the exclusive right to operate buses in various communities so that this particular clause does not permit individuals, an individual businessman, if he or she wants to get into the operation of bus services in the various municipalities. So what I would suggest is that in order to allow individual business people to operate these bus services, I would like to move that paragraph 177.1(1)(a) in clause 1 be deleted and the rest of the paragraphs be renumbered appropriately for the reasons I have outlined. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Wah-Shee. I am not quite clear. I understand Bill 18-80(2) is an amendment in the bill itself. Is that right?

HON. JAMES WAH-SHEE: Yes. It is an amendment to delete paragraph 177.1(1)(a) in clause 1, to delete it altogether.

THE CHAIRMAN (Mr. Fraser): I understand that, but the bill is an amendment or is that the amendment you are talking about now?

HON. JAMES WAH-SHEE: Correct.

THE CHAIRMAN (Mr. Fraser): We have an amendment to Bill 18-80(2), An Ordinance to Amend the Municipal Ordinance. Have we got copies of that amendment, Mr. Wah-Shee?

HON. JAMES WAH-SHEE: Yes. I believe copies have been given to the Clerk.

THE CHAIRMAN (Mr. Fraser): Could we have the copies distributed, please, Mr. Clerk?

MS. COURNOYEA: We are deleting.

THE CHAIRMAN (Mr. Fraser): Ms. Cournoyea.

MS. COURNOYEA: I think Mr. Wah-Shee is just deleting a paragraph. I do not think he has anything to distribute.

THE CHAIRMAN (Mr. Fraser): I have got it clear now. We just take out (a) in clause 1 of the Bill 18-80(2), under public bus transportation. To the amendment, Mrs. Sorensen.

Public Bus Transportation

MRS. SORENSEN: Mr. Wah-Shee, I guess the situation now is such that bus servicing within a school district must be provided by the school board or the Department of Education if it is in a community that has no school board, is that correct, and that this amendment to the Municipal Ordinance is allowing independent or private entrepreneurs to come into that area and provide busing, is that correct?

THE CHAIRMAN (Mr. Fraser): Hon. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: Mr. Chairman, the present ordinance as it is written ensures that the municipalities have the exclusive right to operate buses within the municipality and the purpose for the amendment is to delete paragraph (a) to allow private business people to operate buses so that the municipality would not have the exclusive right as it is at the present time. That is to serve the purposes that I have outlined earlier.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Wah-Shee. Mr. Patterson is the chairman of the standing committee on legislation and I should have let him speak to this bill prior to Mrs. Sorensen so I will give you the floor, Mr. Patterson.

Exclusion Of Private Operators

MR. PATTERSON: Thank you, Mr. Chairman. Maybe I can explain why the legislation committee suggested that amendment. The reason for the amendment was that we did not disagree with the right of municipalities to maintain and operate a public bus transportation system however, we questioned why municipalities who go into the public transportation business should have the right to exclude private operators. We felt this was unnecessary and it is true that there are situations where a municipality should perhaps by legislation be permitted to, in effect, have a monopoly because of economies of scale and also for reasons of public health and safety.

For example, our present Municipal Ordinance gives municipalities the right to designate a contractor for water and garbage and sewer services who could by local bylaw be an exclusive contractor. The reason for this kind of policy is that public health is involved in garbage and water and sewer and it is important that a municipality be able to strictly control the operation of the contract by limiting who might or might not get into it. In that area it makes sense that a municipality should be able to effectively monopolize the field so that they can have absolute control over the quality of the contract because it relates to public health.

However, there are regulations that cover the operation of a bus system through the Vehicles Ordinance so public safety is not a consideration. We were assured that the regulations were in place or would be in place if they are needed so public safety is not a consideration and therefore the only justification for having this kind of provision in there would simply be to keep out private enterprise and competition. The committee felt that this was unnecessary.

Maybe I can give you a concrete example. I believe in Yellowknife the public transportation system is operated by private company, if we did not pass this amendment and instead approved the bill as it was originally presented it would be possible for the city of Yellowknife to put that private operator out of business or it would be possible for any other municipality to put a private operator out of business where such a private operator existed. The committee recommended that paragraph 177.1(1)(a) be deleted because it could in fact threaten the growth of private enterprise through the Northwest Territories and I am pleased to see that the Minister and the Executive agreed that it is not a necessary amendment. I hope that helps explain what our thinking was, Mr. Chairman. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. MacQuarrie.

A Viable Public Transportation System

MR. MacQUARRIE: Thank you, Mr. Chairman. I would ask for some further clarification then from the Minister of Local Government and that is whether, if this clause is dropped, it might mean that municipalities would find themselves in a position of not being able to establish a viable public transportation system because a private operator has already established himself. I just wonder -- I am not that familiar with legislation -- is it then possible the Expropriation

Ordinance would permit a municipality that really wanted to get into public transportation to buy out an already existing operator or would this prevent that from happening? While I sympathize with the private operators, I would not want to leave municipalities in the position of not being able to effect something that they thought was desirable.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Hon. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: This particular bill will allow for private operators as well as municipal operation so that it does not restrict one or the other. This is the kind of flexibility that we would like to see and in order for us to do this, we require that paragraph 177.1(1)(a) be removed in order to allow the flexibility. Thank you.

Motion To Delete Paragraph 177.1(1)(a) Of Clause 1, Bill 18-80(2), Carried

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Wah-Shee. To the amendment.

---Carried

Clause 1, public bus transportation. Agreed?

---Agreed

Clause 2. Agreed?

---Agreed

The bill as a whole? Mr. Patterson.

MR. PATTERSON: Mr. Chairman, speaking in my capacity as an MLA now by the way, I would not object to this bill at all, but I cannot help making the observation that to my mind the Department of Local Government has ignored the law in permitting and approving the budget of the village of Frobisher Bay amongst others, the purchase of buses and the operation of a bus transportation system prior to the adoption of this bill. It was explained that the Department of Local Government felt that the bill would surely pass and that an attractive federal grant was available to purchase these buses whereby 80 per cent of the capital cost would be borne by the federal government, but I cannot help observing that when the law is overlooked or bent that the law may be overlooked or bent to accommodate what are perceived to be useful purposes, but it is not always true that it is overlooked or bent when the alleged violation might not agree with the government's policy. So I would simply make the observation that this is not the proper way of going about things and does not encourage municipalities to respect the Municipal Ordinance. I would have much preferred that officials would have had the foresight to introduce these amendments prior to the deadline for purchasing buses and not putting us in this awkward situation of having to retroactively approve their actions. That is just a passing comment, Mr. Chairman. I will of course vote to approve the bill.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. Wah-Shee.

HON. JAMES WAH-SHEE: Mr. Chairman, I would like to say that the hon. Members' comment was very keen but also I would like to remind the hon. Member that making changes to various government bills should not be exclusively for a particular community. In other words, this change is not for the community of Frobisher Bay. We are making these changes for all of the communities right across the Northwest Territories and I would like to remind the hon. Member that when we are dealing with government bills we have to think of all the communities right across the Northwest Territories. This is the reason why we are doing this. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Wah-Shee. Let us try that again. Clause 1, subclause (1). Agreed?

---Agreed

Clause 1, subclause (2). Agreed?

---Agreed

The bill as amended. Agreed?

---Agreed

Thank you.

Bill 7-80(2), Maintenance Orders (Facilities For Enforcement) Ordinance

Now, we go to Bill 7-80(2). Bill 7-80(2), An Ordinance to Amend the Maintenance Orders (Facilities for Enforcement) Ordinance. Mr. McCallum, please, your opening remarks on Bill 7-80(2).

HON. ARNOLD McCALLUM: Mr. Chairman, I have very little to add to this bill. It simply is an amendment to an existing ordinance. It provides a means whereby each maintenance order made by a reciprocating state can be registered in the designated territorial court under a general procedure. It is merely a housecleaning amendment. I do not have anything further to say about it. I think the standing committee had very little to say on it as well.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Bill 7-80(2), comments of a general nature. Clause 1, short title. Agreed?

---Agreed

Clause 2, idem. Agreed?

---Agreed

Clause 3, summons. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Thank you.

Bill 8-80(2), Conditional Sales Ordinance

We will go to Bill 8-80(2), An Ordinance to Amend the Conditional Sales Ordinance. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, Bills 8-80(2), 9-80(2), 10-80(2) and 12-80(2) are all related, produced for the purpose of extending the time of registration of certain documents.

Before I go any further I should explain that a conditional sale is a form of sales contract in which the seller reserves title until the buyer pays for goods at which time the condition having been fulfilled then title passes to the buyer. So this ordinance as I understand it will allow for the extension of time for evidencing a conditional sale in writing from ten days to 60 days.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. General comments, Mr. MacQuarrie.

MR. MacQUARRIE: Yes, I would like to ask the Minister if he could explain fairly simply who is being protected as a result of the changes here and why is it felt that a change is necessary?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. Butters.

HON. TOM BUTTERS: At present the Conditional Sales Ordinance requires that an instrument evidencing a conditional sales contract must be executed within ten days of the date of the delivery of the goods and in view of the geographic conditions in the Northwest Territories this period of time has not proven to be realistic. The amendment will allow for a more realistic time period in which conditional sales contracts must be executed as well as a more realistic time period in which they must be registered in the appropriate registry office. I could assume and I am no lawyer, so maybe I could call on my good friend and colleague across the way, but I would assume that this legislation protects both the purchaser and the seller.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. MacQuarrie.

MR. MacQUARRIE: Could I have an opinion from the law clerk? I would appreciate knowing the answer to that question from him.

THE CHAIRMAN (Mr. Fraser): Thank you very much, Mr. MacQuarrie. Mr. Johnson.

Protection For The Conditional Seller

LEGAL ADVISOR (Mr. Johnson): Mr. Chairman, I think Mr. MacQuarrie was concerned about who this was intended to protect and I think the basic purpose of conditional sales agreements and providing your registration procedure is to allow a conditional seller to protect his interest in the goods because once possession is handed over to the buyer he would be able, if he was deceitful or intending to be deceitful he could attempt to sell it to a third party who would be unaware of his interest in it, so that the procedure under the Conditional Sales Ordinance allows the seller to register the document in an appropriate registry so that a third party when he is thinking about buying it can then search to see that if he does have an interest in it.

As it presently reads, the conditional seller only has 30 days to register the agreement after it has been executed and in my experience it is basically people who buy goods in the South and then they come north with the goods and then the seller has to try and register them up north and 30 days, generally speaking, is quite often not enough time. Then the seller has to make application to the courts for an order for late filing. This generates an awful lot of excessive paperwork and I think this amendment is just to tidy that up to give more time and probably cut down a lot of clerical administration in the registry office.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Johnson. Mr. MacQuarrie, does that answer your question?

MR. MacQUARRIE: Just a little further, then, so in addition to there being some protection to whoever owns the goods and has offered them for sale, there would be protection to the general public too, that is third parties who might wish to purchase second hand equipment, is that right?

LEGAL ADVISOR (Mr. Johnson): That is correct, Mr. Chairman.

THE CHAIRMAN (Mr. Johnson): Clause by clause. I believe I slipped up again without asking the chairman of the legislation committee, I do not know if there are any recommendations. Thank you, Mr. Patterson. Clause by clause. Clause 1, goods brought into Territories. Agreed?

---Agreed

Clause 2, agreement outside of Territories. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 9-80(2), Bills Of Sale Ordinance

Thank you very much. Bill 9-80(2), An Ordinance to Amend the Bills of Sale Ordinance. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, this time I would be happy to defer to the legislation committee chairman first.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Patterson.

MR. PATTERSON: Mr. Chairman, the committee recommended this bill be referred as presented. The reasoning that was applied to Bill 8-80(2), which we just discussed, applies similarly to Bill 9-80(2), and Bill 10-80(2), and Bill 12-80(2). It simply is designed to take into account the problems of distance and communication in the Northwest Territories and eliminate the cost associated with having to get orders for late filing from courts. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Comments of a general nature, Bill 9-80(2).

Clause 1, time and place of registration. Agreed?

---Agreed

Clause 2, removal of chattels into the Territories. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Thank you very much.

Bill 10-80(2), Assignment Of Book Debts Ordinance

Bill 10-80(2), An Ordinance to Amend the Assignment of Book Debts Ordinance, Mr. Butters.

HON. TOM BUTTERS: I again defer to the chairman of the finance committee on legislation.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Patterson.

MR. PATTERSON: No comments, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Thank you very much. I see you have got the message. Any further comments on Bill 10-80(2)? Clause 1. Agreed?

---Agreed

Clause 2, how registration effected. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 12-80(2), Corporation Securities Registration Ordinance

Bill 12-80(2), An Ordinance to Amend the Corporation Securities Registration Ordinance, Mr. Butters.

HON. TOM BUTTERS: I will defer again, sir.

THE CHAIRMAN (Mr. Fraser): You are getting out of a lot of this. Mr. Patterson.

MR. PATTERSON: No comments.

THE CHAIRMAN (Mr. Fraser): Clause 1, registration. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

THE CHAIRMAN (Mr. Fraser): Thank you very much, we have run off the order paper. Is it your wish we report progress? I am afraid I have to report progress. The Speaker did not give us any more work to do. Agreed?

---Agreed

MR. SPEAKER: Mr. Fraser.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILLS 18-80(2): MUNICIPAL ORDINANCE; BILL 7-80(2): MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ORDINANCE; BILL 8-80(2): CONDITIONAL SALES ORDINANCE; BILL 9-80(2): BILLS OF SALE ORDINANCE; BILL 10-80(2): ASSIGNMENT OF BOOK DEBTS ORDINANCE; BILL 12-80(2): CORPORATION SECURITIES REGISTRATION ORDINANCE

MR. FRASER: Mr. Speaker, your committee has been considering Bill 18-80(2), Bill 7-80(2), Bill 8-80(2), Bill 9-80(2), Bill 10-80(2), Bill 12-80(2) and these bills are now ready for third reading.

MR. SPEAKER: Thank you very much, Mr. Fraser. We will resolve into committee of the whole, with Mr. Fraser in the chair, to study Bills 11-80(2), 6-80(2), 17-80(2), 16-80(2), 5-80(2), 14-80(2), 15-80(2), 19-80(2) and Bill 4-80(2).

---Legislative Assembly resolved into committee of the whole for consideration of Bill 11-80(2): Corrections Ordinance; Bill 6-80(2): Judicature Ordinance; Bill 17-80(2): Co-operative Associations Ordinance; Bill 16-80(2): Agisters and Livery Stable Keepers Ordinance; Bill 5-80(2): Legal Questions Ordinance; Bill 14-80(2): Securities Ordinance; Bill 15-80(2): Fair Practices Ordinance; Bill 19-80(2): Workers' Compensation Ordinance; Bill 4-80(2): Ophthalmic Medical Assistants Ordinance, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 11-80(2): CORRECTIONS ORDINANCE; BILL 6-80(2): JUDICATURE ORDINANCE; BILL 17-80(2): CO-OPERATIVE ASSOCIATIONS ORDINANCE; BILL 16-80(2): AGISTERS AND LIVERY STABLE KEEPERS ORDINANCE; BILL 5-80(2): LEGAL QUESTIONS ORDINANCE; BILL 14-80(2): SECURITIES ORDINANCE; BILL 15-80(2): FAIR PRACTICES ORDINANCE; BILL 19-80(2): WORKERS' COMPENSATION ORDINANCE; BILL 4-80(2): OPHTHALMIC MEDICAL ASSISTANTS ORDINANCE

THE CHAIRMAN (Mr. Fraser): The committee will come to order to deal with Bill 11-80(2). Bill 11-80(2), An Ordinance to Amend the Corrections Ordinance, Mr. McCallum please.

HON. ARNOLD MCCALLUM: Mr. Chairman, thank you. Mr. Chairman, this is an amendment to the Corrections Ordinance that would delete reference to the justice and corrections advisory committee under that section of the ordinance and it would repeal section 6, subsections (1), (2), (3) and (4). When the Corrections Ordinance was put together, Mr. Chairman, there was an attempt to set up a justice and corrections advisory committee to advise the Commissioner on various areas of justice and corrections, that membership included somebody who is responsible for law enforcement, an official responsible for corrections, a member of the judiciary and three other people from the Northwest Territories.

This committee had a difficult time to sit over the years, Mr. Chairman, meeting for all kinds of reasons even as existing boards and committees have today, because of the distances involved where you have representation from across the Territories. I do not think this committee has met since 1976 or 1977. In its place has developed another ad hoc group of people who are concerned with justice and corrections made up of many more people.

We have had a difficult time, that is, the government has had a difficult time trying to re-establish a justice and corrections advisory committee. There may be other means by which we can accomplish the same kinds of things as the advisory committee was attempting to do. We have proposed since this committee has not met in four to five years, again as I say for a number of reasons, that we would repeal this particular section. I know the standing committee on legislation voiced some concern and I will leave that kind of concern or the expression of that concern to the chairman of the standing committee.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. McCallum. Mr. Patterson, as chairman of the legislation committee, have you any comments?

Lay Persons Participating In Reforming Justice System

MR. PATTERSON: Very briefly, Mr. Chairman, yes, there was some concern expressed on the part of the legislation committee since this justice and corrections advisory committee was created by statute and did encourage or did guarantee that local people, ordinary lay persons would be able to participate in reforming the justice system. This amendment would eliminate their participation. Therefore there was some alarm. However, we are assured that there is an ad hoc committee operating and doing more or less the same function and it is working with areas in which the previous committee did not work.

Secondly, this Assembly has given direction to the Department of Justice. On March 11, 1980 during the committee of the whole debates on Justice and Public Services there was a motion approved by the Assembly urging the administration and the Department of Justice and Public Services to develop a strong law reform capability and I am quoting from the motion: "Within that department which will, among other things, review and update existing territorial legislation, examine ways in which aboriginal customs, values and rights can be discovered, recognized and protected by territorial laws and develop proposals for new legislation to meet the special needs and circumstances of northerners as directed by the Assembly from time to time."

So that function, if it is developed by the Department of Justice and Public Services we will undoubtedly be asking questions at the next session about progress in that area, will fill some of the gap and as well the ad hoc committee is operating and doing the work that the statutory committee was supposed to do so in balance the committee recommended that the bill be referred as presented.

THE CHAIRMAN (Mr. Fraser): That is what you should have said right at the start. Thank you, Mr. Patterson. Any further comments on clause 1? Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 6-80(2), Judicature Ordinance

We go now to Bill 6-80(2), Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, again I will defer to the chairman of the standing committee on legislation. This amendment is a procedure that is related to proving the will of a deceased person, whether it be valid or invalid, but wills are a very complicated consideration. I wonder whether the chairman might speak to this first.

THE CHAIRMAN (Mr. Fraser): Bill 6-80(2), An Ordinance to Amend the Judicature Ordinance, Mr. Patterson.

MR. PATTERSON: I have no particular comments, Mr. Chairman, except that this makes it easier for people to administer estates by reducing the cost. It overcomes the need for paperwork and eliminates the number of pieces of paper that have to be shuffled. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Any further comments?

Clause 1, manner of giving effect to grant of probate, etc., granted outside the Territories. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 17-80(2), Co-operative Associations Ordinance

Bill 17-80(2), Mr. Braden, An Ordinance to Amend the Co-operative Associations Ordinance.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. We are proposing an amendment to the Co-operative Associations Ordinance which would remove a restriction on co-operatives with respect to credit sales. This restricted credit sales to the amount of one half the amount of working capital of the co-operative. What we are doing is requiring that the co-operatives establish some kind of limits as authorized by their own bylaws. That is basically all I have to say. Does the chairman of the standing committee on legislation have any comments?

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Braden. Mr. Patterson.

MR. PATTERSON: No comments, Mr. Chairman.

MR. MacQUARRIE: The concern I had when I noticed this one was whether there is any possibility at all of the same thing happening to co-operative associations as happened to the credit unions in the Northwest Territories. Does the Minister feel that there is adequate safeguard I guess to ensure that co-operative associations would not overextend themselves and endanger the investment of the Members and so on? Could I have some comment on that, please?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Hon. Mr. Braden.

HON. GEORGE BRADEN: I respect the hon. Member's concern and I think it is valid. A number of the programs the department and the government are involved in are in co-operation with the federal government and the co-op federations as the level of management expertise is increasing in the co-operatives. I think we have to accept here that there may be some bad apples in the bunch which you are going to have problems with, but there are a number of thriving co-operatives in the Northwest Territories. In this particular case, the existing ordinance placed

an undue restriction on them. We have, of course, by law, a responsibility to ensure that there is proper auditing done as well as proper management procedures utilized.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Braden. Bill 17-80(2), clause by clause? Agreed?

Clause 1, sale on credit. Agreed?

---Agreed

Clause 2, working capital defined. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 16-80(2), Agisters And Livery Stable Keepers Ordinance

Bill 16-80(2), Mr. Nerysoo. Bill 16-80(2), An Ordinance to Repeal the Agisters and Livery Stable Keepers Ordinance, what the hell is all of that?

HON. RICHARD NERYSOO: We are getting rid of the horses.

AN HON. MEMBER: Clause by clause.

THE CHAIRMAN (Mr. Fraser): Clause 2, Mr. Nerysoo -- I am sorry, Bill 16-80(2). Hon. Richard Nerysoo.

HON. RICHARD NERYSOO: I will defer my comments to the chairman of the standing committee on legislation.

MR. PATTERSON: Mr. Chairman, this bill comes from another century and we recommend that it be referred as presented.

THE CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MacQUARRIE: Does this mean that there will be no stables in the Northwest Territories at all? I just wonder if we come to Frobisher Bay again some time and there is no room for us at the Inn, whether we are not losing some important protection here.

THE CHAIRMAN (Mr. Fraser): Are you expecting a birth?

MR. MacQUARRIE: Not me, but Mr. McCallum said he saw a star outside.

THE CHAIRMAN (Mr. Fraser): Clause by clause Bill 16-80(2). Clause 1. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 5-80(2), Legal Questions Ordinance

Bill 5-80(2), Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, this bill is being introduced as a means for providing legal opinions from the supreme court of the Northwest Territories on matters referred to that court, such as the validity of legislation or the legal effect of certain legislation but I would defer comment to the chairman of the legislation committee.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Patterson.

MR. PATTERSON: We agree that the bill should be referred as presented and an amendment that was recommended by the standing committee has now been incorporated in the bill. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Clause by clause?

Clause 1, short title. Agreed?

---Agreed

Clause 2, reference of questions. Agreed?

---Agreed

Clause 3, opinion of the court. Agreed?

---Agreed

Clause 4, notification to Attorney General of Canada. Agreed?

---Agreed

Clause 5, notification to interested parties. Agreed?

---Agreed

Clause 6, status of opinion. Agreed?

---Agreed

Clause 7, Attorney General as reference. Agreed?

---Agreed

Clause 8, Collection Agreement (Income Tax) Questions Ordinance saved. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 14-80(2), Securities Ordinance

Thank you very much. Bill 14-80(2), An Ordinance to Amend the Securities Ordinance. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, this bill, introduced for the purpose of extending the scope of the current legislation dealing with the filing of a prospectus so as to require all persons and companies trading in any security to file a prospectus with the registrar of securities prior to such trading. At the present time only a mining company, an investment company or an industrial company is required to file such a prospectus. At present various securities are being traded in fields not covered by the current legislation and such trading is done without the need to obtain approval of the registrar of securities. It is felt that in order to protect the public of the Northwest Territories that it is essential that such investments be brought within the ambit of our securities legislation. I would ask Mr. Patterson to expand on what I have said.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Patterson, for your comments please.

MR. PATTERSON: Briefly, Mr. Chairman, yes, one other point I would mention is that this amendment, this bill would also permit people in the Northwest Territories to have access to prospectuses where trading involves a security that will be registered in the Northwest Territories so that you will not have to go to the headquarters of a company in Toronto or Montreal to see the prospectus but it will also be available in the Northwest Territories. The committee recommended that the bill referred as presented.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. MacQuarrie.

Filing Of A Prospectus Or Statement Of Material Facts

MR. MACQUARRIE: I certainly approve of the intent here, but I am not clear as to why there is an exemption in (b). It says that they need not file, apparently, unless I am misreading it, "unless (b) the registrar has ordered that a prospectus or statement of material facts need not be filed". Can someone explain why that exemption would be left in the hands of the registrar?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. Butters.

HON. TOM BUTTERS: This provision recognizes the fact that some well known companies who have already received authorization to put out prospectuses in a national sense would not have to do so again once having been so permitted.

THE CHAIRMAN (Mr. Tologanak): Mr. MacQuarrie.

MR. MACQUARRIE: Well, in some ways that is clearly understood. Let us not say clearly understood but clearly delineated because if it is not, does that mean that the registrar has a kind of authority that maybe he should not have just to arbitrarily allow certain companies not to file this kind of material?

THE CHAIRMAN (Mr. Tologanak): Thank you, Mr. MacQuarrie. My opposition here, Mr. Butters.

HON. TOM BUTTERS: I understand, Mr. Chairman, that it is a matter that has to be at the discretion of the registrar because of the complexity of the financial world. There are some situations in which such a requirement just could not be met. I would like to fall back on my usual gambit and ask the chairman of the legislation committee if he might have anything to add to the questions that have been raised.

THE CHAIRMAN (Mr. Tologanak): Oh, you mean pass the buck to Mr. Patterson?

HON. TOM BUTTERS: Yes.

MR. PATTERSON: No, I have nothing to add.

THE CHAIRMAN (Mr. Tologanak): Are you satisfied now, Mr. MacQuarrie?

MR. MACQUARRIE: Yes, I am told because of the complexities of circumstances that such an exemption in a way is necessary, but it is just that I would be concerned then that the registrar having granted an exemption should be compelled in some way to make it known to the Minister or to someone else that an exception has been granted and why, and in that way there would be a check on what is going on. If this thing is important in the first place, and I think it is, then I believe that there has to be some safeguard like that.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Bill 14-80(2), clause by clause. Agreed?

---Agreed

Clause 1, prohibition as to trading. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 15-80(2), Fair Practices Ordinance

Thank you very much. Bill 15-80(2), An Ordinance to Amend the Fair Practices Ordinance. Mr. Butters.

HON. TOM BUTTERS: Yes, Mr. Chairman, this amendment is made at the request of this House, I believe. This bill is introduced for the purpose of amending the Fair Practices Ordinance so that the exemption already provided in that ordinance for certain institutions to practice discrimination in relation to employment is further limited to discrimination in respect of the special objects for which the organization was established.

The current legislation provides that a charitable, religious or social organization is exempt from the provisions of the Fair Practices Ordinance so that such exempt organizations can discriminate freely and ignore all provisions of the current ordinance. The amendment, however, would limit this area of discrimination for such organizations such that they would only be exempt from the ordinance in respect of those areas for which they were established. As an example, a religious organization may discriminate on the grounds of religion and give preference to a particular religious sect, but cannot discriminate on other grounds such as sex, race, creed, ethnic origin, etc.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. Patterson, any comment as chairman of the legislation committee?

MR. PATTERSON: No, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Clause by clause, Bill 15-80(2). Clause 1, where ordinance not applicable. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 19-80(2), Workers' Compensation Ordinance

Thank you very much. Bill 19-80(2), Mr. Butters, An Ordinance to Amend the Workers' Compensation Ordinance.

HON. TOM BUTTERS: Yes, Mr. Chairman, the recommendation here before the Assembly is the result of a very intensive study by the actuarial consultants who are employed by the Workers' Compensation Board. They have recommended that the YMAR, years maximum assessable remuneration, figure be increased from its current amount of \$16,800 to \$20,400. The ordinance which established the Workers' Compensation Board did not request or did not contain a provision for the increase of the YMAR, but section 50 of that ordinance did require that "The board shall review annually the amount of all compensation payments being made in respect of a permanent disability, all compensation payments being made to dependants and that the amount of the years maximum assessable remuneration and shall make recommendations in respect thereof to the Commissioner." It is on the basis of that examination and those recommendations to the Commissioner that this matter is before us now.

If I may, by way of background, point out that the actuaries studied several indices of financial growth for estimating the amount of the years maximum assessable remuneration for 1981. These are the industrial composite wage index of the Northwest Territories, the industrial composite wage index for Canada, an index of earnings of Northwest Territories government employees and a composite index based on the average of those preceding three indices plus the consumer price index for Canada. They have also examined the data available from Statistics Canada for the territorial government payrolls which indicates a 30.65 per cent increase in average earnings between 1976 through 1979. There has been an eight per cent increase assumed from 1979 to 1980, making a total increase over the four year period of 41.1 per cent. Then if you are combining the three indices on equal basis it would suggest an increase over the period from 1976 to 1980 of approximately 38.26 per cent and that is less than the increase in the CIP over the same period of 41.23 per cent. So I guess what I am trying to say is that the recommendation has been well considered in terms of the fiscal growth in the Territories and that the recommendation that is before you has been made by the actuarial consultants after long and detailed study of this situation. It is their belief that the figure recommended will be adequate to meet the requirements of people of the Northwest Territories.

YMAR Ratings In Canada

I may just in closing point out that comparative current YMAR ratings in other provincial jurisdictions are, as I mentioned, at the current time it is \$16,800 in the Northwest Territories, \$19,000 in the Yukon, \$20,400 in British Columbia, \$18,250 in Alberta, \$19,000 in Manitoba, \$22,000 in Saskatchewan, \$18,500 in Ontario, \$21,500 in New Brunswick, \$15,000 in Nova Scotia, \$15,000 in Prince Edward Island. It looks like I missed Quebec. If I may go back, I said Ontario was \$18,500, Quebec is \$21,500, New Brunswick is \$15,000, Nova Scotia is \$15,000, Prince Edward Island is \$12,000, Newfoundland is \$16,000. So that the recommended figure of \$20,400 falls very well in those provincial averages or provincial amounts.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Butters. Mr. Patterson, have you any comments?

MR. PATTERSON: Thank you, Mr. Chairman. The committee recommended the bill go ahead. I do feel obliged, however, to draw to the attention of Members a telex received from the Northwest Territories Federation of Labour suggesting that the new ceiling should be higher and I am wondering if I could ask the Minister of Justice if he has had a chance to consider this telex and consult with the Workers' Compensation Board as to whether they feel they could meet the proposed maximum of \$25,000?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. Butters.

HON. TOM BUTTERS: Yes, Mr. Chairman, I did. On being informed by the hon. Member that he would be raising questions on this matter, I did phone the chairman of the Worker's Compensation Board, John MacLean. He assured me that very, very careful consideration was made of the situation of persons in the Territories and that the figure that had been arrived at was a fair one and that it compared very favourably with other provincial and territorial jurisdictions. I would have one comment on the wire which was made available to all Members, the first paragraph of that wire said "Please be advised that we hear some disturbing rumours regarding the possible actions..." The matter was reviewed at a public hearing on April 30th of 1980. So I am assuming that the board as a responsible body did take this proposal to the public and did receive public comments and submissions relative to it.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. Butters. Mr. MacQuarrie.

Public Consultation

MR. MacQUARRIE: Thank you, Mr. Chairman. I was going to ask that very question, whether there had been public consultation, and if there had not, I would not have been able to go along with this at all. As someone who was in the situation as a child, as I said yesterday or the day before, where compensation became part of my life, and having lived for quite a number of years at a level which would be considered these days a poverty level, I can very much sympathize with families that find themselves in this situation. And I really agree with the thought that is expressed in the telex, that families in this situation not only suffer the loss, if it is death or serious injury, of someone that means very much in the family, but suddenly, and for a rationale that is not entirely clear to me, it is thought then that they can do with less than what they were doing with before. I recognize the realities of economics. Apparently we have a thriving and strong fund in the Northwest Territories. I think that workers generally would be sympathetic in a sense to whatever contributions might -- of course this would be company contributions, but at any rate the idea that other workers should not have to -- other workers' families should not have to live at a lesser income because of what happens to them on the job.

I think that it is often too easy to justify something by saying "Well if you look at what they are doing elsewhere this compares favourably", because perhaps in an area like this what they are doing elsewhere is not necessary completely just either. It seems to me that we might have the chance to be leaders in this area. Finally a question before I decide I guess what to do. Could the Minister tell me what would be the implications of delaying this until the January session?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Hon. Mr. Butters.

Implications Of Delaying Amendment

HON. TOM BUTTERS: I guess I should know the answer to that but I am afraid I do not. I have just been informed that the Workers' Compensation Board operates on a calendar year and the amendment is put forward now so that it can become effective on the first day of the new year. If we did not approve it at this time we would remain at the current level of \$16,800.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Butters. Mr. MacQuarrie.

MR. MacQUARRIE: So that would mean that those people who are receiving compensation would not get an increase at all during the calendar year. I can only think that a further amendment could be brought next year some time if necessary. I will look further into it and I will go along at this time with the bill.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. I was also interested in speaking on this. I am happy to see that a substantial increase is going to be made, but I think Members are well aware that the costs of keeping employees in the Northwest Territories, especially in trades and in competitive job markets, when we look at the price that people are paid to work in Quebec which is a source of some of the skilled labour for this area of the Territories and in Alberta which is the source of the skilled labour for the western Northwest Territories, these people who we train up here in our trade schools and through

our system I have seen in Pine Point that these people leave the Northwest Territories because of the more attractive job markets. Companies in our area of the Territories are beginning to respond to this by paying higher wages, much higher than the \$20,000 a year and I would like to see the price reflect the actual wages that are being paid by companies in order to keep them in the Northwest Territories right now.

Increase Long Overdue

So I am in favour of the motion, of the bill to make the substantial increase, but I would like the Minister maybe to report back with possible amendments to further increase this at the budget session. You know, the telex we received also advises Alberta is going to go to \$22,800 and that is the wage you are looking at in a competitive basis in our area of the Territories anyway. So I am happy the increase is being made and it is probably long overdue, but it may not be substantial enough.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. Mr. Butters.

HON. TOM BUTTERS: I accept that direction of the Member and will advise Mr. MacLean to again review this matter and have a report of some sort for the January session -- the February session.

THE CHAIRMAN (Mr. Fraser): Bill 19-80(2), clause by clause. Clause 1, years maximum assessable remuneration. Agreed?

---Agreed

Clause 2. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Bill 4-80(2): Ophthalmic Medical Assistants Ordinance

Thank you very much. Bill 4-80(2), An Ordinance Respecting Ophthalmic Medical Assistants. Mr. McCallum. Put them in English next time.

HON. ARNOLD McCALLUM: Mr. Chairman, I would just like to simply say that with all humility there are some things we do in the Territories that are firsts. This particular ordinance is a first in the country. It is an ordinance that will allow us to train ophthalmic medical assistants. It will allow us to take a lead in training this kind of paraprofessional person. At the present time we have an Ophthalmic Technicians Ordinance, but it is a plan of the government and the Department of Health now to begin to train not only technicians but medical assistants and medical technologists. There were two other areas in the country I think that have similar programs. NAIT trains assistants as does Centennial College and the Armed Forces train technicians. We have to have this particular piece of legislation because we are now training, as I said, three kinds of medical assistants in ophthalmology. There are certain amendments within the bill that have to be made to existing ordinances. Nevertheless this particular ordinance is new. The department has had discussions with the medical profession of the Territories as well as the national level. The medical assistants will work under the direction and supervision of an ophthalmologist. This ordinance sets up an ophthalmic assistants committee who will review applicants for registration as well as review the applications to the particular course, the admission.

The course content is set by the committee and is flexible and remains flexible enough so that it will meet new and different advances or changing technology in this particular field. There were several questions raised, Mr. Chairman at the standing committee on legislation's review of it simply indicating how many people are in it, how many had applied and whether there were similar kinds of licensing of these medical paraprofessional people. I think other concerns that were asked at that particular standing committee's meeting where we reviewed the legislation, I think were pretty well answered. I do not think there are any outstanding concerns being raised at this time.

THE CHAIRMAN (Mr. Fraser): Thank you, Hon. Mr. McCallum. Mr. Patterson, any comments from the legislation standing committee?

MR. PATTERSON: No, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. We will proceed to the bill, clause by clause. Clause 2, definitions. Agreed?

---Agreed

Clause 3, registrar. Agreed?

---Agreed

Clause 4, register and students' register. Agreed?

---Agreed

Clause 5, ophthalmic medical assistants committee. Mr. MacQuarrie.

Ophthalmic Medical Assistants Committee

MR. MacQUARRIE: Yes, under 5(4) I believe that when the thought was first given to setting up the committee that it was recommended that the registrar should be the chairman and the ophthalmologist would be a member. Am I right in that and if I am why was it decided that this would be a better way to handle things?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I am not aware that that has changed. I will just look at the original or a back copy that I have here to see if there is any change in it. Mr. Chairman, the Member is correct in that it was in the original that I have it indicates that the registrar would be the chairman and the ophthalmologist member being the vice chairman of the committee. I can only indicate -- I can only say that I think in looking at it again that we felt that the registrar should perform the functions of the secretary and in fact since the ophthalmologist has certain particular sanctions or is able to provide certain sanctions and vetoes, we thought it would be best in terms of presenting it where the ophthalmologist would be the chairman and the registrar would then act as the secretary since that is more in line with the kind of work that the registrar would be doing in the admission and in point of fact, in placing the successful students on a particular list.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Clause 5. Agreed?

---Agreed

Clause 6, applications. Agreed?

---Agreed

Clause 7, levels of ophthalmic medical assistant registration. Agreed?

---Agreed

Clause 8, qualifications for registration. Agreed?

---Agreed

Clause 9, issue of certificate and notice of registration. Mr. MacQuarrie.

Issue Of Certificate And Notice Of Registration

MR. MacQUARRIE: It is just a technical error, I think in subclauses (3) and (4), pursuant to subclause 6(6) they say and I think they mean 6(b) and also down in paragraph 4(a) they refer again to in subclause 6(6) but I think in both cases it is supposed to be 6(b).

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. McCallum.

HON. ARNOLD McCALLUM: Yes, Mr. Chairman, the six in brackets should be 6(b) and I think it is only a typing error -- hold the phone -- it is just simply a typo and it should be 6(b) in both places since there is no 6(6).

THE CHAIRMAN (Mr. Fraser): Mr. McCallum, I believe it is 6(6). Mr. McCallum, could you clarify this as being correct?

HON. ARNOLD McCALLUM: Mr. Chairman, I have to apologize to you. I think that it in point of fact does refer to 6(6). The section says "The Executive Member shall not grant the registration."

THE CHAIRMAN (Mr. Fraser): Clause 9. Agreed?

---Agreed

Clause 10, certification of registration. Agreed?

---Agreed

Clause 11, admission etc., of students. Agreed?

---Agreed

Clause 12, prohibition against unlawful practice. Agreed?

---Agreed

Clause 13, prohibition against holding out, etc. Agreed?

---Agreed

Clause 14, disciplinary proceedings. Mr. MacQuarrie.

Disciplinary Proceedings

MR. MacQUARRIE: I just wondered under subclause (6) whether that is a standard kind of procedure where "the Executive Member shall follow the recommendations of the board" with respect to discipline. Is there no discretion on the part of the Minister?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Chairman, I think that that is the kind of statement you would have to have. It is under disciplinary proceedings. The inquiry

would take place under the Public Inquiries Ordinance and more like court if you like and we would follow the directions put down under the Public Inquiries Ordinance.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Clause 14. Agreed?

---Agreed

Clause 15, appeal. Agreed?

---Agreed

Clause 16, regulations. Agreed?

---Agreed

Clause 17, penalties. Agreed?

---Agreed

Clause 18, repeal. Agreed?

---Agreed

Clause 19, amendments to ordinances. Agreed?

---Agreed

Clause 20, transitional. Agreed?

---Agreed

Clause 21, commencement. Agreed?

---Agreed

Clause 1, the short title. Agreed?

---Agreed

The bill as a whole. Agreed?

---Agreed

Could I have your permission then to have Bills 11-80(2), 6-80(2), 17-80(2), 16-80(2), 5-80(2), 14-80(2), 15-80(2), 19-80(2) and 4-80(2) ready for third reading?

---Agreed

Thank you very much. I shall now report progress.

MR. SPEAKER: Mr. Fraser.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 11-80(2): CORRECTIONS ORDINANCE; BILL 6-80(2): JUDICATURE ORDINANCE; BILL 17-80(2): CO-OPERATIVE ASSOCIATIONS ORDINANCE; BILL 16-80(2): AGISTERS AND LIVERY STABLE KEEPERS ORDINANCE; BILL 5-80(2): LEGAL QUESTIONS ORDINANCE; BILL 14-80(2): SECURITIES ORDINANCE; BILL 15-80(2): FAIR PRACTICES ORDINANCE; BILL 19-80(2): WORKERS' COMPENSATION ORDINANCE; BILL 4-80(2): OPHTHALMIC MEDICAL ASSISTANTS ORDINANCE

MR. FRASER: Mr. Speaker, your committee has been considering Bills 11-80(2), 6-80(2), 17-80(2), 16-80(2), 5-80(2), 14-80(2), 15-80(2), 19-80(2), and 4-80(2) and wishes to report these bills are now ready for third reading.

MR. SPEAKER: Thank you very much. Mr. Nerysoo, you have a request?

HON. RICHARD NERYSOO: Yes, Mr. Speaker, I would like to get consent from the House to proceed to third reading of these bills.

---Agreed

MR. SPEAKER: Anybody have opposition to going to Item 12, third reading of bills, and leaving committee of the whole for now. I hear no nays.

---Agreed

ITEM NO. 12: THIRD READING OF BILLS

We will proceed then with third reading of bills. Bill 3-80(2), Mr. Wah-Shee.

Third Reading Of Bill 3-80(2): Baffin Regional Council Ordinance

HON. JAMES WAH-SHEE: Mr. Speaker, I move that Bill 3-80(2), An Ordinance to Incorporate the Baffin Regional Council, be read for the third time.

MR. SPEAKER: Mr. Patterson.

MR. PATTERSON: Mr. Speaker, should that have been Bill 3-80(2), as amended?

MR. SPEAKER: I am sorry, I did not hear you, Mr. Patterson.

MR. PATTERSON: I was going to ask Mr. Wah-Shee if he meant Bill 3-80(2). as amended be recommended...

MR. SPEAKER: Mr. Wah-Shee.

HON. JAMES WAH-SHEE: Mr. Speaker, that is correct, I should have said as amended.

MR. SPEAKER: Thank you. Bill 3-80(2), as amended for third reading?

---Agreed

We need a seconder. Mr. Braden. All those in favour? Opposed if any?
Bill 3-80(2) has had third reading.

---Carried

Bill 4-80(2), for third reading, Mr. McCallum.

Third Reading Of Bill 4-80(2): Ophthalmic Medical Assistants Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 4-80(2), An Ordinance Respecting Ophthalmic Medical Assistants, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Braden. All those in favour? Opposed if any? Bill 4-80(2) has had third reading.

---Carried

Bill 5-80(2). The Hon. Mr. Butters.

Third Reading Of Bill 5-80(2): Legal Questions Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 5-80(2), An Ordinance Respecting the Resolution of Legal Questions, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Evaluarjuk.

The question being called. All those in favour? Opposed if any? Bill 5-80(2) has had third reading.

---Carried

Bill 6-80(2), the Hon. Tom Butters.

Third Reading Of Bill 6-80(2): Judicature Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 6-80(2), An Ordinance to Amend the Judicature Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Kilabuk.

The question being called. All those in favour? Bill 6-80(2) has had third reading.

---Carried

Bill 7-80(2). The Hon. Mr. McCallum.

Third Reading Of Bill 7-80(2): Maintenance Orders (Facilities For Enforcement) Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 7-80(2), An Ordinance to Amend the Maintenance Orders (Facilities for Enforcement) Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Fraser. The question being called. All those in favour? Opposed if any? Bill 7-80(2) has had third reading.

---Carried

Bill 8-80(2), the Hon. Tom Butters.

Third Reading Of Bill 8-80(2): Conditional Sales Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 8-80(2), An Ordinance to Amend the Conditional Sales Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Kilabuk. The question being called. All those in favour? Opposed if any? Bill 8-80(2) has had third reading.

---Carried

Bill 9-80(2), Mr. Butters.

Third Reading Of Bill 9-80(2): Bills Of Sale Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 9-80(2), An Ordinance to Amend the Bills of Sale Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Braden.

The question being called. All those in favour? Opposed if any? Bill 9-80(2) has had third reading.

---Carried

Bill 10-80(2), Mr. Butters.

Third Reading Of Bill 10-80(2): Assignment Of Book Debts Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 10-80(2), An Ordinance to Amend the Assignment of Book Debts Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. McCallum.

The question being called. All those in favour? Opposed if any? Bill 10-80(2) has had third reading.

---Carried

Bill 11-80(2), Mr. McF

Third Reading Of Bill 11-80(2): Corrections Ordinance

HON. ARNOLD McCALLUM: Mr. Speaker, I move that Bill 11-80(2), An Ordinance to Amend the Corrections Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Evaluarjuk. The question being called. All those in favour? Opposed if any? Bill 11-80(2) has had third reading.

---Carried

Bill 12-80(2), Hon. Tom Butters.

Third Reading Of Bill 12-80(2): Corporation Securities Registration Ordinance

HON. TOM BUTTERS: I move that Bill 12-80(2), An Ordinance to Amend the Corporation Securities Registration Ordinance, be read for the third time.

MR. SPEAKER: A seconder? Mr. Kilabuk. Question being called. All those in favour? Opposed if any? Motion is carried. Bill 12-80(2) has had third reading.

---Carried

Bill 13-80(2), the Hon. Richard Nerysoo.

Third Reading Of Bill 13-80(2): Council Retiring Allowances Ordinance

HON. RICHARD NERYSOO: Mr. Speaker, I move that Bill 13-80(2), An Ordinance to Amend the Council Retiring Allowances Ordinance, be read for the third time.

MR. SPEAKER: Do you have a seconder? Mr. Appaqaq. Question being called. All those in favour? Opposed if any? Bill 13-80(2) has had third reading.

---Carried

Bill 14-80(2), Hon. Tom Butters.

Third Reading Of Bill 14-80(2): Securities Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 14-80(2), An Ordinance to Amend the Securities Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Patterson.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed if any? Bill 14-80(2) has had third reading.

---Carried

Bill 15-80(2), Hon. Tom Butters.

Third Reading Of Bill 15-80(2): Fair Practices Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 15-80(2), An Ordinance to Amend the Fair Practices Ordinance, to be read for the third time.

MR. SPEAKER: Seconded by Mr. MacQuarrie. Question being called. All those in favour? Opposed? Bill 15-80(2) has had third reading.

---Carried

Bill 16-80(2), Hon. Richard Nerysoo.

Third Reading Of Bill 16-80(2): Agisters And Livery Stable Keepers Ordinance

HON. RICHARD NERYSOO: Yes, Mr. Speaker. I move that Bill 16-80(2), An Ordinance to Repeal the Agisters and Livery Stable Keepers Ordinance, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Butters.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. Yes, Mr. McLaughlin.

MR. McLAUGHLIN: I would like the record to show that I did not participate in the debate or vote on this as I have a friend who has a stable in Pine Point.

---Laughter

MR. SPEAKER: All those in favour? Against, if any? Bill 16-80(2) has had third reading.

---Carried

Bill 17-80(2), Hon. George Braden.

Third Reading Of Bill 17-80(2): Co-operative Associations Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 17-80(2), An Ordinance to Amend the Co-operative Associations Ordinance, be read for the third time.

MR. SPEAKER: Seconded by Mr. Fraser.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed if any? Bill 17-80(2) has had third reading.

---Carried

Bill 18-80(2), Hon. James Wah-Shee.

Third Reading Of Bill 18-80(2): Municipal Ordinance

HON. JAMES WAH-SHEE: Mr. Speaker, I move that Bill 18-80(2), An Ordinance to Amend the Municipal Ordinance, be read for the third time.

MR. SPEAKER: Seconder? Mr. Appaqaq.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed if any? Bill 18-80(2) has had third reading.

---Carried

MR. SPEAKER: Bill 19-80(2), Mr. Tom Butters.

Third Reading Of Bill 19-80(2): Workers' Compensation Ordinance

HON. TOM BUTTERS: Mr. Speaker, I move that Bill 19-80(2), An Ordinance to Amend the Workers' Compensation Ordinance, be read for the third time.

MR. SPEAKER: Seconded by Mr. Fraser. Question being called. All those in favour? Opposed if any? Bill 19-80(2) has had third reading.

---Carried

Bill 20-80(2), Mr. Braden.

Third reading of Bill 20-80(2), Mr. Braden.

Third Reading Of Bill 20-80(2): Loan Authorization Ordinance No. 1, 1980-81

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 20-80(2), An Ordinance to Amend the Loan Authorization Ordinance No. 1, 1980-81, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Patterson.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed if any? Bill 20-80(2) has had third reading.

---Carried

Bill 21-80(2), Hon. Mr. Braden.

Third Reading Of Bill 21-80(2): Supplementary Appropriation Ordinance, No. 2, 1980-1981

HON. GEORGE BRADEN: Mr. Speaker, I move that Bill 21-80(2), An Ordinance Respecting Additional Expenditures for the Public Service for the Current Financial Year, be read for the third time.

MR. SPEAKER: Do I have a seconder? Mr. Kilabuk.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question being called. All those in favour? Opposed if any? Bill 21-80(2) has had third reading.

---Carried

Mr. Clerk, would you ascertain if the Commissioner is ready to give assent to the bills?

ITEM NO. 13: ASSENT TO BILLS

COMMISSIONER PARKER: Please be seated. Mr. Speaker, Members of the Assembly, as Commissioner of the Northwest Territories I assent to the following bills: I assent to Bills 3-80(2), 4-80(2), 5-80(2), 6-80(2), 7-80(2), 8-80(2), 9-80(2), 10-80(2), 11-80(2), 12-80(2), 13-80(2), 14-80(2), 15-80(2), 16-80(2), 17-80(2), 18-80(2), 19-80(2), 20-80(2) and 21-80(2). Thank you.

MR. SPEAKER: In view of the hour we will sit tomorrow morning at 9:30 until 11:30 and 1:00 p.m. until 6:00 p.m. Those are the sitting hours for tomorrow. Are there any announcements, Mr. Clerk?

CLERK OF THE HOUSE (Mr. Remnant): Yes, Mr. Speaker. Members might be interested to be informed that the usual sessional photographs of Pages and of House officers will be taken in the chamber immediately following 11:30 tomorrow morning.

MR. SPEAKER: Thank you. Mr. Clerk, orders of the day.

ITEM NO. 14: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Remnant): Orders of the day, November 8, 1980, 9:30 o'clock a.m., at the Gordon Robertson Education Centre.

1. Prayer
2. Oral Questions
3. Questions and Returns
4. Petitions
5. Tabling of Documents
6. Report of Standing and Special Committees
7. Notices of Motion
8. Motions
9. Introduction of Bills for First Reading
10. Second Reading of Bills
11. Consideration in Committee of the Whole of Bills, Recommendations to the Legislative Assembly and Other Matters: Motion 20-80(2); Information Items 1-80(2), 2-80(2), 4-80(2), 5-80(2), 6-80(2), 18-80(2); Tabled Documents 6-80(2), 12-80(2); Sessional Paper 5-80(2); Motion 43-80(2); Sessional Paper 6-80(2); Motion 61-80(2)
12. Prorogation

MR. SPEAKER: This House will stand adjourned until 9:30 o'clock a.m., November 8, 1980, at the Gordon Robertson Education Centre.

---ADJOURNMENT

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